



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Tuesday 18 August 2020**

**REVISED EDITION**



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The Speaker, **Ms Hickey**, took the Chair at 10 a.m., acknowledged the Traditional People and read Prayers.

## **MESSAGES FROM GOVERNOR**

### **Division of Braddon - Resignation of Joan Rylah**

**Madam SPEAKER** - Honourable members, I wish to advise the House that I have received the following correspondence from Her Excellency the Governor:

27 July 2020

Dear Madam Speaker

I have received a letter dated 27 July 2020 from Mrs Joan Rylah MP tendering her resignation as a member for Braddon in the House of Assembly. I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Sincerely

C A Warner  
Governor.

### **Division of Braddon - Election of Felix Ellis**

**Madam SPEAKER** - Honourable members, I advise you of the following communication I have received from Her Excellency the Governor:

17 August 2020

Dear Madam Speaker

I forward herewith the Certificate of the Electoral Commissioner stating that a recount has been held under the provision of Part 9 of the Electoral Act 2004 to fill the vacancy in the Division of Braddon caused by the resignation of Mrs Joan Rylah. Upon a recount of the resigned member's ballot papers Felix Ellis has been elected to the vacancy and the election takes effect from today.

Yours sincerely

C A Warner  
Governor

## **MEMBER SWORN**

### **Felix Ashton Ellis - Member for Braddon**

Felix Ashton Ellis, Member for the Division of Braddon, was sworn and declared that he had read the subscribed code of ethical conduct and race ethics.

**Madam SPEAKER** - Welcome to parliament, Mr Ellis.

**Members** - Hear, hear.

## **GOVERNMENT RESPONSIBILITIES**

### **Parliamentary Secretaries - Appointment**

**Mr GUTWEIN** (Bass - Premier) - Madam Speaker, I inform the House of changes to government responsibilities.

Following the resignation of Mrs Rylah, I have appointed Jacquie Petrusma and John Tucker as parliamentary secretaries to the Premier.

We have a strong focus on our recovery efforts and plan to rebuild Tasmania. The role of parliamentary secretaries, amongst other things, is to assist with strategic priorities, government initiatives, delivering programs to improve the wellbeing of Tasmanians and supporting the state's recovery efforts.

In these extraordinary times, when we have such a careful balance of our recovery efforts and our plan to rebuild Tasmania, I welcome their community advocacy experience and their support in both Jacquie and John. I look forward to their contributions to the team. Thank you.

**Members** - Hear, hear.

## **QUESTIONS**

### **COVID-19 - Essential Worker Exemption Scheme**

**Ms WHITE to PREMIER, Mr GUTWEIN**

[10.05 a.m.]

All Tasmanians deserve credit for their hard work and sacrifices to minimise the threat of COVID-19. There is no doubt that we are currently in a good position but the experience in Victoria and now New Zealand shows there is no room for complacency.

Your essential worker exemption scheme lacks transparency and it is in dire need of an overhaul. Almost daily we are hearing stories of workers being granted exemptions for reasons that are far from essential. Fitting out pizza shops or a supermarket, or putting silicone on a roof does not sound like a job that only a mainlander could do when there are more than 1000 Tasmanian construction workers unemployed.

The scheme is undermining Tasmania's tight border controls. It is undermining the trust the community has placed in you to keep them safe. It is raising questions about the fairness of a process that denies grieving families travel to attend a funeral but grants approvals for consultants. It is not the State Controller's administration of applications that is the problem; it is the very design of the scheme itself.

Premier, will you commit to an urgent overhaul of the essential worker exemption scheme to restore public trust in the process and ensure that interstate workers are not taking local jobs or putting public safety at risk by walking straight off the plane and on to the work site?

## **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for the question on that particular matter. Before I start, I warmly welcome Felix to the team. I am certain he will represent his community very well.

**Members** - Hear, hear.

**Mr GUTWEIN** - Regarding essential workers, the Leader of the Opposition is well aware of the process; that is employers need to provide documentary proof that they have attempted to source workers from within the state or that those skills are not available to them. Biosecurity then conducts a review of that application. It then goes to the State Control centre and there is a further review of that application before a final decision is made by the State Controller, Darren Hine.

I make it perfectly clear that I have full confidence in the team doing this work and also in the State Controller. These are difficult decisions. If anybody thinks the State Controller has an easy job at the moment they should think again. It is a difficult decision trying to get the balance right to ensure that they provide those exemptions that are required and necessary to ensure that our economy remains strong, and that we can continue with the cautious optimism we are seeing in our economy at the moment.

I have made this point on numerous occasions: the criticism of that process has been largely unfair. I am providing a ministerial statement to the House later today which will provide an update on our plan moving forward concerning a range of matters. I will be dealing with the matter of essential workers and exemptions in that ministerial statement. I will have more to say then.

## **COVID-19 - Essential Worker Requirement for Testing and Quarantine**

**Ms WHITE to PREMIER, Mr GUTWEIN**

[10.10 a.m.]

You have talked up Tasmania's tight border restrictions but the reality is that people are flying into the state every day without being tested or needing to quarantine. Currently, only essential workers from Victoria and declared hotspots are required to be tested for COVID-19, but according to the rules you have established they have 24 hours to get tested and they do not have to quarantine before they get their results. Your website states, and I quote:

Once you pass the initial screening process you are not required to quarantine while you wait for the test results.

That means a worker from Victoria can fly into Tasmania and go straight to a worksite before they get their test results back. This presents an unacceptable risk to the Tasmanian community. Will you tighten this loophole to require all essential workers to be tested and go into quarantine until they get their results back?

## **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for that question and her obvious interest in this matter. The Leader of the Opposition is aware that we have relied on Public Health advice -

**Mr Ferguson** - The experts.

**Mr GUTWEIN** - the experts, as someone behind me just said. When you look at the circumstances that Tasmania is in at the moment, Tasmanians broadly are cautiously optimistic of the future. We have a system whereby the only case that has been picked up in recent weeks was a returning Tasmanian who was picked up in the system and quarantined appropriately. We have no evidence of broader community transmission. The advice from Public Health has been sound right through this.

I put on the record very clearly my thanks and admiration for both Dr Veitch and Dr McKeown, supported ably by the secretary of Health, Kathrine Morgan-Wicks as the State Health Commander. They have worked diligently. They have provided sensible, balanced advice of the risks that we face and how to mitigate those risks. Our border controls have stood us in good stead. We are not Victoria. We are not New South Wales. We are not Queensland or South Australia, which are all dealing with multiple numbers of positive cases. We are not New Zealand. The system that we have put in place has stood the state in good stead. I will continue to be guided by our Public Health officials. They have been cautious. They have been responsible and they have the balance right.

I say to Tasmanians, broadly we are in a good place. We need to continue with the sensible and responsible work we have been doing and we need to ensure that Tasmanians remain confident in the systems we have in place and confident in Public Health advice. I believe they are. As I have said, this side of the House will continue to receive advice from the experts; we will continue to act on the advice of the experts. We will not, as you want us to do, make up the rules as we go along.

## **COVID-19 - Definition of Essential Worker**

**Ms O'CONNOR to PREMIER, Mr GUTWEIN**

[10.13 a.m.]

Can you explain to Tasmanians who have sacrificed so much since this pandemic hit the difference between an essential worker, an essential traveller, and someone who is subject to two weeks' mandatory quarantine?

Before you say that this is a matter for the State Controller, will you accept this is a matter of Government COVID-19 policy and explain how people wanting to come to Tasmania to attend a family funeral can have their applications rejected but in an age of video connectivity and electronic signatures a hospitality industry executive can get a quarantine exemption to attend the Crowne Plaza launch? This came after your party's backer at the last election, the Tasmanian Hospitality Association's Steve Old asked your Government for help to secure the exemption.

## **ANSWER**

Madam Speaker, I thank Ms O'Connor, the Leader of the Greens, for that question and her interest in this particular matter. Some difficult decisions are made. I understand that. I understand it more than anyone because I have actually picked up the phone and spoken to people when they have asked for exemptions for young children to come back for a funeral. Some of the hardest calls that I have made were back in March when we put the first border controls in. Obviously there were funerals planned for that coming week and some very difficult discussions and conversations had to be had with people. I recall one parent wanting a child to come back so they could bury one of their other children. As I explained to that parent, the rules we put in place were based on Public Health advice to protect people. There was evidence in New South Wales, shortly before we put our border controls in, of transmission that occurred, one at a wedding and I think another at a funeral. Unfortunately these settings are conducive to the spread of the disease.

Regarding the exemptions that are provided, I will be saying more about them later today in the ministerial statement and of our broader plan going forward. The people we have tasked with doing this job are doing their very best to get the balance right. On one hand, they need to balance the continuity of what has been a very fragile economic situation. They make decisions that they feel, based on advice and information provided by employers, is going to stand our economy and the jobs of Tasmanians in a good place.

This is a very difficult issue for the people who are making those decisions. Anybody can argue that a compassionate exemption for certain circumstances is much more worthy than keeping Tasmanians in work. That is an easy argument to make, but unfortunately these decisions have to be made, and I know that the people who make them wrestle with them.

I want to make it absolutely clear that there is a process that is undertaken. Biosecurity Tasmania, in the first instance, receives the applications. They then assess them and then they go to the State Control Centre. There is then a further assessment undertaken and a final decision is made by the State Controller, at arm's length from the Government. The rules underpinning these exemptions are put in place by Public Health.

**Dr Woodruff** - The question is whether they are being bent.

**Madam SPEAKER** - Order, Dr Woodruff.

**Mr Gutwein** - I know it can be an easy political point to make -

**Ms O'Connor** - We're not trying to make a political point. You need to explain -

**Madam SPEAKER** - Ms O'Connor, through the Chair, please.

**Mr Gutwein** - Forgive me, but I think you might be trying to make a political point.

**Ms O'Connor** - No. There are people talking about how come you let an executive in for a Crowne Plaza launch but people are having funeral requests rejected.

**Madam SPEAKER** - Ms O'Connor, you've made that point.

**Mr GUTWEIN** - I think she is continuing to make that political point.

**Ms O'Connor** - It is actually an important point.

**Mr GUTWEIN** - We are in the midst of a pandemic, and there are people who are tasked at arm's length, under the State Emergency Act and the Public Health Act, with ensuring that they protect Tasmanians. In the main, they have got those decisions right.

**Ms O'Connor** - Do you think they got this one right?

**Mr GUTWEIN** - I am not going to second-guess those decisions because they are based on the advice that is provided to them at that particular point in time in terms of the tasks that are being required to be done. I have confidence in the people making those decisions and I will continue to have confidence in them. It is easy to make the political point, but we are in the midst of a pandemic -

**Ms O'Connor** - Exactly, which is why we ask the question.

**Mr GUTWEIN** - I make this point: we are not Victoria, we are not New South Wales, we are not Queensland, or South Australia, or New Zealand. We are Tasmania, and at the moment we are in a pretty good place.

**Ms O'Connor** - We say no to people who want to attend funerals but yes to executives who are connected to the THA.

**Madam SPEAKER** - Order, Ms O'Connor.

**Mr GUTWEIN** - We are in a pretty good place. We will continue to act on the advice that is provided to us by the experts and they will continue to act, as they do, under the acts of parliament that guide their actions to deliver the best outcomes we can for Tasmanians.

**Madam SPEAKER** - I think Mr Tucker was out of his chair first.

### **COVID-19 - Premier's Economic and Social Recovery Advisory Council**

**Mr TUCKER to PREMIER, Mr GUTWEIN**

[10.20 a.m.]

Can the Premier please update the House on how the Government is keeping Tasmanians safe and secure during the pandemic -

**Ms Ogilvie** - I thought we had some arrangements in place, do we not?



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## **Member Suspended**

### **Member for Clark - Ms Ogilvie**

**Madam SPEAKER** - Excuse me, Ms Ogilvie. If you would like to be critical of the Chair I suggest you stand up and do it with the respect that is due. I do not like those snide comments across the Chamber and there is no agreement. I have control over this meeting, so I am going to respectfully ask you to leave the Chamber for 30 minutes - and if there is any chat it will be extended.

**Ms Ogilvie withdrew.**

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**Mr TUCKER** - Can the Premier please update the House on how the Government is keeping Tasmanians safe and secure during the pandemic emergency and what action the Government is taking in response to the 64 recommendations from the Premier's Economic and Social Recovery Advisory Council interim report?

## **ANSWER**

Madam Speaker, I thank Mr Tucker, the member for Lyons, for that question and his interest in this matter. My Government's key priority remains keeping Tasmanians safe and secure during this pandemic. We are in a good position in Tasmania. We are one of the safest places in the world, but we do not need to look too far away to see how quickly things can turn and how quickly a situation can escalate.

At the moment I know there is a level of anxiety out there for many Tasmanians in our community watching what is occurring in other jurisdictions. Many people are fearful at the moment, especially as they watch the numbers in Victoria on a daily basis. We understand that, but I want to reassure all Tasmanians that our systems are in place, we have strong border controls, we have rapid response capability and our tracking and tracing is ready should we require it. More than 79 000 Tasmanians have now been tested and we must keep it up. We must continue to follow the health advice, to be sensible and responsible in our management of the virus and our phased recovery process.

It is how we respond to these matters that is important. That is why, in parallel with protecting Tasmanians from a potential second wave of the virus, we are delivering our plan to swiftly reboot the Tasmanian economy, to restore and regrow business confidence and create opportunities for investment and generate jobs, and that plan is working.

It is great to share some positive news at a time when we are cautiously optimistic about our future. Today's Sensis Business Index report for August 2020 shows that Tasmanian businesses are the most confident about our economy in the country, with the report stating that small and medium businesses in Tasmania are the most positive about their state economy. It also shows, for the eleventh report in a row, that the Tasmanian Liberal Government has the most popular policies for businesses in the nation. That is a little different to when those

opposite were over this side of the House and two out of three businesses thought they were working against them.

In such uncertain times it is pleasing to see confidence returning to Tasmanian small and medium businesses. This builds on the ABS job numbers which last week showed that 13 400 Tasmanians are now back in work in seasonally adjusted terms since May when the height of the pandemic was on top of us. The most recent CommSec report said we had the strongest economy in the country. The recent financial update that I provided last week showed better outcomes than we had previously predicted.

We understand that we have a long way to go to recover and rebuild a stronger Tasmania but these positive results demonstrate we should be cautiously optimistic as we continue to manage the pandemic.

As part of our plan to recover from the impact of the virus and rebuild a stronger Tasmania I requested advice from the members of the Premier's Economic and Social Recovery Advisory Council on the strategies and incentives required to support our recovery. I am pleased to advise the House that the Government has accepted all of the council's 64 recommendations in its interim report. In fact the Government is well advanced with implementing the recommendations from the report. Six recommendations have already been implemented, including further support to Tasmanian businesses, encouraging government agencies to purchase from Tasmanian businesses and a further strengthening of our buy-local policy to support Tasmanian businesses.

Twenty-eight of the recommendations are currently being progressed. The remaining 30 recommendations proposed by PESRAC are supported by the Government and will be implemented by agencies as soon as possible from within agency resources or through the provision of additional resources, which will be reflected in the 2020-21 budget.

PESRAC is now in phase 2 of the consultation process, which will involve broader community input. The PESRAC process is an important part of our plan to reboot our economy, grow business confidence, create opportunity for investment and generate jobs. We should be cautiously optimistic that our plan is working, focusing on job-creating investment and job security for Tasmanians.

As public leaders, we have a significant responsibility to help rebuild confidence in the market and in our community. We are optimistic, as I have said, but we also must continue to apply a COVID-19 lens because things can change rapidly. However, we can all draw some strength and take quiet comfort from where we stand today.

We spent the winter parliamentary recess getting on with the job of rebuilding Tasmania. Unfortunately on the other side of the House, there just seems to be a lot more complaining.

We have a long road ahead of us and many Tasmanians and Tasmanian businesses continue to face tough times. We need to be responsive, agile and proactive but we must keep rebuilding confidence across Tasmanian businesses and consumers. On this side of the parliament, we are cautiously optimistic about what the future holds.

## **COVID-19 - Hotel Quarantine Testing Requirements**

**Ms WHITE to PREMIER, Mr GUTWEIN**

[10.27 a.m.]

We have seen in Victoria the catastrophic consequences of a breakdown of hotel quarantine arrangements. Tasmanians have made extraordinary sacrifices to get us to the good position we are in today. They deserve the strongest possible protection in place to prevent a second wave of infection. Unlike other states, Tasmania does not require everyone in hotel quarantine to be tested, either at the start or at the end of their quarantine period. Will you commit to requiring everyone in hotel quarantine to be tested on day one and on day 12 of hotel quarantine, to give staff working in those facilities and the community confidence that you are doing everything possible to keep them safe?

**ANSWER**

Madam Speaker, I thank the Leader of the Opposition for that question. Once again I will start my answer by saying that we will be guided by Public Health advice. We will take advice from the experts.

Some of the comments that have been made in other states about mandatory testing have been interesting. You cannot hold somebody down and force a test on them.

**Ms WHITE** - Madam Speaker, point of order. That was a very misleading statement by the Premier. It is a simple question. He is inciting interjections from me on a debating point, which I ask him to withdraw, please.

**Madam SPEAKER** - In the interests of goodwill, Premier, I ask you to withdraw that comment.

**Mr GUTWEIN** - Madam Speaker, I am not entirely certain -

**Ms White** - I am not going to hold people down and test them, am I? Are you? Maybe I should ask you that question, but I did not. I asked you a sensible question.

**Mr GUTWEIN** - Madam Speaker, I withdraw the point that I was making that it appeared that the Leader of the Opposition wanted us to hold people down to test them. In hotel quarantine we offer tests on the fifth day and on the 12th day -

**Ms White** - Voluntary.

**Mr GUTWEIN** - based on Public Health advice, and they are voluntary. I come back to the point - it is an easy trap to fall into. Make them mandatory, how?

**Dr Broad** - They stay longer.

**Madam SPEAKER** - Order, please.

**Mr GUTWEIN** - Regarding the Public Health advice, with the testing that is provided and the way that our hotel quarantine has operated, the evidence is there that it is working. The

processes that are in place by Public Health balance the risk and ensure that we get the outcome we want. That is having a safe border.

This side of the House will continue to act on Public Health advice. If Public Health took the view that forcing a longer period of time in quarantine was something that was important and, again, in terms of testing at the 12th day, people will stay longer, depending on their test result -

**Members** interjecting.

**Madam SPEAKER** - Order, please.

**Mr GUTWEIN** - Madam Speaker, the difference between this side of the House and that side of the House is that we will continue to be advised by the experts. The expert advice that we have received on this is that the test should be offered on the fifth day and on the 12th day. Public Health officials believe that is the most appropriate way to manage hotel quarantine.

The efforts that have been put in place with hotel quarantine have kept us safe. I am confident that the advice we have received from Public Health has been responsible, sensible and expert, ensuring that we get the balance right, that we minimise the risk and, importantly, that we deal with people appropriately.

### **COVID-19 - Hotel Quarantine Transit Arrangements**

**Ms HADDAD to PREMIER, Mr GUTWEIN**

[10.31 a.m.]

Several people entering hotel quarantine have spoken about their experience of transiting from airport and seaport in overcrowded buses. Travellers have described being packed into buses shoulder to shoulder with people from different states with no capacity for social distancing on those buses. On arriving at quarantine hotels there are no protections to prevent disembarking passengers from coming into contact with the public. While we know that drivers, hotel workers and others are doing the best they can, the consequences of someone being exposed to COVID-19 as a result of holes in the hotel quarantine system are potentially disastrous. The risk could be mitigated with simple changes to transport protocols and procedures. Who is responsible for the design and management of the transport system to COVID-19 hotels? Will you commit to fixing these issues?

#### **ANSWER**

Madam Speaker, I thank the member for her question and her interest in this matter. Getting past politicians on the footpath can be difficult as well. I am not attempting to be funny here -

**Members** interjecting.

**Madam SPEAKER** - Order.

**Mr GUTWEIN** - If the member was worried about the risk, why did you stand in the middle of the footpath and have the busload of people walk past you? As I understand it, you were asked to move on.

**Members** interjecting.

**Madam SPEAKER** - Order, I know this is a heated debate but I do expect it to be a respectful one. Please resume.

**Mr GUTWEIN** - The height of irresponsibility. In answer to the question -

**Members** interjecting.

**Madam SPEAKER** - Order. Do you want an answer to the question?

**Mr GUTWEIN** - Communities Tasmania plays a role in managing the hotels. The overall system is a matter for the State Controller.

**Ms White** - So no Public Health influence?

**Mr GUTWEIN** - I was asked who managed it, not who sets the rules for it. I have the utmost faith in the State Controller's ability.

### **COVID-19 - Electricity Bill Relief**

**Mr ELLIS to MINISTER for ENERGY, Mr BARNETT**

[10.34 a.m.]

Can you update the House on the Government's ongoing response to COVID-19 and the measures to help both residential and small business customers access electricity relief?

#### **ANSWER**

Madam Speaker, I thank the member for his question and I offer him a very warm welcome to this place. I look forward to working with Felix Ellis, the new member for Braddon, the youngest member here. I acknowledge his special interest in this topic and particularly in respect to small business and residential customers.

As a government, we have put in place unprecedented levels of support for our community, for small business during the COVID-19 pandemic. We have provided over \$1 billion of support. In fact, it is more than double the level of support as a proportion of Gross State Product compared to any other state or territory and something of which we can be proud. There is a lot more work to do but we are proud of that support.

We have understood the concerns of electricity and water customers and that is why we have delivered those quarterly bill waivers from 1 April this year. They have been very important, benefitting an estimated 34 000 small businesses in terms of electricity customers. Up to \$27 million in support has been provided for 34 000 small businesses. In addition to that the bill waiver for water and the price freeze from TasWater will be around \$25 million of

support. We are proud of that. We know there is a lot more work to do but I am pleased Aurora Energy has provided \$5 million to support those customers in need in terms of bill waivers and providing the support in the different ways.

Throughout this expansive effort for and on behalf of the Gutwein Liberal Government, we have always said that there is an opportunity to review. We will work with the constituents and the customers in every respect on how best to support Tasmanians during this very tough time.

I can announce today that we will be introducing a \$1000 grant to power customers within an embedded network. These are customers who will operate in a larger complex: a shopping centre, a large building, or a hospital for example.

**Ms White** - You said you would follow that up last session.

**Ms O'Byrne** - Did you seriously sit on this the entire break so you could announce it and leave them the way they were? You did not even -

**Madam SPEAKER** - Order.

**Mr BARNETT** - This is expected to benefit up to 1000 small businesses throughout the state of Tasmania with a wide range of businesses set to benefit including, for example, shopkeepers, hairdressers, dentists, doctors' surgeries, and the like. The new grant program will complement other small business grants programs that we have been delivering through our minister for Small Business on behalf of the Government. The details on how those eligible businesses will benefit will be made available in coming weeks.

As a Government we are committed to maintaining downward pressure on electricity prices. This has been a hallmark of our Government for the past six years as a majority Liberal Government. From 1 July we have delivered a 1.38 per cent reduction in power prices and we are proud of that for the 2020-21 year. Over the last six years, let us just recap, a 12 per cent reduction in real terms for households, and a 19 per cent reduction in real terms for small businesses. That is down, down, down. That is good news and of course it compares with the 65 per cent under Labor and Labor and the Greens.

We are experiencing some of the lowest electricity prices across the nation at the moment. We are proud of what our energy policy is delivering in Tasmania.

The Government is making a further announcement today which will continue to place downward pressure on power prices and water regulated prices. Before 30 June 2021 the Tasmanian Economic Regulator will be required to conduct a price investigation and determination for retail services for post-June 2021. However, for the current environment electricity and water businesses are operating in, it is far from typical. There is a lot of uncertainty ahead. There are a lot of challenges. It is a tough time during this coronavirus pandemic.

Right now, businesses such as Aurora Energy and TasWater are focused on supporting the Tasmanian community, as I have indicated, through these tough times, through the coronavirus pandemic. Accordingly, I can announce today that our Government will introduce legislation in the spring session of parliament to extend the regulatory review of the retail costs

of power and water prices by a further 12 months to 30 June 2022, effectively freezing the review of the retail costs for water and electricity prices. This will ensure a more dedicated focus of Aurora Energy and TasWater on the customers that they look after during this very difficult time of the COVID-19 pandemic. It is all consistent with our Tasmanian Liberal Government's effort to support our community and keep it safe. We are delivering and we will continue to deliver.

### **Sustainable Timber Tasmania - Forest Stewardship Certification**

[10.41 a.m.]

**Ms O'CONNOR to MINISTER for CLIMATE CHANGE, Mr GUTWEIN**

As a shareholder minister in the loss-making Sustainable Timber Tasmania, you would have been briefed on the auditor's damning February assessment of your forestry GBE's bid for Forest Stewardship Certification. You would have seen the audit report about six months before it was released late last Friday, while journalists were in a pre-budget briefing. The auditor rejected STT's application for FSC on the basis of major non-conformities with the Forest Stewardship Standard for sustainability.

The auditors knew about STT's greenwashing move to not log in less than 10 000 hectares of swift parrot habitat and were clear in their report that it will not save the species. In fact, they were clear that as long as your Government continues to log the habitat of threatened and endangered species, like the swift parrot, masked owl, and Tasmanian devil, it will not be eligible for FSC.

Do you agree that your Government's forestry policy is not only driving species to extinction and releasing vast quantities of carbon into the atmosphere, it is doomed to perpetually fail to secure FSC unless you change course?

### **ANSWER**

Madam Speaker, I thank the Leader of the Greens for that question and her interest in this particular matter.

**Ms O'Byrne** - I think it is okay because you are the only one touching it.

**Mr GUTWEIN** - No. Mr Barnett, I am sure, wishes he was here answering this. The first thing he would say would be 'wood is good'.

**Ms O'Connor** - That is why we asked you. We want an answer.

**Mr GUTWEIN** - Wood is good. In response to the member's question, Tasmanians can be proud of our responsible, sustainable forest management system. The Government's commitment is to continually improve practices while supporting the sector which employs thousands of Tasmanians and injects more than \$1.2 billion into our economy, supporting regional communities and families, as the member would be well aware.

Sustainable Timber Tasmania's Forest Management System is certified to Responsible Woods Australian Standard for Sustainable Forest Management, formerly known as the

Australian Forestry Standard. This certification is recognised at the international level led by the Program for the Endorsement of Forest Certification (PEFC), and a requirement demanded by many of Sustainable Timber Tasmania's customers and consumers.

In addition, both the Government and Board of Sustainable Timber Tasmania are committed to achieving FSC certification and aim to be dual certified under two internationally recognised certification schemes.

Sustainable Timber Tasmania has now publicly released the recent FSC Audit Report. This notes that STT met 93 per cent of the indicators required to achieve certification - 93 per cent - and demonstrated an ethos of responsible management for, and stewardship of, a robust array of values and resources, which is good news.

**Members** interjecting.

**Madam SPEAKER** - Order, I ask the Greens to refrain from interjection, please.

**Mr GUTWEIN** - Importantly, Sustainable Timber Tasmania has already taken action to start to address the issues raised. These include the actions in terms of the landmark agreement between Sustainable Timber Tasmania and DPIPW to implement a Swift Parrot Public Authority Management Agreement, the PAMA agreement for the Southern Forest. The agreement proactively protects the important species by excluding 10 000 hectares of swift parrot nesting habitat from wood production. Sustainable Timber Tasmania is also developing a swift parrot management plan for public production forests, and STT is proactively implementing procedures to better manage old-growth forest, particularly during bushfires, continue the transition to harvesting regrowth and plantation forests and refine the approach to old-growth management.

We understand there is still further work to do and Sustainable Timber Tasmania is committed to getting on with the job. The FSC auditors will return again within the next two years and the Government is confident that the proactive actions taken by this Government and STT will stand us in good stead in terms of certification.

### ***Spirit of Tasmania - Replacement Vessels***

**Dr BROAD to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON**

[10.45 a.m.]

Your Premier, Peter Gutwein, has promised to build Tasmania out of recession, but your Government has a woeful track record of building major infrastructure projects. In the lead-up to the 2018 election the previous premier, Will Hodgman, promised to fast-track the delivery of the new *Spirit of Tasmania* ships. A glossy election brochure boasted that the new vessels would be in operation on Bass Strait by 2021. That is next year. The brochure went on to say:

Over the past 18 months TT-Line has been carefully analyzing vessel types and fleet configurations.



It also says that the clearly preferred option that meets all requirements was two new roll-on roll-off monohulled fast passenger vessels. It goes on to say:

While there are no Australian shipyards with the capacity to build the new Spirits, the vessels will feature Tasmanian products in the fit out.

Not only has your Government broken its election promise to deliver new ships by 2021, in your own words, they may not be built until 2028, and there are now questions about whether your Government is still committed to building two new monohull vessels. What has changed since 2018 when your Government said there were no Australian shipyards that could build these vessels?

## ANSWER

Madam Speaker, I appreciate the opportunity to address this question from Dr Broad after his mutterings and whingeing in the media to anybody who will listen to him, being the prophet of doom on the other side of the Chamber.

The member asked me what has changed since the 2018 election. A couple of things have changed. First, one of the world's biggest shipbuilders went belly up. The second thing that has changed is that the entire world is in a global recession right now because of a thing called a pandemic, which your party at every opportunity shamelessly politicises. That is the last part of the question that I answer upfront because I would have thought it was obvious to members here that a lot has changed and the Tasmanian Government is doing what is best for our state.

Dr Broad and his leader, Ms White, do not see the merit of the Government pressing ahead with a review to ensure that we maximise domestic input into the largest investment decision the Government has ever made - \$850 million. It is unfortunately the case that Dr Broad again shamelessly misrepresented members of the Government when he was caught out on radio saying that we will not have ships until after 2028. He was claiming to quote the Premier but he was misquoting the Premier, who in his statement with me on the day we announced it, was very clear that delivery would be achieved within the 2028 time frame, not after, which Dr Broad claimed on radio and was caught out being very sneaky.

Members opposite are breathlessly complaining and whingeing but the Government is doing what is best for our country, what is best for our state. COVID-19 has had a dramatic impact on the outlook for this country and for the global economy. Our economic recovery, if those opposite care, is dependent on governments being prepared to do things differently. That is what we are doing. We want to make decisions that are about stimulating domestic input into TT-Line's whole ship replacement. That is what we want to see.

We know that the current *Spirit of Tasmania* vessels -

**Madam SPEAKER** - Order. Sorry, but there is this constant mumbling and interjection going on. I am asking you to tone it down please so we can get through this question.

**Mr FERGUSON** - Thank you, Madam Speaker. We know that the current *Spirits* are already emissions compliant. That is a good thing. We know that they can continue to operate safely and efficiently and meet future demand well into the future and that is a good thing.

We should also recognise that the decision to replace the *Spirits* earlier, including in the time frames that the member has outlined, was an accelerated replacement of the *Spirits of Tasmania*. We have a choice right now to invest around \$850 million offshore in Europe - or nearly all of it - or to explore all of our options in this new post-COVID-19 environment to maximise benefits for Australian and Tasmanian businesses and the people they employ. I say nearly all of it because there was Tasmanian input. Tasmanian timber is the best wood in the world.

**Members** interjecting.

**Madam SPEAKER** - Order. This is getting extremely rowdy. I insist that you all be more respectful. You have 38 seconds remaining, minister.

**Mr FERGUSON** - Thank you, Madam Speaker. Unashamedly, we will be exploring the options for this significant investment and the jobs it will underpin, to be spent as much as possible in this country, in this state. Labor very clearly opposes that. They are clearly on the record. You can point to whatever you like. There is a global recession and a global pandemic but we will do what is best for our country and our state.

### **Advanced Manufacturing - Export Trade Potential**

**Mr TUCKER to MINISTER for ADVANCED MANUFACTURING and DEFENCE INDUSTRIES, Mr ROCKLIFF**

[10.51 a.m.]

Can you advise the House on what the Liberal majority Government is doing to support Tasmanian advanced manufacturers increase their export trade potential?

### **ANSWER**

Madam Speaker, I thank Mr Tucker for his question. I know he has a great interest in this matter and there are many very good examples of advanced manufacturing and manufacturing within Lyons. I also acknowledge and welcome my Braddon colleague, Mr Ellis. It is great to have you here.

The Liberal Government is supporting our Tasmanian businesses during this very challenging time to increase trade and take their products to the world. We are committed to keeping Tasmanians safe and secure during the COVID-19 pandemic emergency. At the same time we are getting on with the job of rebuilding our economy across the state, focusing on job creation, job security and supporting Tasmanians.

Our advanced manufacturing sector is one area where there is significant opportunity, particularly in the defence and marine sectors. Many Tasmanian companies and entities are achieving substantial success in supplying the defence industry, both in Australia and overseas. Taylor Bros is a key partner company in the \$3.6 billion offshore patrol vessel project that will provide 12 new ships to the Royal Australian Navy. Offshore Unlimited has recently been contracted to provide support vessels for the recently initiated defence commercial hydrographic survey project, while Pivot Maritime has recently provided a portable bridge in

relation to the Royal New Zealand Navy and gained a defence grant to manufacture a container-based simulator system as a demonstrator for export markets.

