



LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 61

THURSDAY, 25 JUNE 2020

- 1 COUNCIL MEETS.**— The Council met at 10.00 o'clock in the forenoon
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past, present and emerging. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 PRAYERS.**— The President read Prayers.
- 4 E-PETITION.**— Ms *Webb* brought up an E-Petition from 956 citizens of Tasmania concerned with the Huntingfield Development and the Kingborough Future Infrastructure Plan.
Ordered, That the Petition be received. (Ms *Webb*)
- 5 LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.**— *Ordered*, That Mrs *Hiscutt* have leave to Table answer to Question No. 39 and have the answer incorporated into the Hansard record.
- 6 COVID-19 ALCOHOL FUELED VIOLENCE AND LIQUOR LICENSING.**— Mr *Dean* asked the Honourable Leader of the Government —
With regard the COVID-19 restrictions and the reduction in alcohol fuelled violence and anti-social behaviour—
 - (1) During the COVID-19 restriction period to date how many serious public place alcohol fuelled assaults have occurred?
 - (2) Does the Government support the call by the Police Association of Tasmania for reform of licensing laws particularly with regard changes to early morning trading between the hours of 3.00 am and 5.00 am?
 - (3) With the evidence now available, will the Government consider reviewing the late/early morning trading practices of licensed premises?
 - (4) The Premier has made reference to improved and increased education in this area:
 - (a) who is it that the proposed education programs will be targeting; and
 - (b) how is the education proposed to be delivered?
 - (5) During the financial years 2017/18; 2018/19; and 2019/20 (to date), how many public place assaults, liquor infringement notices or public order incidents have been reported to police in and around the Hobart waterfront where businesses trade well into the early hours of the morning?
 - (6) During the financial years 2017/18; 2018/19; and 2019/20 (to date) how many offences/actions have been taken against licensees (staff) regarding the “responsible serving of alcohol” requirements?
 - (7) While the Licensing Commissioner approves/issues out of hours permits for early morning trading (1.00 am to 5.00 am):

- (a) what policing of these permits and licensed premises is undertaken by Licensing Commission Inspectors during this time period; and
 - (b) if not policed, why not?
- (8) During the financial years 2017/18; 2018/19; and 2019/20 (to date) what number of charges have been preferred by Licensing Commission Inspectors within the State?
- (9) During the financial years 2017/18; 2018/19; and 2019/20 (to date), how many charges have been preferred by Licensing Inspectors involving matters between midnight and permit closing periods?
- (10) (a) How many Licensing Inspectors are there;
 (b) where are they located;
 (c) what are their hours of duty; and
 (d) do they have any responsibility at all to police out of hours permits?
- (11) (a) Is there a problem with the licensing legislation in that while the Licensing Commissioner can impose restraints and reduce licensing hours they are overturned whenever an appeal is taken; and
 (b) if this is the case, what action is taken to remedy the situation?

The Leader answered,

Question (1)

Between 23 March and 31 May 2020, 11 serious (indictable) public place assaults have been recorded in Tasmania. This is consistent with the 61 serious public place assaults recorded in 2018-19. Of the 11 serious public assaults recorded:

- 5 occurred in the Southern District
- 2 occurred in the Northern District
- 4 occurred in the Western District

Tasmania Police has advised that it is not possible to determine whether alcohol is a contributing factor in every assault.

Question (2)

The Government supports the role of an independent regulator to regulate the liquor industry in Tasmania. Under the Liquor Licensing Act 1990, the Commissioner for Licensing is responsible for issuing liquor licences, monitoring licensed venues and imposing licence conditions. Where appropriate, the Commissioner has imposed permit conditions and reduced Out of Hours Permit times to minimise alcohol-related harm and avoid jeopardising the enjoyment of other patrons and community members.

The Government will continue to work with the Commissioner to ensure that a safe and vibrant Tasmanian hospitality sector is maintained.

Question (3)

A reduction in the number of public place assaults, liquor infringement notices and public order incidents during the unprecedented COVID 19 restrictions is not unexpected, given the closure of licensed premises and the requirement for people to self-isolate in their homes.

Tasmania Police is the only entity under the Liquor Licensing Act to have specific enforcement powers to issue infringement notices and Police Barring Orders.