Our Government released Tasmania's first advanced manufacturing action plan in 2014 which has delivered a range of industry support activities across five priority areas, resulting in \$51 million in increased sales, private investment of \$36.7 million, which equates to a return of \$3.81 invested for every dollar of grant funding, 756 new jobs for Tasmanians, and a further 169 new jobs from support projects forecast by 2022, the establishment of Tasmania's first statewide manufacturing association advocating and representing the industry and the opening of the first Tasmanian manufacturing centre of excellence. We are now working on a new advanced manufacturing action plan to continue to support the sector, ensuring that future initiatives maintain and build on this foundation of success while taking into consideration the new global operating and trading environment we are in as a result of COVID-19.

The Tasmanian Defence Industry Strategy is another way we are supporting our advanced manufacturing industry with actions aimed at increasing Tasmania's participation in the current \$200 billion national defence program. It also sets stretch targets to support businesses to achieve great opportunities through pursuing defence opportunities in our glass manufacturing sector.

Later today I will attend the launch of a new class of fast sea boat firmly targeting defence market opportunities developed by Tasmanian specialist boatbuilder PFG Group. The Sentinel eight-metre rigid hull inflatable boat builds on Tasmania's long-time maritime legacy and embraces our reputation for quality and innovation in advanced manufacturing. PFG already supplies specialist high-performance boats to police forces here and interstate, as well as for the fisheries and aquaculture sectors. It is now looking to supply defence forces here in Australia and further afield.

It is Tasmanian innovation, the smarts, the determination like that shown by PFG that will see our state come through the harsh economic impacts of COVID-19 in a strong position to recover, grow and create even more local jobs. We can do it. We need to have the confidence in our advanced manufacturing and manufacturing sector. We are good at building boats. This is why we need, as members of parliament, to have confidence when the Premier clearly outlines a vision for our new *Spirits*, that we can do it here. We can contribute in Tasmania and Australia because we have the capacity; we have the innovation right here in Tasmania, in our backyard. I encourage those members opposite to go out there, visit these businesses right across Tasmania to understand why they have the confidence. They are backing this Government, like we are backing businesses right across this state.

### **COVID-19 - Government Support for Additional Repatriation Flights**

**Ms OGILVIE to PREMIER, Mr GUTWEIN**

[10.56 a.m.]

Premier, I have a problem and I am hoping you are able to help solve it. Thousands of Australians are still stranded overseas because of the pandemic. A Tasmanian family comprising Mr Brett and Mrs Imelda Riseley and their three-year-old child, Tasman, have been stuck in the Philippines for about five months. They went there on a short visit with friends, the Bleathmans, and were stuck there. They have been bumped from seven flights through no

fault of their own. They have from time to time been offered seats and then bumped, then offered business class airfares, which we know are incredibly expensive and nobody can afford those. It has been all hands on deck here. Your office and your staff have been trying to help, but we need to do more. I am grateful to the media, which has also been trying to help.

The Riseleys have been through the wringer. What I am worried about is that there is a three-year-old child involved; a three-year-old who has been dragged through this process unnecessarily. There is an urgent need for repatriation flights. This is a national issue of great importance. It is something less than 4000 seats per week for people to be able to come back in.

I was trying to turn my mind to what you could do to help fix this issue that you have not already done. I would like to seek from you a commitment to ensure that the Riseleys and Bleathmans are not charged for quarantine on compassionate grounds. They are not wealthy people. They are wonderful Tasmanians who work in aged care and they obviously have not been receiving income for a long time. They do not have the money.

Will you go to National Cabinet and stamp your feet and demand the return of desperate Australian citizens? I think we can do this. Can we send some planes, however we do that, and make this happen? We have to get these people home. They are not people who have just gone on holidays. These are good Tasmanian people who are stuck. I am sure other MPs' offices have been inundated as well. I ask for your support and help.

## **ANSWER**

Madam Speaker, I thank the member for Clark, Ms Ogilvie, for that question and for her interest in this matter.

Obviously the national borders are a matter for the federal government. It is a reasonable point, albeit we have a second wave in Victoria, that the swift action Prime Minister Morrison made early in the piece to lock down our borders and to limit the amount of international travel back into the country, both those who were looking to be repatriated or those who would have been planning holidays or other reasons to come here, has stood the country in good stead. There are both Tasmanians and some Australians who are caught in difficult and challenging circumstances.

I am aware of the case you have raised. I received advice yesterday that there will be a flight in September out of the Philippines that will be DFAT-supported.

**Ms Ogilvie** - I am aware of that. It has happened before and they have been bumped.

**Mr GUTWEIN** - These are difficult circumstances and difficult times that we are attempting to work through. Please understand from me that we will do what we can that is reasonable and that fits within the national framework to assist Tasmanians to come home. I do not want to be trite because I know that, as you say, there is a family involved and young children -

**Ms Ogilvie** - They have asked me to raise it with you.

**Madam SPEAKER** - Through the Chair please, Ms Ogilvie.

**Mr GUTWEIN** - It is a difficult set of circumstances. We are dealing with an international pandemic. As I have said, DPAC has been engaged. They were notified yesterday of this coming flight. We will obviously engage and do what we can to assist to ensure that the Riseleys can be on that flight. These are international matters and national matters. Sometimes they are outside of the reach of a state premier. We will do what we can to assist these people.

### *Spirit of Tasmania* - Local Jobs Creation

**Dr BROAD to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON**

[11.03 a.m.]

You have cited local jobs as the reason for scuttling TT-Line's plans to build the *Spirit of Tasmania* vessels in Europe. You surely relied on advice and modelling in making such a momentous decision. How many Tasmanian jobs will be created as a result of your decision to delay the construction of the new ships until 2028?

### **ANSWER**

Madam Speaker, the Government wants to make this about Tasmanian opportunities and Australian domestic input into the largest investment decision, at \$850 million worth of value, that the state has probably ever made. I can answer the question in two ways.

The number of jobs that would be created in Tasmania and Australia if we were to follow Labor's policy would be zero. Labor is squarely on the record of not supporting our decision to pause the process and examine more thoroughly the options that exist particularly given the global recession. We expect that global ship builders will be even more keen for their pricing, arrangements and appetite for business in this state.

The second way to answer the question is that we look forward to the advice of the taskforce. It will be useful for the House to appreciate that the taskforce has been established to identify local procurement, purchasing and manufacturing options for the new vessels -

**Members** interjecting.

**Madam SPEAKER** - Order, please.

**Mr FERGUSON** - to ensure we can maximise the benefits for our people, for Tasmanian and Australian businesses and the people they employ.

The task force includes representation from the departments of Treasury and Finance and State Growth, the TT-Line company and a representative of the federal government, which is really pleasing -

**Dr Broad** - Why?

**Mr FERGUSON** - Why? Why is it pleasing that the federal government is supporting us in this? Because we want to support Tasmanian and Australian jobs, Dr Broad. You do not.

The task force will be chaired by the secretary of the Department of Treasury and Finance, Tony Ferrall -

**Members** interjecting.

**Madam SPEAKER** - Order. This is ridiculous.

**Mr FERGUSON** - It will be chaired by the secretary of the Department of Treasury and Finance, Tony Ferrall. Is that okay with you, Dr Broad?

The other task force members are Mr Kim Evans, secretary of the Department of State Growth; Mr Craig Limkin, deputy secretary of DPAC; Mr Bernard Dwyer, Chief Executive Officer of TT-Line Company Pty Ltd, an excellent operations executive, excellent in his job and who has helped us to grow the business by 35 per cent since we came to office; Mr Sacha De Re, Assistant Secretary from the federal Department of Finance; and also Rear Admiral (Rtd) Steve Gilmore AM, Tasmanian Defence Advocate. Is that okay with you, Dr Broad?

We are focusing on opportunities to find opportunities for Tasmanian and Australian jobs. We do now know what the task force will provide to us as advice. That is clearly something they will generate over the next three to six months, unfortunately, again, opposed by the Labor Party. We will do what is best for Tasmania and we will do what is best for our country.

We are pleased to be working with the federal government. When I visited the north-west coast one or two days after the Premier and I had made that announcement in the morning briefing, I spent the full day in Dr Broad's electorate and the feedback consistently from businesses in the north-west was the same as the feedback I have had consistently right around the state. They are prepared to say this is the right decision for the times. This is the right decision for the times.

**Members** interjecting.

**Mr FERGUSON** - We all hear the cheap shots that are being made. You are on the record. Thank you for repeatedly placing that on the record so that Tasmanians are in no doubt. We know what your policy is. You oppose what we are doing to test the market for Australia. Thank you for placing that on the record. We will do what is best for Australia and Tasmania.

### ***Spirit of Tasmania - Freight Capacity***

**Dr BROAD to MINISTER for INFRASTRUCTURE and TRANSPORT,  
Mr FERGUSON**

[11.07 a.m.]

The impact of COVID-19 on flights into the state has only increased the importance of the *Spirit of Tasmania* service. The tourism industry's T21 Visitor Economy Action Plan delivery document highlights drive holidays and Tassie road trips as keys to Tasmania's tourism recovery. The glossy flyer spruiking the construction of the new *Spirits* quotes industry modelling forecasting passenger numbers to increase from 434 000 in 2016-17 year to 558 000 by 2026-27. Freight is also expected to increase from 103 000 freight trailers to 147 000 freight

trailers over the same period, based on growth in key job-creating industries like salmon, berries and cherries.

Already, the current ships are regularly running at freight capacity, even in the middle of winter. Tasmania's tourism industry should be in a position to bounce back strongly post COVID-19. You have constrained growth in these industries and job creation by leaving the old *Spirits* on the run until 2028. Why have you put a handbrake on the creation of new jobs in these industries at this critical time?

## **ANSWER**

Madam Speaker, we are very pleased that the Tasmanian economy, especially pre-COVID-19, had grown so strongly that we saw fantastic demand, not only for freight but also for tourists wanting to travel to Tasmania.

As I said earlier in my answer, it was under this Government working with TT-Line, not against TT-Line, that we saw the company turn a 35 per cent increase. It was the previous minister who sits in front of you Dr Broad, who tried to completely rewrite all of that and was intending to smash the private freight market across Bass Strait. It is clearly on the record.

I welcome the question. I certainly welcome, I think, the early signs of greens shoots from you, Dr Broad, where you might be starting to take a slightly more positive outlook on our future economy from your Leader. I appreciate that you have said that Tasmania should be strongly rebounding. That is exactly what the Liberal Government is intending to create by working with Tasmanians.

We have seen new investments on Bass Strait from other companies as well. SeaRoad has been making investments. They have two vessels plying the strait. Toll Group has two brand new vessels as well, enjoying success. TT-Line themselves have the capacity, not just for fast sailings, getting fresh goods to market, last to leave, first to get in, but also the day sailing opportunity. The TT-Line has the capacity to meet additional sailings and provide additional capacity through those extra sailings. We are working closely with TT-Line, with clear advice, and I have been open with you on numerous occasions -

**Members** interjecting.

**Madam SPEAKER** - Order, please.

**Mr FERGUSON** - Current vessels are fit for purpose until 2028. They continue to serve our state extremely well. Part of the reason for that was our \$33 million investment in those ships, which again, unfortunately, through its relentless negativity, the Labor Party opposed.

We will continue to look for the best options. I look forward to the advice from the task force. The Premier shares that with me. We want to encourage them. Leave the task force alone, Dr Broad. Let them do their job. They are experts in their field. They are well connected. Allow them to help the Government -

**Members** interjecting.

**Madam SPEAKER** - Order. I am insisting on better behaviour.

**Mr Gutwein** - What have you got against this?

**Mr FERGUSON** - Exactly right, Premier. What does the Labor Party have against Tasmanian jobs?

**Members** interjecting.

**Madam SPEAKER** - Excuse me, did anyone hear me. This behaviour is outrageous, and it is not a very good example to Mr Ellis. Mr Ellis, you get the privilege of the last question.

### **Road and Bridge Infrastructure - Upgrades**

**Mr ELLIS to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON**

[11.12 a.m.]

Now that we are building our way to recovery, can you please update the House, on how the Government's plan to rebuild a stronger Tasmania is delivering millions of dollars in stimulus through roads and bridge upgrades?

### **ANSWER**

Madam Speaker, I thank the member for Braddon, Mr Ellis, for his question. I welcome him to the House of Assembly. I hope he has a happy, successful and fulfilling career as a member representing his community.

The Tasmanian majority Liberal Government is getting on with delivering job creating infrastructure as part of our \$1.8 billion program over the next two years, which will deliver an estimated \$3.1 billion in construction. Our massive construction pipeline will deliver a strong and steady pipeline of work that is expected to support 15 000 jobs. Indeed, as the Premier reflected earlier, we are seeing those green shoots of recovery and we feel cautiously optimistic to know that in the ABS figures for July, 7000 more people returned to work. That is great. Since May, 13 400 are back at work. That is fantastic.

Also, as the Premier said, confidence is core to our recovery. We need to have that self-belief and perpetuate it. By ensuring a consistent program of works, we are providing the construction and the engineering sector with that confidence that they need, to know that they can continue to invest, and importantly, employ and train. We are rolling out that program and I want to update the House on that.

The COVID-19 Emergency Procurement Measures have enabled us to take a streamlined approach for \$40 million-worth of work across 12 smaller, simpler projects that could be quickly delivered to provide immediate stimulus work. Using that approach, we have already awarded the contract for the first of the projects on the Wynyard to Marrawah section on the Bass Highway, and the contract for the safety upgrade on the Highland Lakes Road at the Pub with No Beer corner, that the member for Lyons, Mr Barnett, has been working on with the mayor. On this package of 12 projects, more tenders will be awarded in coming weeks, with a further five projects which will be released for tender between now and October.

This demonstrates that the measures we have been implementing are working. We are getting shovel-ready projects to market more quickly. We are getting them into the hands of



civil contractors sooner and, of course, providing the local construction sector with certainty for their businesses.

When we were last here in the House, I updated the House on the extra support that we had received. As part of our comprehensive Plan for Recovery, we also committed an additional \$40 million in new state government funding as part of our COVID-19 stimulus response which supports a \$10 million bridge upgrade at Apsley River to be tendered in coming weeks, a \$15 million overpass at Leith on the Bass Highway, improving Bridport Road west of Dalrymple, and upgrading local road connections to the imminent duplication of the East Derwent Highway, also to be tendered soon.

When we were last in the House I was very pleased to inform members of the further support we had received from the Australian Government. That included the great work we were able to do in partnership with the Tasmanian federal Liberal team. That was \$34 million in Commonwealth stimulus funding for shovel-ready projects and safety upgrades, benefitting every part of our state. The first of these projects, upgrading Railton Main Road, was awarded to Shaw Contracting only last week. Other projects that will kick off soon include \$10 million in state road network upgrades and the new \$6 million all-abilities pedestrian underpass in Campbell Town.

In addition to the new projects, we are continuing to deliver on our existing program of works. The first package of six projects include the Wynyard to Marrawah section of the Bass Highway, Somerset to Wynyard realignment in the Cooe to Wynyard section, \$14 million in priority projects on the West Tamar Highway awarded to Hazell Brothers, the critically important Hobart Airport interchange project which is underway and of course the upcoming upgrade to the Midway Point intersection.

We have nearly finished the \$7 million upgrade to the Mowbray connector roundabout in Launceston and in the south the new Bridgewater Bridge, after many years of spectacular failures to launch, is now becoming a reality.

**Opposition members** interjecting.

**Mr FERGUSON** - Cue embarrassed derision. You diverted the money.

**Mr O'Byrne** - How many lanes?

**Mr FERGUSON** - That will be enough out of you. The member who interjects diverted the money.

Madam Speaker, in recent weeks we confirmed the design requirements, we have issued pre-procurement information to industry –

**Ms White** - Is that only in recent weeks? Have you only just worked out if it will have two lanes or four lanes?

**Madam SPEAKER** - Order, please.

**Mr FERGUSON** - If you would just care to listen. We are building the bridge. The next step is the commencement of the request for the proposal stage later this month which will

select two tenderers to enter a competitive design process to deliver the best value for money design. This is progress that has never been achieved before.

**Opposition members** interjecting.

**Mr FERGUSON** - Unbelievably, Madam Speaker, members opposite with their fake laughter would have you believe that none of this is happening. If you ever wanted to see a case of sour grapes have a look across there. Labor's infrastructure spokesman continually tries to talk down the very positive investment we are making at Burnie Port, the recently tendered \$40 million replacement of the Burnie ship loader. That is very good news for Burnie and it is phenomenal news for the mining industry. It is no surprise that Labor is either playing politics or it is simply anti-jobs when we actually need them.

I will conclude by letting members be aware that the northern regional prison is an important job-creating project for the north of the state. We totally support it. What is the case opposite? Does Ms White support the northern regional prison? In what can only be described as a weird case of IT incompetence, the member for Lyons, Ms Butler, yesterday mistakenly emailed the Premier and other Lyons Liberal MPs applauding the views of a constituent that suggested the Government should abandon its plans for a northern prison and instead expand Risdon Prison or maybe build it in Rocherlea. The reply from Ms Butler, in just two words accidentally to the constituent and members of the Government, was 'very good'. I ask members opposite if they actually support that project or not.

**Time expired.**

## **TABLED PAPERS**

### **Public Accounts Committee - Reports**

**Mr TUCKER** (Lyons) - Madam Speaker, I table the following reports of the Public Accounts Committee -

- (1) Review of Selected 2013 Public Works Committee Reports.
- (2) Review of Auditor-General's Reports No. 8 of 2015-16 Provision of Social Housing and No. 11 of 2015-16 Compliance with Legislation.
- (3) Review of Auditor-General's Reports No. 12 of 2013-14 Quality of Metro Services; No. 3 of 2014-15 Motor Vehicle Fleet Management in Government Departments; and No. 11 of 2013-14, Compliance with Alcohol, Tobacco and other Drugs Plan 2008-13.

I move that the report be received.

**Reports received.**

## **TABLED PAPERS**

### **Subordinate Legislation Committee - Reports**

**Mr TUCKER** (Lyons) - Madam Speaker, I table the following reports of the Subordinate Legislation Committee titled -

- (1) Inquiry into the Fisheries (Rock Lobster) Amendment Rules 2019 (S.R. 2019, No. 62).
- (2) Scrutiny of Notice issued under section 23 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Waive Land Tax in 2019- 20 for Land Tax Liabilities under \$150); Scrutiny of Notice issued under section 17 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Magistrates Court - Electronic Service and Witnessing); Scrutiny of Notice issued under section 23 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Freeze Fire Service Contribution and Motor Vehicle Levy); and Scrutiny of Notice issued under section 23 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Vehicle and Traffic Act 1999) - Report 9.
- (3) Scrutiny of Notice issued under sections 14 and 16 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Building Act 2016) - Report 10.
- (4) Scrutiny of Notice issued under sections 14 and 16 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Property Agents and Land Transactions Act 2016); Scrutiny of Notice issued under section 22 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Residential Tenancy Act 1997); and Scrutiny of Notice issued under section 13 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Gaming Control Act 1993) - Report 11.
- (5) Inquiry into the Winnaleah Irrigation District By-Laws 2019.

I move that the reports be received.

**Reports received.**

## **DANGEROUS CRIMINALS AND HIGH RISK OFFENDERS BILL 2020 (No. 28)**

### **First Reading**

Bill presented by **Ms Archer** and read the first time.

**COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS)  
AMENDMENT (QUARANTINE DEBT RECOVERY) BILL 2020 (No. 29)**

**First Reading**

Bill presented by **Mr Jaensch** and read the first time.

**LAND USE PLANNING AND APPROVALS AMENDMENT (MAJOR  
PROJECTS) BILL 2020 (No. 26)**

**First Reading**

Bill presented by **Mr Jaensch** and read the first time.

**MOTION**

**Sessional Orders - Recission of Resolution - COVID-19 Emergency Provisions**

[11.30 a.m.]

**Mr FERGUSON** (Bass - Leader of Government Business) - Madam Deputy Speaker, I move -

That the House in accordance with Standing Order 94, rescinds the following Resolutions -

- (1) Tuesday, 17 March 2020 - *Resolved*, That for the remainder of this Session -
  - (1) Standing Order 18, paragraph (a) be amended by leaving out “be at Six o’clock p.m.” and insert instead “be no later than 5.25 p.m. on Tuesdays and Thursdays; and 2:30 p.m. on Wednesdays”.
  - (2) Standing Order 119 be amended by leaving out “in the Member’s place”.
  - (3) Standing Order 76 be suspended.
- (2) Thursday, 30 April 2020 - *Resolved*, That for the remainder of this Session -
  - (a) Standing Order 18, paragraphs (d) and (e) be suspended and the following paragraph be inserted instead -

“(d) When the House adjourns in accordance with paragraph (b) of this Standing Order or the adjournment is moved in accordance with paragraph (c) of this Standing Order -

- (i) the Speaker shall call speakers on the COVID-19 Emergency Matter of Public Importance. Members may speak to such matter for seven minutes each and the debate shall not exceed thirty-five minutes; and
  - (ii) following the conclusion of any debate under sub-paragraph (i), the Speaker shall then call for adjournment speakers, when any Member may speak to any matter for seven minutes. After these issues have been debated for a maximum period of one hour, the House shall stand adjourned, without Question being put, until the next sitting day.
- (b) Sessional Order 18A be amended, by taking out “Six o’clock p.m.” and insert “the time prescribed for the adjournment in Standing Order 18 (a)”.

This motion deals with dispensing of those sessional orders that we agreed to back on 17 March where we resolved until otherwise ordered we would put in place some very different working arrangements. None of us were all that enraptured with it at the time but we felt it was the best approach to help us get through the COVID-19 pandemic, not exactly knowing how it would affect this state. It is pleasing that as early as 18 August we are in a position that we can set aside those rules and I welcome that. I am moving that motion. At the moment I am moving an amendment to it as well.

I move -

That the motion be amended in paragraph (1) - by leaving out subparagraph (2).

Subparagraph (2) deals with whether a member is allowed to speak in or not allowed to speak in their place. Because of continuing social distancing, it seems prudent that members can continue to be recognised by the Speaker not in their usual seat in the Chamber. I will move that amendment so that we can continue with that particular practice, at least for the time being.

I conclude my remarks by saying a sincere thank you to Ms White, Mr O'Byrne, Ms O'Connor, Ms Ogilvie and Madam Speaker in her absence, and the Clerk and his team as well, who never like to be brought into debate. I thank them and my own team and all members of this House. I appreciate the opportunities foregone - political and community opportunities to raise things which were hampered because private members time was set aside by all parties; Government, Opposition and cross-bench parties. The MPIs were set aside in favour of having a daily opportunity to raise issues of concern. They were effectively MPIs, but really around the COVID-19 pandemic and the response.

I will speak positively whenever I can about the way that, despite the obvious political differences, including the ones we have today in question time, our House and our members of parliament agreed to work together and focus our efforts and our energies around the COVID-19 emergency, which continues but in a very different arrangement from back in March. I hope, if the circumstances ever needed it again, we would be able to do that again. I think we would. I feel grateful for that. I say thank you to those people and each member of their respective teams for being willing to work in these unusual ways for this period of time.

Madam Deputy Speaker, I commend the motion and the amendment.

[11.33 a.m.]

**Mr O'BYRNE** (Franklin) - Madam Deputy Speaker, we will support the amended motion as put forward by the Leader of Government Business. We think it is a welcome resumption of normal proceedings for this House. The people of Tasmania have given us some level of grace to be able to manage the work of Government and the work of parliament in this most extraordinary of times. They would be welcoming a return to normal scrutiny and oversight of the actions of the Government. Therefore, a fully functioning parliament is essential to do that.

Again, we will put on the record our disappointment that we headed into the winter recess as per the schedule prior to the impact of COVID-19. We thought there was work that could be done. The oversight of government during essentially a state of emergency is crucially important to the confidence of people in the operations of government in the House. Having said that, we are here now and welcome the resumption of full parliamentary scrutiny and activity.

[11.35 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Deputy Speaker, we will be supporting motion number 303 to return the business of parliament, in large part, to the way it was before. Parliament last met on 25 June and how the world has changed since we were last together. At that date there were 9.5 million confirmed coronavirus cases around the world and 462 000 deaths. As of today, there are 21.7 million confirmed coronavirus cases, 766 000 deaths, and in the United States there are 5.5 million confirmed cases and 170 000 known or registered deaths.

Nationally, from 25 June when we last met, we have gone from 7558 confirmed cases to now 24 000 confirmed coronavirus cases in Australia. We have gone from having 104 Australians lose their lives as at 25 June and now on this day, the record shows that 421 Australians have lost their lives to coronavirus. In that time, during the winter recess, it became clear where one of the largest problems is in terms of our response to coronavirus, with 70 per cent of all deaths in Australia having been in aged care. For anyone who wants to know how criminally negligent our response as a country was to aged care they should read Rick Moreton's piece from last Saturday's *Saturday Paper*. It will reduce you to tears and make you furious if you are an empathetic person.

What we saw during the winter recess was the Commonwealth washing its hands of responsibility for keeping people safe in aged care, a system that was privatised under John Howard. A deliberate decision was made not to send people in aged care facilities who contracted the disease to hospital because apparently their lives did not have as much value as young people. As a consequence, in places like Newmarch House, an Anglicare-run facility in

New South Wales, the virus spread like wildfire, yet we did not learn. Four to six weeks later in Victoria, the same thing was happening where there was a government decision at a federal and state level not to put people who had contracted coronavirus and were in an aged care facility into a hospital - and what do you know, people died. In aged care facilities staff fled.

As a country we were woefully unprepared because of the decision of governments and the Commonwealth Government, Scott Morrison's Government, not to take responsibility for aged care which they fund and have statutory responsibility for.

In South Australia, the state government made a decision to send people who had contracted coronavirus out of an aged care facility into hospital and they did not have a single outbreak in aged care. I felt it very important to place that on the record in the deep hope that will not happen in Tasmania and that we will not do that to our older Tasmanians.

I take this opportunity to place on the public record my gratitude to the Premier, the Minister for Health, Public Health and Tasmania Police for keeping us safe, and to every Tasmanian who over that period, and some of those were very difficult months, made enormous sacrifices. It has been very difficult in Tasmania for many people who have lost family members or lost their jobs and face a very uncertain future. I give a nod to young people who have lost their jobs in droves as a result of the virus. We understand from advice given to the Australian Government that it will take four to five years at least for youth employment to recover.

It is important that our parliament - and we are blessed to be able to do so - returns to a measure of normality and we are able to scrutinise Government respectfully but with laser focus.

I note that the essential traveller rules have changed for federal members of parliament. They were classified essential travellers previously and are now no longer. As I understand it, representatives from Tasmania will be required to mandatorily quarantine in a hotel for two weeks after getting back from representing us in Canberra and passing laws.

I cannot let this moment pass. The contrast between an essential traveller exemption that was given to the Tasmanian Hospitality Association's national representative to attend the Crowne Plaza launch and the way people are being denied the opportunity to attend family funerals or to be with a grieving parent is real. The Premier might not like us asking these questions but we are giving voice to what people in the community are saying. There has been an inconsistency in the way the essential traveller and essential worker exemptions have been granted and people in the community sense that and are not happy about it. With those few words I indicate that we will be supporting the motion.

[11.41 a.m.]

**Ms OGILVIE** (Clark) - Madam Deputy Speaker, I too support the motion and am very pleased to see us all back in this place. I want to reflect on the period of time that we have had since March when this thing became a pandemic and the awful time that many people have been through. But as I move through my electorate of Clark now there is a sense of buoyancy that has returned. Many people will stop for a chat and express their gratitude to everybody in parliament right across the Chamber, and I have always said that. Everybody in this place has contributed to what I think we can say is a fairly successful handling of this emergency that came out of the blue.

What people say to me, particularly our older population, is thank you for keeping us safe. I hear this lot and I love to have those conversations because I remember how difficult it was, at least dealing with my own family, to get through to the older set that they needed to stay home in those early days. Now I hear that they quite like the slower pace of life and there have been good things that have come out of taking time to reset and rethink and breathe and look at our state and our economy and think about the way we do things.

There are some big, genuine conversations we need to have around our economic future and industry development. I am incredibly supportive of the advanced manufacturing sector. In Derwent Park we have some very substantial, good Tasmanian enterprises -

**Madam DEPUTY SPEAKER** - Sorry to interrupt but I want to remind members that this debate is about restoring the Standing Orders. It is not a general COVID-19 debate. Some of these comments could be made on the adjournment today so we need to come back to what we are meant to be talking about now.

**Ms OGILVIE** - Certainly, Madam Deputy Speaker. It was just a bit of a segue about reflecting on the changes that have happened during this time. Coming back to a sense of normality is a good thing but let us not lose the other good things that have transpired over this time.

I was originally a bit vocal about not wanting parliament to recess or adjourn over the period. I was hoping we could have more of a digitally driven parliament and now is the time, where we have a bit of a breather with the borders closed and that sense of safety, to look at perhaps modifying our technology and the way we work in this House, taking some lessons from the private and public sectors around work from home as well.

I will support this motion. It is a good thing to be back at work. I also think we can contemporise how we do things in this parliament. I would like to continue to push for that to occur from the lessons that we have learnt during this period about how we work, how parliamentarians work, how MPs work, how this Chamber can work, perhaps, in a more contemporary way.

**Amendment agreed to.**

**Motion, as amended, agreed to.**

## **MATTER OF PUBLIC IMPORTANCE**

### **Border Control Measures**

[11.46 a.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Deputy Speaker, I move -

That the House takes note of the following matter: border control measures.

I rise to talk about border controls, and specifically, to talk again about the exemptions given to particular workers to come into this state, who are not required to quarantine, and in some instances, not even required to have a COVID-19 test, and the potential consequence of



this could have for the Tasmanian community, and the health and wellbeing and the safety Tasmanians value so much.

There are also grave concerns around some of the loopholes that have been exposed in hotel quarantine. I will update the House on some findings that have come out of the Victorian Hotel Quarantine Inquiry today where they have been told that 90 per cent of their state's current COVID-19 cases can be traced to one hotel in Melbourne.

We need to be making sure that we do everything possible to protect Tasmanians from the importation of a virus on someone travelling here, who might be in a quarantine hotel, who might be isolating at home, or might be granted an exemption from quarantine because they are regarded by the Government as an essential worker.

We tried to get to the bottom of who had been granted an exemption to come into the state as an essential worker. We put in some Right to Information requests. The first one was denied because the response from the government department was that the information was not readily available and it would take too long to collate, which was concerning. We had hoped the Government would have a very accessible document available to them, that they could check against to make sure that they knew exactly who was coming into this state, exactly who had been given an exemption from quarantine, who those people were and where they had gone. But the Government said they could not easily provide that information.

We took that matter further to the Ombudsman, and back to the department, and we finally got some answers. It was alarming to see the sorts of professions that had been granted exemptions from quarantine to come into this state because apparently, no Tasmanian could do this job. That is a very questionable matter because when you look at the professions listed here, and I read some of them, you would have to ask what kind of check was put in place by this Government to make sure that no Tasmanian could do the job of a bitumen carter, or bricklayer, or a construction worker?

We have more than 1000 construction workers who have lost employment in this state as a result of COVID-19. Sadly, nearly 20 000 Tasmanians have lost employment in Tasmania as a result of COVID-19. There are plenty of skilled professionals in our state who could be doing the work that the Government has given to mainlanders to come here and do, granting them an exemption from quarantine, but also, alarmingly, not requiring them to all be tested for COVID-19 on arrival.

Some of the other people who were given exemptions to come into our state were fire safety assessors, and pest technicians. Then a whole bunch of people who, because they presumably had 'specialist' put in front of their title, were granted an exemption. Putting 'specialist' in front of somebody's title does not mean that they are suddenly an essential worker and that there is no Tasmanian who can do that job. For example; a specialist equipment operator, a specialist machinery servicer, a specialist cladding worker, a specialist construction worker, a specialist flooring contractor, a specialist joiner.

I tell you right now, Madam Deputy Speaker, that there are Tasmanians who can do the work that these mainlanders have been brought into Tasmania to do. It undermines public confidence in the Government's border arrangements when these workers can fly in, walk off a plane and walk onto a job site in the same day because the Government's own requirements

do not require people to be tested and quarantined until they get their results before they can go to the job. That is a massive problem.

We have such an enviable position right now in Tasmania where we have no community transmission of the virus. We have one active case which is currently in quarantine and dealt with appropriately. We have gaps at the border that need to be fixed. Tasmanians I speak to cannot understand, and they feel very anxious about the fact, that workers are coming in from the mainland, coming in from places like Victoria, and they can get off a plane and go to a job site and work alongside other people. For instance, that occurred last week in your own electorate of Franklin at the Domino store that was fitted out, where workers had come in from interstate and worked alongside Tasmanian workers. They were given an exemption from quarantine. They did not have to be tested for COVID-19 before they came into the state.