The Commissioner for Licensing has broad powers under the Liquor Licensing Act to address the occurrence of disorderly conduct, annoyance and disturbance in and around premises licensed to sell liquor. The Commissioner is able to review intelligence gathered by compliance inspectors and police officers, and investigate on a case by case basis if evidence suggests that a breach of the liquor licensing legislation has occurred.

The Commissioner will continue to monitor the easing of COVID 19 restrictions on licensed premises.

Question (4)

Changing how alcohol is perceived and consumed in order to reduce alcohol related harm is a shared responsibility across government, councils, and community and industry sectors.

The Liquor Licensing Act requires the completion of Responsible Service of Alcohol training to ensure that licensees, staff serving liquor and security employees are informed about the responsible service and consumption of liquor. This requirement remains in place for all licensed premises where liquor is sold.

The Government acknowledges the importance of community education as a demand reduction strategy, to increase the understanding of harms and change the acceptability of alcohol use. Agencies across government are currently developing the new Tasmanian Drug Strategy (TDS). One of the identified priority areas is Community Information, which will focus on increasing community understanding of the risks and harms of alcohol, tobacco and other drug use across specific population groups, including children and young people.

Community sector organisations are well positioned to deliver alcohol education. The Drug Education Network in Tasmania is funded by Government to improve the wellbeing of Tasmanians through prevention, resource development, education and training to service providers and the wider community about alcohol and other drugs. The Network continued to provide these services during the period of COVID 19 restrictions. There has also been a national alcohol education focus on the impact of alcohol during COVID 19. The Australian Drug Foundation (ADF) campaign: 'You haven't been drinking alone' encourages parents to be more mindful of their drinking during isolation, and the role it can play in shaping their children's attitudes and behaviours towards alcohol.

Question (5)

The Table below shows selected Public Order Indicators occurring during the early morning period around the Hobart waterfront.

| Indicator | 2017-18 | 2018-19 | 2019-20 (to 31 May) |
|-----------------------------|---------|---------|------------------------|
| Public Place Assaults | 44 | 56 | 34 |
| Liquor Infringement Notices | 209 | 188 | 78 |
| Public Order Incidents | 465 | 410 | 242 |

Note 1 - For the purposes of this question "early morning period" has been defined as 1:00 am to 4:59 am as per question 7. The statistics in Table 1 refer to the time that the offence occurred or, for public order incidents, the time that a call was made to emergency services.

Note 2 - For the purposes of this question "Hobart waterfront" has been defined as the localities of Hobart and Battery Point.

Note 3 - Liquor Infringement Notices refer to infringement notices issued for liquor offences committed under Section 25 of the *Police Offences Act 1935*. This does not include liquor licensing offences.

Question (6)

The Table below provides the responsible serving of alcohol liquor licensing offenders proceeded against by police in the Southern District from 1 July 2017 to 31 May 2020.

While there has been a significant increase in responsible serving of alcohol offenders in 2019-20 thus far, only five out of the seventy three have occurred during the COVID-19 pandemic period.

| Offenders by Proceeding Type | 2017-18 | 2018-19 | 2019-20 (to 31 May) |
|------------------------------|-----------|-----------|------------------------|
| Prosecution | 4 | 0 | 14 |
| Infringement Notice | 22 | 30 | 58 |
| Youth Caution | 1 | 0 | 1 |
| Total Offenders | 27 | 30 | 73 |

Note 1 - For the purposes of this question responsible serving of alcohol offences have been defined as offences under the following sections of the *Liquor Licensing Act 1990*- sections 5, 46, 46A(1), 64, 69A(1), 70(1), 70(2), 71, 75(1), 78(1), 78(2), 79.

Note 2 - The Department of Treasury has advised that according to their usual interpretation, Section 5 of the *Liquor Licensing Act 1990* is not generally considered to be a “responsible serving of alcohol” offence, although broadly it does qualify as such. Over 90% of the offenders recorded for 2019-20 in the table above relate to this legislative section.

Question (7)

An Out-of-Hours Permit is required to authorise the sale of alcohol on licensed premises for any period between **midnight** and 5 am.

Compliance Inspectors of the Liquor and Gaming Branch, Department of Treasury and Finance, undertake regular inspections of liquor licensed premises outside of normal business hours.

Compliance Inspectors conduct these inspections alone, or as part of joint inspections involving other state and local government entities that may include Tasmania Police, local councils and the Tasmania Fire Service. Joint inspections are instigated by the Liquor and Gaming Branch and demonstrate the importance placed on ensuring that licensee activities are conducted in accordance with all of their legislative obligations.

For the period 1 July 2019 to the closure of licensed premises on 23 March 2020 due to COVID-19 restrictions, a total of 126 premises inspections were completed statewide outside of normal business hours by Compliance Inspectors. This includes 66 joint premises inspections with Tasmania Police.

The Commissioner for Licensing requires premises that trade past 2 am to have CCTV surveillance in place meeting the Commissioner’s high standard in terms of coverage and resolution. This allows the Commissioner to access accurate vision of incidents that might require disciplinary action.

Question (8)

Under the Liquor Licensing Act there are 63 prescribed offences that a police officer can issue an infringement notice for, if they consider that an offence has been committed. There is no provision in the Act for Liquor and Gaming Compliance Inspectors to perform this function.

Compliance Inspectors undertake investigations into breaches of the Liquor Licensing Act as part of their duties. During the period 2017-18, 2018-19 and 2019-20 (to 15 June 2020) investigations have resulted in the Commissioner for Licensing taking disciplinary action against six separate licensees. These actions addressed various breaches of the liquor licensing legislation and resulted in a range of penalties including monetary fines, variation to permit hours and conditions or letter of censure. In addition, the conditions of permits are reassessed when permits are reapplied for and, if warranted, more stringent conditions are imposed.

Question (9)

Over this same period, of the six instances of disciplinary action taken by the Commissioner, three related to breaches of the Act that occurred during the period of an Out-of-Hours Permit (between 12 midnight and up to 5 am).

Question (10)

Liquor and Gaming Compliance Inspectors undertake duties to ensure both the provision of gaming operations, and the sale of liquor are conducted in Tasmania in accordance with the relevant legislative and regulatory frameworks.

State-wide, there are a total of 11.3 Full-Time Equivalent (FTE) Compliance Inspectors responsible for conducting inspections of liquor and gaming licensed premises. Of this, 5.5 FTEs are based in Hobart and 5.8 FTEs are based in Launceston. Compliance Inspector activities are overseen by regional-based Team Leaders and the Hobart-based Compliance Manager.

Compliance Inspectors work during normal business hours. In addition to this, through a Workplace Agreement, six Compliance Inspectors (equally split between the north and south) are able to work 450 hours per region, per annum outside of normal business hours.

This agreement provides for a loading on base salary as compensation for work to be undertaken between 7 pm Friday and 2 am Saturday; and between 9 am Saturday and midnight Saturday. Work that extends past these times is accommodated by an overtime provision.

Question (11)

The appeal provisions in the Liquor Licensing Act provide an appropriate level of natural justice in administrative decisions.

During the period 2017-18, 2018-19 and 2019-20 (to 15 June 2020), the Tasmanian Liquor and Gaming Commission has not overturned on appeal any decisions by the Commissioner for Licensing relating to disciplinary matters.

7 COVID-19 AND TASMANIA'S DISASTER RESILIENCE STRATEGY.—

Ms Webb asked the Honourable Leader of the Government — With reference to the formal State of Emergency declared by the Government on 19 March 2020 under section 42 of the *Emergency Management Act 2006 (the Act)* due to the presence of COVID-19 in Tasmania:—

- (1) How has the Tasmanian Disaster Resilience Strategy 2020-2025 informed or influenced the state's response to the COVID-19 pandemic?
- (2) Noting the Tasmanian Emergency Management Arrangements (TEMA) is required under section 32 of the Act and that pandemics are identified as a potential 'emergency' or 'disaster' for which the state needs to be prepared:
 - (a) what is the status of the TEMA;
 - (b) how was TEMA implemented; and
 - (c) how has it informed the state's response to the COVID-19 pandemic?
- (3) What is the status of the current Special Emergency Management Plan and the associated State Recovery Plan that is described by the Department of Premier and Cabinet (DPAC) Office of Security and Emergency Management (OSEM) as a "broad, scalable framework for recovery that can be tailored to meet the needs of each emergency event and affected community", and which details the state's Recovery Governance Framework?
- (4)
 - (a) Was the state's Recovery Governance Framework, as outlined on the OSEM website, implemented in response to the COVID-19 pandemic; and
 - (b) how was it implemented?
- (5)
 - (a) What is the membership of the State Recovery Committee, Chaired by the State Recovery Advisor, who the Premier informed the Parliament on 30 April 2020 has been appointed to that legislated role under section 24A of the Act; and
 - (b) what COVID-19 related work has that committee undertaken?
- (6) Has the State Recovery Advisor provided, or been asked to provide, advice to the Premier on:
 - (a) any future appointment of a State Recovery Coordinator; and/ or
 - (b) the establishment of a Recovery Taskforce, as provided by section 24B of the Act?
- (7)
 - (a) Is the Premier's Economic and Social Recovery Advisory Council (PESRAC) intended to fulfil the role of the Recovery Taskforce; and
 - (b) will PESRAC operate instead of, or in parallel to, the Recovery Taskforce and the Act's Recovery provisions?