At the moment, the only people who have to be tested as essential workers are people coming from Victoria or from hotspots, but they do not have to wait for a result before they can go to the job site. They can take themselves from the plane to the job site, work amongst other people, get a test within 24 hours and they do not have to quarantine until they get a result.

More concerningly than that, and the Premier said it this morning, he is worried about other states. He said that Tasmania is not like Victoria, New South Wales, Queensland or South Australia. He said that because he says we are safe and those states are not safe, yet workers from those states can come into this state, they do not have to quarantine and they do not have to be tested. That is a massive breach of trust and public confidence in this Government because border controls should be water tight.

We have given our support to you to do that but we also want you to do better in giving Tasmanians the best chance to get one of these jobs that currently you are giving mainlanders the opportunity to take up when we have got nearly 20 000 people out of work in this state.

It is not only the case of workers being flown in to work at Domino's. They came in to do a fit-out of a supermarket; they brought in someone to put silicone on the roof at the Royal Hobart Hospital. But giving exemptions for consultants to come to openings of events, you really have to question the validity of those exemptions when there are so many Tasmanians legitimately wanting to come home to be with someone in their family, who might have lost a loved one and to attend the funeral of somebody they love, who have been denied the opportunity to come to Tasmania.

I understand and respect the difficulty of these decisions but the process has to be fair and it has to be transparent.

**Time expired.**

[11.53 a.m.]

**Dr WOODRUFF** (Franklin) - Madam Deputy Speaker, it has been seven weeks since we have been in this Chamber and much has changed in Australia in relation to where we are with the COVID-19 pandemic.

The situation that has established in Victoria is so serious, not only for Victoria but the implications are clearly being felt in New South Wales, Queensland, South Australia, Western Australia, the Northern Territory and here in Tasmania.

The Premier was on the cusp of announcing border arrangements that would have seen Tasmanians being able to travel to the Northern Territory, South Australia and Western Australia. Public Health advice correctly made the decision to hold off on that. We saw the enormous increase in cases in Victoria and indeed spread across into South Australia. It was prescient to look ahead and understand the course of this virus.

We are also seeing in New Zealand the difficulty of maintaining a whole population who were living something like 100 days without a case of coronavirus and people were trading and living life without restrictions. Commerce was happening, school was happening, and holidays were happening internally within New Zealand. We only have to see that now it has been just a mere week or so and they have 78 cases, with nine in the last 24 hours, as I understand. They still do not understand the source of that outbreak. They still do not have a real grip on what has happened.

This shows us that this virus is incredibly sneaky and capable of moving. Someone described it to me like this. If put a bit of glitter on yourself and then track the glitter as it falls off you and exchange that with other people in a room and move into other parts of the house you will see where the glitter ends up. Despite the fact you might not have touched anything, it ends up on other people, it ends up on surfaces, it ends up everywhere.

What we have to do is twofold. We have to do everything we can according to the Public Health advice to keep the restrictions in place that will enable the fine balance between jobs being able to be continued, students being able to go to school and interactions in the community and yet protect ourselves and the people we love and to preventably save lives in Tasmania, because we will be in this situation for it seems at least another 18 months.

Tasmanians have sacrificed so much and have been prepared to do that. They have put a lot of trust in the Premier's directions and the decisions that have been made by him and the fact that he has listened to Public Health. We commend the Premier for his continued listening to the Director of Public Health and for taking the advice of epidemiologists and public health experts about the hard decisions that have been made in Tasmania.

We are concerned at what happened with the Crowne Plaza opening when that was brought to the attention of the media and then subsequently other people. The Greens put a Right to Information request in on the back of media reporting when Steve Old, the head of Tasmanian Hospitality Association, applauded and thanked Tim Baker, the secretary of DPIPWE, for his support in getting workers to finish the Crowne Plaza. There has been a huge amount of public discussion and reasonable questions asked about what sorts of exemptions have been provided and on what basis. We seem to have a situation where the Premier could not give a good answer to the Leader of the Tasmanian Greens' question in parliament this morning in question time about the terms 'essential worker', 'essential traveller' and 'compassionate leave'.

These are important distinctions for Tasmanians to understand because the sacrifices are enormous. When children cannot attend the funeral of a parent or the funeral of a sibling, that grief of not being able to have closure will stay with that person and that family for the rest of

their life in some form. There is no doubt about that. These are important human experiences and sharing them with other people helps us move through and understand the loss and the grief of a friend, a loved one, a parent, a child.

What we have is a situation where it seems a decision was made to bring in not just workers but later we found that the managing director of a firm who wanted to come to the launch of the Crowne Plaza, Mr Roger Powell, was given an exemption to do that. The Greens' RTI uncovered the fact that the secretary had a chat to Steve Old and said yes, he would help out a mate. A mate asked a mate to do a favour and an exemption was made for a person, to which Tasmanians reasonably ask, on what basis is this an essential job? On what basis is this essential work? We think there is a greater emphasis being placed on work rather than personal issues. If you have a person who heads a company who is there for a launch only, there is no work involved in that. That is not essential. We want to understand how strict the criteria are and it is time to have an audit undertaken of these matters so that people can be confident that it is all impartial.

### **Time expired.**

[12.00 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Madam Deputy Speaker, on behalf of the Government I am pleased to respond and to speak to this matter of public importance of border security measures because our top priority from day one has been the safety, health and wellbeing of Tasmanians. The Premier has made that clear from day one.

Congratulations to the Premier for his decisive leadership and decision-making ability under enormous pressures. We all know that the coronavirus pandemic has affected us and the globe in a such a significant way. Right now here in Tasmania I believe the community is cautiously optimistic about our circumstances and the manner in which it is being managed by our Government and those who are responsible. On behalf of our Government, I want to express full confidence in and thank the State Controller, Darren Hine, Commissioner for Police, for his leadership under enormous pressure, day in and day out, together with the wonderful support of his team.

I put on the record, on behalf of our Government, our support and thanks to Director of Public Health Dr Mark Veitch and Dr Scott McKeown and their team for the very difficult decisions they have had to make for and on behalf of the people of Tasmania. Likewise to Kath Morgan-Wicks and those in her team for and on behalf of the Health department and the Tasmanian Health Service. Can you imagine the pressure, the stress and the strain on those individuals in light of the decisions that they have to make on a daily basis, on a weekly basis, week in week out during this coronavirus pandemic?

The state of emergency was established early on, on 19 March 2020, and the claims that are being made by the other side I believe are motivated by political point scoring at least in part and that is regretful. It is disappointing because they are calling into question the integrity of not just the Premier but the State Controller and those who are deciding this on an independent basis. It is a decision-making process that those on the other side know full well is an independent process. It is independent and objective.

We have confidence in those who have to make that decision. There is cautious optimism in the community and the criticism from the other side frankly is unwarranted and unhelpful.

You are calling into question the integrity of the Premier. When you come in here and you ask questions about those who should be entitled with respect of funerals and very difficult circumstances, you know when the Premier made that decision in mid-March standing in this place there was emotion in his voice. You know he knew the gravity of that decision to impose the restrictions on so many businesses and the dreadful impact that would have on people's lives. The loss of jobs and all of that was motivated because of the safety and health and wellbeing of the Tasmanian community. I say thank you, Premier Peter Gutwein, for your leadership during this very difficult and challenging time and I also say thank you in advance for the further work that will be required and thank you for that commitment.

You have heard earlier today in question time that there will be more said about this in a ministerial statement in a few moments' time in this Chamber regarding how we want to continue to improve the process to make sure it is independent and objective.

I want to say a couple of things about Biosecurity Tasmania because they are at the front line and that is my department. I thank them for their work and their efforts. They have been acting beyond the call. They have been and continue to play a critical role in enforcing Tasmania's COVID-19 requirements at the border, screening passengers arriving at airports, seaports, travel restrictions, quarantine requirements, supporting the operation of the Good2Go Pass app. Incredible. That is why I visited them last week to thank them for their service. I met them in their Hobart offices and via video in the north and then Stoney Rise at Devonport. It would be good if the community thanked Biosecurity Tasmania staff for their service. On behalf of our Government I am saying thank you for your service to those in harm's way who are making these decisions on our behalf; an independent, objective process.

The other side knows it is an arm's length process. It is arm's length from the political process. It is a three-stage process. It has been explained in the media, in the parliament. There have been comprehensive briefings for the Labor Party, for the Greens, including by the State Controller. You have met with the State Controller and you know the process. The advice I have is that since our border controls were put in place, almost three out of every four applications for exemptions for essential travellers have been rejected. They understand that the processes are administered through Biosecurity with a final decision resting with the State Controller. It is an important point. The onus is on employers to provide written confirmation that those special skill sets for the essential traveller exemptions are not available in Tasmania.

### **Time expired.**

[12.07 p.m.]

**Mr TUCKER** (Lyons) - Madam Deputy Speaker, the number one priority of the Tasmanian Government is the health, wellbeing and safety of Tasmanians. This would not be possible without the dedication of Biosecurity Tasmania staff. Biosecurity Tasmania staff have played and continue to play a critical role in managing the COVID-19 requirements for people arriving into Tasmania. Biosecurity Tasmania staff have also been involved in a number of important COVID-19 response roles, including stakeholder communications and, more recently, through the G2G Pass app.

While Biosecurity Tasmania has had an important role across all of Tasmania's airports and seaports during the COVID-19 pandemic, the teams have also been undertaking activities in other areas to maintain the state's strict biosecurity requirements. Resources have been directed to freight and mail centres following an increase in the volume of mail entering the

state. Biosecurity Tasmania follows up on the detection of all non-compliance goods with both the importer and exporter of the goods with relevant compliance actions, ranging from compliance letters, increased and targeted surveillance, infringement notices, as well as prosecution.

COVID-19 also comes on top of the normal critical work of Biosecurity Tasmania, which also cannot be interpreted, such as fruit fly responses and maintaining our emergency preparedness capacity, weed management, cat management and invasive species control, animal welfare and veterinary services and our welfare work with the RSPCA; diagnostic services and our plant and animal health services; food safety, shellfish market access and other product integrity programs; implementing the Biosecurity Act and developing Tasmania's biosecurity strategy. Tasmania has a rigorous and effective biosecurity system to protect our annual \$2.4 billion agri-food production and our \$3.4 billion in exports.

The work by Biosecurity Tasmania should give confidence to Tasmanians that control mechanisms to manage COVID-19 risks are being rigorously applied at the border.

The Tasmanian Government has invested strongly in the biosecurity system to ensure we continue our excellence in the production of fresh and safe produce, meet future domestic food requirements and maintain access to key international markets. The Liberal Government formed Biosecurity Tasmania to better support and protect our primary industries and environment. In each successive budget we have invested more into developing a modern biosecurity system, supported by a responsive workforce.

We have also made good progress in implementing the new Biosecurity Act, which was passed by parliament in August last year. This landmark act will help us meet the challenges of the future and support the Government's plans for strong growth in our primary industries and tourism sectors. As a farmer I understand these biosecurity issues and support what the Government is doing.

[12.11 p.m.]

**Ms OGILVIE** (Clark) - Madam Speaker, I want to pick up on some of the themes of which I was speaking earlier, specifically in relation to the fact that the good measures we have in place have kept us all safe and created an environment in which people can somewhat get back to life. We have a strategic advantage and opportunity to rethink, remeasure and redo the way we do business in Tasmania, to look at industry development and specifically focus on jobs.

We have been dealing with parallel crises. We have the health crisis and we have an economic crisis. Our measures to manage COVID-19 may well end in a scenario where we know it is on the planet and it is an issue we have to manage for all time. Diseases like tuberculosis are one of those issues. We might see outbreaks from time to time and we are certainly very careful about measuring and managing our quarantines and borders in relation to people coming through.

We are in a position now where we have a bit of line of sight to where this crisis hits. We have done our best as a leadership group, both in this House, the Government and others at the front line, in developing rapidly and quickly an appropriate response from a quarantine and border perspective. We now have the great benefit of time; time to look at how we manage this. Running things under state of emergency legislation leads to conversations like the one

we are having in the House today around the definition of terms and who fits in specific terms. The definition of 'essential work' and 'essential worker' is something we have been developing as we go along. It is a similar technique that we deploy when going into court and looking at the definition of terms when they are not finely legislated.

Credit to us as a state for being able to do that, but there is work to be done. We will perhaps need to see some legislative reform across a number of acts for the longer term. We were all hoping that this would be a short-term blip on the radar but we are now settling into what looks to be a new normal, perhaps for years to come. That is the legislative response.

On the economic response, we have the great benefit of time in Tasmania, our island state. No-one else has the strategic advantage that we have right now to get the right heads around the table to develop our future economy. We have the funds, we have the people, we have the education, we have the capacity and we are able to harness our intellectual capacity and our skills to develop new industries and to do more in the buy local space. That is why I am very supportive, as I said before, around our advanced manufacturing, particularly the ship industry, ship building, RM and the tech sector as well: research maritime, Macquarie Point; let us get that project going.

There is so much that we can do and we have people from the private sector who head up major multinational corporations who are based in Tasmania who want to come to that table and partner in those conversations.

A number of times, I have had the great benefit of speaking with the wonderful David Thodey AO for whom I used to work in Telstra-land many moons ago, talking to him about the work that they are doing from CSIRO but also an APS jobs perspective, decentralisation. We need to be on the front foot with that. You only need to look at what South Australia did many moons ago, over 20 years, building up industries and sectors. This work which is commercial, operational, intellectual, economic and which flows into and connects into our education system. The TAFE system can address some of the issues we know that are lying just below the surface and some of our structural issues which have been there for a long time.

We have an older population as well as one of the key assets and elements that we need to manage but if you think about the real unemployment rate, we are looking at around 15 per cent for our younger people. We know that in Glenorchy that rate was already very high. Jobs, hopefully, will help with that but the real unemployment rate which is masked at the moment by JobSeeker and JobKeeper is pretty high.

We have businesses who are telling me that they do not know how long they can survive in their current settings within an island economy. There is work to be done there to refresh how they can operate. Digital is not the answer to everything but there is certainly a digital element to play.

We might reach a point where effectively we can actually have a jobs hub, a safe jobs bubble in Tasmania. If we can pinch and poach jobs from other departments and APS divisions, bring them in here, we can grow our footprint across the Antarctic Division, CSIRO and others; space and telco and technology.

The GRN project is an amazing opportunity: \$465 million, the sorts of jobs that we can provide to our kids bringing them up and through and in telco there is a job for everyone, from

putting the trenches, running the cables, building the towers to doing the programming, sorting out the phones, the radar, the commercial side, the selling, the retail, the training. There is literally a job for everybody in that sector and so I am so extremely pleased to see that GRN project hit the table. Well done everyone.

There is a point to be made that our current emergency management of our situation has stood us in incredibly good stead to date but there is a time to move forward.

**Time expired.**

[12.18 p.m.]

**Ms HADDAD** (Clark) - Madam Speaker, I know I only have a few minutes left in this debate - three minutes, thank you.

The point that I have been trying to raise in the last few weeks is that there are risks right now when it comes to hotel quarantine and I wanted to revisit the answer that the Premier gave me in question time. The question that I asked was specifically about people transiting from airports in crowded buses to quarantine hotels and then being able to inadvertently mix with members of the public when they are hopping off those buses and into hotels.

There was a chorus of members of the Government screaming across the Chamber that I had engaged in what they called 'the height of irresponsibility' to be standing on the street when the news happened to film some quarantine passengers coming past.

I want to let the House know there was no way to know if there was going to be a bus going to be there at that time. There actually was not a bus there at that time. I was a member of the public standing on the corner of a footpath in the open air, in the middle of a public place just like the 2000 workers who work in that office building. It was close to closing time from memory when the ABC was filming that story. Those 2000 people would soon be exiting that building and could just as likely have that passenger who happened to walk past by sheer coincidence walk past them.

The Government says that I was showing the height of irresponsibility to be standing there being filmed by the news that day. It could have been any time of day. I was just a member of the public standing on the footpath. It could have been any other member of the public standing on the footpath at that time. It was irrelevant that I was being filmed by the news. It was coincidence that those passengers walked past at that time. Earlier in the day the ABC had also filmed passengers hopping off the buses and other members of the public coming through those groups of passengers. That is why we are raising these things. It is not to play politics, as the Government so conveniently always throws back at us. It is such an easy response for them.

Everything is going well until it is not. Everything is going well now and we have supported the Government in the hard decisions they have had to make. Everything was going well in Victoria until it did not, and 90 per cent of those cases in this second spike in Victoria have been traced back to one hotel. That is the risk. That is why we raise these things because they are potentially big problems with really simple solutions right now. It is not criticising workers, it is not criticising health staff, it is not criticising hotel staff or bus drivers. They are doing everything they can to do their jobs to the best of their ability. The fact that we got that response today that I was irresponsible to be standing on a footpath because a quarantine



passenger happened to walk past me underlines and demonstrates the potential risk being put to the Tasmanian public right now.

**Time expired.**

**Matter noted.**

## **MINISTERIAL STATEMENT**

### **COVID-19 - Government Update**

[12.22 p.m.]

**Mr GUTWEIN** (Bass - Premier - Statement) - Madam Speaker, today I will be providing Members with an update on the Tasmanian Government's ongoing response to the coronavirus pandemic, our border control plan, an update on our recovery efforts and the plan to rebuild Tasmania.

Our number one priority through coronavirus has been the health, safety and wellbeing of Tasmanians. On one hand we have to deal with a pandemic and the risk of a health crisis, whilst on the other we face economic and social challenges unlike anything we have ever faced.

As a government, since the beginning of this year we have needed to be agile, proactive and responsive. I would like to thank the senior leadership team in the State Control Centre, our dedicated health professionals, our first responders, my Cabinet colleagues, along with the members of my broader team and the other members of this House for their ongoing support and commitment to Tasmanians' health, safety and wellbeing. We took advantage of our island state to protect us from the virus, leading the nation on cruise ship bans, border controls and other measures to protect Tasmanians. This meant that difficult and challenging decisions needed to be made and implemented, with very serious restrictions imposed upon Tasmanians and Tasmanian businesses. As I said then, if we went hard and went early we stood a better chance of getting on top of the situation and returning to a better way of life sooner.

To help Tasmanians during these times, we have also provided significant support, in fact the largest support and stimulus package in the country proportionate to the size of our economy. This is well over \$1 billion, equivalent to more than 3 per cent of our GSP, and I am proud that this Government and this parliament stood by Tasmanians when they needed it the most. It was the right thing to do.

Specific measures have included freezing, waiving or capping government fees and charges for businesses, including water and electricity bills; payroll tax waivers to those in the hospitality and tourism sectors so they pay no payroll tax for 2019-20; business support grants totalling \$80 million; and targeted loans ranging from \$15 000 to \$250 000.

We also led the nation's states and territories by introducing support for temporary visa holders, with up to \$3 million available in support, as well as \$4.3 million for housing and homelessness, \$5 million for community organisations to support vulnerable Tasmanians and \$2.7 million for child safety and wellbeing and family violence. We also provided \$4 million for mental health support services and we have allocated \$150 million for our health preparedness and response.

Local government has been supported as well and we have provided the sector with significant support of up to \$200 million in interest-free loans, helping them to assist their local communities to rebuild and recover.

We continue to implement our Rebuilding Tasmania plan, with a focus on supporting and underpinning \$3.1 billion in construction activity to stimulate our economy, help our small businesses and create 15 000 jobs over the next two years by building our way out of coronavirus.

Tasmania, as a result of these measures, is in a better place, and while this journey still has some way to go, there is no doubt a quiet and cautious optimism is being felt across our state. It is important, however, that we continue to look at all results through a COVID-lens, as these are fluid times and we need to remain vigilant, as things can change rapidly.

Last Friday I provided our second Economic and Fiscal Update and Preliminary Outcomes Report for 2019-20. I am pleased to report that by providing the most generous economic stimulus and social support in the nation, Tasmanians can take some comfort in the fact that the economic impact to date has not been as severe as initially estimated.

Whilst we must be cautious due to the impact of JobKeeper and changes to JobSeeker, we have seen jobs growth return and the unemployment rate is much lower than the anticipated more than 12 per cent forecast by June. It is now at 6 per cent, the lowest rate of any state.

The ABS labour force data released last week showed Tasmania has had the highest monthly employment growth in Australia in July, with 7000 more Tasmanians returning to work, in seasonally adjusted terms. This means there are now 13 400 Tasmanians back in work since May, following the height of the pandemic's impact which saw around 20 000 jobs lost. Importantly, 7500 of these returning jobs are female and payroll data shows that for those aged under 20 years, nearly all jobs have returned. The number of hours worked has also lifted over the last two months.

We are not through this yet and, as New Zealand has demonstrated, this is a highly infectious disease, but we can take some comfort from where we stand today.

The most recent CommSec report said we had the strongest economy in the country and the Sensis report released today highlights Tasmanian businesses continue to be the most confident in the nation and this Government's policies the most popular, for the eleventh quarter in a row. The economic and fiscal update I released last Friday pleasingly also showed better outcomes than had previously had been predicted. We have had significant improvement in the budget bottom line for the 2019-20 financial year, with a preliminary outcome of a \$273 million deficit instead of the previously forecast deficit of \$716 million. At this stage we remain net debt free, and while net debt is forecast to increase this financial year, our position will continue to be the lowest in the country.

However, as pointed out by Treasury in last week's update, should we find ourselves in the situation Victoria is in now with a second wave, the economic impact would be a loss of at least an additional half a billion dollars in economic activity, due to business closures and job losses. This demonstrates that our strategy to manage coronavirus in a gradual and careful way to recover and to rebuild Tasmania is working.

Above all, we must remain highly responsive, because while it is easy to feel relatively safe in our island state, a global pandemic continues, with serious impacts being experienced by some of our closest neighbours across Bass Strait. Victoria is still in the grip of the pandemic and the citizens there, including unfortunately many of our friends and family, are in the fight of their lives.

We have been implementing the Premier's Economic and Social Recovery Advisory Council's 64 recommendations. Already we have implemented six of the recommendations, we are currently progressing a further 28, and the remaining 30 recommendations are being advanced by government agencies in the context of the upcoming budget. We know that among these recommendations was the need to provide Tasmanians more clarity on our border strategy so that they can plan with confidence.

The Government understands we must provide as much certainty as we can in these very uncertain times. That is why I am today announcing we will take an approach that protects the health of Tasmanians, our health system, our economy and delivers that certainty.

Based on advice from Public Health, the Department of Health and the State Control Centre, and to allow sufficient time for the COVID-19 situation in Victoria and the threat posed to other states to be clearly controlled, our borders will stay closed, with restrictions remaining in place until at least 1 December 2020. This will enable our community and our businesses to understand and prepare for border relaxations and to ensure appropriate planning and risk mitigation processes are in place.

It will also give us time to build the community's trust in our border measures to protect Tasmania from areas in the rest of the country that pose a high risk, while allowing travel to and from areas that pose a very low risk.

We are ready and well prepared to respond to any cases and prevent further spread in the community. At the moment the risk posed to Tasmania by the situation in Victoria is considerable. There are many Tasmanian businesses that had to close their doors and are only just returning to reasonable levels of trade, and many others who are still doing it very tough, but we must avoid a situation like Victoria or NSW, as we would have to impose serious restrictions once again. We would see shrinking business confidence and the jobs regained lost once more.

It is important to remember that while the threat remains we will get further cases in Tasmania and continuing our restrictions will help stop the spread and keep us safe. We also need all Tasmanians to play their part by continuing COVID-safe behaviours:

- stay at least 1.5 metres away from others;
- wash your hands often with soap and warm water and use alcohol-based hand sanitiser when out and about;
- stay at home if you are unwell and always cover coughs and sneezes;
- get tested for COVID-19 if you have any cold or flu-like symptoms; and
- be aware of and follow current gathering, business and travel restrictions.

Managing our borders has taken a significant effort and will need further effort into the future, and I would like to acknowledge all those involved in what has been, and continues to be, a sensitive and difficult job.

As I have said on numerous occasions, there are stringent rules that apply in regard to essential travellers. Businesses must provide confirmation those services or skills for the required work cannot be sourced in Tasmania and are time critical. Businesses should only source essential services not available in Tasmania from other states, ahead of Victoria or designated hot spots in other jurisdictions, unless it is for life-saving or industry-critical needs.

Each application is assessed individually based on the information provided firstly by the Biosecurity Tasmania team, then by the State Control team, with the final decision made by the State Controller. All decisions regarding essential traveller exemptions are made by the State Controller independent of government, and we have full confidence in those decisions and the processes in place. They have helped keep Tasmanians safe.

These procedures were further strengthened when the risk from Victoria increased, and as a result of my announcement today that the border restrictions will remain in place for another three months, it is appropriate that once again we strengthen these arrangements.

The Department of State Growth will now also be involved in the assessment process along with DPIPW and the State Control team to provide another layer of review in the assessment process before the State Controller makes the final decision.

To ensure that the public is kept informed we will also make publicly available statistical and regional information regarding essential traveller exemptions granted to enter Tasmania, on a weekly basis, taking into account people's individual privacy.

In regard to extending our border restrictions for a longer period, we also recognise there is a need to do more to help our tourism and hospitality industry which, without a doubt, has and will remain the hardest impacted. Today I am also announcing a series of support and incentive measures we will implement to help drive intrastate visitation and to support and encourage Tasmanians to get out and experience their home state, the most unique and special place in the world.

We know Tasmanians have been very supportive of local businesses, with hotel and accommodation occupancy rates being relatively strong during the recent school holidays and on the weekends especially. However, midweek overnight occupancy remains weak and many of our tourism experiences and attractions have significant capacity to share their product with Tasmanians.

We want Tasmanians to experience this wonderful state and support these businesses, so today I am announcing that we will be making available from 1 September the Make Yourself at Home travel voucher. For the months of September, October and November there will be \$7.5 million in total, at \$2.5 million each month, made available to support Tasmanians who travel outside of their municipality to stay midweek in accommodation to enjoy a tourism experience or visit an attraction on any day of the week.

The support will provide up to \$100 towards the cost of a room in commercial accommodation, or up to \$50 per booking to participate in a tourism experience, whether that be a cruise, a walk or entry to an attraction such as the Port Arthur Historic Site or the Tahune Airwalk. We also want our local businesses to conduct their meetings or team-building

workshops away from their base in other parts of the state, and they will be able to access this support as well to hold mini-conferences and meetings.

This initiative will support at a high level up to 25 000 bed nights or alternatively up to 50 000 tourism experiences each month and boost the already successful Make Yourself at Home campaign.

We will work closely with the industry in coming days to finalise the package and to ensure that the program is targeted appropriately. I expect that after this consultation occurs, the guidelines and details of the booking system will be outlined before the end of this month for activation in September.

We all understand that our students have had a difficult year with school closures and other restrictions on their lives; however, it continues to be how we respond that is important - how we make the best of a difficult situation. Right now in Tasmania there has never been a better time for our students to enrich their educational experiences.

So that 2020 is memorable for more than just COVID-19, I am today announcing that we will provide an additional \$1.5 million of funding for schools to conduct educational enriching experiences to Tasmania's tourism, parks or heritage sites as part of a day excursion program. We know that students have had limited opportunities to participate in excursions this year due to coronavirus, and this initiative will provide our young learners with the opportunity to access hands-on authentic learning experiences outside the classroom.

Excursions connected to the Australian curriculum play an important part in student learning. The Tasmanian environment is rich and diverse, with many exciting cultural, historical and natural attributes waiting to be explored. The Minister for Education, Jeremy Rockliff, will have more to say on this later this week and, to be clear, this program will not come at a cost to students, parents or carers.

As I have mentioned already in regard to jobs, the seasonally adjusted data tells us that around 20 000 Tasmanians lost employment from March to May. It also informs us that as at July, we have recovered 13 400 of those jobs. Of course we approach these numbers with caution, as the impacts of coronavirus are fluid. Importantly, however, we continue to see jobs returning for Tasmanians and we know there are some particular areas where we need to have an immediate focus to support industry with upcoming work.

We have conducted a comprehensive assessment of the seasonal agricultural and fruit-picking jobs available in coming months, and expect that there will be around 5000 jobs available for harvest workers in Tasmania for the 2020-21 season. This represents around 60 per cent of the peak labour demand required of an estimated 9000 workers needed during peak harvest period, which runs from December to March. With our border restrictions in place and many Tasmanians still looking for work or for more hours, there is a significant opportunity for Tasmanians to undertake this harvest work this year.

Our fruit must be picked, our vegetables harvested and our wine grapes crushed. If they are not it will devastate many businesses, and before we consider essential traveller exemptions for temporary visa holders over the growing period, we need to offer this opportunity to Tasmanians first. We will therefore commence a campaign for Tasmanians to register their interest in being part of the labour pool for the coming season.

The Government will work in partnership with agricultural employers and industry to give opportunity to local workers who will help to meet immediate labour needs for the coming harvest season. We will also assist agricultural businesses to adapt and respond to the impacts of COVID-19 for subsequent planting, production and harvest seasons.

At the same time, work is underway to formulate what will need to be very strict rules should we need to import labour due to a shortfall in Tasmanian workers able to do this work. I encourage anyone who is ready and willing to work, or who wants more hours, or who may be interested in an agricultural change, to register.

The Minister for Primary Industries and Water, Guy Barnett, will provide further detail in coming days regarding this commitment to support our high-quality agriculture sector. Importantly for Tasmanians, it means thousands of jobs will become available and locals will have the best opportunity to learn the skills they need to be part of one of our state's greatest industries.

Now is the time to produce local, harvest local and buy local. These strategies to ensure that Tasmanians are experiencing more whilst supporting local businesses in Tasmania and also having more opportunities to participate in Tasmania's workforce are fundamental to our recovery. This is why the Government's Buy Local policy was strengthened last month, and why we continue to make decisions that give Tasmanian businesses the greatest opportunity to participate and benefit from recovery plans, creating jobs and economic stimulus in every corner of our state.

2020 is the year we never dreamed we would have. It has tested our state and our nation in ways none of us had previously imagined. We have had to behave differently, we have had to stay apart from loved ones at a time when we have longed to be close, we have all experienced anxiety and had to demonstrate incredible resilience in a time of great uncertainty.

As an island, we have often had to fight harder, be a little more courageous and innovative to become the internationally recognised place we are. To me, that has shone through in our response to COVID. It is our resilience and our ingenuity that has seen many businesses adopt a different way of doing things. It has been our pride in what is our own that has led to strong local support and our kindness and care for one another and our state, which has seen people follow some very difficult rules and impositions on our way of life to keep each other safe.

I could not be prouder that in the main Tasmanians have acted with kindness and compassion during these difficult and challenging times. It is why I know that Tasmania will get through this and be stronger than ever before. As difficult as it is, I know that Tasmanians will continue to follow the rules to ensure we protect our people, our health system, our economy and the jobs it supports.

In the same way I have finished so many of my public statements, I once again want to remind Tasmanians to remember their physical distancing and good hygiene practices. Wash your hands, cover your coughs and sneezes, if you are unwell stay at home and do not go to work, and if you display even the mildest symptoms, please get a test. Let us all continue to keep looking after one another.

## MOTION

### Note Statement - COVID-19 - Government Update

[12.41 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, I move -

That the statement be noted.

I understand the decision that the Premier has made today, with respect to borders, based on advice from Public Health and the State Controller. Again though, I indicate that we are in a state of emergency and a public health emergency, and while the parliament has resumed more normal sitting practices, it is vitally important that the Government continues to communicate openly with all members of this place.

It would be really useful to have access to the same level of briefings that you have received that has given you the confidence to make that decision today. Those communication channels are not as good as they were. This is news to us today to learn that the borders will remain closed until 1 December -

**Ms O'Connor** - What did you expect?

**Ms WHITE** - I would have hoped that the Premier picked up the phone because he has indicated to me in the past that he would do that before he makes the big decisions. He has done that previously. We have had that arrangement, and it is important that we have good communication channels. These are really important decisions being made by the Government. We do currently have a state of emergency in play, and a public health emergency in Tasmania.

The Government has been granted extraordinary powers by this parliament, and with the passage of time, I think, it can sometimes be the case that we forget that. We did grant the Government extraordinary powers because of the fact we are in a global pandemic. It is not just me who feels this way. I am sure there are other members in the other House, who are not here today, who would be hearing this news through the media. I want to encourage you to ensure that you keep those communication channels open because it is vitally important. The parliament does have an important role to play here.

I note that the Premier has made some changes to the way essential workers processes will be dealt with by the Government. He has included the Department of State Growth in that process now, which is a welcome acknowledgement that the process is not as robust as Tasmanians would expect. There are legitimate concerns that mainlanders have been coming into this state to perform work that could be undertaken by Tasmanians. We encourage you, Premier, to make sure that there is a much more robust test of the local labour market and that you talk to unions about that too. They are on the ground. They understand what the workforce capacity is in Tasmania. I do not know what the process might be that you envisage you might set up between the Department of State Growth and DPIWE and the State Controller team to provide another layer of review but you should include unions in that process to make sure you have a comprehensive understanding of the workforce capability here in Tasmania.