- (8) Will the Chair of PESRAC fulfil the role of the State Recovery Coordinator as specified under section 24D of the Act, and which is also provided for under TEMA and the DPAC State Recovery Plan?
- (9) What advice has the Government sought or received regarding:
 - (a) the implementation of the Recovery Taskforce and State Recovery Coordinator role in relation to the COVID-19 pandemic, and
 - (b) any implications of establishing PESRAC as an alternative or parallel process?

The Leader answered,

Question (1)

The Tasmanian Disaster Resilience Strategy 2020-2025 was approved by the Tasmanian Government in December 2019. The Strategy builds on current and recent initiatives to pursue a vision of a more disaster resilient Tasmania.

The Strategy's vision is "Using the best available evidence, everyone works together to reduce their risk, and to prepare to withstand and adapt to the impacts of disaster." Four goals underpin the vision, namely: understanding disaster risk; working together; reducing disaster risk; and being prepared for disasters.

The Strategy emphasises that disaster resilience is everybody's business, but also recognises the Tasmanian Government plays a key role. The response to the pandemic is consistent with the Strategy's vision and goals.

Question (2)

- (a) The 'Tasmanian Emergency Management Arrangements' (TEMA) was endorsed by the State Emergency Management Committee before being authorised by the State Controller (Commissioner Darren Hine) and approved by the Minister for Police, Fire and Emergency Management, the Hon Mark Shelton MP, on 10 December 2019.
- (b) The TEMA does not require implementation, it describes existing roles, authorities and responsibilities for emergency management including governance, administrative and legal frameworks.
- (c) Pandemic is an identified hazard in the TEMA and COVID-19 has been managed in accordance with emergency management arrangements. As the Response Management Authority (RMA) the Department of Health is responsible for prevention and response in relation to a pandemic. The RMA is required to develop a more detailed State Special Emergency Management Plan (SSEMP) in relation to hazards for which it is responsible.

In accordance with the TEMA and SSEMP for COVID-19, the State Control Centre was activated on 19 March 2020 to coordinate whole-of-government activities in response to COVID-19. On the same date the Premier, the Hon Peter Gutwein MP, declared a State of Emergency under the *Emergency Management Act 2006*.

Question (3)

The State Recovery Plan – which is the SSEMP for recovery – was approved by the State Controller on 7 January 2019.

Question (4)

- (a) Yes. Noting that given the prolonged nature of the pandemic emergency, relief and recovery activities have been taking place concurrently with the response.
- (b) The State Recovery Advisor (Craig Limkin, Deputy Secretary, Department of Premier and Cabinet (DPAC)) has a formal role in the State Control Centre to advise the State Controller and Ministerial Committee for Emergency Management in relation to recovery. The State Recovery Committee has been meeting regularly to identify and address relief and recovery needs. Mr Limkin holds the office of State Recovery Advisor on delegation from the Secretary, DPAC under Section 24A of the Emergency Management Act.

When the State Controller stands-down there will be a formal transition to recovery in accordance with Section 24F of the Emergency Management Act.

Question (5)

(a) During the current State of Emergency, the following are members of the State Recovery Committee:

- Deputy Secretary, DPAC - State Recovery Advisor, (Chair);
- Deputy Secretary, Department of Police, Fire and Emergency Management;
- Deputy Secretary, Department of Health;
- Deputy Secretary, Department of Primary Industries, Parks, Water and Environment;
- Deputy Secretary, Department of State Growth;
- Deputy Secretary, Department of Treasury and Finance;
- Secretary and Deputy Secretary, Department of Communities Tasmania;
- Deputy Secretary, Department of Education;
- Deputy Secretary, Department of Justice; and
- Police Commanders from all three geographical regions.