Nearly 20 000 Tasmanians have lost their jobs. Nearly 1200 construction workers have lost their jobs. There are extraordinarily capable Tasmanians who can do many of the tasks

that you have granted exemptions for mainland workers to come into the state to do. That is something that can be fixed.

The other omission that still sits there as a big concern for us is the fact that there is still no compulsory testing of those workers who are granted exemption from quarantine to come into this state as an essential worker. At the moment it is only for Victorians or those from hotspots. They can come off the plane and go straight to the work site and get a test within 24 hours. They do not have to quarantine before they get their test results. That needs to be fixed and that still has not been addressed.

In recognition of the impacts on the hospitality and tourism sector, I also encourage you in the work you are doing with them to look at running a public awareness campaign to remind people that while things might seem okay, we still have responsibilities to one another to keep each other safe and to continue to observe physical distancing. That is the reason why people cannot stand and have a drink or play eight ball and it is not the bar management who are making those rules. It is a responsibility that they are upholding on behalf of all of us, to keep one another safe. I encourage you to do that because I know there are workers who are copping abuse at the moment and it is pretty tough for them. They are doing their best but could you also look at doing what you can to support them by reminding everybody that we still have a problem here? There is still a pandemic in place and we have to continue to do everything we can to keep one another safe. There are reasons why those rules are in place and those workers are doing everything they can at the moment and they are copping a fair bit.

There is not much time for me to respond to a significant number of initiatives in this new ministerial statement. When it comes to students, there is no doubt they have felt significant impacts as a result of the disruption to their lives this year. I understand the reason for getting them out and doing excursions and supporting those local businesses but we also need to support those students.

Labor has encouraged you to adopt our policy to have mental health workers in every school who are more readily accessible, not just one every fortnight coming in and popping in and out. We need to support those students right now because the disruption to them has been profound. Also, I am encouraged to hear that you are going to accept all 64 recommendations from PESRAC, which included opting Labor's free TAFE policy. We need to give Tasmanians every chance to get a foot in the door to get a job in Tasmania. Free TAFE courses in areas of skills demand will make an enormous difference and provide huge opportunities for Tasmanians, particularly our young people who, because of the impacts of this recession, are going to be finding themselves in a particularly tough time when they are trying to enter the job market.

You have mentioned some of the changes that will be made around the agriculture sector. Obviously, they are seasonal jobs and I encourage you to work closely with your federal colleagues to make sure there are not penalties for those Tasmanians who step up to that task and who take on that work to support those key industries across our economy. Once that seasonal work finishes they often have to wait many weeks before they can receive income support from the Government. That is a massive penalty for them to face.

You need to work closely with your federal colleagues to make sure there is no disincentive for those Tasmanians who might want to step into that gap to support our farmers, to make sure we can get that product to market. We do not want to see Tasmanians who are



very capable and could do that work penalised by the federal government by having to wait weeks until they receive income support. Those jobs are seasonal and they are casual and it is not any way for somebody to piece together income security for an entire year.

There are a number of significant matters in here but if the Premier is able to provide a briefing to members of parliament on the reasons for the decisions around some of the key initiatives in this statement we would be grateful to receive that.

[12.47 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, I rise to respond to the ministerial statement. I believe the announcement that the border restrictions will be maintained until 1 December is the right thing to do and will be supported by the vast majority of Tasmanians.

To follow up on your point, Ms White, about how it would have been nice to have received a call from the Premier, yes it would have, and we did have quite a good, trusting relationship until your party decided to go in and advocate for the racing industry at a time when Public Health advice was that it should be shut down.

**Mr O'Byrne** - You complain about opposition parties being muted. You talk about democracy. If you disagree, you cannot speak up?

**Ms O'CONNOR** - If you want there to be communication and trust then you have to demonstrate yourself to be trustworthy. I am not surprised that you are squawking the loudest because you led the charge for the racing industry.

**Mr O'Byrne** - The hypocrisy again.

**Madam SPEAKER** - Order, please.

**Ms O'CONNOR** - We can all agree that 2020 is the year that just keeps on taking. It started with the most wicked bushfires on the mainland and the most devastating bushfires, climate induced, that this country has ever seen, and the loss of at least one billion native animals. Then we were thrown straight into a global pandemic with a disease that kills people.

We are in so much a different space from where we were this time last year. Everyone has had to make changes to the way they live and it has changed the way we think and feel in some ways. Now, what I find is that those small moments between people when you go into a retail outlet or a shop, those moments where people are looking each other in the eye and you know you cannot touch each other has been a change. I just bumped into the new member for Rosevears in the corridor. Congratulations Ms Palmer, who I have known for more than 20 years. I could not hug Jo to congratulate her. This is how life has changed. We cannot touch each other as much as we want to. We cannot hug and we cannot kiss. That is a big and dramatic shift in the way we relate to each other but it has led to a new connection, I believe, between people and between Tasmanians and the number of conversations. I am sure every member of this House has conversations with people who feel so thankful that they live in Tasmania. In a world that is increasingly chaotic and sick, people are so thankful that they are here in Tasmania. They are thankful for the Premier for his leadership and Public Health and Tasmania Police.

Of course, it does not mean we are blindly accepting of every measure that the Government takes, every decision or every pronouncement, but in broad terms the response to the coronavirus in Tasmania has been well handled. There are legitimate questions about exemptions for essential travellers like Mr Powell for Tourism and Hospitality Services Australasia, or essential workers when we know that many of those workers could be sourced here.

Having an extra layer of assessment, where you have the Department of State Growth as well as the Department of Primary Industries and Water examine applications for exemptions before they go to the State Controller is a positive. I question whether State Growth is the best agency to do this when you have the Department of Premier and Cabinet who could provide that whole-of-government oversight. I understand State Growth has responsibility for industry and so they may have a lens on whether or not essential worker applications are legitimate.

I also want to note that funds are being allocated to schools in order to visit our beautiful parks and heritage places and question again why the decision was made to increase parks fees, day park passes for Tasmanians when so many people whose lives have changed so profoundly find such salvation in our parks.

I do hope that school children are also given a chance to have a look at some of our beautiful forests, which store carbon and are a haven for native species. It would be terrific if more young people could go up to the Styx and have a look at places like Coop TN034G, which is such an exquisite piece of forest and has a very expensive taxpayer funded forestry road built into it. As you go to that lovely forest on the top of the hill at the end of the taxpayer funded road you go past a massive clear fell and burn site. That is why Sustainable Timber Tasmania cannot get FSC certification, because none of its logging operations are sustainable.

The call for locals to help out the agricultural sector this year is excellent. There is probably going to be quite a large take up of that. I hope so because as I understand it there will be no Falls Festival this year, which does keep young people over the summer break from taking on some of those jobs that they might otherwise have.

I urge the Premier to respond to the letter that we wrote to him late last week about the need to extend the residential tenancy protections from rent increases and evictions. We are already hearing from some tenants whose landlords are saying come the first of October we will be asking you to sign a new lease at a new rental rate. Given that JobSeeker and JobKeeper are expiring on the current schedule on 30 September it is untenable that as a state we would allow tenants in private rental properties to have their rent increased or to be evicted. Given that there has been such a positive response from your Government, Premier, for the need to protect residential tenants I hope that those protections are extended past 1 October in the same way that the border restrictions have been extended.

Finally, I make note of the Premier's Economic and Social Recovery Advisory Council taskforce report and acknowledge that the Premier has said the 64 recommendations will be adopted. One of the problems is that that report made no mention of climate and the need for recovery to incorporate climate action.

**Mr ROCKLIFF** (Braddon - Minister for Education and Training) - Madam Speaker, I thank the previous speakers. I will start by acknowledging the leadership of our Premier during the COVID-19 pandemic which has presented challenges we have never had to face as a state.

I also acknowledge the wonderful work of Public Health. Our public service frontline, or backline, has been outstanding across every department. I say that publicly and privately.

The health and safety of Tasmanians has always been our main priority. The Premier's decision to take a cautious approach to our borders and keep restrictions in place until at least 1 December 2020 reflects just that. We have seen the devastating impact of a second wave in Victoria and we do not want that for Tasmania.

This Government has acted quickly to provide support to Tasmanians in financial distress as a result of COVID-19. As the Premier has mentioned, we have provided the largest per capita support and stimulus package in the country. The recent strengthening of our 'buy local' policy has also been welcomed by many Tasmanian businesses. It was very encouraging also to see that Tasmania had the highest employment growth in the nation in July from the latest ABS labour force data. We acknowledge, however, that many businesses are continuing to struggle in the current environment. This is particularly true of the tourism and hospitality industry. I acknowledge the work of my colleague, Minister for Small Business and Hospitality, Sarah Courtney, who is working with businesses across Tasmania with her dual role as Minister for Health as well.

Tasmanians are being encouraged to support local businesses by holidaying at home and exploring their state. It has been wonderful to see so many photos of shared images on social media highlighting the many special and unique places there are in Tasmania.

We are discovering our own backyard and appreciating why Tasmania is the best place to live on this planet. We are excited to announce from September until the end of November there will be extra incentive to explore our state with our Make Yourself At Home travel voucher. I encourage all Tasmanians to support this wonderful initiative and consider an escape sometime in the next few months.

I am really proud of how Tasmanian students have managed through COVID-19, adapting to learning at home and then transitioning back to the classroom. There is no denying it has been a difficult year. COVID-19 has meant not just school site closures but the cancelling of excursions and other activities. It is time our students had something to look forward to.

The \$1.5 million school excursion voucher scheme the Premier has announced will apply to all schools regardless of sector and enable students to get out and enjoy enriching educational experiences at Tasmanian tourism parks and heritage sites statewide.

Schools will be able to access vouchers in coming weeks, which can be redeemed against agreed tours walks attractions and experiences having a learning focus that connect with the Australian curriculum. In line with our commitment to return school levies this year and ensure all students have equal access to activities, there will be no charge to parents or carers. This is a terrific opportunity for hands-on learning while supporting our world-class tourism industry and our wonderful destinations across our state.

The Premier spoke about the significant challenges our agricultural sector is facing. We know there is a reliance on seasonal workers for harvest, many of them temporary visa holders. We know that due to COVID-19 they are simply not going to be there next season.

We will work with our agricultural sector and communities to address what is expected to be a major decline in available labour. With so many Tasmanians looking for extra work it makes sense to connect them to where the jobs are. Our agricultural sector is one of our key strengths. Now more than ever it represents significant opportunities for Tasmanians looking for work. The campaign begins next week, which will give locals the opportunity to register their interest in being part of the agricultural work pool for the next season.

The Government is committed to rebuilding a stronger and more resilient Tasmania. The initiatives announced today are a great example of that. I once again thank the Premier for his leadership.

[1.00 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Madam Speaker, in the very short time available I say thank you again to the Premier for confirming that our number one priority for this state is the health and welfare of the Tasmanian people. The coronavirus pandemic has changed the way we live our lives and we have had to respond to that.

**Sitting suspended from 1 p.m. to 2.30 p.m.**

## **MOTION**

### **Note Statement - COVID-19 - Government Update**

**Continued from above.**

**Mr BARNETT** (Lyons - Minister for Primary Industry and Water) - Madam Speaker, prior to the lunchbreak, I was expressing strong support and congratulations to the Premier for his leadership during these very difficult and unprecedented times where the health, safety and the wellbeing of all Tasmanians is our top priority. The Premier has made that very clear.

As I was saying earlier, the coronavirus pandemic has changed the lives of everyone, not only here in Tasmania and across the great country of Australia, but also around the globe. Are we not thankful to live in Tasmania? Is not this a great state and a great place to live? Is it not terrific that we actually live in one of the safest places on the globe?

I have lived on the mainland and overseas. I have always said that Tasmania is the best place in the world to live, particularly at the moment. Under these unprecedented and difficult times with the coronavirus pandemic, it is even better than ever.

Tasmania is the best place to live and one of the safest places in the world. I thank the Premier for his very decisive leadership. In a time of crisis people crave leadership. They crave direction and a targeted, effective support package, and measures such as those implemented by this Government since mid-March when that emergency order was given.

The Premier's leadership, together with the advice of those I indicated earlier, such as the State Controller: congratulations to the State Controller, Darren Hine and the team; the Director of Public Health, and indeed the head of our Health Service, Kathrine Morgan-Wicks

and all the team - those at the front line, my Biosecurity Tasmania staff and the team I thanked personally last week. On behalf of the Government, thank you for your service.

I have been working closely with industry. As the Premier indicated, some very important initiatives have been announced today in the Premier's ministerial statement: get out and explore Tasmania - enjoy it - and buy Tasmanian, buy local, to support our children in our schools, and to enjoy this beautiful state.

With respect to getting Tasmanians into work, that is what we are on about. As a government, we are into jobs and more jobs. The initiative I now refer to is in respect of agriculture, horticulture, the wine industry and those who need the workers, particularly during the seasonal period, December through to March, which is a really important time. As my stakeholders know, I say that it is up hill and down dale- this is a team Tasmania approach.

I have thanked them very much for working shoulder to shoulder together through this tough time. It has been terrific to put the challenges and the problems on the table, to work through them and then to also discuss the opportunities.

Together with my department, I have led industry roundtables across all my portfolios, including agriculture, fishing, aquaculture and forestry. I have had direct contact with the mining industry and the Tasmanian Minerals, Manufacturing and Energy Council. We have identified key actions that will best support Tasmania to recover from the COVID-19 pandemic.

By looking at the challenges and opportunities, by engaging directly with industry and those frontline workers, we are better able to understand what actions will be most effective and will align with the Premier's Economic Social Recovery Advisory Council's - PESRAC's - directions to guide Tasmania's recovery.

Like all Tasmanians, our primary industries - our farmers, fishers and agrifood businesses - have not been immune to the impacts of the pandemic. Primary industries continue to play an essential role, putting food on the table for our Tasmanian people - mums, dads, kids - and also employing thousands of Tasmanians, directly and indirectly.

The horticultural sectors are experiencing rapid growth and this has labour implications. The Government has been working closely with them - including Fruit Growers Tasmania, the Tasmanian Farmers and Graziers Association, Wine Tasmania and other stakeholders - as has my department and myself.

The fruit and berry sector is a really important sector,. The day before yesterday I was at Reid Fruits down in the Huon and on Friday I was in the south-east with Fogarty Wines, touring their plants for expansion and checking that out.

In the last harvest season, for example, Fruit Growers Tasmania anticipated 6000 to 8000 workers were required, just to harvest the Tasmanian fruit crop, with workers required in other sectors too. AgriGrowth Tasmania has worked with industry to undertake an environmental scan - that is, an assessment of the labour needs and service requirements across all the state's agricultural and horticultural industries - identifying COVID-19-related impacts. Importantly, this needs assessment work provides information to promote available roles in agriculture to match jobseekers to vacant roles and to enable training in preparation for opportunities.

The aim is to ensure our local workforce here in Tasmania - Tasmanians first - is ready and able to take on those roles if they would like to do so. We encourage them to do so. We know around 5000 jobs will be available for harvest workers for picking and processing from spring through to summer and through to autumn. This represents about 60 per cent of the peak labour demand required of an estimated 9000 workers needed during that peak period. As the Premier said earlier today, our fruit must be picked, our vegetables harvested, and our wine grapes crushed. In doing so, there are jobs for Tasmanians. That is what we are on about. Jobs for Tasmanians.

In the coming weeks, we will roll out a campaign to support industry, to provide Tasmanians with information on how to be part of this coming harvest season. I will have more to say about that, but we will be providing support to industry and our agricultural businesses to ensure they have the support they need to adapt and respond to the impacts of COVID-19 for the subsequent planting, production and the harvest season in particular.

We have a rich soil, a favourable climate, water infrastructure, enterprising farmers and, of course, that premium Tassie brand. We will leverage that to expand our agriculture industry and food manufacturing capacity in Tasmania. I commend those initiatives to this House.

**Time expired.**

**Statement noted.**

## **BIOSECURITY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2020 (No. 20)**

### **Second Reading**

[2.38 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Madam Speaker, I move -

That the bill be now read the second time.

There has never been a time in our recent history when the importance of biosecurity has been clearer and more apparent to Tasmanians.

When I rose in this place last year to begin the second reading for the Biosecurity Bill 2019, I noted that we faced increasing challenges in managing biosecurity. Globalisation of trade, internet commerce, and the modern ease of travel had established new pathways for the introduction of pests and diseases to the state.

When I said those words, I did not know that in less than a year's time Tasmania and the rest of the world would be grappling with a devastating global pandemic; that Tasmania's borders would be closed to all but essential travellers; that our tourism and hospitality industries would be forced into hibernation; and that a large proportion of our workforce and schoolchildren would have to be working and learning from home.

None of us knew then what was coming. Now it has come. COVID-19 has well and truly demonstrated the need for us to be prepared for biosecurity emergencies. Our world has changed in what seems like the blink of an eye. COVID-19 is not the first global pandemic Tasmania has faced and, unfortunately, it is unlikely to be the last.

If there is a silver lining from the COVID-19 emergency, it is the way it has shown Tasmanians how blessed we are to be living on a beautiful island with an agricultural sector and environment that can feed us and sustain our community in a time of crisis. And when the crisis passes - and hopefully that day will come soon - I have no doubt that a healthy and resilient agricultural sector, and natural environment will be the keys to our rapid and ongoing economic recovery.

Along with the Public Health Act 1997 and Emergency Management Act 2006, which are the state laws covering human biosecurity, it is critical that we have effective legislation to protect our agricultural industries and natural environment from pests and disease. That is precisely what we now have in the Biosecurity Act 2019, which was passed by parliament in August last year, and commenced operation on the first day of January this year.

The Department of Primary Industries, Parks, Water and Environment is now implementing the Act through the progressive development of a suite of new regulations, administrative systems and resources. The department is well advanced with the implementation project, with changes being rolled out in a staged manner to minimise impact to business and the community. The Biosecurity Advisory Committee has now been established as an independent advisory body under section 271 of the act. The selection and formation of the committee followed a broad public expression of interest process. The committee includes a mix of skills and representatives from a range of industry sectors across the state, including wild fisheries and aquaculture sectors, animal and plant-based agricultural industries, tourism industries, environmental organisations, the science and education sectors, and public administration expertise at both the state and local government level.

Other key implementation tasks currently underway or soon to commence, though there have been delays arising from the COVID-19 emergency, include the development of regulations and a biosecurity program for the salmon industry; regulations for the bee-keeping industry; and development of the Tasmanian biosecurity compendium.

The final stages of the implementation of the new act will involve the repeal of the seven acts being replaced by the new legislation. The repealed acts are referenced in many other related acts and regulations that will continue to operate after the Biosecurity Act is fully implemented. These references will need to be corrected and updated to reflect the new legislation. That is the main purpose of the bill that is now before the House. It is machinery legislation that is ancillary to the Biosecurity Act and does not introduce any new policy or legal requirements.

Rather than include consequential and transitional provisions within the principal Biosecurity Act, it was decided to make provision for such measures in a later, separate bill. This was to enable any consequential or transitional matters that were not identified before the initial implementation of the new act began to be addressed. However, I am pleased to say the department advises that there have been no such unexpected issues or problems with implementation to this point.

In conclusion, this bill represents another key step in the roll-out of Tasmania's new biosecurity framework.

I commend the bill to the House.

[2.44 p.m.]

**Dr BROAD** (Braddon) - Madam Speaker, Labor supported the bill. We worked with the department especially to make improvements to the bill. It was a very complex bill that took a number of goes to get right, but when it came to parliament we were hand in hand with Government and supported the bill all the way through. We will be supporting the consequential machinery of government provisions that need to be put in place that this bill enacts.

To pick up where the minister left off, rather than include these consequential and transitional provisions in the principal act, I agree with the department's approach so that rather than have these consequential amendments as part of the bill, make a full assessment of the implementation of the new act once in place and to do further searches to make sure that the i's are dotted and the t's are crossed. It is pleasing that the department has not found unexpected issues or problems with the implementation to this point.

To give you an idea of how complex the biosecurity bill and its consequential and transitional provisions are, it will fully replace seven acts: the Vermin Control Act 2000, the Weed Management Act 1999, the Plant Quarantine Act 1997, the Animal Health Act 1995, the Animal Farming (Registration) Act 1994, the Seeds Act 1985 and the Animal (Brands and Movement) Act 1984. There is also a series of consequential amendments to other bills: the Inland Fisheries Act 1995, the Primary Produce Safety Act, the Approval (Deadlines) Act 1993, the Nature Conservation Act, the Agricultural and Veterinary Chemicals (Control of Use) Act, the Animal Welfare Act, the Criminal Code, the Firearms Act, as well as others such as the Boundary Fences Act 1908, the Rail Infrastructure Act 2007, and the Roads and Jetties Act 1935.

The original biosecurity bill was very complicated. It touched on many different pieces of legislation. The approach taken by the department and put forward by the minister is a good approach with a bill this complex.

The biosecurity bill was a major step forward in the biosecurity of the state. This was on the back of a number of incidents that have happened on the Government's watch, such as the incursions of blueberry rust, myrtle rust, POMS and fruit fly, just to name a few.

The minister is right that the focus on biosecurity and the public awareness of biosecurity has increased over the past months with the global outbreak of COVID-19. Together with people's appreciation of the field of epidemiology, biosecurity is a key plank in keeping this state safe. Having a good biosecurity system is part of not only keeping animals and plants in the state safe and preventing outbreaks of things that can harm the natural environment and impact massively on industry, it also has a human health aspect.

Biosecurity follows a risk-based approach. It is based on assessing a risk and then preventing that risk but also being prepared if something goes wrong. As was highlighted during the larger biosecurity bill debate, globalisation brings the risk of pest and diseases coming into this state. We need to have a robust piece of biosecurity legislation or framework



so that we can control and minimise risk. The same can be said for a global pandemic. It is a similar approach in addressing risk, which I would like to discuss further.

Just like any biosecurity risk, the human health risks from something such as a global pandemic are typically assessed using a risk matrix. A typical risk matrix, if anybody has seen one, looks something like this graph. There are about 100 million different versions of this but it goes into two things - the likelihood of something happening and the consequence if that did occur. That is certainly one of the key planks of assessing biosecurity risk and that is exactly the same when it comes to the risks of something like coronavirus coming back into Tasmania.

The likelihood ranges from almost certain to 'likely', 'possible', 'unlikely' and 'rare'; then the consequence across the top has a rating of 'negligible', 'minor', 'moderate', 'major' and 'catastrophic'.

When it comes to something like coronavirus, the consequence of coronavirus getting back into this state, I would argue, can be deemed to be catastrophic, the highest rating. If you look at this risk matrix, even if the likelihood of something occurring is unlikely, the risk is still deemed to be high. Even if the likelihood of something occurring is rare, on this matrix at least, the consequence is still rated as moderate, and this is a guiding principle. Even if the likelihood of something is possible, the consequence being catastrophic, the risk is rated as extreme, which is the highest risk. This approach means that even with something like a pest incursion - or indeed coronavirus - if the likelihood is even rated as just possible, which is in the middle of the likelihood range, it is still rated as an extreme risk.

This is the approach we have been taking in terms of publicly debating issues such as allowing workers to come into the state and skipping quarantine. If it is possible that one of those so-called essential workers coming into the state could be carrying coronavirus, is not quarantining and is able to get straight off the plane and go to a workplace, the risk rating is then extreme. Even if the risk rating is unlikely, the overall assessed risk is the second lowest, which is high. This is why as a group we have been talking about trying to reduce that risk by getting essential workers tested for coronavirus on arrival and not being allowed onto the worksite until they have been given a negative result. This is all about reducing risk. This is our biosecurity approach.

This also should be considered when it comes to assessing risk of individuals bringing coronavirus into the state, skipping quarantine and going straight to workplaces. That brings into question the incident that has been talked about a bit - of a consultant coming from the mainland and basically skipping quarantine, not being tested, and then going to what was a public event. Regarding the likelihood of that individual bringing coronavirus into the state, skipping quarantine and then mingling in a public event, I think the consequences of that particular action could be extreme in this risk management matrix.

We have to take a sensible approach to reducing that risk as much as possible. Despite criticism, we have been taking that framework when discussing how to reduce the risk to Tasmanians. Much in the same way as we try to reduce biosecurity risks for pests and diseases coming into the state, we assess the risk, we assess the likelihood, and then we put measures in place to try to control that risk. We should be doing the same with coronavirus; indeed we are in many ways.

Labor has been the first to say that the Government has done a good job in doing things like closing the borders; however, more work is still to be done, so when it comes to things like mandatory testing to make sure people are not slipping through the gaps, that reduces the risk because the consequence of coronavirus again coming into the state and spreading uncontrolled is extreme. It would be catastrophic.

To wind up, we fully support the Biosecurity (Consequential and Transitional Provisions) Bill. We supported the intent of the biosecurity bill. It would be good to see more industry-specific biosecurity plans coming out for discussion. I think the department has done good work over a number of years and it ought to be congratulated for that. From a biosecurity pest and plant risk and for our animal industries, the biosecurity bill has made our state better and more secure in a biosecurity sense. We would like to see work continue and this machinery of government bill puts in place all the necessary amendments to make sure that happens.

[2.55 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, the Greens will be supporting the Biosecurity (Consequential and Transitional Provisions) Bill 2020, as we supported other biosecurity bills that went through this place last year. We recognise that this is a machinery bill. In fact, when you go into the bill or its clause notes, largely most of the clauses in this consequential amendment bill either enable the making of regulations or update legislative references, so there is nothing in this piece of legislation we are concerned about.

Following up on some of the comments made by the minister and the shadow minister, we agree that one of the most important functions of any government is to keep people safe, but also to make sure we are protecting to the greatest extent possible animals, agriculture and native plants. I put in that category wilderness, because Tasmania has a problem with an introduced fungus, the cinnamon rot fungus, or *Phytophthora cinnamomi*, which can come in on the boots of bushwalkers and the wheels of bikes ridden up at Blue Derby. These sorts of incursions into the natural environment here can cause utter devastation. Anyone who has seen a plant that has died from phytophthora knows they basically rot from the roots up. It is the kind of biosecurity threat that can devastate whole swathes of wilderness, which is why, for example, when we are building new bike tracks - and it is great to see us as a state embracing that more low-impact recreation - we need to have wash stations for people bringing their bikes in, for example.

Much has changed since the principal act went through this place last year. We are now in many ways shut off from the world as an island. While imports are coming in - we have food and fuel, and we know that the trade across Bass Strait continues - some of those biosecurity potential threats that were coming in, COVID-19 aside, by air or sea at this point will not be, and the most pressing challenge Biosecurity Tasmania has at this time is, of course, to keep the coronavirus out of Tasmania.

When you are dealing with a biosecurity framework, it needs to have that multiple layer of pre-border preparations, preparations at the border, and what happens if there is an incursion, as there was with blueberry rust, or when fruit fly was found in this state last year, because, as we know, Tasmania's export agriculture sector is hugely dependent on being able to obtain a premium for our products because we are largely pest-free - our fruit fly-free status certainly has given us an edge that we need to do everything we possibly can to protect.

This is also an area of shared Commonwealth and state responsibility. The Commonwealth has responsibility for the national borders and then much of the quarantine responsibility has been delegated to the states. It is important to look at an example of where there has been a failure by the Commonwealth to accept its responsibility for borders and that is the decision to allow the passengers from the *Ruby Princess* to disembark in Sydney. We now know that it was an incorrect interpretation of the information that had been provided by the ship's doctor to Australian Border Force that allowed for approval to be given to New South Wales authority to have that ship disembark. Then you had the absolute farce of Qantas and Virgin Airways, realising what was about to happen and trying to get the flight logs given to them and being denied that by the Commonwealth Government.

As we have seen so often during this pandemic, it has not been national leadership that has got us through. In fact, there are many examples where, as Prime Minister, Scott Morrison failed the leadership test during this pandemic just as he failed the leadership test during the bushfires that happened on the mainland over this past summer, when his office lied about the fact he was on holiday with his family in Hawaii.

It has been very much down to the states to have strong biosecurity measures in place at state boundaries. Here, Biosecurity Tasmania has been working overtime to make sure that our borders are as watertight as they can possibly be. All of that is undone if there is ambiguity over what is an essential traveller or an essential worker. That is why we keep raising this issue of how relatively easy it was for an executive for the tourism and hospitality industry to receive an exemption from quarantine and how difficult it is for countless of our constituents.

Every single day we are getting the most heart-wrenching stories from people who have been separated from family, denied entry to attend a family funeral or, as an only child, to be there for their grieving parent who has lost another child, and for partners who have been separated.

There is obviously good reason to have a very tight control over who comes into Tasmania and what quarantine measures are in place. It sends the wrong signal entirely - that within 48 hours of the CEO of the Tourism and Hospitality Association of Australasia seeking an exemption from quarantine to enter Tasmania to be part of the Crowne Plaza launch, his application had been approved. That is being questioned by people in the community. There is a degree not only of confusion about it but a measure of resentment as well. That question has not been satisfactorily answered by the Premier.

I note that one of the acts that the Biosecurity Act has replaced is the Seeds Act 1985. I wanted to have a chat with the minister about what enormous potential there is for Tasmania to be a global repository of seeds, so that we become a safe place for seeds to be stored in a cool climate and in a stable society. As we are aware, the Arctic is on fire again. This past week, the northern hemisphere recorded the hottest July day ever, in history. That record will be superseded before too long. Evidence-based evolved democracies need to be able to see the future and plan for it. Being a global repository for the seeds of plants from all over the world would be a fantastic Tasmanian initiative. We have a seed bank here and the Botanical Gardens does some very important work in storing plant and seed specimens. As an island, this is something we could elevate as a priority so that we could become a place where the world seeds are stored safely. In the decades ahead, we are going to have to do some mighty work - or our children, or our grandchildren are - to repair and reforest what is damaged and what is lost.

**Dr Broad** - Like Svalbard, the global seed repository?

**Ms O'CONNOR** - You say very little that inspires me to converse with you, so I am not going to.

Madam Speaker, I urge the minister to examine that possibility. I know again, that would present a potential biosecurity challenge. We would be bringing in seeds from other parts of the world but it is possible to store seeds safely and for the long term.

We have had other quite disastrous biosecurity incursions in Tasmania that cannot be pinned on the failure of any government or government agency. There is the European wasp that, I believe, came in here on some timber on a ship. There was the toxic dinoflagellates that were in the bilge water from Japanese cargo ships. Then there is the Pacific sea star which is out here in the Derwent. From memory, every time a sea star gives birth - for want of a better term - it can give birth to millions of tiny sea stars. They are an introduced pest which is causing problems for our marine environment.

According to the experts, the COVID-19 pandemic will not be the last one that the world faces. As the climate disrupts and the permafrost warms, we are being warned to expect more viruses and more diseases for which the human body is not prepared.

As an island, we have an advantage. We have demonstrated that advantage through this pandemic. We have a biosecurity unit in government that is wholly dedicated to protecting our biosecurity and our natural advantages. Most importantly, we have a moat around this beautiful island. In the years and decades ahead, we will need to have amplified biosecurity capacity, extremely well resourced, that always puts the welfare of Tasmania, its people and its industries first.

I note here that the minister talked about a biosecurity program for the salmon industry. It is an industry that has challenges with disease, marine pollution, warming waters. It contaminates waterways. I do not know if the minister has been to Long Beach at Port Arthur lately, but near Port Arthur it is covered in snotty green slime. Without question, that is because there are fish farm pens in Long Bay.

I note also that the minister talks about developing regulations for the beekeeping industry. Again, this minister has failed the beekeeping industry. This Government is failing to protect the leatherwood trees, which are integral to Tasmania's honey makers. In fact, we have a memorandum of understanding between industry and Sustainable Timber Tasmania - so called - or government, that is worth very little. It was an MOU that was signed, I think, on the part of honey producers with hearts full of hope, that finally, after decades of trying to have the big leatherwoods protected, something would change. I am very sad to inform you that nothing has changed for beekeepers, and that leatherwood trees are still being logged. These are big, old leatherwood trees that are not going to be replaced in the next 10 to 20 years.

It is all very well to talk up Tasmania's beekeeping industry and to sign MOUs with them, but it cannot all be 'take' on the Government's part. The Government needs to look after our honey producers and protect their leatherwood forests, protect the leatherwood. At the moment, the honey producers I engage with are very frustrated and deeply disappointed in this

minister, who is regrettably both the Minister for Primary Industries and Water and the Minister for Resources and is conflicted as a result of that in terms of looking after our honey producers.

I urge him to think about how little it would cost Sustainable Timber Tasmania and the Government to act in good faith and protect the leatherwood forests for our honey makers. We would argue that the Government should protect the leatherwood forests for their own sake but, certainly, if you cannot see the intrinsic value of protecting forests, perhaps seeing the dollar value and the goodwill value of protecting the leatherwood might be possible. We shall see.

With those few words I again confirm that we are quite comfortable with this consequential and transitional provisions bill.

[3.11 p.m.]

**Mrs PETRUSMA** (Franklin) - Madam Speaker, it is a pleasure to rise today in support of the Biosecurity (Consequential and Transitional Provisions) Bill 2020, but before I comment on the bill, I too would like to congratulate our new member for Braddon, Mr Felix Ellis. I know he will make a fantastic contribution to this parliament. Apart from lowering the average age of the parliament, it is also wonderful to have him here, and I know he will make a fine representative for the people of Braddon, so welcome, Mr Ellis.

I commend the Minister for Primary Industries and Water, Mr Barnett, his staff and the great team in the Department of Primary Industries, Parks, Water and Environment - DPIPWE - for their efforts, especially over these last six months. As the minister stated in his second reading speech, never has there been a time in our most recent history when the importance of biosecurity has been more needed and also more apparent to all Tasmanians.

Last year when he gave his speech for the Biosecurity Bill 2019, he said that we faced increasing challenges in managing biosecurity because of the globalisation of trade, internet commerce and the modern needs of travel, as they have all established new pathways for the introduction of pests and diseases to the state. As he stated, we did not know that in less than a year's time Tasmania and the rest of the world would be grappling with a devastating global pandemic, that Tasmania's borders would be closed to all but essential travellers, that our tourism and hospitality industries would be forced into hibernation and that a large proportion of our workforce and our schoolchildren would have to work and learn from home.

I know that all of us in this Chamber, our families and our loved ones have all been impacted, but also we know thousands of other Tasmanians who have all been impacted, and I want to pay tribute to the many people, especially the businesses and their employees, who have truly suffered, but I also want to pay tribute to all our unsung heroes, whether it is the supermarket workers, the teachers or the cleaners. There are so many people who have all played their part in keeping us truly safe.

COVID-19 has well and truly demonstrated the need for us all to be prepared for biosecurity emergencies. However, COVID-19 is not the first global pandemic Tasmania has faced and, unfortunately, it probably will not be the last one we face either. However when this crisis passes, due to the hard work of the minister, Mr Barnett, his department and the Government, we will have a healthy and resilient agriculture sector which, alongside our natural environment, will be some of the keys to our rapid and ongoing economic recovery.

The Tasmanian Government is strongly committed to strengthening Tasmania's biosecurity system to protect our primary industries, our natural environment, the community and the tourism sector from pests and disease. Especially in my electorate of Franklin I know that biosecurity is vitally essential to Tasmania's agricultural productivity, continued market access, our reputation for high-quality primary products and the health of our natural environment. Therefore, this Government, through the minister and the department, is moving ahead with fully implementing our strong, new nation-leading biosecurity laws to protect our state, because it is critical we have effective legislation to protect our primary industries, Brand Tasmania and the natural environment.

Tasmania's new landmark Biosecurity Act was passed by parliament in August last year and began operating in January this year, with DPIPWE progressively implementing a suite of new regulations, administrative systems and resources, with changes being rolled out in a staged manner to minimise the impact to business and the community. Although this new act was not designed to address specifically the current coronavirus pandemic, it certainly has demonstrated the need for us to be prepared for biosecurity emergencies.

The new Biosecurity Act is a contemporary and efficient legal framework that replaced seven repealed acts with a single modern statute that is fit for purpose and which, in a new era for biosecurity legislation, will bring us into line with other jurisdictions. This new Biosecurity Act represents one of the most significant reforms of Tasmania's primary industries and environmental laws in decades, the outcome of more than four years of consultation and extensive work, as well as broad support from industry groups.

As the final stages of the implementation of the new Biosecurity Act involve the repeal of the seven acts it replaces, because the repealed acts are referenced in many other related pieces of legislation that will continue to operate after the Biosecurity Act is fully implemented, these references now need to be corrected and updated to reflect the new legislation, which I note is the main purpose of this bill before us today.

This bill is machinery legislation ancillary to the Biosecurity Act because it does not involve the introduction of any new policy or substantive legal requirements. However, because this bill facilitates implementation of the Biosecurity Act 2019 and contributes to delivering our biosecurity laws, it is therefore a highly necessary piece of legislation.

I take this opportunity to comment on progress in implementing the Biosecurity Act. It is pleasing to note that substantial progress has already been made in implementing Tasmania's new biosecurity laws. Actions taken include the development of regulations and a biosecurity program for the salmon industry, developing regulations for the beekeeping industry, establishment of the new Biosecurity Advisory Committee and the development of a Tasmanian biosecurity compendium which lists plants, animals and other material that are either prohibited or not permitted in Tasmania.

I note that the Biosecurity Advisory Committee is an independent advisory body which plays an important role in guiding government strategies and policy in respect of biosecurity and is working with industry as well as providing advice to Mr Barnett as the Minister for Primary Industries and Water.

Strong biosecurity relies on the community, industry and government working together, which is why the Biosecurity Advisory Committee includes representatives from a wide range

of industry sectors, including wild fisheries, animal- and plant-based agricultural industries, aquaculture, tourism, science and education and environmental organisations. The Biosecurity Advisory Committee also plays a key role in the ongoing implementation of the Biosecurity Act. Considered views, constructive debate and diverse perspectives are all critical to help build and strengthen Tasmania's biosecurity networks.

In regard to other biosecurity initiatives, Tasmania has a rigorous and effective biosecurity system in place to protect our annual \$2.4 billion agrifood production and our \$3.4 billion in exports. This is because the Tasmanian Government takes biosecurity very seriously, and we are backing up our words with real actions to protect Tasmanian primary industries and our environment. For example, we have invested significantly in biosecurity to boost frontline services to meet seasonal demands, with our 2019-20 state budget including over \$30 million in funding for Biosecurity Tasmania.

Since 2014 this Government has also consistently delivered additional funding for biosecurity, including doubling the number of detector dog teams protecting our airports, ports and mail centres, as well as investing in new border signage, laboratories and vital equipment, and employing new Biosecurity Tasmania staff. We have also delivered vital biosecurity infrastructure, including the Powranna truck wash, and we are investing more to tackle pests and weeds. With the coronavirus pandemic impacting every Tasmanian, the Government believes it is more important than ever that our vital industries are supported and that we maintain our ongoing business of managing issues that impact our agricultural and environmental assets.

A good demonstration of our biosecurity commitment is the Government's \$5 million Weeds Action Fund. This fund provides \$5 million over five years to farmers and other community organisations to deal with weeds that are impacting on valuable agricultural and environmental assets. The chair of the Weeds Action Fund, Ian Sauer, has been appointed to help in the establishment and roll out of the fund and to ensure stakeholders and potential participants in the program are fully engaged and aware of the fund's objectives.

Delivery of stage 1 has been undertaken by Biosecurity Tasmania. It provided a total of \$142 000 for 34 small grant projects of between \$1000 to \$5000. A \$350 000 drought and weed management program was also launched in March 2020 to provide funding to eligible councils to help farmers tackle weeds in drought-affected areas. This fund will also help improve the productive value of agricultural land and protect Tasmania's natural values by removing the harmful effects of serious weed threats. Stage 2 of the Weeds Action Fund will be the centrepiece in our ongoing fight against weeds in Tasmania, with funds to support landowners, local government and the broader community in tackling serious weeds with sustainable long-term and effective actions.

NRM North was the successful tenderer to administer and deliver stage 2 of the Weeds Action Fund on behalf of the Tasmanian Government. A key focus of stage 2 is a grants program, which will open in spring this year to assist landowners with on-the-ground weed management projects and associated activities.

Biosecurity threats are persistent and come in many forms, as was demonstrated earlier this year with the detection of a single male fruit fly in East Launceston. Biosecurity Tasmania staff completed nine weeks of intensive surveillance deploying additional traps in the community and inspecting fruit trees on surrounding properties. No further fruit flies were

found and Tasmania's fruit fly-free status was upheld. This is a great result for the state's fruit growers.

This result shows that our biosecurity system is working as intended and provides reassurance for those dependent on our vital primary industry sector. The heightened surveillance was supported by the Securing our Borders budget initiative with more officers employed. Biosecurity Tasmania inspects a total of more than 1.8 million pieces of individual high-risk fruit fly host produce over the peak season as well as other imported freight and goods. Although the February detection did not constitute an outbreak, and will not impact on the state's pest-free area status, it is an important reminder for all Tasmanians to remain vigilant against biosecurity threats.

As we know, 2020 has been a big year and tough for many Tasmanians. We are living in unprecedented times with COVID-19. The number one priority of the Tasmanian Government is the health, wellbeing and safety of Tasmanians. The current coronavirus pandemic and our COVID-19 response measures have highlighted the importance of strong biosecurity in Tasmania, which is why our biosecurity systems protecting Tasmania have been operating exceptionally hard during the coronavirus response.

This would not be possible without the dedication of Biosecurity Tasmania staff. The work and dedication of Biosecurity Tasmania staff during the COVID-19 response has been formally acknowledged by Mr Barnett. He acknowledged them today in parliament for playing a vital role in maintaining the state's strong biosecurity system during the COVID-19 response. Biosecurity Tasmania staff have been involved in a number of important COVID-19 response roles, including monitoring arrangements for incoming passengers to Tasmania, stakeholder communications and, more recently, through the Good2Go Pass app.

Importantly, Biosecurity Tasmania has been able to maintain business continuity in key areas despite the challenges and extra workload pressures presented by the coronavirus response. Biosecurity Tasmania has had an important role across all of Tasmania's airports and seaports during the COVID-19 pandemic. The teams have also been undertaking activities in other areas to maintain the state's strict biosecurity requirements. Resources have been directed to freight and mail centres following an increase in the volume of mail entering the state. This includes Biosecurity Tasmania following up on the detection of all non-compliant goods with both the importer and exporter of the goods, with relevant compliance actions ranging from compliance letters, increasing targeted surveillance, infringement notices and prosecution.

Biosecurity Tasmania has maintained receipt and processing of samples of plant and animal pest and disease diagnosis, providing advice on the management of weeds and other invasive species, working with animal shelters, welfare organisations and those involved in the livestock supply chain, to ensure high standards of animal welfare. It has worked closely with businesses to address food safety concerns.

Like Mr Barnett, I add my thanks to all Biosecurity Tasmania staff for their professionalism and commitment in continuing to help protect our state, our industries, our environment and to keep Tasmanians and Tasmania safe.

In conclusion, the Government is 100 per cent committed to strengthening Tasmania's Biosecurity systems to protect our primary industries, environment, community and the tourism sector. Pests and disease cost our farmers and fishers, they risk market access for our products,



they can harm our environment and they can ruin the natural environment that thousands of tourists seek to experience.

As our trade and tourism sectors continue to grow, we must keep pace with best practice biosecurity practices to manage and mitigate pests and disease. That is why the bill is another key step in the roll-out of Tasmania's new biosecurity framework, through modernising our biosecurity systems so they can continue protecting Tasmanians into the future.

I commend the minister, his team and the department for all they are doing to ensure that Tasmania has a rigorous and effective biosecurity system to protect our annual \$2.4 billion agri-food production and our \$3.4 billion in exports. I commend the bill to the House.

[3.27 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, I specifically acknowledge and thank the very comprehensive and thoughtful contribution of the member for Franklin, Jacqui Petrusma, parliamentary secretary to the Premier. Congratulations on your appointment as parliamentary secretary and likewise to you, Mr Deputy Speaker.

It is wonderful having the new member for Braddon, Felix Ellis, in the Chamber. I look forward to working with Felix in the months and years ahead, particularly his interest in all these matters that are important to Tasmania.

I acknowledge and thank all those who have been involved in the preparation of this legislation. Before I do that more formally, I will reflect upon the contributions from Dr Broad on behalf of the Labor Party and to say thank you for your support of not only this bill but also the Biosecurity Bill last year. That is appreciated, because across this parliament there is acknowledgement of the importance of biosecurity and keeping this place safe and free of disease and pests. I also note Dr Broad's endorsement of the risk-based approach that underpins the biosecurity legislation. It is important and he understands that on behalf of the Labor Party.

I also thank Cassy O'Connor, Leader of the Greens, for their support for this bill and the Biosecurity Act. Ms O'Connor has identified some biosecurity risks to Tasmania, the importance of our borders and border security and the importance of Biosecurity Tasmania. I acknowledge and thank her for that. We do not agree on everything but on this we do.

Before I reflect on some of Ms O'Connor's remarks, I will say that the Biosecurity Advisory Committee does a terrific job and makes an excellent contribution. Thanks to Felicity Richards, chair of the committee, and all the members. Your contribution is valued. It is appreciated and as minister and in my office, and likewise the department, take that on board and we thank you for that.

Further, there was a mention of Ian Sauer who is chair of the Weed Action Fund. He does a terrific job and goes beyond the call, serving his community in so many different ways. Ian has done a terrific job in changing the culture and the educational awareness that it is not just a government problem, or a farmer's problem or a producer's problem, it is everybody's responsibility.

We all have a role to play when it comes to biosecurity, and protecting, supporting and promoting the Tasmania brand, whether it is the Tassie brand which I often talk about, it being

clean and fresh, pure, natural; all of those things that give us the reputation that we have. Ms O'Connor referred to the moat around this great and beautiful island. Yes, we refer to it often. We are surrounded by water. We are an island state. This is a unique selling point. We need to make the most of that to our advantage and the advancement of not just the people of Tasmania but our beautiful natural environment and our productive industries. In particular in this case, agriculture, our fruit growing, wine, forestry, across all of our productive industries. It is great to be minister for many of those productive industries.

We are protecting 'brand Tasmania'. We are building that reputation for high quality primary products and the health of our natural environment. This is very important as we build and rebuild a stronger Tasmania as we come through coronavirus.

The Biosecurity Act was passed last year in 2019 and my department has been progressively implementing that suite of new regulations, administrative systems and resources and I say thank you very much to the department. I often meet and talk to them and I put on the record my thanks to them for the huge amount of work. Lloyd Klumpp was a strong advocate for getting this legislation introduced and passed over the last many years, particularly since I have been minister. Thank you, Lloyd, for that advocacy. Thank you Deidre Wilson and so many others in the department; Tim Baker, my secretary, as well. It has been a terrific effort.

As I said in my contribution earlier in this place, I thank Biosecurity Tasmania for the work and service it does. It has all these responsibilities and yet is also responding on our behalf with respect to coronavirus pandemic at our borders, at the ports, at the Australia Post depots; and with respect to weeds, and a whole range of initiatives, keeping this beautiful state clean, including pests and disease.

In addition to that, I mentioned Ian Sauer, chair of the Weeds Action Fund, but more recently, the successful tenderer for stage 2 was NRM North. They have done a terrific job. I caught up with them more recently; Pam Allan, the chair, who certainly has a visionary approach and is providing strong leadership to NRM North and in the community. Thank you, Pam and your board for your contribution, and CEO Rosanna Coombes and the team. It was great to be in Launceston recently, together with my colleagues, Roger Jaensch and Michael Ferguson, for the launch of your Tasmanian Estuary Management Plan Report.

Think of the mass of work and the contribution that the department has undertaken with respect to fruit fly. That is just one example. It is a mass of work and they have done a terrific job. I put on the record my sincere thanks to so many people and, likewise, to the department, to Steve and others in your team to help get this legislation through. It is very complex, with lots of administrative arrangements and regulations to be put in place. Thank you for your terrific support.

There were a few references on the way through. First to seeds. We want seeds to be free of pests and disease. I had the privilege some weeks ago to be with Robbie Dent, president of the Tasmanian Seed Industry Group, out on Oaks Road, near my old home at Hagley in the Meander Valley, to announce funding support for the Tasmanian Crop and Pasture Seed Industry Plan 2020-23. Robbie Dent, who is not far away from there, thanks for your leadership in promoting the importance of this industry. The seed industry in Tasmania has grown some

80 per cent in the last many years. It is now worth \$37 million to this state, creating jobs, particularly in those rural and regional areas. It is really good.

I want to commend someone that we in this place might have heard from before, and that is Bruce French. He has done so much good work in terms of food plant solutions to address the malnutrition and food security concerns all around the globe, particularly in the developing countries. Thank you, Bruce French, for your contribution. He is a wonderful, fine Tasmanian. He spoke at the Parliamentary Prayer Breakfast a year or two ago, and I know that after that contribution both the Leader of the Greens and I commented on his fine presentation. To Bruce French, thank you.

In terms of seeds, it is important and I concur, at least in that regard, with some of the remarks of the Leader of the Greens.

There was a mention of the biosecurity plan for the salmon industry. This is important. This is a growing sector providing jobs in rural and regional Tasmania. A couple of decades ago we did not have it, and now we do. We can be proud of this. Again, we are an island state, surrounded by water, and it is important. I thank the Tasmanian Salmonid Growers Association and the industry key stakeholders for coming forward to work with the Government and with the other key stakeholders as they develop those biosecurity plans going forward.

There has been a mention of beekeepers. My thanks to the Tasmanian Beekeepers Association, to Lindsay Bourke and his team. Also, to Sustainable Timber Tasmania for the memorandum of understanding they have signed, to work together, to cooperate with respect to the importance of beekeeping in Tasmania.

We have many good things going for us in Tasmania. These are natural advantages we have in agriculture. That is why, as a government, we have a sustainable agrifood plan that goes right through from 2019 to 2023. This is all part of our long-term plan to grow jobs, and build on the opportunities we have, particularly in those rural and regional areas. That is why the biosecurity legislation I am bringing into this parliament - and with the support of my colleagues in this Chamber - will hopefully pass through this place, and then hopefully in the other place as well.

We can stand proud, as proud Tasmanians, because we have what the rest of the world really wants and admires. That is a clean, fresh, pure and natural brand; a state that is free of disease and pests. We will do everything in our power to protect that. There is no guarantee but we want to do everything we can to withstand the impact on our health, on our natural environment, on agriculture, forestry, aquaculture, the fishing industry, and all our productive industries, so that we can continue to be the envy of the rest of the world. We live in a beautiful state called Tasmania, and we love it.

I commend the bill to the House, Madam Deputy Speaker. It is a pleasure and an honour to be able to commend it, and I hope that we get success all the way through.

**Bill read the second time.**

**Bill read the third time.**

## **ARCHITECTS AMENDMENT BILL 2020 (No. 6)**

### **Second Reading**

[3.40 p.m.]

**Ms ARCHER** (Clark - Minister for Building and Construction) - Madam Deputy Speaker, I move -

That the bill now be read a second time.

Before I start my second reading speech, I congratulate the new member for Braddon, Mr Ellis. It is a pleasure to have him join us. It was a little sad, of course, to see our former member for Braddon, Mrs Rylah, resign, but I wish her well in whatever she intends pursuing. I am sure that will involve a bit of retirement and enjoyment with family. I thank Joan for her friendship and her service to the people of Braddon and Tasmania and for her contribution to this House while she was a member. I enjoyed working with her.

The Architects Amendment Bill 2020 amends the Architects Act 1929 to modernise legislation that has been in operation for 90 years, to increase consumer protection and to reform disciplinary and complaints processes regarding registered architects. It fulfils community expectations of consumer safeguards that are essential in modern licensing legislation.

The Government values the time and effort that the Australian Institute of Architects (Tasmania) and Board of Architects have contributed to the development of this bill. These organisations are the peak body and registration body, respectively, for architects in Tasmania. The amendments proposed in this bill have the full support of those bodies and are a long time coming. This sensible, measured reform is the first amendment to the Architects Act since 1984 that is not a consequence of changes to another piece of legislation.

First, I would like to say a few words about the important contribution of our architectural profession. Architects provide professional services in connection with the planning and design, construction, conservation, restoration or alteration of buildings. In Australia today, an architect is a trained and registered professional. While other licensed design practitioners can provide building design services, only architects can be registered with the architects' registration board in the state or territory in which they want to practise. In Tasmania the Board of Architects Tasmania, established under the Architects Act 1929, performs this essential registration function. A graduate is not legally permitted to practise unless registered as an architect. After completing a degree in architecture, they are also required to undertake a period of practical professional experience prior to being able to apply for registration.

The high standards of Tasmanian architects have consistently been recognised at national awards. The Bae TAS by Tasmanian architectural firm workbylizandalex took out an award for interior architecture at the prestigious Australian Institute of Architects Awards, held on 7 November 2019 at a gala ceremony in Brisbane. Their micro-apartment, measuring just 26.5sqm, features built-in plywood cabinetry that opens to reveal living spaces, providing a delightful and spatially diverse interior within a micro living environment. In view of concerns with affordable housing and urban sprawl, it is pleasing to see that Tasmanian designers have risen to meet these challenges with innovative solutions.

Madam Deputy Speaker, I will now turn to the provisions of this amendment bill, and how it will enhance the role and professionalism of architects and public confidence in their services.

The Building Confidence Report 2018 by Peter Shergold and Bronwyn Weir made major recommendations for improving the national building regulation framework, including suggesting reforms to architects' registration. This bill will assist the Tasmanian Government in implementing the report's recommendations relating to architects' registration in the following areas. First, all architects' registration boards are to implement a fit and proper person test for all persons who want to be registered as an architect, with appropriate powers to monitor the performance of architects and to investigate complaints. Second, all registered architects must undertake a mandatory program of continuing professional development activities and are to be covered by professional indemnity insurance.

A significant reform in this bill is the introduction of modern provisions for the Board of Architects Tasmania to receive, investigate and make decisions regarding consumer complaints about an architect's work or their conduct. The bill provides that the board itself may now initiate complaints and inquire into disciplinary matters. It also extends the circumstances when the board may exercise disciplinary powers. New examples include when a registered architect has breached a code of practice or committed an offence under the Occupational Licensing Act 2005.

Applicants for registration must prove that they are a fit and proper person to practise and they are to maintain that status to remain registered. Complainants will have their concerns investigated and dealt with appropriately. Architects subject to a complaint will receive procedural fairness during that process.

Currently, the act only provides for the board to fine a guilty architect \$200, a relatively small sum, or else give the ultimate penalty of removal of registration. Having only those two options available as punishment hampers an effective complaints and disciplinary system. The bill instead provides that the penalties the board may impose on an architect are widened to include specific conditions on an architect's registration and fines increased to a maximum of \$21 000.

The bill provides that disciplinary actions instituted by the Board of Architects to remove an architect on grounds of professional misconduct will be decided by the Magistrates Court, rather than by the Supreme Court of Tasmania. This will be a faster and simpler process.

The current act gives a right of appeal on disciplinary decisions of the board to the Supreme Court. The bill instead proposes that all disciplinary appeals will be heard by the Administrative Appeals Division of the Magistrates Court. This is consistent with appeals under the Occupational Licensing Act for licensed builders, building designers or building surveyors.

A weakness of the current Tasmanian architect registration system in addressing consumer protection is absence of a link between gaining initial qualifications and experience and maintaining those high standards during later practice. In other jurisdictions, once registered, every architect is required by law to undertake continuing professional development (CPD) in order to maintain their registration. CPD ensures architects keep up with changing trends, developments and legal requirements for their occupation. However, in Tasmania only

architects practising as building services providers licensed under the Occupational Licensing Act 2005 are required to undertake CPD. To fill this gap, the bill will level the playing field and require mandatory CPD as a registration condition for all architects.

The Australian Institute of Architects operates a model CPD scheme for architects, approved by the Administrator of Occupational Licensing. The CPD they must undertake is a minimum of 30 hours each year, comprising formal study, technical training, business skills or personal development. Most architects would already be achieving these development activities through normal work activities or their membership of the Australian Institute of Architects.

All architects who independently give advice or provide consultancy services need to be covered by a policy of professional indemnity insurance to protect consumers who may suffer loss arising from the architect's negligence. If an architect is an employee of an architectural practice they are covered by their employer's insurance and do not have to buy their own policy.

The bill updates provisions allowing the board to establish what are the necessary formal qualifications, or required examinations, to be registered as an architect in Tasmania. This will also allow for consistency of registration requirements with other Australian jurisdictions. It also provides simplification of procedures for election of two members of the Australian Institute of Architects, who are then eligible to be appointed to the board. The institute will manage its own elections rather than following unnecessarily prescriptive requirements currently in the Architects Regulations. The minister may also recommend to the Governor that persons be appointed to the board to represent the interests of consumers or the public. This establishes in law an informal arrangement that has been operated by the board for a number of years.

The bill will be updating the language used in a number of provisions in the act, such as substituting 'professional misconduct' instead of 'infamous or improper conduct' and 'fit and proper person' instead of 'good fame and character'. It will also change all gender-specific references in the act to be gender-neutral, consistent with current legislative drafting conventions and government policy on gender diversity and inclusiveness. Collectively these changes will deliver a more efficient consumer complaints management system regarding the work of architects. It will increase public confidence in the effective registration and oversight of Tasmanian architects.

I commend the bill to the House.

[3.51 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, I begin my address by congratulating Mr Ellis on his appointment as the new member for Braddon, and also to mention Joan Rylah. I worked with Mrs Rylah on the Public Works Committee and she was very good to work with. I wish her all the best in the future.

I rise today to debate the Architects Amendment Bill 2020 which amends the Architects Act 1929. The intent of the bill is to modernise legislation that has been in operation for 90 years to increase consumer protection and to reform disciplinary and complaints processes regarding registered architects. The bill allows regulations to be tightened and provides additional consumer protection. It also brings Tasmania closer to other states which already have more contemporary architects acts.

The bill fulfils community expectations of consumer safeguards that are essential in modern licensing legislation. I believe the bill could have had more of the recommendations from the building report placed in it, but it is a really good start. That is the feedback we have received from the industry. The minister has drawn input from the Tasmanian branch of the Australian Institute of Architects as well as the Tasmanian Board of Architects.

Updating the bill to non-gender specific language used in a number of provisions is welcome and overdue, despite women working as licensed and recognised architects for the past 150 years. In 1871, Marion Mahony Griffin started working with Frank Lloyd Wright and studied architecture at MIT in the United States. Ms Griffin and her husband, Walter Burley Griffin from the United States, went on to win the Australian Federal Capital competition, a competition to plan and design Canberra. Ms Griffin moved to Australia in 1914 to oversee her designs and they went into building what we all know as Canberra today. Female architects have been here for quite some time and it is nice to see them recognised. The overdue change to gender neutral language allows women to be finally recognised as architects in Tasmanian legislation.

A significant reform of this bill is the introduction of modern provisions for the Board of Architects Tasmania to receive, investigate and make decisions regarding consumer complaints about an architect's work or their conduct. The bill extends the circumstances when the board may exercise disciplinary power. Currently the act only provides for the board to fine a guilty architect with a \$200 fine or removal of registration. The two extremes are not conducive to deal with disciplinary problems. The bill instead provides that the penalties the board may impose on an architect are widened to include specific conditions on an architect's registration and fines increased to \$21 000.

The bill provides that disciplinary actions instituted by the Board of Architects to remove an architect on the grounds of professional misconduct will be decided through the Magistrates Court instead of the Supreme Court. This process is apparently more time- and cost-efficient and is also industry led.

Industry has identified the lack of continuous learning for architects in Tasmania and has called for mandatory continuing professional development, or CPD, to ensure architects are kept up to date with new practices, trends, materials, technology and legal requirements for their occupation. This bill requires mandatory CPD as a registration condition.

Minister, my first question is, what will be the process to ensure compliance to this requirement of the act? Who will oversee compliance for each architect in Tasmania, and how will the mandatory CPD be funded? Also, what are the penalties if that compliance is breached by an architect? Are there grounds before they may be struck off before they receive the fines? I would like to know more about that process.

I would like to discuss mandatory professional indemnity insurance. The Shergold and Weir building and construction report on improving the effectiveness, compliance and enforcement systems for the building and construction industry across Australia delivered 24 recommendations, while the Architects Amendment Bill 2020 addresses just two recommendations. My consultation with the industry is that the act is progress and a good start. The goal of the Shergold and Weir report is to enhance public trust through effective implementation of building and construction standards that protect the interests of those who work, live or conduct their business in Australian buildings. The report found, after close

examination of Australia's building and construction industry's existing systems, that deficiencies are extensive and concerning.

I quote from the report's executive summary:

The problems have led to diminishing public confidence that the building and construction industry can deliver compliant, safe buildings which will perform to the expected standards over the long term.

The report continues:

We have read numerous reports which identify the prevalence of serious compliance failures in recently constructed buildings. These include non-compliant cladding, water ingress leading to mould and structural compromise, structurally unsound roof construction and poorly constructed fire resisting elements.

Tasmania is not immune to the problems highlighted in this well-respected report. Every jurisdiction across the country was investigated thoroughly. It is a positive step that the Architects Amendment Bill implements some of the recommendations from that report. All architects' registration boards are to implement a fit and proper person test for all persons who want to be registered as architects and with appropriate powers to monitor the performance of architects and to investigate complaints. Minister, can you advise the House how funding will be allocated for the registration board to undertake this process?

**Ms Archer** - What process, sorry?

**Ms BUTLER** - The process of monitoring the performance of architects.

**Ms Archer** - Wasn't that your first question?

**Ms BUTLER** - No, my first question was to do with the monitoring of the education compliance.

**Ms Archer** - You asked who will oversee compliance? It is the same thing.

**Ms BUTLER** - They are separate things. One is about their character, and one is about their continuous education. It is about where the funding would come from for that to make sure it works properly.

All registered architects must also undertake a mandatory program of CPD activities and are to be covered by professional indemnity insurance. This introduction in the bill derives from recommendations 3 and 2 of the Shergold and Weir recommendations. We know that architects support both these recommendations. However, there are 24 recommendations in the report. Some of the omitted recommendations refer to builders, engineers, surveyors and developers, so it would not be appropriate to have those within these recommendations. I understand that not all 24 recommendations would ever be able to be implemented. It would not be appropriate.



Advice from the Australian Institute of Architects says -

From cladding/ACPs to inadequate registration; from self-certification to inequitable risk allocation in contracts; the state of Australia's construction industry is worrying, and the solution complex but the simple reality is the need for urgent regulatory reform.

That is why it is positive we are putting through the Architects Amendment Bill 2020 today.

One of the deficiencies in the act is the failure of the Government to provide appropriate powers for architect licensing bodies to audit the performance of architects. These are recommendations 6 and 7 of the Building Confidence Report.

Recommendation 13 calls for a statutory duty on architects to prepare documentation that demonstrates that proposed buildings would comply with the national code. In Architecture Australia on 5 March 2019, a story stated -

The Victorian Civil and Administrative Tribunal has ruled that the architect of the Lacrosse apartment building in Melbourne's Docklands, which was damaged by a blaze in 2014 that was affected by the tower's external cladding, is proportionately liable for damages.

Judge Ted Woodward, handing down his decision on 28 February, found builder LU Simon liable to the builder's owners. However, he also found the architect Elenberg Fraser, building surveyor Gardner Group and fire engineer Thomas Nicholas had each breached their respective consultant agreements, and were therefore liable to reimburse the builder.

....

The decision has caused shockwaves in the architecture profession. 'This is a landmark decision with significant ramifications right across the building and construction sector,' said the Australian Institute of Architects national president Clare Cousins. 'We will be carefully reviewing the implications of the VCAT decision for the architectural profession.'

One of the detrimental problems from the Lacrosse fire was the original architectural design had a safer ACP component. The builder allegedly replaced the product with a cheaper material.

Architects have highlighted administration and oversight of such a large design as problematic and sometimes difficult.

The Grenfell fire in London caused more than 80 deaths. The findings from the first phase of the investigation also point to a systemic building design fault. While the report was critical of the fact that the London Fire Brigade was unaware of the combustible nature of the

material used in the external cladding that surrounded Grenfell Tower, it concluded that the cladding was largely responsible for the fire spreading so quickly.

We have cladding with polyethylene core on multistorey residential buildings in Tasmania. Despite the problem being identified, much of that cladding has not been replaced. Despite Labor calling for an audit of all ACP in bushfire-prone areas of the state, the Government has not acted. It is one thing to identify risk - it is dangerous not to attempt to remove or mitigate that risk.

To date Australian building regulations are unaware of any ACP cladding passing a non-combustibility test called up by the Building Code of Australia. Under Australian Standard 1530.1, Methods for fire tests on building materials, components and structures, Part 1: Combustibility tests for materials, for ACP to be certified as compliant for use on Type A construction, a building surveyor or certifier must assess the cladding as an alternative performance solution.

Minister, can you advise the House whether any combustibility testing has taken place in Tasmania?

**Ms Archer** - How is that relevant to the bill?

**Ms BUTLER** - I will get to that, minister.

Recommendation 6 of the Building Confidence Report states -

That each jurisdiction give regulators a broad suite of powers to monitor buildings and building work so that, as necessary, they can take strong compliance and enforcement action.

It is relevant, minister, because architects are being held liable for the use of ACP and other problems with building design and material. We have seen indemnity insurance skyrocket for engineers and building surveyors. According to industry advice, architects indemnity insurance has not followed suite, though there is a strong chance it will as accountability and litigation is now heightened.

## **16. Insurance**

- (1) The Board is not to register a person as an architect, or renew the registration of an architect, unless the Board is satisfied that the person has a sufficient level of professional indemnity insurance.

Sole residency work attracts a similar level of indemnity insurance, and I am advised this is the bulk of the Tasmanian architects' work.

Recommendation 8 of the Building Confidence Report complies with the International Fire Engineering Guidelines. Each jurisdiction requires developers, architects, builders, engineers and building surveyors to engage with fire authorities as part of the design process. It is disappointing that this recommendation was not included in this bill. It could have been a

good start to make the legislation more robust. The industry is pleased with what the Government has done but it could have had more grunt in it.

Recommendation 13 of the Responsibility Design Practitioners report was highlighted as a matter of priority. According to the report, the adequacy of documentation prepared and approved as part of the building approvals process is often poor. The tendency for inadequate documentation to be prepared and accepted by building surveyors at the building approval stage has increased, in part because owners and developers are endeavouring to minimise costs of documentation. Documentation to support applications for building approvals is prepared by various practitioners, including architects, designers, draftspersons, engineers, builders and owner-builders.

There is no nationally consistent registration of design professionals. In some jurisdictions the preparation of performance solutions must be done by prescribed, registered practitioners, but in most there are no express restrictions on who can prepare a performance solution. Very few jurisdictions expressly state in their legislation that the duty of the designer is to prepare documentation that demonstrates the proposed building will comply with the National Construction Code.

According to the recommendations, schemes regulating architects do not expressly require architects to prepare documentation that demonstrates the proposed building will comply with the National Construction Code. We all know that poor quality documentation leads to builders improvising or making decisions that may not comply with the National Construction Code. Performance solutions can, in some instances, be ex post facto rationalisations intended to address design not in accordance with National Construction Code requirements. Inadequate documentation can also result in hidden costs or can allow builders to cut costs without owners being aware of it. The integrity of documentation for future use is also compromised when the approval documents do not reflect the 'as built' building or when they contain insufficient detail to properly inform building risk and maintenance requirements.

The Fire Protection Association of Australia states -

There has been a steady decline in compliant design and documentation. A lack of clear and complete design documentation increases the potential for disputes and non-compliance on any project.

Labor supports this bill. It is a start but the examples I have given today talk quite well about recommendations that could have been implemented, which would have potentially strengthened Tasmanian architects, within this bill. It is a missed opportunity but it is a positive start. Hopefully as more of these recommendations are developed there may be further improvements made to the Architecture Act in the future.

[4.09 p.m.]

**Ms OGILVIE** (Clark) - Madam Deputy Speaker, I will be brief.

I congratulate the architecture profession, the minister and the Government for bringing forward this bill. It is very exciting to see some CPD coming in. Coming from the legal profession, we have had this for many years, and it has lifted the game for all professionals in our sector. Having been a former board member of the Professional Standards Councils of Australia, we worked very hard to get that organisation up and running, to oversee and assist

professional associations to become more professional, and to ensure they were improving as professionals and hence lowering the risk to their consumers and customers.

In fact, the professional standards legislation does have in it those two limbs. One is to manage that liability aspect to enable appropriate levels of professional indemnity insurance to be placed across professional associations so it is an affordable occupation for professionals to go about their business. That goes across architects, lawyers, human resources, specialists, accountants, auditors, all of those professionals you can think of, and then into the medical profession which has a slightly different regulatory regime.

I am really pleased to see this come forward, but I wanted to try to make a fairly buoyant statement about how great architects are. I happen to be related to a couple and we have had a couple in the family, so it is a bit of conflict of interest but when you think about the great products of our world's culture, and our beautiful planet, the built cultural heritage that we have internationally has all effectively been a product of our architects who can come up with a vision and lead people towards that vision.

I recently had the experience during COVID-19 time, which is not ordinary time, of trying to get a small shack project going, and we have been very grateful for the assistance of architects in that. I would like to see them well looked after, particularly during this time, where business can be hard to come by. I understand there was a lull, but things are coming back now, and that is very pleasing.

When I think about why we have architects it is because we need people who can have that vision for the built environment, who can have that vision for how we want to live and how our cities should look. From our great cities on the planet, from New York through to Paris, thinking about poor old Notre Dame, and right through the ancient world, and being a student of history I have been watching some old movies lately about the Middle East, and Russia, and all of those incredible things we do as humans, to have people who are part of our local community who can bring those projects forward and do this work is incredible. It is a very innovative profession, but there is risk as well, so things have to be done carefully and properly.

We have a really good, strong and dynamic cohort of architects on our little island state at the moment. I engage with them regularly and I am very pleased to see them winning lots of awards, and getting nominated and recognised in great magazines for their stunning work. That work, particularly when it is public spaces, perhaps even with our schools, is something that we all enjoy as a community.

There is a great deal of support for this bill from what I have read and from those I have spoken to. The detail of it is that it does set up those dual reporting requirements around the CPD management, probably a little like the legal profession. I guess in operation there will be a number of points that you have to accrue per year across a number of different sectors or different elements. In the legal profession they are interested in making sure you are up to date with the law, but there is also ethics, business management, small business, how to run a business, and all of those sorts of things we are trying to build in for our professionals.

During the COVID-19 crisis, I raised my voice on behalf of professionals, particularly those who are not working for big organisations, so small businesses, sole traders, et cetera, who had not received, for whatever reason, the benefit of a lot of support from the Government.

I was pleased to say the Premier responded and did some work to assist those small businesses which are professional organisations delivering professional services.

The fit and proper person test is a change of definition from what I can see and aligns more closely with what would be a standard fit and proper person test in both our common law and our legislative environment. In the legal profession we have a very strict fit and proper person test. Those who have fallen foul of it will know how strict it is. I am thinking also about our immigration laws as well, where there is another trigger. There is a deep amount of legal reasoning and thought that goes into what makes a fit and proper person and it is a pretty serious matter to not be able to meet that test.

I assume when registrations roll around every year that there would some sort of declaration that an architect would make that there was nothing on their record or nothing had happened during the year that would make them fall foul of that element of that test.

There are some technical things in there around how disciplinary action may happen and what the process for that is in the Supreme Court. The Supreme Court is well used to dealing with these sorts of issues but it is good for the brand of architects generally to see the standards not only being raised but also being made transparently available to the consumer and the public.

I do not think anybody who goes into architecture does it for any other reason but that they genuinely want to build wonderful things and contribute to our beautiful places and communities and our culture.

It was a bit sad that we lost our State Architect. Perhaps that is something we could think about doing as we go forward, particularly with the large amount of infrastructure development and work that we have on the plate as we move out of this COVID-19 time.

It is good to have a board that can review and investigate complaints. In the legal profession we are used to dealing with people who are not always happy with outcomes because the outcomes cannot be controlled. The board not only assists consumers who have had a poor experience but also, for those professionals who are doing a good and professional job and the outcome is unanticipated or not the one a customer or consumer may want, the board is able to provide some intercession if a dispute arises. It is very helpful to have that available. I hope, in relation to architects, that we would have a similar sort of thing.

I will wrap up briefly but for a moment I want to think about our wonderful planet and all the amazing buildings and constructions that have happened over the years, literally from the pyramids all the way through, and the things we see in the movies; the old forts and the things that are no longer with us. I am thinking about Beirut and the destruction there, about our cultural heritage. All of this stuff happens because we have wonderful people like architects on the planet. I thank them for that and I thank the minister for bringing forward this bill. I hope it is genuinely a step in the right direction.

[4.19 p.m.]

**Dr WOODRUFF** (Franklin) - Madam Speaker, the Greens are happy to support the amendments in this bill. We agree it is time to modernise an act which is over 90 years old. Some of these things are well overdue, for example gender-appropriate language. It seems arcane that we are still having to adapt legislation but there it is. It goes to show how recently

the changes have been made in terms of equality between the sexes and the normality of having women in places like parliament, not to mention as architects. How times have changed for the better.

The contribution of architects to all societies is invaluable and mostly hidden and unappreciated. There is a real misunderstanding about the contribution of architecture to the experience of living in the lived environment. The role that an architect plays, or can play, in stitching together a community so that without even being aware, people come to live in a way which is more harmonious and more conducive to engagement and interactions between people. There is more exposure to the natural environment, there are better buildings that provide healthier living environments and streetscapes which are healthier in both hot and cold climates. All of these things are matters that an architect would attend to.

Fundamentally, architecture is a branch of the arts. It was always the creative art and it was the highest form of art. Michelangelo was a person who was gifted in every area; in maths, sculpture, architecture and in painting; in so many different places. Architecture has always been understood to contribute a special role. In modern times it bridges science and art. It is fundamentally creative at its best and it is fundamentally utilitarian and mechanical at its worst.

We see all sorts of architects, like in any profession but the best of architecture provides us with the cities that people proactively go to visit; cities like Paris, which has a building height limit in the middle of Paris of five storeys. That fact alone has meant that the Eiffel Tower stands out. It has meant that it gives us a uniformity to the landscape which is not homogenous and boring because the beauty of the buildings makes each one stand out. It is a human scale city and it is something that people in Hobart and Launceston desperately want to hang on to. We want a human scale city. We want a city which does not try to dominate kunanyi/Mt Wellington, that does not try to dominate the natural systems around us which we all love, to absorb and appreciate, and they affect every part of our life.

The design of cities, the places that humans live their lives, where we wake up in the morning, where we go to work, where we care for our children and old people: these places where we die, where we end up being buried and visited into the future by people who loved us; these are the places that architects fundamentally design so they are a very important part of our community, whether we are aware of their influence or not. The best of architects will create spaces that people do not feel the effects of but they experience the effects of them. A well-designed building can make people calmer and it can definitely reduce mental health problems, anxiety and depression. All of these things are fundamentally connected to the built environment that is designed for human living.

We do support the changes in modernising the act. I do not have any particular points or questions to make about them. They are reasonable. I want to make the point - and it is not something which any of us here can change - but it is concerning that we live in a time when professions are required to take out professional indemnity insurance. As sole operators or small operators, the insurance that is required when it is undertaken by private firms can be so exorbitant you really have no possibility of competition in that marketplace. The fees are so enormous. We all want to reduce risk, and we understand why that is there. But here we are in 2020 and unwittingly we have created an environment that makes it incredibly expensive to build a house, incredibly expensive to manage the risk, because we have outsourced to the private sector all the risks of design and building.

We used to have a system where these things were managed by councils or by other authorities, and so there was not a place for an untethered private marketplace which can exact enormous costs. It has to be passed on through the professional architect or building surveyor to people who are building homes.

At the end of the day, we all pay for those costs. It would be a better model if councils took back the responsibility for building certification. It would be a better model if these things were not adding enormously to the costs of building homes and designing good homes. It should not only be the province of people who are well-to-do to have well-designed houses.

I will talk a bit about the minister's opening statements about the role of architects providing professional services in connection with the planning and design, construction, conservation, restoration or alteration of buildings. That really misses the contribution, whether the minister meant that or not - I am sure you do not - but the contributions of the buildings to the creation of the community and to the experience of living in the community. I have already mentioned the experience of living in different communities that are well designed. Paris is one that people often refer to.

What we lost in Tasmania was the Office of the State Architect. The funding for that position for the previous state architect, Peter Poulet, was lost during the global financial crisis cuts with the Labor-Greens government. It was a mistake that it was not reinstituted.

The Greens have put the reinstatement of the Office of the State Architect into our alternative budget for six years now. It should be on the Government's head that it has never prioritised \$250 000 per year - as it was in 2011 - for the Office of the State Architect. This is despite the Premier, as Treasurer, having said that the state was back in the black for at least four years now. This is a huge loss for Tasmania and it is a loss at a time when we need that expertise and oversight.

The Office of the State Architect had the role of advocating for quality design and built outcomes across the state. The office provided strategic and independent advice to the government about planning, urban design architecture and heritage.

The office was responsible for creating the shared vision between the state agencies, intrastate agencies, and stakeholder groups, including the community, about the built environment. The State Architect was responsible for developing best practice guidelines on sustainable urban environments and buildings.

It was the State Architect who developed sustainable living design guidelines that were used - and I assume are still used - to guide the building of housing developments in Tasmania. They were used under the Greens housing minister. They created an important pattern for how we should be greening the environment and creating a people-centred community, places within subdivisions and buildings.

The point is that under this Government, we have not reverted to anything like good quality urban design at the overarching level. We cannot rely on the Building Code of Australia combined with the Tasmanian Planning Scheme to give us anything more than a utilitarian landscape. That is what we have. This is what we have ground ourselves down to. You only have to look at new subdivisions anywhere in Tasmania. They are all identical. Can anyone

put their hand up and tell me if they can remember seeing a different subdivision? The north-west, down in Kingborough, on the east coast, the eastern shore - they are all the same.

Do you think that is the way it is when you travel around Tasmania? It is not because I travel around Tasmania, we all do, and every single different part of Tasmania is a different place. It has different characters, it has different buildings, it has different streetscapes, it has whole different layouts, but the modern subdivision, as is the only thing councils can approve under the Tasmanian Planning Scheme, is a tick-a-box, one-size-fits-all, grey uniformity, which does not lead to people being able to live the happiest lives that they can.

We know this. There is ample evidence about the dark impact of uniformity, of landscape, of identical types of buildings. All of these things have a negative effect on people in terms of rates of depression and anxiety, and we know more than ever now the importance of nature and greening the spaces we live in. The evidence is overwhelming from around the world that in a housing development or a housing development tower, the people who can see green grass have fewer violent episodes, reported police offences and lower rates of depression than people who can only see concrete from their area. This is a really stark indication; it is that extreme. Even being able to see green grass is better for your mental health than just being able to see concrete, so we must be looking at how we design for the future, not just for people's mental health but for people's physical health.

We are confronting extreme heating changes with global climate heating, and I did some work myself 25 years ago for the Commonwealth Department of Health on the impact of climate heating on the urban landscape. The heat island effect was only being described back then, but we know very clearly, and it has been documented around the world, that unless we are literally building in spaces to grow trees in a landscape, we will be missing out on the evapotranspiration that trees provide us. They are what can keep us safe in heat waves. Being near greenness is cooling and the evapotranspiration of trees is something that we need to be mandating in the new subdivisions. I certainly do not see that when I drive around the new subdivisions in Tasmania.

Where has this expertise gone? Where is this overarching expertise in urban planning that could be provided by an Office of State Architect? Although we have the City Deal and the major councils in Hobart working together, we do not have an overarching State Architect who is looking at urban design from a bigger picture than an individual council perspective. This is more than about planning schemes and lining up roads and services. This is about how we create cities so they are healthy places for us to live.

The major projects bill which was tabled today and will be coming to parliament at some point in the near future is yet another building block which has been smashed out of the good foundation of planning in Tasmania. This Government has done so much to unpick the planning scheme and its functionality in the last six years.

The major projects bill is really just crossing a line in the sand in terms of our ability to be able to look to the issues that people in communities love and to be able to make sure we attend to that so we are not just constantly ushering in the biggest, cheapest and, frankly, some of the most controversial developments in the state. These are the things the major projects bill will do and it does not advance us as a state to be taking the quick and fast approach to major developments that are controversial. These of all things must be looked at in more detail, not less, because the bigger a development is, the more we need to do that. These developments



would be here for decades and we need to be looking at how we focus our resources so that they lead to happy and healthy communities and we protect the natural environment which supports us into the future.

We would really like to hear from the minister about whether the Office of the State Architect is something the Government is going to be looking to reinstate in the forthcoming Budget. With the conversations about the importance of a COVID-led building recovery, this is exactly the time to be putting the resources into the Office of the State Architect to provide that oversight, expertise and independence. There is nothing to be afraid of about independent professional views. That is something to be welcomed because with such a hopefully big building we must be looking at the impacts of climate change in that but we must also be looking at the effect of building on mental health and community resilience, because that is what great architecture can provide for us.

[4.37 p.m.]

**Mr STREET** (Franklin) - Madam Speaker, it would not be a Greens speech if it did not include some romanticising of certain areas and talking down some aspects of modern life as being terrible. Dr Woodruff mentioned Paris and the fact that the Eiffel Tower stands out. Yes, it does, but if you take a wider lens of the city of Paris you will also see that it has a thriving CBD area of high-rise buildings. The reason for that is that all successful cities have an abundance and a variety of building types. This idea that Paris is some low-level successful city just -

**Dr Woodruff** - No-one ever visits those, Mr Street. That is not why you go to Paris.

**Mr STREET** - Of course they do not. When you get called out with the facts you just try to change your argument.

**Dr Woodruff** - That is fact. People do not go to Paris to visit high-rises.

**Mr STREET** - Absolutely typical.

The Tasmanian Government recognises that the building and construction industry is a key driver of our state's economy. Obviously it goes without saying that the COVID-19 pandemic has significantly impacted Tasmania and it is the building and construction industry which can be one of the cornerstones on which we rebuild our economy.

As a government we are continuing to stimulate the building and construction sector with our record construction debts underpinning around 15 000 jobs and supporting an estimated construction value of \$3.1 billion across the next two years.

This Government's stimulus provides for fast-tracking public infrastructure funding for projects such as affordable housing, upgrades to schools and other government buildings. This initiative is expected to provide a pipeline of work for both the short and the long term. An additional benefit will be an increase of affordable and social housing, ensuring that Tasmanians have safe and secure accommodation, while contributing to jobs in the building and construction sector.

If you speak to anybody out in the community about their fears for their children's or grandchildren's future, housing affordability will inevitably be in the top five considerations or

fears they have for the future. We can stand in this place and argue about which lever to pull in which direction, but I think we can all agree on the basic fact that if supply of housing does not just meet demand but exceed demand, housing prices are going to keep going up as our population grows.

It is disappointing to again hear Dr Woodruff say that all of the suburban developments she has seen across the state are all the same. In my travels they are not all the same. There are a couple of subdivisions in Kingborough near where I live that have been developed with swathes of public open space and retention of trees and forest area that was already on the block. I have to say to Dr Woodruff, if you think people who do not have a home are concerned with what the streetscape looks like compared to being able to build and live in an affordable house then you are grossly out of touch.

The Government is committed to ensuring that the building and construction sectors are supported in continuing to be the driving force behind the Government's focus on delivering a strong economy and supporting the creation of jobs for Tasmanians.

The Government recognises the importance of our dedicated architects working with modern and applicable legislation. As has been pointed out by a number of speakers, the Architects Act came in in 1929. It is now 91 years old. These amendments form some of the most significant modernisation updates in its history. I am aware that the act has not been amended for 36 years. When you think of the changes in the building industry, the economy and the world since 1984 it is quite remarkable that this act has not been amended since then.

Architects play a crucial role in developing our built environment by providing innovative and flexible designs to support and enhance our Tasmanian lifestyle. The bill increases consumer protections requiring all registered architects to undertake continuous professional development activities, be subject to a fit and proper person test and to hold professional indemnity insurance. This is particularly important when you consider that for most consumers or for most of us the house that we build to live in will be the most significant investment that we make in our lives. Having protections for people who are going through that process is incredibly important, particularly with enforceable penalties for people who transgress.

The amendments will expand the categories of conduct by an architect for which the board of architects can commence disciplinary action. These amendments also reform the disciplinary processes and the processes for investigation of complaints made against registered architects. The penalties which may be applied to architects whose conduct is deemed as professional misconduct or unprofessional conduct have also been increased to be more appropriate to community expectations in the 21st century.

In each state and territory of Australia it is a legal requirement that any person using the term 'architect' must be registered with the architects' board in that jurisdiction. When you consider the range and breadth of activities that architects undertake on behalf of their clients, it is really important that there is an overall board that has jurisdiction over making sure that people who classify themselves or market themselves as architects meet a minimum standard.

The Minister for Building and Construction will be permitted to set board members fees for sitting and travel reimbursements. The current provisions limit board members payments

to \$50 per annum. That does not even sound like a 1984 amendment. That sounds more like a 1929 original amount.

The modernisation of the act has changed gender-specific references to be gender neutral which is consistent with current legislative drafting conventions. There are only two males sitting in the Chamber compared to about eight females, so we would want to be very careful about making sure that we are gender neutral in the Chamber.

Architects provide consumers of building services with a range of professional services, including planning, strategic and land use planning, urban design, provision of preliminary studies, design models, drawings, specifications and technical documentation, along with coordination of technical documentation prepared by others as appropriate and without limitation, including consulting engineers, landscape architects and other specialist consultants. They also deal with construction economics, with contract administration and with the monitoring of construction and project management, which is why it is so important that we now have a board that can decide or make decisions on who classifies themselves as architects. From my experience there is a wide divergence between what some architects can offer and what others offer. I would normally be of the opinion that the free market would sort that out, that good architects would continue to get more work and bad architects would go out of business but the fact of the matter is that it is such a heavy impost on each person who goes to see an architect that it is important that we have these protections in place.

I commend the bill to the House which replaces the outdated act of 1929.

[4.45 p.m.]

**Ms ARCHER** (Clark - Minister for Building and Construction) - Madam Speaker, I thank the House for its contributions and a few questions to respond to and some general statements and observations to make.

I will take the opportunity to thank the Australian Institute of Architects and the Board of Architects of Tasmania for their significant contribution to this bill. It has been ongoing for quite some time and, then COVID-19 hit which delayed parliament and bringing this bill on. Now, more than ever before, it is important that we not only get on with business but architects play an integral role in our building construction industry, in our built environment and urban planning. I recognise the comments of Dr Woodruff.

The second reading speech restricts speeches to various aspects of a bill. It certainly is not always my floral extended contribution of how I feel about certain topics.

In summing up I can expand, which I will do. I was looking on the Australian Institute of Architects website. It is very comprehensive, but it also goes into a really good example and demonstration of what an architect can do for you and your project. That is from start to finish, not only through the design phase but through the construction process. An architect can very much be of assistance to their client throughout the process.

Generally speaking, in our urban environment, it is central to our health and wellbeing and it is central to good planning. It is essential to linking transport and other essential services. Architects as well as urban planners and similar professions play a vitally important role in society.

Regarding the State Architect, we have had a long-standing policy. We abolished that office and we do not have plans to reinstate that office. I have every confidence, particularly having worked so closely with the Australian Institute of Architects for a number of years, in their ability to produce incredible work and incredible designs. They are a very collaborative group. I have gone along to their awards every year since I was an alderman on Hobart City Council in 2007, and each year I am amazed at how that profession has progressed and the quality of work in this state. It is not only the pictures you see on their website. Have a look at these projects in person. They are just as good. They are quite phenomenal. That stands us in good stead in this state.

We have the Office of Coordinator-General which facilitates and attracts investment into this state with larger projects. That is an integral office and something the Government has prioritised. That is my response to that particular issue.

I will deal first with some of the questions from the member for Lyons, Ms Butler. I hope I have them in order.

What is the process to ensure continuing professional development? Architects are required to complete a signed declaration that they have completed their required 30 hours of CPD activities. A statutory declaration is not required by the board; it is only a signed declaration, which will be much easier. It is pretty easy also for a body like a board of architects here in Tasmania to monitor compliance as well because if you have a look at CPD's offered through the Australian Institute of Architects membership and they fairly much know each other as well. For example, you would know if someone has only turned up for two hours but declares they have done 30, so I have every confidence that they will be honest in that process. If they happen to not be honest, I am pretty sure that will be easily identifiable as well.

**Ms Ogilvie** - They will not meet the fit and proper person test.

**Ms ARCHER** - Yes, they will not be a fit and proper person test, exactly.

The next question was how will funding be allocated for CPD? The Board of Architects Tasmania is entirely self-funding and has advised the Government that it has sufficient funds received from registration fees for it to be able to perform the compliance and disciplinary functions included in the amendment bill. The board has also advised that it has the financial capacity to investigate complaints without needing to substantially increase its current registration fees. If that changes we always consider submissions as part of our usual budget process.

In relation to the new penalties, I think it was - I did not have that question written down but I will go through it anyway. As members have recognised, and in my second reading speech I also stated, the Architects Act is over 90 years old now and many of its features, including its penalties, have not been kept up to date. We can all acknowledge that. For example, the act still expresses penalties in dollars rather than in scalable penalty units which is standard in our acts these days. I believe a standard penalty unit at the moment is \$172. As we know, penalty units are updated annually on 1 July so on 1 July 2020 it went up to \$172. It is usually a very small incremental jump each year but it does tend to go up by a dollar or so or less than. These dollar amounts at present essentially are inadequate either as a deterrent or

just as a penalty as identified. So, you have either that \$200 penalty or you are deregistered and there is nothing in between.

A particular weakness of the current act is that the architects board has limited disciplinary options available when dealing with complaints. These options are limited to low value fines or taking steps to deregister, as I have just said.

The offences included in the amendment bill the maximum penalty unit amounts are similar to the units specified for a similar offence in the Occupational Licensing Act 2005. For example, for refusing to answer any lawful question asked by the board the penalty of \$20 is to be substituted by a maximum of 125 penalty units which is currently a maximum penalty of \$21 500 in actual fact. I believe my speech said around about \$21 000 but it is \$21 500.

A similar offence in the Occupational Licensing Act provides for a maximum of 200 penalty units, so it is bringing these things into line. As for the question, are there grounds before someone is deregistered or struck off? Basically, the process is this. A complaint is lodged with the registrar of the board. It must be in writing, identify the complainant and give particulars of the complaint. Then the board is to review the complaint. It may then decide to dismiss the complaint if it is obviously vexatious or frivolous in nature. That is quite common in all these types of matters across professions and other jurisdictions. The board is to then notify the registered architect in writing with particulars of the complaint, including the nature of the matter complained of and the complainant. Obviously, that is a measure of procedural fairness.

The architect is also invited to make representations regarding the complaint within seven days. The board is then to investigate the complaint and it may determine the best way to proceed. It may appoint a person to assist it or convene a hearing if needed. They will determine that, based on the gravity of the type of offence that is in the complaint or numerous things that are in the complaint. Some things will be less serious than others. For the more serious cases I imagine they would have a person to assist and they might need a hearing. The board will then make a decision regarding the complaint after hearing all the representations and the evidence put forward.

If it is not dismissed, the board can impose sanctions on the architect, including a caution or a reprimand, an order to undertake extra CPD, for example, or formally restricting their registration status or suspending registration or cancelling of registration. It gives that range and it will be determined on the severity of their determination or decision about the conduct of the architect complained of in the complaint. If it is found to not be valid or insufficient, or whatever, it can be dismissed completely and no further action taken.

This is all about a far more modern and fair process for all parties in a complaint process in line with other measures, not dissimilar to when you might make a complaint under the Anti-Discrimination Act. There are all those procedures set out. There is a range of different penalties and determinations.

There was a question: how will funding be allocated to monitor the fit and proper person test? I revert to my answer on the board of architects being self-funding. They have the capacity both to perform the compliance and disciplinary functions and also the investigation of complaints and these determinations.

Did I cover CPD? Yes, I did.

I want to make some general comments on cladding, albeit not specific to this bill but Ms Butler did open that door and it gives me an opportunity to clarify the significant amount of work we have done in Tasmania, and also how Tasmania differs from many other jurisdictions. There is a tendency in this state to look at other states. There is far too often fear should it not be the same here in Tasmania and I would like to give people assurance in that regard. Our Government has taken strong action when it comes, for example, to high risk cladding of a building in Tasmania. Since 2017, the Director of Building Control has used powers under the Building Act 2016 to restrict the use of aluminium composite panels or ACPs with a polyethylene core in Tasmania.

As I have said in this House on numerous occasions, an audit of buildings with potentially high-risk cladding was completed in 2018. It was conducted with the assistance of an independent fire safety expert. Of the 43 buildings audited, 42 buildings were found to be low risk with one, namely the Launceston General Hospital, to be at higher risk. That cladding work on the Launceston General Hospital had been completed in 2012 prior to our Government but we took the action to rectify that to ensure that the high risk was removed. That was removed because it was a high-risk building. Being a high-rise building there were a number of factors which make a building high risk and one of them is multiple floors which means that your exit from that building is restricted. That makes it high risk, as well as a number of other factors.

It needs to be recognised that many building materials are flammable so when you look at the definition of high risk, there are a number of factors which make a building high risk. It is not the simple fact that there is cladding on it because it can be the simple fact that we have, and although wood is good - sorry, I am going to do it again - it is a highly flammable material as well which can bear just as much risk in a certain type of building where the escape route is not as short or easy to exit a building. For example, in a residence that is a single-level floor, a person can reach that exit very quickly and so it makes it lower risk.

I think I have covered what my notes are saying here by what I just said in commentary, but I would like to draw on a quote, I suppose throughout commentary that we were getting in 2019, with a call to remove all cladding. Just as I have explained, it is not necessarily the material itself, it is the risk it poses in terms of a certain design of building as well.

Tasmania Fire Service District Officer Andrew McGuinness said on ABC radio on 26 July 2019 when he was asked about Ms Butler's call to remove all cladding:

It is just not that simple. If there is a relatively low risk from a firefighting perspective then you would have to have some pretty solid evidence to support the removal of that. I would rather see a considered and measured approach taken and wait till the evidence comes out and use that evidence to make informed decisions on what we should do.

Matthew Pollock, the executive director of Master Builders Tasmania, has also said:

Claims that people living and working in buildings in Tasmania are under threat of an inferno are disingenuous and are fundamentally at odds with the facts. They also demonstrate a misunderstanding of the

immediate issues for the industry that are vital to the state's economy. To question the safety of buildings deemed to be low risk by the experts is an extremely serious step to take. The industry hopes that those making them are confident in their understanding of the facts and the consequences.

It has been the case that as of October 2017 our Government took proactive steps to use existing powers available to prevent further use of ACP on a range of buildings. To this end, the Director of Building Control has used powers under the Building Act to restrict the use of ACP with polyethylene core in Tasmania. For example, for any commercial building above two storeys classed 2, 3 and 9, or three storeys classed as 5, 6, 7 and 8, approval is required under a building product accreditation scheme which commenced on 27 December 2017. That is what I was talking about with more storeys. The higher you go, the higher risk is often evident.

The Director of Building Control worked closely with industry to ensure industry-wide awareness of the regulatory requirements, including improving the standard of documentation for commercial building works and delivering training for building surveyors, architects and building designers. Through these measures the Government ensured the future use of cladding products in Tasmania meets appropriate safety standards and community expectations. This was consistent with the coordinated approach that was agreed to at the building ministers forum.

In relation to that building ministers forum, a lot of work has been done in relation to the Building Confidence report by Shergold and Weir to which I referred to in the second reading speech and Ms Butler referred to in relation to recommendations. Much work has been done in relation to that. The building ministers around the country have met on a number of occasions and we have agreed on a number of initiatives to address issues with non-conforming building products in Australian buildings, which I might say we are dealing with other states, not Tasmania, but Tasmania is part of the national system and we contribute to that. We are very proud of what we have done with our Building Act bringing our building regulations up to date in this state, which I might say is the envy of other states and territories when we are at these building forums and they look to us and what we have already managed to achieve.

For example, the work that the forum has done has included achieving clarification of a National Construction Code. In light of the ACP issues, consideration of other technical changes to the National Construction Code are underway. We are setting up a data-sharing pilot with Border Force on information about imports and that is provided to state and territory building regulators. There is a coordination of approach across Australia through a regular building regulators forum and there has also been the setting up of a national web page on non-conforming products with the Australian Building Codes Board linked directly to relevant states' and territories' information which can be used to better alert industry about problem products. They are some of the actions that have resulted from building ministers forums.

**Ms Butler** - You did not answer about the combustion testing of dangerous materials. I asked if we had undertaken any combustion testing.

**Ms ARCHER** - I will have to get that information. I am very happy for you to write to me about that but, because we are dealing with the Architects Act, it is actually not relevant to the act.

**Ms Butler** - It is, because architects are liable for defective products. If you look at the outcomes of the Lacrosse building -

**Ms ARCHER** - It is not relevant to the Architects Amendment Bill that is currently before the House.

**Ms Butler** - It is an easy question to answer. Do we do combustion testing? It is an Australian Standard.

**Ms ARCHER** - That is relevant to the Building Act and we can deal with that matter on another occasion.

**Ms Butler** - Okay.

**Ms ARCHER** - I am simply coming into this House to respond to some of the cladding claims that have been made and the unfortunate comments you have made in the media in the past to cause fear in our community.

**Ms Butler** - You can't just attack because you don't know how to answer my question.

**Ms ARCHER** - I also want to assure the House of the significant work that the building ministers around the states and territories and the federal industry minister have done.

**Ms Butler** - You can answer the question instead of being nasty.

**Ms ARCHER** - I am not being nasty.

**Ms Butler** - You are. You go for the jugular when you don't know the answer.

**Ms ARCHER** - I could call a point of order on you, Ms Butler, and say it is not relevant to the act, but I am doing you the courtesy of humouring you to the extent that I am talking about cladding and giving you an update on what building ministers forums have done.

**Ms Butler** - It is a very simple question.

**Ms ARCHER** - It is not relevant to this act.

**Ms Butler** - It is relevant. Architects are liable for those products.

**Ms ARCHER** - If you could point me to the clause that it relates to in this amendment bill, I am very happy to answer that particular question. If it is not, I invite you to write to me and put the question properly. I can seek clarification of that for you when I have appropriate departmental staff available to answer any of those questions in relation to other acts or regulations other than the Architects Amendment Bill before the House now.

**Ms Butler** - Thank you, minister. I would appreciate it.

**Ms ARCHER** - With that, I thank members for their contributions. Although Ms Butler and I do not see eye to eye on a number of different issues, I appreciate that she has a different view on a number of matters. I do not agree with her view but that is the beauty of this place.



We come in here and have a bit of argy-bargy on occasions but it gives me an opportunity as the minister to clarify some things to assure the House and Tasmanians of the significant work being done in this space.

What is happening at building ministers forums is providing other participants in the building industry with the connection to other bodies, very well-established registration boards and compliance boards, so that they can develop their own codes of practice and regulatory regimes so that we have some consistency across our state and territory borders and consistency within the industry generally.

It is not an easy task because every state not only has a different population size but we have different types of industries. It has been evident throughout COVID-19 how we have been able to allow our industry to continue with social distancing, hygiene and other practices in place, albeit with difficulties, but to a large extent because of the nature of our industry down here they have been able to continue that work and we have been able to provide confidence, certainly in government projects as we have done, with bringing forward our infrastructure projects for our \$3.1 billion construction blitz and to provide some certainty for our industry. We are very happy to do so and thank the industry, and particularly our architects, because we are talking about them on this occasion, for their input.

The Australian Institute of Architects has been in touch with me and the Premier regularly, sometimes corresponding in written format to put their views in submissions, once or twice a week, and that has been ongoing for some time. It is very much valued by our Government and indeed myself, as the relevant minister. I look forward to that continuing and ongoing relationship, not only with the Australian Institute of Architects but the Board of Architects Tasmania in relation to these reforms and of course all of our industry bodies and participants who play such an important role in the building construction industry, and indeed in our economy, employing many Tasmanians.

Mr Deputy Speaker, I commend the bill to the House.

**Bill read the second time**

**Bill read the third time.**

## **VEHICLE AND TRAFFIC AMENDMENT (ROAD VEHICLE STANDARDS) BILL 2020 (No. 8)**

### **Second Reading**

[5.12 p.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Mr Deputy Speaker, I move -

That the bill now be read a second time.

I present to the House today the Vehicle and Traffic (Road Vehicle Standards) Amendment Bill 2020. This bill is to align the Tasmanian road vehicle standards framework with the recently changed Australian road vehicle standards framework.

The Australian Motor Vehicle Standards Act 1989 created the national regulatory framework for the importation of motor vehicles into Australia and the safety standards that vehicles in use on Australian roads should meet. Tasmania has adopted these standards through the Vehicle and Traffic Act 1999 and subordinate legislation.

In 2018, the Commonwealth passed the Road Vehicle Standards Act 2018 to replace and extend the framework created by the Australian Motor Vehicle Standards Act 1989. The new Commonwealth act received royal assent on 10 December 2018, although the parts of the act that create the new regulatory framework will commence by proclamation on or before 1 July 2021.

The Road Vehicle Standards Act 2018 will apply to all vehicles 'provided' for the first time. The use of the word 'provided' is intended to cover vehicles that are sold for the first time in Australia, and vehicles that are used for the first time in Australia but which have not necessarily been sold prior to use. Examples of the latter include where the vehicle has been made available through exchange, gift, lease, loan, hire, hire-purchase or giving a party access to the vehicle.

A major effect of the new Commonwealth act is to remove the need for a physical compliance plate to be fitted to road vehicles provided for the first time in Australia. The compliance plate is currently used to show that the vehicle to which it is affixed met all of the necessary safety standards at the time that it was provided for use on Australian roads. The role of the compliance plate is replaced by the electronic Register of Approved Vehicles. If a road vehicle is on the Register of Approved Vehicles, it was assessed as being compliant with the necessary standards when it was provided for the first time in Australia.

The Register of Approved Vehicles will be maintained by the Commonwealth and will be freely accessible through an internet portal. In this way, people can find relevant details about vehicles that are of interest to them. The Commonwealth has chosen this approach because it found that moving to an electronic register provided a significant positive benefit to motor vehicle manufacturers, importers and the Australian market.

The Tasmanian vehicle standards framework created in the Vehicle and Traffic Act 1999 should be amended to reflect the changes in the national framework so that Tasmanians can continue to receive maximal benefit from the national road vehicle standards while maintaining coverage for the existing Tasmanian vehicle fleet. The proposed amendments accommodate the loss of the physical compliance plate, the introduction of the Register of Approved Vehicles and the proposed repeal of the Australian Motor Vehicle Standards Act 1989.

Consequential amendments are also proposed to the Taxi and Hire Vehicle Industries Act 2008, which refers to the repealed Commonwealth act, to ensure the safety of Tasmanians who use the services of taxis and other for-hire chauffeur-driven vehicles.

Finally, amendments are proposed for the Motor Vehicle Traders Act 2011 so that consumer protection through a statutory warranty for eligible vehicles continues to be available.

Mr Deputy Speaker, I commend this bill to the House.

[5.15 p.m.]

**Ms DOW** (Braddon) - Mr Deputy Speaker, I want to make a brief contribution this afternoon and we will make some key points on the legislation. Labor will be supporting this bill. I thank the department and minister's office for the briefing. It was some time ago and during a busy time, but I thank you for the information that was provided.

This legislation is designed to ensure Tasmanian legislation is consistent with the changed Australian framework with the provision of road vehicles. The Australian Design Rules are the standards to be met by motor vehicles and trailers driven and used on Australian roads. Those are imported vehicles and those trailers that are built here. The Australian framework for the Australian Design Rules is currently created in the Motor Vehicle Standards Act of 1989, which is Commonwealth legislation. This will be replaced by the framework created under the Road Vehicle Standards Act of 2018. My understanding is that these changes must be commenced by proclamation, as the minister said, no later than 1 July 2021.

My understanding is that this enables greater alignment with the International Vehicle Standards and simplified importation of specialist vehicles. It will mean no longer fixing a physical compliance plate to a vehicle and that compliance details now be placed on an electronic register of approved vehicles. This legislation also ensures that older vehicles are covered by the appropriate regulatory framework.

I had a couple of practical questions about how this will be implemented. We discussed some of these things in the briefing but I wanted to better understand how these changes will be communicated to those who sell vehicles, import vehicles and to consumers, as well as to those small businesses in Tasmania that manufacture trailers and what their additional requirements will be. We have all seen what happens when there are faults with vehicles. This is one important aspect of road safety. I spend a lot of time in my car driving around the state. We all put a lot of faith in our vehicle and the level of safety, compliance and standards that are in place.

This has been a dreadful year for road safety in Tasmania. While this legislation is an important component of road safety and keeping Tasmanians safe while they are driving around our state, there are other components as well, such as improvements to road networks and the responsibility of everyone when they are driving to pay attention. I acknowledge the good work of the Road Safety Advisory Council and the RACT. I acknowledge their submission on improvement to road networks to the state budget which was released yesterday.

I do not have any other points to make on this contribution, only to say we will be supporting this bill and I would like answers to those couple of questions, predominately around communication. The other point I neglected to mention was internet access across the state. We have varying levels of digital literacy, particularly across our rural and regional communities. I would like to know if that has been considered as part of these changes.

[5.19 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, to be honest, it is hard to get excited about this legislation, but I will have a crack at it.

We will not be opposing the bill. I accept that this is reflecting changes at the Commonwealth level to the compliance arrangements for vehicles that come into the country, that we are going from a physical compliance plate to an electronic register of compliance. The

changes are made through our Vehicle and Traffic Act 1999. Is that not the same legislation where the sneaky regulation that took 430 000 drivers licence photos from Tasmanian drivers without their explicit consent came from? I am pretty sure it was regulations made under the Vehicle and Traffic Act 1999 with no announcement made; no public announcement about this major change through regulation that saw initially, as we understood it, 410 000 drivers licence photos. That is biometric data for the purpose that it was used. It was sent to a Commonwealth database which at the time that biometric data was sent to a storage space somewhere in Canberra that had no federal legislative framework to protect that data. We have since heard from the minister that companies and corporations can have access to that biometric data.

Can the minister confirm that under the Vehicle and Traffic Act 1999 and the regulations that were slipped through this place, companies like, for example, Transurban in Victoria, companies and corporations can access the database that has our biometric data in it?

This is a slow burner because I am still getting emails from people who are enraged by it. I saw on my Facebook page recently that a video I put up not long afterwards has suddenly got a new life. I do not know why. This is an issue that has sparked anger among Tasmanians who feel that the Government was underhand in the way that it obtained their biometric data and what it subsequently did with it. They are angry because most people know they were not asked; they did not give explicit consent. A number of people know that there was no Commonwealth legislative framework in place to cover that data at the time.

It tells us that the Government, and it was this same minister, knew at the time that this would cause deep concern within the community. They knew it and that is why it was sneaked through in regulation. A government that puts out half a dozen media releases on any given day congratulating itself was utterly silent on this mass transfer of the biometric data of Tasmanian drivers. Not a word. In fact, Tasmanians who had had their biometric data taken by the Government had to find out through the Greens questions in budget Estimates. Then it transpired that more than 400 000 photos were transported from Tasmania to the Commonwealth database that had no legislative safety net over the top of it.

In fact, the original Commonwealth legislation that was drafted to protect that data or to cover it in some way was sent back by, I think it was the Senate Legal and Constitutional Affairs Committee, on concerns about privacy. The legislation that was supposed to be there to capture this mass transfer of data has not come back to the federal parliament and perhaps the minister has more information on that, but that is my understanding. It does not instill faith among people when their own Government, by a sneaky regulatory manoeuvre, obtains pictures of my kids. For example, not to personalise this, but this Government took the biometric data of three of my four children who live in Tasmania and transferred them to a Commonwealth database that we understand corporations can access.

As a parent I find that an affront and I know why Tasmanians in the main when they become aware of this are so enraged by it. It is an act of regulatory theft of people's personal data.

Given that we are debating an amendment to the Vehicle and Traffic Act 1999, which is the principal act through which that regulation was brought forward that allowed for the sneaky transfer of 430 000 photo licence images, could the minister please update the House on the progress of the Commonwealth legislative framework? Could the minister also confirm, or not, that the database which has been established can be accessed by corporations like Transend

because that is our understanding. We believe that to be fact. In the interests of respecting Tasmanians perhaps the minister could update us on the status of that database which we think was established through sneaky regulatory manoeuvre? Tasmanians were simply not asked whether they consented to have their biometric data handed over to some storage cache in Canberra. This minister says, 'It is all fine, we are looking after it, everything is okay.'. People actually do not believe that so perhaps the minister could provide us with an update.

[5.27 p.m.]

**Mr TUCKER** (Lyons) - Madam Speaker, this bill aligns the regulatory frameworks for vehicle standards between Tasmania and mainland Australia.

In effect, the changes to the Tasmanian legislation align definitions and remove redundant references to the Motor Vehicle Standards Act 1989, the legislative mechanism covering the importation of vehicles into Australia and the safety requirements for vehicles on Australian roads.

The amendment allows for their transition to an electronic register of approved vehicles. It ensures the existence of an appropriate road vehicles standards regime for road vehicles provided before the commencement of the Road Vehicle Standards Act 2018.

This legislation provides that road vehicles that have been significantly modified and other road vehicles must comply with jurisdictional rather than national vehicle standards. The framework for the latter is expected to be a continuation of the current framework whereby a modified vehicle must comply with relevant Australian design rules and local road vehicles standard legislation.

The Road Vehicles Standards Act 2018 is a new act that creates a regulatory framework that replaces and extends that created under the Motor Vehicles Standards Act 1989. It received royal assent on 10 December 2018, although parts of the act that create the framework will commence by proclamation on or before 1 July 2021.

It extends the Motor Vehicles Standards Act 1989 by encompassing motor vehicles and trailers under the one terminology, reducing barriers to importation of road vehicles by harmonising Australian and international vehicle standards applying to vehicles that are provided, which incorporates vehicles sold for use on public roads and vehicles imported for use on public roads, but not necessarily sold.

It replaces vehicle identification plates, also referred to as compliance plates, with an online register of approved vehicles for vehicles provided for use for the first time in Australia after the commencement of the Road Vehicle Standards Act 2018. It also transfers responsibility for road vehicle-related recalls from the Australian Competition and Consumer Commission to the Australian Government's Department of Infrastructure Transport Regional Development and Communications.

The Register of Approved Vehicles, or RAV, will provide a publicly assessable electronic database of vehicles suitable to be provided, bought, sold, leased et cetera, and used on public roads in Australia. The RAV displays vehicle data such as the vehicle identification number, mass ratings and date of compliance with Australian standards.

A road vehicle will be entered on the Register of Approved Vehicles if it complies with an entry pathway, either type, approval or concessional RAV entry, type approval pathways for vehicles that are new and meet, or substantially meet, every requirement of the national standards. Manufacturers establish consistency in production of vehicles of that type. The majority of road vehicles provided to the Australian market will enter the RAV through the type approval pathway.

Concessional pathway provides for a limited range of new and used vehicles granted concessions on a vehicle-by-vehicle basis against full compliance with the Australian design rules. It consolidates a current range of separate pathways into one, providing the Australian community with access to road vehicles such as genuine specialist and enthusiast vehicles, classic and vintage vehicles and vehicles with special purpose that cannot be fulfilled if they comply with the Australian design rules.

This includes vehicles such as mobile cranes and emergency services vehicles. A vehicle that is on the Register of Approved Vehicles and which is substantially unmodified since its entry may be eligible to operate on Tasmanian roads.

A vehicle that is registered and then substantially modified, may operate on Tasmanian roads if it meets jurisdictional road vehicle standards. A vehicle that is not on the Register of Approved Vehicles may operate on Tasmanian roads if it meets jurisdictional road vehicle standards. Vehicles will retain a unique vehicle identification number - VIN - which will be recorded in the RAV and also for registration purposes in Tasmania.

In relation to vehicle recalls, the Road Vehicle Standards Act 2018 provides for the recall of vehicles and approved components for safety purposes or noncompliance with National Road Vehicle Standards.

The minister responsible for Road Vehicle Standards Act 2018 may issue a recall notice to suppliers of vehicles or components. If a recall notice is issued to a supplier, there are very substantial criminal and civil penalties for refusing or failing to comply with a recall notice.

Consequential amendments are also proposed for the Taxi and Hire Vehicles Industries Act 2008 which refers to the repealed Commonwealth act to ensure the safety of Tasmanians who use the services of taxis and other for hire vehicles.

I take this opportunity to highlight the significant support provided by the Tasmanian Liberal Government to the taxi industry. The bill to implement changes identified through the review of the on-demand passenger transport sector is expected to be tabled in this place next month.

The bill is designed to create a more even playing field with newer entrants to the industry such as ridesharing. It is based on a review of the taxi and hire vehicle industries which commenced in late 2016. The review comprised extensive industry consultation, market research on consumer habits and preferences, and detailed research and analysis of evidence from Australia and beyond.

The new regulatory framework for the on-demand passenger transport sector was released late last year for public consultation, including the draft bill which will give effect to

many of the changes. The framework reflects feedback received throughout the formal consultation period on the draft framework as well as ongoing stakeholder feedback.

The draft bill suspends the release of new taxi licences for four years, in addition to the one year it has already been suspended for under the COVID-19 Disease Emergency Miscellaneous Provisions Act (No. 2) 2020. Without this change, the Transport Commission is required by current law to release new licences annually. The draft bill also introduces new regulatory framework requirements for ride sourcing. If these changes are not implemented, then ride-sourcing companies could continue not to be captured through the regulatory framework and they will pay annual fees. This would lock in an uneven playing field and there would be no relief on the regulatory burden and compliance costs for the taxi sector.

In addition, significant support was provided to the taxi industry during the disruption caused by COVID-19. The Government is supporting the taxi industry by providing a registered relief package for taxi operators, an extension of the maximum operating age of some taxis, the cancellation of the annual release of new licences statewide by way of tender in 2020, the waiving of the annual administration fees payable by the owners and holders of licences in 2020 and the deferral of accreditation orders prior to 30 September by six months.

The Government acknowledged that it was critical to support the taxi industry through the current COVID-19 downturn to ensure that access to essential services is retained for those without other forms of transport and that industry is able to restore necessary capacity when economic activity increases. Anecdotally, responses from the industry have been extremely positive, with the range of assistance well received.

Returning to the bill at hand, consequential amendments will also be required to the Motor Vehicle Traders Act 2011 and the Motor Vehicle Traders Regulation 2012, among others.

The Heavy Vehicle National Law and the model Australian Light Vehicle Standards Rules 2015 are to be amended to maintain consistency with the Road Vehicle Standards Act 2018. The Heavy Vehicle National Law is applied as law in Tasmania by the Heavy Vehicle National Law Tasmania Act 2013. The Australian Light Vehicle Standards Rules 2015 informs the drafting of all light vehicle and service standards obligations in Tasmania.

Importantly, I am advised that the Department of State Growth will provide support to local businesses in the transition phase to ensure understanding of the changes. These industries are important to the economic prosperity of Tasmania and the bill before us today will ensure the regulatory framework is consistent with the Australian framework.

[5.38 p.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Madam Speaker, I thank members for their contributions and a really interesting debate around what is, in the scheme of things, a pretty dry piece of legislation that is important for the housekeeping and good arrangements of our motor vehicle industry and safety for people who use our vehicles and roads; the mutual safety that sits within a competent road safety framework so that people can be as safe as possible when they are moving on our roads. I welcome the contributions from all speakers, and I will sum up and address the questions that have been raised.

Ms Dow, the member for Braddon, asked me some questions around communications and also pointed to the road safety challenge, which is a really important issue and desperately important for any government and indeed any MP, so I will address that. Ms O'Connor asked a range of questions and made a range of assertions which I will address in relation to facial matching, and Mr Tucker, apart from summing up his own thoughts on the legislation, has addressed some of those communications points as well. I will cover all those and hopefully get some consensus.

For Tasmanians purchasing a new vehicle the changes will be seamless, with the manufacturer or dealer responsible for recording the applicable data on the RAV. The Commonwealth is responsible for stakeholder consultation. It has done that and will continue to do that and has developed an ongoing support framework for industry and consumers. However, in addition to that, the Department of State Growth will assist local individuals and businesses during our transition. Our transition is minor compared to the federal one but this is still particularly relevant for manufacturers of light trailers here in Tasmania, so we will be doing that. In addition, State Growth will continue to consult with established peak body groups, including the RACT and the Tasmanian Automobile Chamber of Commerce. Other jurisdictions are at different stages of implementation of their legislation which obviously they will also need to do to support these changes, with some having passed applicable legislation.

I will respond as well on the digital literacy point because, while not central to this bill, it has been picked up in terms of the ongoing challenge of ensuring that Tasmanians everywhere feel equipped, enabled and literate to use the technology and hopefully feel comfortable with it. As we are increasingly becoming a digital world where services are more and more available in that online environment, this Government is mindful of the need to ensure we look after people along the way. It is with that in mind that the Tasmanian Government is pleased with how our efforts over six years have seen us for the first time get a strong jump in the digital literacy index. I was very pleased and grateful that last year we saw that increase by 10 per cent, but we have a fair way to go because Tasmania was not exactly at the front of the class.

We are also investing \$300 000 in our new initiative, which was unfortunately interrupted by COVID-19, that we call Digital Ready for Daily Life. I would love it if members were to look at the website we have produced and look at the resources and the personal training opportunities available in their local constituencies, particularly if members are aware of a person - often it will be an older person but not always - on the margins of digital literacy or who just do not feel comfortable with it. These resources have been specifically developed by us in partnership with TasCOSS so we can reach people at the stage they are at and help them to be comfortable. Had we not had COVID-19, we would have had face-to-face sessions as well, so we look forward to getting those up and running.

The Australian Government is also in this space and we are working with the Commonwealth to try to get some of the early learnings from Tasmania's initiative understood by the federal government and other states. I hope we can get a national approach on this digital literacy space so that the early wins we are getting here can be offered to more and more people around Australia.

In relation to the road safety challenge, I thank Ms Dow for raising that. It is of vital importance to us. It is so important that we never take our eyes off that challenge and recognise that for reasons that people can often not explain, some years are bad and some years are



improved on the previous ones, so you can never really take too much satisfaction from any daily or yearly statistic because inevitably the next year may bring some disappointment. Every death on the roads is a tragedy, particularly thinking of the ones we have become aware of which have been brutal and challenging for families this calendar year. They have been just awful. We have seen significant loss of life on our roads.

When I listen carefully to police interviews after such crashes, nearly always, but not always, police say it was preventable. It comes back to the decision everybody makes on the roads - not always, but often. The figure is up on the five-year average; it is not just deaths on the road, but it is also serious injuries and trauma, so we will never take our efforts away. We will always aim to do better. We have launched our Towards Zero action plan which continues the previous efforts both of previous ministers in this Government and previous governments. More than \$75 million in road safety funding is available over the next five years, targeted in a way that is on best possible advice through the Road Safety Advisory Council, and I really value what they do in their contribution. You never get it exactly right and you do your best with the resources to make sure that you target them to where they are going to be most needed.

I will not go into detail but one of the things I am personally most committed to and also very excited about is the improvement that we are making to the graduated licensing system for, predominantly young people, who are novice drivers going through their L plates, their P plates and hopefully, experienced drivers. While time will not permit, I am excited about it because it will mean more quality time in more conditions and some of the offsets that we have been able to find as a government for the improvements around time, moving from 50 mandatory hours to 80 mandatory hours, including the fact that we will save a person from having to apply for their L2. We will have a single treatment L year. That has been widely supported, particularly by families and often teenagers. We will also have a single licence card for your entire L stage, a single licence card for your entire provisional stage, and that, together with the safer driver reward that we will introduce if you drive through all of your learning and provisional stages without incurring any demerits, we will give you your adult licence for free.

Mr Rockliff is in the Chamber and I have to thank him for helping to set me up on some of these great initiatives. We can both take a lot of pleasure from where this leads. It will save young people nearly \$200 on their licence and it is an encouragement and an incentive that a Liberal Government would want to do to try to put out, not just punitive measures but incentive measures: you drive safely on the road and we will do something to reward you. In the past that has often not been the case. That is to be supported.

I could talk about road safety for a very long time because I have learned so much in the 13 months I have been in this role and the previous year when I was the Police minister: so much I have picked up and just appreciate that it does come back. You can improve your roads, you can do vulnerable road user programs, you can improve your signalling, you can improve all sorts of things in terms of the technology and the substrate the motor vehicles drive on, and to Ms Dow's point, improving the actual quality of your vehicles and safety of the fleet. Ultimately most crashes are avoidable. If we can encourage the safest possible behaviour by all road users we will drive the road toll down together as a community.

This leaves me with the particular issue that was raised by Ms O'Connor with a lot of fiery passion. I think you really revved up the debate today and I appreciate you doing that. I am not sure if you were trying to spice it up or not but -

**Ms O'Connor** - I was not acting because that is what you are saying. I am not a fraud.

**Mr FERGUSON** - That is fine but I think you were trying to spice it up because the bill is very mechanical. I am happy to respond. Unfortunately, Ms O'Connor, the passion which I love to see is misguided because you basically got everything wrong in what you said.

First of all, it was the previous two ministers ago who introduced this. Not Michael Ferguson, not Jeremy Rockliff but the honourable Rene Hidding who, on behalf of the Liberal Government, introduced Tasmania to the nationally agreed approach by COAG. It was the government as far back as 2017 that agreed that Tasmania would join that screen.

**Ms O'Connor** - How many states sent the material to Canberra without a Commonwealth framework? Two. Victoria and Tasmania.

**Madam SPEAKER** - Order.

**Mr FERGUSON** - Could I just work through your incorrect assertions one at a time before you leap over them in your shame that you got it so wrong with your accusations? The fact is, it does not matter which minister it was. The fact is the Government has participated in this from a point of view of protecting people's privacy and preventing fraud. I bought a car a couple of years ago and when I bought that car I had to produce my driver's licence, the card. They wanted to take a photocopy of it. I do not know what they did with it. I presume they scanned it, saved it in their system. I got an email from them about three months ago saying sorry, Mr Ferguson, we have been hacked and somebody has got your driver's licence. This is exactly what we are talking about.

**Ms O'Connor** - No, it is not.

**Madam SPEAKER** - Order, please.

**Mr FERGUSON** - Ms O'Connor, you completely overlooked the very principle of what this system is intended to do. The fact is that identity theft costs Australians -

**Dr Woodruff** - Mr Ferguson, you can stand there saying black is white as long as you like but you were caught out at Estimates when we asked you that question and you know it. You had a terrible response and you know it and you are still trying to recover.

**Mr FERGUSON** - Oh dear, I have 10 years' experience in this place that whenever you are on a winner pointing out to the Greens when they are wrong, all they do is try to interject over the top.

The simple fact is the intention of this scheme, which has been done by Labor Governments, by Liberal Governments, is to protect people's loss of identity. That is what it is intended to do. I have had a stat given to me that it is one in 20 Australians who get hit by identify theft every year in this country. It is a major problem. When you start to think about the level of personal information that most, not all, people willingly give over on their social media, for example, it makes our approach not just pale into insignificance the volume of data that is being talked about but also there is no comparing the privacy provisions that this Government has ensured will be in place.

For a start, as we are being very clear: it was not me and if it were me, I would not be ashamed. It was not Mr Rockliff, and if it were him he would not be ashamed. It was Rene Hidding. Ms O'Connor said that there was no public announcement. I am holding the public announcement in my hand.

**Ms O'Connor** - What?

**Mr FERGUSON** - You said there was no public announcement. I am holding it in my hand. A media release from Rene Hidding for the world to read on 5 October 2017. It is all here, which I table for the benefit of the House. When Ms O'Connor says that we somehow as a government sneaked it through parliament, I do not know how you sneak things through parliament.

**Ms O'Connor** - Regulations.

**Mr FERGUSON** - The regulation. Mr Hidding when he used to sit over here, would have walked from there. He would have got the Speaker's attention, he would have carried the document and he would have put it right here in your presence immediately after Question Time. It is a publicly available document. If you are saying Ms O'Connor that it escaped your notice that is not because of the Government, that is because you failed to pick it up. I cannot explain it. I do not have to.

**Ms O'Connor** - Everyone failed to pick it up.

**Mr FERGUSON** - But for you to suggest it was slipped through parliament fails to recognise that it was publicly tabled. It was gazetted.

**Ms O'Connor** - You transferred mass data by regulation without consent.

**Mr FERGUSON** - It was taken to the Subordinate Legislation Committee -

**Ms O'Connor** - Without consent.

**Madam SPEAKER** - Order.

**Mr FERGUSON** - Again, you are leaping ahead while I am just pointing out you are wrong. It was taken to the Subordinate Legislation Committee -

**Ms O'Connor** - Which we are not on.

**Mr FERGUSON** - You do not have to be on it. Any member of parliament can write to the Subordinate Legislation Committee with their concerns given that a document tabled in the House is made available to each member of the House. If it is anything like when I was in opposition, a clerk of papers will deliver a copy directly to your office. Is it not still the case?

**Dr Woodruff** - Whichever way you like to spin it, it was a sneaky move and everyone who lost their identity without being asked resents it.

**Mr FERGUSON** - I do not see why I should have to say any of that.

**Dr Woodruff** - It is the bottom line.

**Mr FERGUSON** - I do not see why I should have to clear up any of those mistruths.

**Ms O'Connor** - No, you are not talking to me. You are actually talking to people who are really annoyed about it.

**Mr FERGUSON** - I am talking to you because you have not brought truth into this debate with your comments. You have brought untruths into this debate and I am correcting them.

**Ms O'Connor** - That is your take on history. There are a lot of people who feel that they had their biometric data transferred without consent.

**Madam SPEAKER** - Order. Would you like to go outside and continue this conversation, Ms O'Connor.

**Members** interjecting.

**Mr FERGUSON** - I am not trying to be provocative but it is not right that the member brings in things into our debate while we are in the process of making an act of parliament that just sit on the record and you spray around these accusations which are without foundation and, in fact, can be proven to be exactly wrong. I have produced the media release. I have shown you the date. It was publicly announced. It has been through a public process. It has been tabled in this House. It has been gazetted. It has been to the Subordinate Legislation Committee. Argument is over.

It is fair. Ms O'Connor raises how people feel and I want to address that -

**Ms O'Connor** - You have massive correspondence on that.

**Madam SPEAKER** - Order, please. Let the minister answer the question.

**Mr FERGUSON** - I do want to address that because I do not blame people for feeling concerned, particularly given what they have been told.

**Ms O'Connor** - What, by Civil Liberties Tasmania?

**Mr FERGUSON** - By yourself, by others.

**Ms O'CONNOR** - Point of order, Madam Speaker. I need the record to reflect that the concerns were raised directly with the minister by Civil Liberties Tasmania and that there were thousands of signatures on a petition opposing that move that was organised by Civil Liberties Tasmania, not the Greens, although we support it.

**Mr FERGUSON** - Yes, I guess the point is that you have been telling people that their privacy has been damaged which is not true.

**Ms O'Connor** - Well, it is.

**Mr FERGUSON** - I understand; I think we are all concerned for our own privacy. I am sure all of us here have driving licences; we all have a stake in this, and I share the view that needs to be protected. I will agree with you to that extent, but I will not agree with you in terms of how it is being characterised.

A little inconvenient truth is that the secure sharing of driver and vehicle information is not a new thing. Sharing of driver and vehicle information between states has been in place since the late 1990s through what is known as the National Exchange of Vehicle and Driver Information System. That was implemented in Tasmania.

**Ms O'Connor** - That's not biometric data.

**Mr FERGUSON** - The sharing of driver and vehicle information has been in place as a result of legislation that passed this Chamber in 2006.

**Dr Woodruff** - It was nothing like the surveillance technology and biometric data capabilities we have today.

**Mr FERGUSON** - I was not here then but I think you were, Ms O'Connor. It would be a fascinating examination of *Hansard* to see what you had to say about it back then.

**Ms O'Connor** - I was not in parliament back then, with respect.

**Mr FERGUSON** - Okay, I will withdraw it if I am wrong about that.

**Ms O'Connor** - I came here in 2008, so you're definitely wrong about that.

**Mr FERGUSON** - Okay, but others were here and it would be interesting to see what Ms Putt or others had to say, or the then Labor government.

**Ms O'Connor** - There was no facial recognition technology around then.

**Madam SPEAKER** - Order.

**Mr FERGUSON** - The fact is that the sharing of the data is not new. The technology is new, and so it should be - after all, look at how drivers licences are ripped off all the time. What has actually been agreed about access to that system is that the Tasmanian data is in a segregated partition and the Commonwealth does not have access to it until its enabling legislation goes through both Houses. I have been very clear about this in many responses to questions on notice and media inquiries, and have done my best to counter false information peddled by a range of individuals.

It is important people understand as well the way the new system will work, subject to Commonwealth legislation. It is important to note that the new system will use computer programming to generate a code based on distinctive facial characteristics which is unique to each photograph and cannot be mimicked. My point is that there is a very important distinction: it is the code, not the photograph, that is used to confirm an identity or determine attempted fraud or identity theft using another name. It is a yes/no process. It is not a sharing of the photograph in the way that has been characterised.

I have taken the opportunity to address those points. I thank members for the substantial point that no concerns with the legislation have been raised, and I commend the bill to the House.

**Bill read the second time.**

**Bill read the third time.**

## **ADJOURNMENT**

[5.59 p.m.]

**Mr FERGUSON** (Bass - Leader of Government Business) - Madam Speaker, I move -

That the House do now adjourn.

### **Vietnam Veterans Association Launceston Sub-Branch**

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Madam Speaker, I thank members for their contributions throughout the day. I wish to raise something that is very dear to my heart, both figuratively and literally. Tonight I am wearing this pin from the Vietnam Veterans Association Launceston Sub-Branch. I want to speak about those wonderful men and their partners in more detail.

I was privileged to join them for their fortieth anniversary dinner last Friday evening in Launceston. It was delayed from May when they would have celebrated but for the social distancing rules and the rules around dealing with the pandemic.

I think members in this House would be very pleased to know about what a wonderfully committed group of veterans I am talking about. The Launceston sub-branch is in fact the oldest and longest-running Vietnam Veterans Association in Australia. The seeds of the association began on Anzac Day 1980, 40 years ago. Two Vietnam veterans, Richard 'Dick' Holtsbaum, 9 Squadron RAAF, and Brian Harper OAM, 1 Australian Reinforcement Unit, found it difficult to know who their fellow Vietnam veterans in the Launceston area were. I can only imagine that the angst from some of the older veterans, who believed that Vietnam was not a real war, created an unwelcoming atmosphere at Anzac House Launceston.

Dick and Brian decided to do something to bond fellow Vietnam veterans together to give them a voice. Each of them took a notebook to the 1980 Anzac Day ceremony, presumably at Royal Park at the Cenotaph, to gather names and contact details. Contacts were notified and an advertisement was placed in the public notice section of the Launceston *Examiner* on Friday 16 May 1980 requesting that Vietnam veterans attend the inaugural meeting of a new association at Anzac Hostel in Paterson Street at 8 p.m. that evening. The people at that first meeting were K B Blazely, C Cash, G Smith, J Cullen, B Imlach, J Imlach, A Locett, R Meech, N Barrett, M Conroy, K Wise, R McEnnulty, W Beeton, C Illman, D Holtsbaum, R Minns and B Harper.

The association was formed, with its president being Dick Holtsbaum, its vice-secretary R Minns, secretary G Smith, and assistant secretary/treasurer, N Barrett. It had a committee and the name had been settled as the Vietnam Veterans Association of Northern Tasmania.

The meeting of the first committee was held in May the same year, but there were no minutes because this was the first meeting. The bank balance was \$28. Membership forms were drawn up and fees for ordinary and associate members were \$5. A letterhead and insignia were presented and approved. Welfare officers were appointed, a design for the association badge was presented and approved, and a constitution and membership application form were sent to all known veterans, and the meeting went on.

I only have a brief moment to share about this, but the pin I am wearing was given to me on Friday night and reflects something that was quite significant. The red and yellow colours at the top of the insignia are the Vietnam colours and symbolise Vietnamese sovereignty. The dark green of the background alludes to the jungles of Vietnam. The light green of the globe alludes to the young rice paddies, the primary areas in which war to preserve the liberty and freedom of the Republic of Vietnam was being waged. The globe itself represents the entire free world from whence comes the assistance to repel aggression, and the upraised sword is the symbol of military might by which the free world will defend the sovereign nation.

Of course, the rest is history, which is well known to all members here. All of us honour our veterans and the service they undertook, and how grateful we are for their service in the times in which they lived and under the government of the day which asked them to serve their country in the way they did. We have to honour them and we do. Many of these men and their wives, their former wives and their current partners share some very distressing memories of the way in which they were treated when they returned to our country. We did them a terrible disservice in exchange for them giving us their youth, their vitality and their health and for many of them - more than 500 - their very lives.

On behalf of my constituency of Bass, I want to say thank you to the Vietnam Veterans Association of Launceston. They are 40 years young, but the oldest in the country. When you take the welfare initiatives they have embarked upon, perhaps the principal of which being the veterans support group, which I know Ms O'Byrne has also supported and also no doubt other members for Bass, they have done a power of work in the community looking after some people who are vulnerable, who needed support, and who were isolated. It is one of their greatest legacies, what they have done in this association. On behalf of the people of Bass, I honor them here tonight.

### **Correction of Speech - Ownership of Land on Enterprise Road** **Comments made by Ms Haddad**

[6.05 p.m.]

**Ms O'CONNOR** - Madam Speaker, I first commend Mr Ferguson for his previous contribution and also pay my respects to the Vietnam Veterans of Tasmania and Australia. My dad was in Vietnam as an ABC journalist so he did not carry any other weapon than a microphone, but he never recovered from his time in the tunnels. He was awarded two honorable service medals for his service to broadcasting.

I rise to correct an error I made in the adjournment on 25 June this year. On the basis of information provided to me in good faith by Sandy Bay residents concerned about a massive 20-unit stage development on Enterprise Road, I mistakenly said the owner of the subject land was Master Xin De Wang of the Red Buddhist sect, Holy Tantra. That was wrong, Madam Speaker. I discovered it the next day, which was a Friday, when I had more time, and did a

deep dive of company documents. The land on Enterprise Road is owned by Xanadu Developments Pty Ltd, the director of which is Mr Hui Wang whose ASIC registered address is in Murrumbidgee, Victoria, and who was born in Xi'an, China in 1982. He is a fair bit younger than Master Wang, although I do note that Master Wang has very substantial real estate assets in Tasmania, which the *Australian* newspaper recently put as high as \$18 million in value.

I apologised to Master Wang in the *Mercury* newspaper, and am putting my apology on the record here now. Madam Speaker, you told me by text recently, that Master Wang would be watching tonight, and I am sure he is.

At the time, my colleague, the member for Clark, Ella Haddad, in the *Mercury* newspaper, accused me of xenophobia. This is a gross accusation. It is untrue. It is a slur, which I reject. I urge Ms Haddad, instead of smearing me over a genuine mistake, to expand her oft-stated concern for human rights and have a good look at what is happening in occupied Tibet.

Do some research on what is happening in Xinjiang where it is estimated around two million Uighur Muslims are in concentration camps or have been shipped off to work in factories in mainland China. Maybe Ms Haddad could do some research on the 13 tonnes of human hair that was picked up in New York and has been sourced back to Xinjiang, and the evidence of former female detainees of these concentration camps that their head is shaved.

Maybe Ms Haddad could do some research on the plight of the people of Hong Kong whose beautiful free city has now been completely taken over by the Chinese Government with the oppressive weight of the national security law, which can lead to people being imprisoned for singing a subversive song.

Maybe Ms Haddad could talk to some people from Taiwan who face daily threats from mainland China that the Chinese Government will come and forcibly take Taiwan, a free and democratic country.

Maybe Ms Haddad could do some research on the dissidents and the disappeared people in mainland China: the Human Rights lawyers, the photographers, and the feminists, who have been locked up by their government for speaking out for democracy and basic human rights. Human rights.

When I talk about the Chinese Government, I am talking about it through the lens of human rights, and I am talking about it out of concern for the activities of the Chinese Government around the world in western democracies and in places like Tibet, Xinjiang, Hong Kong and Taiwan.

### **Vietnam Veterans Christmas Dinner Tasmanian Women's Honour Roll**

[6.10 p.m.]

**Ms O'BYRNE** (Bass) - Madam Speaker, there is so much I want to say about the last contribution, but let us move on.



I want to reflect on Mr Ferguson's commentary on the Vietnam Veterans in Launceston. They are a fantastic group. One of the highlights of the veterans' calendar is the Vietnam Veterans Christmas dinner. It is always a wonderful event. They do incredible fundraising to help with their community. I cannot speak more highly of that group. I hope that Malcolm Cash is listening. I am sure he was listening to that contribution. They have done a fantastic job.

I want to talk about the women's honour roll, which was established in 2005 by the Labor government. It was the result of work done by Paula Wriedt. Paula had seen similar honour rolls in other jurisdictions, done in different ways. She came back and embedded it into the Tasmanian community. It has become one of the key opportunities to highlight the role of women in Tasmania.

The Tasmanian honour roll highlights the very often unrecognised but important role that women played in Tasmanian life. It features women from across Tasmania in many fields of endeavour, including community service, education, health, the arts, science, agriculture and business. As well as living recipients one of the important things Paula Wriedt did in establishing it was to ensure that we could also celebrate women from our history whose achievements have perhaps not been previously recognised. As we know there are many women who have accomplished amazing feats who have never been recognised. I believe the first anonymous writers were generally women.

Former inductees include Auntie Ida West, who passed away in 2003. She was inducted for services to Aboriginal affairs. She was born on Cape Barren Island. Auntie Ida was a strong advocate for women's health, the rights of workers and the return of land to the traditional owners.

Also on the honour roll is Launceston born trailblazer Ettie Rout, who passed away in 1936. She was recognised for her voluntary health care work during World War I. Her advocacy for the social and sexual wellbeing of soldiers was considered reasonably unusual at the time, which is maybe why she was not well recognised at the time. She has been virtually unknown in Tasmania but did an incredible amount of work in that space.

Perhaps better known outside our state is joint Nobel Prize for medicine winner, Professor Elizabeth Blackburn, who was educated in Launceston and inducted for her internationally recognised work on chromosomes. It might sound as though the only women who get inducted to the roll are from the north-east. We certainly have a strong representation from up there.

I want to encourage people. The nominations for the honour roll close on 25 September. We all know amazing women who are doing work now. We all know amazing women who have done work in the past. It is entirely appropriate that we take this opportunity to recognise and reward them and nominate them for the Tasmanian honour roll.

### **Cultural Heritage Management**

[6.13 p.m.]

**Ms STANDEN** (Franklin) - Madam Speaker, the Government does not take cultural heritage management in Tasmania seriously. It has ignored concerns from staff at Heritage

Tasmania since 2014 and cannot guarantee the integrity of the Tasmanian heritage register. It is abundantly clear that the conga line of three Heritage ministers in barely more than six months, Mr Hodgman, Mr Gutwein and now Ms Archer, have failed the staff at Heritage Tasmania.

In 2014, when the Liberal Party came to power, they took an axe to staffing numbers at Heritage Tasmania and intended to slash the number of places on the Tasmanian heritage register by 30 per cent. Four out of 16 jobs were abolished and a fifth place on the redeployment list. Staff found out that they were expected to cut the register by one-third in a footnote to the budget papers of 2014-15. The then heritage minister, Mr Groom, did not even have the decency to consult staff beforehand. Of course, all mechanisms like the heritage register require review but to come up with a random figure of 30 per cent came as a shock to both staff and the sector.

Having lost staff to cut the register this Government then expected Heritage Tasmania to undertake this work with deep cuts to their workforce. It was an impossible ask.

Things got worse under this Government. A year after the Liberals came to power a senior manager resigned citing the damage that the Government had done to Heritage Tasmania. In his resignation letter he conveyed his concerns for the health and wellbeing of staff, the lack of transparency and a culture of blame-shifting by management. This former employee is a widely respected heritage practitioner who helped Port Arthur get back on its feet after the 1996 shootings. This is how the Liberal Government treats longstanding respected experts.

The question remains: can we be assured that those issues raised back in 2015 have been addressed? Can we have confidence that people at Heritage Tasmania feel they are able to do their jobs? It appears not.

I am concerned by the impact these events of 2014 have had on people who have owned heritage-listed places. RTI documents revealed that Heritage Tasmania staff had grave concerns about changes made after the Liberals came to power. Staff, in fact, believe that the problems could take up to 15 years to fix. In budget Estimates last year, we discovered that there could also be problems with certificates of affected place, legal documents issued by Heritage Tasmania for a fee to potential purchasers wanting evidence of a heritage-listed title.

The Government could not say it was 100 per cent confident that people who paid for this service got an accurate certificate. This is a legal document. What are the implications for pre-purchasers who paid for this?

The recent articles by *Examiner* journalist Rob Inglis on problems at Heritage Tasmania paint a picture of an organisation that is in deep trouble. In a leaked CPSU survey, Heritage Tasmania staff state they are stressed and anxious, alleging ongoing harassment, bullying, extensive workloads and a lack of direction from management. Zero per cent of the respondents in the survey said they had faith in the management of the leadership team to effectively manage the Tasmanian Heritage Register. Let that sink in for a moment: the staff do not have faith in the management of Heritage Tasmania. This is very worrying.

There are around 5000 permanent entered places in the Tasmanian Heritage Register, meaning that over 10 000 estimated owner/occupiers are affected by the daily operations of

Heritage Tasmania. That is an awful lot of stakeholders who deserve some transparency about the operations of Heritage Tasmania.

RTI documents reveal that a culture change action plan, tailored for Heritage Tasmania to 'fix their problems', has been running since May of last year. How, after 12 months, can this be so with a plan having no end date? How is this fair on staff?

I am sure the department's intentions are good. However, from RTI documents, we know that a number of investigations into the conduct of staff at Heritage Tasmania have taken place and these things point to a toxic culture. It is crystal clear from recent *Examiner* newspaper articles that Heritage Tasmania staff have had enough. They are tired and fed-up, and it concerns me that dedicated and professional people are treated this way. For many in the heritage sector it is not a job, it is a vocation.

The staff at Heritage Tasmania know what needs to be done to fix the register. Many of these issues stem from the enormous pressure the Liberals put on Heritage Tasmania to cut the register in 2014. Why cannot this Government resource staff properly to undertake this work? Why cannot the staff be allowed to do this without a toxic work environment that is not helpful for anybody?

In contrast, under a Labor government, staff numbers at Heritage Tasmania doubled. The organisation based in Hobart expanded to Launceston and both offices were housed appropriately in heritage buildings.

Heritage Tasmania worked closely with the local government sector to undertake municipal heritage surveys and protect places. They were assisted to identify heritage assets in their local government areas. This program was not continued under the Liberal Government.

The Hobart office of Heritage Tasmania has been relocated and has now been closed to the public, and earlier this year the Launceston office was threatened with relocation to Mount Pleasant, and out of contact and closed to the public.

Labor's heritage conservation fund, sadly suspended by the GFC, was popular with hundreds of home owners over a decade. The Liberals have chosen not to continue this program. The Government has replaced it with a loan program for tourism business owners, meaning that mum-and-dad owners no longer have access to help to maintain their buildings and the Government does not even trust Heritage Tasmania to administer this program. It is run out of the Coordinator-General's Office.

The suite of publications for heritage home owners funded under Labor governments has barely been added to by the Liberals, and the list goes on.

I also have concerns about how much the Tasmanian Heritage Council knows about all of this. I suspect very little. Minutes of the council meetings give very little indication of discussion of the problems that exist within Heritage Tasmania, and it is unclear whether they have had a briefing on the contents of the CPSU survey. As the decision-making body for heritage places in Tasmania, they deserve transparency around staff concerns.

I do not want to reflect negatively on the Heritage Council whatsoever. Its expertise, time and effort are often under-appreciated.

In a post-COVID-19 world, we need the staff of Heritage Tasmania to engage.

**Time expired.**

### **Tasmanian Irrigation**

[6.20 p.m.]

**Mr TUCKER** (Lyons) - Madam Speaker, Tasmanian Irrigation was established on 1 July 2011 as a state-owned company responsible for the development and operation of a suite of irrigation schemes.

This has been undertaken through three tranches of irrigation scheme development. The primary aim of the schemes developed by Tasmanian Irrigation is to grow the wealth of Tasmania by developing and enhancing the productivity capacity of the state's agricultural industries.

The Tasmanian Liberal Government has a target of increasing the farmgate value of Tasmania's agriculture sector to \$10 billion by 2050. The Tasmanian Liberal Government recognises that agriculture is a foundation of our state's economy, which is why we are investing a further \$15 million to meet the increased demand for the first five schemes of Pipeline to Prosperity tranche 3 of the irrigation scheme.

The 28.5 million megalitre Don Irrigation Scheme in the north-west is a priority project, with construction to commence early in 2021; it will deliver 130 direct and indirect jobs once the scheme water is fully utilised. It will deliver high reliability irrigation water into the Don, Forth, Barrington and Sheffield districts.

Originally proposed to be the smaller 3000 megalitre scheme providing water to the Don and Forth area, Tasmanian Irrigation extended the scheme to the area further south following a successful expression of interest process requested by local farmers from the Sheffield and West Kentish regions. Once constructed, the scheme will provide water to some of the best land in the state. The area is famous for its cropping and, further to the south, for its dairy enterprises.

Our nation-leading irrigation schemes are sustaining agricultural production and boosting farm productivity across the state, enabling farmers to expand their existing farming operation.

Schemes in Fingal, Northern Midlands, Sassafras and Wesley Vale and the Tamar districts are progressing through feasibility and will provide farmers in each district with confidence to invest further in growing their businesses.

The Tasmanian Government and the federal government will invest \$170 million in irrigation infrastructure to support Tasmanian farming businesses and communities.

The Don Irrigation Scheme is the first of 10 tranche 3 irrigation projects. When completed, they are expected to provide almost 78 000 megalitres of water, create up to 26 000

full-time jobs, and trigger and inject an estimated \$114 million each year into the sector and economy.

The project is in the feasibility phase after the preferred option was launched at Lower Barrington Town Hall on 10 March 2020. The Forth River catchment provides the 95 per cent reliability that Tasmanian irrigation schemes are required to achieve, and it is regarded as the best water source in the area.

Scheme design includes a pump station at Lake Barrington and a second pump station downstream at Palooka Dam at Forthside. No storage dams are planned into the pump station and the pump stations will pump to balance tanks, with distribution to the irrigators via 67 kilometres of distribution pipeline.

A 180-day summer irrigation season is proposed. Winter delivery could also be available given adequate demand from the irrigators. The peak flow rate for the scheme is 41.7 megalitres per day.

The Tasmanian Government has committed \$70 million to support the construction of the Pipeline to Prosperity scheme. The Australian Government has committed \$100 million to support the rollout of the program, providing the projects meet the usual feasibility criteria.

The current combined commitment by both Governments of the \$170 million plus the investment from farmers in water entitlements is sufficient to see at least the first five irrigation projects proceed, while Tasmanian Irrigation continues with the planning for the other proposed schemes.

### **Quoiba Saleyards - Closure**

[6.25 p.m.]

**Dr BROAD** (Braddon) - Madam Speaker, I rise this evening to talk about a passionate group of farmers that got together last Wednesday night on a cold, wet evening at the Penguin Surf Club who voted unanimously to set up a community saleyard. Labor is backing this position and resolution. What we had on Wednesday night was a group of farmers who are very disappointed and distressed due to the closure of the Quoiba saleyards near Devonport. It has been a huge blow for the north-west coast but also for Tasmania's red meat industry which I argue now is at the crossroads.

**Mr Tucker** - They're back in yards in Bridgewater and Scottsdale. What about the rest of the state?

**Dr BROAD** - This is a very serious issue, Mr Tucker. It was a cold, wet night and over 200 farmers turned up to a meeting to talk about the impact that the closure of the Quoiba saleyards has had on their lives and on their businesses and their industries. It was not just farmers. It was also butchers and the wider livestock industry, including livestock representatives. There was definitely a unanimous decision by a show of hands that the community needs to work to set up a community-run saleyard, because the Government has failed on this. The Government has stood by while the JBS lamb line shut at Longford. The

abattoir at Quoiba has shut and now the saleyard has shut. People are distressed and wondering where the industry is heading.

This was evident in the room on the night. I was in attendance. I was part of the committee that helped set up this meeting, held at the Penguin Surf Club. Anita Dow was there, my Labor colleague, as well as Leonie Hiscutt, the member for Montgomery. Also on the evening there was a message relayed from one of the committee members, Jeff Atkinson, who had a conversation apparently with the Deputy Premier, who is in the room at the moment, who said something along the lines of, 'I will back in whatever the resolution is this evening'. The resolution was for a community-run saleyard, so I will be holding the Deputy Premier to that. I note that the agriculture minister was in the room a minute ago and I hope he is listening to this broadcast.

The simple fact was that on a cold, wet night there were 200 farmers and wider livestock industry representatives who showed up to that meeting. They came from as far as the West Tamar and Circular Head to have their say about why the north-west coast needs a saleyard.

This is not just about the sale process. This is about the time it would take to get to Powranna. If you are from Smithton you are doubling the distance. This is impacting the smaller growers who once were able to take trailer-loads of stock to the sales which they will not be able to do now. The Government's solution was to set up a holding facility where farmers could go and stock could be put into loads and trucked to Powranna. This is not the solution that the industry and farmers want to see. They want to see a community saleyard.

The farmers have spoken. We would have had more there except social distancing was an issue. We filled up the first room at the Penguin Surf Club and people had to be put into another room where they could watch the proceedings via video. The sound was not very good unfortunately, but the message was clear. The community wants a saleyard. It was amazing. The meeting started at 7.30 p.m. and there was still a line-up outside. If this does not show the Government how passionate the farmers of the north-west coast are and the wider livestock industry is about this issue then I do not know what would. There is also a petition circulating and I urge all those farmers out there, butchers and people who rely on the livestock industry, to sign that petition because I will be presenting that in parliament.

I make special mention of the Penguin Surf Club that helped set up the meeting, especially Janet Britton and Tim Powell. They were vigilant, trying to maximise the social distancing, which was difficult. Farmers wanted to chat, they wanted to move chairs, but the Penguin Surf Club did all they could to make sure social distancing was enforced. They helped set up and pack away, so a special mention to Janet Britton and Tim Powell for going to that effort.

I reiterate that the message to Government is clear. The farmers and the livestock industry of the north-west coast and even the north of Tasmania want their own saleyard because the closure of Quoiba has impacted them dearly. Evidence of that for me was that it was very hard to empty the room. After the meeting the farmers were hanging around talking to each other and catching up. They were doing that because they have lost their social opportunity. Every week farmers would go to the Quoiba sale. They might not even purchase any stock but they went to the sale so they could get together and talk. We know that farmers often work very long hours out on their farms and are quite socially isolated, but the saleyard was one place where they could get together. After that meeting the farmers spent time

catching up with each other. Because of the closure of the Quoiba saleyard they do not get that opportunity anymore. They desperately want it. They desperately want a saleyard back on the north west coast and the Government needs to get on board.

### **Ralphs Bay - Development Application**

[6.30 p.m.]

**Dr WOODRUFF** (Franklin) - Madam Speaker, in March 2004 there was a very large community campaign that commenced in southern Tasmania to stop what could have been an incredibly damaging and inappropriate canal housing estate in the beautiful Ralphs Bay Conservation Area. The Save Ralphs Bay campaign was fought hard and long and before she was Leader of the Tasmanian Greens, Cassy O'Connor, was standing with the community all the way. In June 2010 the Greens formally confirmed that the Walker proposal was dead in the water.

Unfortunately, Ralphs Bay and the residents who were involved in that campaign have been shocked to hear that there is a proposal to privatise and degrade that beautiful conservation area space. A development application has been lodged for a 60-metre long private jetty on the Sandford side of Ralphs Bay, ostensibly for the berthing of private pleasure cruisers, although the enormous length of the jetty and the engineering of the structure and the ownership and development potential of nearby blocks of land raise questions about the real purpose for such a massive jetty.

We have been contacted by a substantial number of local residents who have used the area for recreation for generations and have enjoyed the beautiful pristine coastline of Ralphs Bay and the views from there. They are very upset about what is being proposed. I understand residents have been in contact with DPIPWE a number of times trying to find out about the Government's Crown land responsibilities but to date they have not received a response. The Greens have also written to the minister, Mr Jaensch, asking him for an explanation and whether Crown land consent has been given for this privatisation of Crown land for a jetty.

The proponents have provided a marine ecological assessment to council with their development application submission. It notes that the critically endangered spotted handfish has been recorded within 500 metres of the proposed private development. That was one of the reasons why the original Ralphs Bay canal estate was knocked back, amongst many others. The marine ecological assessment acknowledges the impact on the spotted handfish and recommends that construction only occur outside handfish breeding seasons from July to November and cites the known impact of turbidity and substrate disturbance on handfish reproduction.

The Save Ralphs Bay campaign brought together at the time a very large field of experts who identified the environmental harms of disturbing sediment and resuspending heavy metals which are there from a legacy of industrial use that have been locked away in the river beds. The construction of this proposed private jetty for pleasure cruisers would involve driving 11 steel piles deep into the river bed and clearly based on the developer's own report, this would have an impact on turbidity and stirring up the sediment and threatening the nearby spotted handfish and their delicate habitat. Suitable substrata are considered critical to their breeding success.

We want the Government to come clean about their involvement in this proposal. Has Crown land consent be given? Did they advertise about the application before they provided if they did provide consent? On what basis was it given if it was provided? Who have they consulted with about this privatisation proposal? What is being stitched up behind closed doors?

Residents are very concerned. It is very surprising for them to learn that Crown Land may have given consent already.

It is sitting with Clarence City Council. The development application has been put on hold but the community wants to know if this is another sordid tale like we have seen so many times in Clarence City Council, first with Kangaroo Bay in Bellerive and with Rosny Hill, which is still outstanding. The residents are taking that decision to RMPAT.

This leaves communities responsible for caring for their place: for looking after publicly owned land, conservation land. Again, the Government is doing deals behind closed doors regarding our Crown Land in beautiful conservation areas where people have lived for tens of thousands of years. Recently the people who are resident there have been caring for these places for decades.

This is not good enough. The minister has to come clean with the community on what deals have been done and on what basis could Crown consent possibly be provided for a private jetty in a position like this.

### **Comments made by Ms O'Connor**

[6.36 p.m.]

**Ms HADDAD** (Clark) - Madam Speaker, I welcome the member for Clark, Ms O'Connor's retraction of her statements and her apology, but I am going to take the opportunity to address that matter tonight.

I start by saying exactly that. Words matter. What we say in this place and elsewhere matters. Human rights abuse should be called out. I have no problem with the member for Clark doing that. We should all call out human rights abuses, whether they be by the Chinese Government, the Australian Government, or any government around the world. We should all do that.

When I responded to Ms O'Connor's mistake, I was calling out something very different. I was calling out racism, pure and simple. A mistake, sure -

**Dr Woodruff** - Getting a name wrong is not racism, Ms Haddad.

**Ms HADDAD** - but only a mistake made possible because of Ms O'Connor's personal, perhaps unconscious, but very strong bias against the Chinese that may be motivated by the Chinese Government's human rights abuses but the effect of it is very different.

**Dr Woodruff** - This is an intolerable and unconscionable attack on a member who has given a considered response to the situation. This is really low of you, Ms Haddad.



**Madam SPEAKER** - Order, please.

**Ms HADDAD** - The effect of her words, whether intended or not intended, is that they vilify and they ostracise Chinese Tasmanians and other Tasmanians of Asian appearance who have been here for short times or for long times, every day. That is the effect of her words. Whether motivated by human rights abuses or otherwise, the effect of her words is not the effect she intends but it is the effect nonetheless, because words matter -

**Dr Woodruff** - Speak to the Tasmanian Tibetan community. Have you spoken to them?

**Madam SPEAKER** - Order, Dr Woodruff. Please do not interrupt. You have had your turn.

**Ms HADDAD** - especially when they are uttered by leaders, including political leaders.

I am not pro-CCP; I am anti-racism. I am not anti-Hong Kong; I am anti-racism. I am not anti-Tibet, I am not anti-Xinjiang, I am not anti-Uighur, I am anti-racism.

Ms O'Connor invited me to research these things. I invite her to talk to the Tasmanian Chinese people who have been affected by her words and by her actions, motivated by her unconscious bias against the Chinese, individual Chinese people, living in Tasmania, who have been subjected to vandalism, verbal abuse, aggression and abuse whether they are associated with the Chinese Government or not. In fact, not only Chinese Tasmanians, people of Asian appearance, anyone of Asian appearance, because that is how racism works. When people hear words like that, uttered by their political leaders, it allows that to continue.

I have no problem with Ms O'Connor being against Chinese human rights abuses. I have no problem with Ms O'Connor being against a particular development. My issue and my objection was that she leapt to a conclusion that was motivated by her, perhaps unconscious, bias and personal issue with a particular organisation. I have no problem with her having a problem with that organization -

**Dr WOODRUFF** - Madam Speaker, point of order. I take offence to Ms Haddad verballing the Leader of the Tasmanian Greens, putting words and thoughts into her action: words into her mouth and thoughts into her action, without even having the guts to talk about the words that were spoken. You are verballing the Leader and you are saying untruths. What you are proposing is absolutely not true.

**Madam SPEAKER** - I am sorry that is not a point of order and the honourable Ms O'Connor can come back and defend herself.

**Ms HADDAD** - Madam Speaker, I sat quietly and I sat in complete silence while I listened to Ms O'Connor criticise the things I had to say about what happened.

**Dr Woodruff** - What are the words? What are the words you are accusing her of having said?

**Madam SPEAKER** - Order, please.

**Ms HADDAD** - She is focusing on one thing that I said and ignoring the rest of what I have had to say tonight. But I do invite Ms O'Connor to talk to the people who have spoken to me. Grown men who have burst out in tears in my office, in the offices of colleagues, who are of Chinese appearance and who feel vilified by the things that Ms O'Connor has said recently and in the past about the Chinese government.

**Dr Woodruff** - Which things? What are the things?

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### **Member Suspended**

#### **Member for Franklin - Dr Woodruff**

**Madam SPEAKER** - Order. Dr Woodruff, I invite you to have an early minute and leave the Chamber.

**Dr Woodruff withdrew.**

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**Ms HADDAD** - The effect is not a reduction in human rights abuses. The effect is, in fact, very real and very tangible and affects people all around Tasmania, because words do matter, especially when they are said by leaders in our community.

I believe Ms O'Connor made a mistake. I believe her - that it was a mistake, that she jumped to a conclusion that was wrong. But it was a mistake masking something very different, and it was also done in the middle of a pandemic which was being called, at the time, the China virus, or the Wuhan virus, which makes the mistake all the more compelling and all the more affecting to those people who it affects.

Call out human rights abuses, absolutely. We all should do that, but I invite Ms O'Connor to think about and address the effect of the words on the people who live here in Tasmania, who have been here for generations, who have no association with Chinese government human rights abuses, but who nonetheless are affected by the things that political leaders say in this place.

#### **Thomas Geoffrey Talbot - Tribute**

[6.42 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, I rise on the adjournment to mark and record the passing of Thomas Geoffrey Talbot, known to most as Tommy Talbot. Born at Rosedale on 3 July 1930, he was the fifth of Thomas and Amy Talbot's six children. His siblings were William, Mollie, Jack, Shirley and Margaret.

Thomas, known to most as Tommy, passed away on 4 June 2020, just shy of his ninetieth birthday.

Tommy attended Perth Primary School from 1939 to 1943. Tommy won the ability test to go to the Launceston High School for years 7 to 9. Tommy was very close to his big brother,

Jack Talbot. Tom Talbot was a Longford legend and wool icon, and loving father to Bridget, John and Simon. Nephew David, also known as Scratchy Talbot, son of Jack Talbot, still resides on Glen Mavis property.

Tommy loved his entire family and was very proud of them all. Tom met Judy Shackcloth, known as Jude, at the Shearer's Ball at the Old Cressy Hall in 1955. They enjoyed 53 years of a very happy marriage. Tom was devastated when Judy passed away in 2008, but his indomitable spirit drove him to continue to make the most out of his life.

In 1946, Tom started work at Websters in the Merchandise Department, and moved into the wool department a year later. He was to clock up 50 years of dedicated and loyal service with this company and officially retired in 1997.

Tom experienced the sheep boom following the Korean War in the 1950s when prices reached up to one pound for a pound. He saw the creation of the reserve floor price scheme and later its demise.

He saw our national sheep flock peak at 180 million, only to see it go down to 60 million, which was a 100-year low.

Through all this, he apparently never lost his faith, remaining positive that wool would come back. Tom was an honorary member of the Longford Show and the Longford Probus group and a long-term member of the Longford Football Club. Tom received the Bruce Forster Laincot Memorial Award in 2006 for personal achievement and exemplary service to the merino wool and sheep industry. Unbeknown to him, he was recently nominated for an Australian Wool Industry medal, which is awarded to five people annually.

The inaugural Tommy Talbot trophy for the grand champion fleece was awarded last year and was in recognition of Tom's life of work in the Australian wool industry, classing wool sheep and judging Australia-wide between 1946 and 1996, when he semiretired and became instrumental in establishing the Longford Show's fleece competition. This is now considered one of the prominent competitions in the state.

Tom loved his sport and was an avid Essendon supporter. Tommy admired Don Bradman, Coleman and Churchill.

Tommy had nine lives, with countless stories of car accidents and near-misses. Upon reflection, family friend, Neil Kearney wrote -

Tommy Talbot's fitness regime was local legend. He trained religiously on a pushbike for many years until, vision impaired, he rode into the back of a parked car on High Street, so he took up jogging. But one rainy night in 1997, when he was running to a hospital meeting, he was struck by a car. Having survived that, he settled for walking, covering between 3 and 5 kilometres every day for the rest of his life.

Apparently that was up until the day before he passed.

One of Tom's attributes was his ability to communicate with all generations. Apparently he never had an enemy and was never known to speak ill of anybody. His philosophy was, 'If you don't have anything positive to say, then don't say anything at all.'

Tommy was an avid reader and had an incredible memory and general knowledge. In summary, this fine man rubbed shoulders with the best in the industry, earned the respect of all the country and importantly passed his knowledge on to generations to follow. A true ambassador for his industry, a character in the finest sense of the word, to use Tom's parting words, 'Thank you for your kindness and hospitality, and my respect will never diminish'.

**The House adjourned at 6. 47 p.m.**

## **QUESTION UPON NOTICE**

The following answer was given to a question upon notice:

### **72. EXPENDITURE REVIEW COMMITTEE OF COUNCIL MEMBERSHIP**

**Ms O'CONNOR** asked the Treasurer -

Which ministers are on the Expenditure Review Committee of Council (12 June 2019)?

**Mr GUTWEIN** replied -

As was outlined in Estimates Committee A in June last year, the membership of the Budget Sub-Committee of Cabinet is a matter for Cabinet. As such, and in accordance with long-standing cabinet practice, including of successive governments, matters of Cabinet are deemed Cabinet-in-Confidence and confidential, to allow full and frank discussion and consideration of all issues.

All decisions of the Budget Sub-Committee of Cabinet are endorsed by the Cabinet and Cabinet takes full and collective responsibility for its decisions.