Since the establishment of the Premier's Economic and Social Recovery Advisory Council (PESRAC), the Director of the PESRAC Secretariat has also been attending State Recovery Committee meetings.

(b) During the current State of Emergency, the State Recovery Committee has met ten times since 24 March 2020 and has been solely dealing with COVID-19 related issues in that period. During that time the Committee has coordinated the resolution of short term economic and social recovery needs; has led the development of the COVID-19 Safe Workplaces Framework; had oversight of the COVID Safe Workplace Guidelines and COVID Safety Plans; and has helped shape the governance arrangements for the transition to medium and long term recovery.

At each of its meetings the Committee also worked through a needs assessment report which identified high priority needs throughout the state and liaised with the Regional Emergency Coordination Centres to support regional recovery.

Question (6)

Advice provided by the State Service is deliberative and therefore is confidential.

Question (7)

(a) PESRAC is established under Section 24C of the Emergency Management Act.

(b) PESRAC has been established to provide high level policy advice to the Government on strategies and initiatives to support the State's short to medium, and longer term recovery from the effects of the COVID-19 emergency.

Question (8)

No.

Question (9)

Advice provided by the State Service is deliberative and therefore is confidential.

8 PAPERS.— The Deputy Clerk of the Council laid upon the Table the following Papers:—

- (1) Living Marine Resources Management Act 1995: containing Fisheries (Biosecurity) Order 2020.
- (2) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 460m² situate in Tasman Highway Great Eastern Drive, Municipal Area of Glamorgan-Spring Bay.

- (3) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 227m2 situate in Tasman Highway Great Eastern Drive, Municipal Area of Glamorgan-Spring Bay.
- (4) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 200m2, 103m2, 90.9m2 and 519m2 situate in Tasman Highway Great Eastern Drive, Municipal Area of Glamorgan-Spring Bay.

9 BILL NO. 21.— The Order of the Day was read for the consideration of the Building and Construction (Regulatory Reform Amendments) Bill 2020 as amended in Committee of the Whole Council.

Ordered, That the Bill, as amended in the Committee, be now taken into consideration.

The Council, accordingly, proceeded to take the same into consideration.

The Amendment was read the First time.

The said Amendment, being read the Second time, was agreed to.

Ordered, That the Bill as amended in the Committee, be now read the Third time. (Mrs *Hiscutt*)

The Bill was read the Third time and passed.

10 BILL NO. 21.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council having this day agreed, with Amendment, to a Bill intituled — ‘A Bill for an Act to amend the *Land Use Planning and Approvals Act 1993*, the *Electricity Supply Industry Act 1995* and the *Water and Sewerage Industry Act 2008*’,

returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 25 June 2020

C.M. FARRELL, *President*

11 DEPARTMENT OF POLICE, FIRE AND EMERGENCY MANAGEMENT ANNUAL REPORT 2018-2019.— A Motion was made (Mr *Dean*) and the Question was proposed,

That the Department of Police, Fire and Emergency Management Annual Report 2018-2019 be considered and noted.

A Debate arose thereupon.

Ordered, That Mrs *Hiscutt* have leave to Table answers to the Questions from the Member for Windermere (Mr *Dean*) and have the answers incorporated into the Hansard record.

And the Question being put,

It was resolved in the Affirmative.

12 POKER MACHINE POLICY AND REGULATION.— The Order of the Day was read for resuming the Debate on the Question,

(1) That the Legislative Council notes:

- (a) Australia (with the exception of Western Australia), has an approach to poker machine policy and regulation that is significantly different to virtually all similar countries globally, resulting in Australia having:
 - (i) a disproportionately high number of poker machines per capita;
 - (ii) a typical style of poker machine that is regarded as ‘high intensity’; and
 - (iii) a comparatively high level of harm due to the use of poker machines.
- (b) Poker machines typically in use in Australia are designed and programmed to include features that increase the likelihood of addiction, with evidence suggesting that normal use

of Australian poker machines is likely to cause addiction in one in six users, these features relate to:

- (i) spin speed;
 - (ii) bet limits;
 - (iii) maximum jackpot;
 - (iv) near misses;
 - (v) losses disguised as wins; and
 - (vi) return to player.
- (c) It is possible to modify the design and programming features of poker machines to decrease the likelihood of addiction, and such modifications would have little impact on the recreational use of poker machines by Tasmanians.
- (d) The impact of harm caused by poker machine use on Tasmanian health and mental health services, family support services, welfare services, criminal justice system, domestic violence services, housing and homelessness services, productivity and level of unemployment, is not currently measured and monitored by the Tasmanian Government so as to effectively inform policy development and regulation relating to poker machines.
- (e) Data available on poker machine use indicates:
- (i) at least 23,000 Tasmanians are in at-risk groups (low, moderate and problem gambling);
 - (ii) one in three Tasmanians personally know someone with a serious problem with gambling on poker machines;
 - (iii) 79 per cent of Tasmanian Gamblers Help clients have poker machines as their primary form of gambling; and
 - (iv) 40 – 60 per cent of the money taken by poker machines comes from people addicted to the machines or are classified as at-risk.
- (f) The Social and Economic Impact Study (SEIS) 2017 notes limitations to the collection of accurate and reliable data in Tasmania on:
- (i) the use of poker machines, including accurate frequency and expenditure; and
 - (ii) employment figures related to poker machines in hotels and clubs.
- (g) To date, the Tasmanian Government has not released and made available for public scrutiny and discussion, modelling on the social and economic impact of the proposed new poker machine licensing arrangements to be introduced in Tasmania in 2023.
- (2) The Legislative Council calls on the Tasmanian Government to undertake and publicly release modelling on the social and economic impact of the proposed new poker machine licensing arrangements to be introduced in Tasmania in 2023.

The Question was again proposed and the Council resumed the Debate.

13 SITTING SUSPENDED.— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

14 QUESTION TIME.— The President called for Questions without Notice. There were thirteen Questions asked.

15 BILL NO. 21.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill, intituled — ‘A Bill for an Act to amend the *Land Use Planning and Approvals Act 1993*, the *Electricity Supply Industry Act 1995* and the *Water and Sewerage Industry Act 2008*’.

House of Assembly, 25 June 2020

S. HICKEY, *Speaker*

16 BILL NO. 23.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill, intituled — ‘A Bill for an Act to encourage and assist in supporting the building industry by providing for the payments of grants to home owners to facilitate the building of new homes and the substantial renovation of existing homes in certain circumstances’.

House of Assembly, 25 June 2020

S. HICKEY, *Speaker*

17 POKER MACHINE POLICY AND REGULATION.— The Council resumed the Debate on the Question, That the Motion be agreed to.

And the Question being put,

It was resolved in the Affirmative.

18 COVID-19 PANDEMIC AND ITS IMPACT ON TASMANIA AND THE LIVES OF TASMANIANS — A Motion was made (*Ms Forrest*) and the Question was proposed, That with regard to the COVID-19 pandemic and its impact on Tasmania, the Legislative Council acknowledges:—

- (1) The COVID-19 pandemic has significantly impacted the people of Tasmania with many losing their jobs and curtailed the personal freedoms of all;
- (2) The Government’s response has reduced the spread and impact of the virus;
- (3) The death of 13 Tasmanians and offers our sincere condolences to the families and friends of these Tasmanians; and
- (4) Recognises changes in response to the pandemic in the following areas:—
 - (a) opportunities to work from home;
 - (b) flexible work hours and places;
 - (c) free childcare;
 - (d) greater focus on housing those who are homeless;
 - (e) developing different ways to identify and respond to domestic abuse and violence;
 - (f) greater use of tele-health services; and
 - (g) community support and connection with vulnerable and elderly members of the community.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

19 COVID-19 PANDEMIC AND THE ECONOMIC IMPACT ON TASMANIA. — A Motion was made (*Ms Forrest*) and the Question was proposed, That with regard to the COVID-19 pandemic and its impact on Tasmania, the Legislative Council acknowledges:—

- (1) The significant economic impact on the State;
- (2) The need for a non-partisan, inclusive approach to economic recovery in the State;
- (3) The opportunity to re-think how the State budget and economy is managed and prioritised in the future; and
- (4) The need to initiate a review of fiscal sustainability, to prioritise future spending and establish a funding plan to manage the State’s finances into the future.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

20 ADJOURNMENT.— *Ordered*, That the Council will at its rising adjourn until 9.00 o'clock am on Friday, 21 August 2020. (Mrs *Hiscutt*)

21 LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.—*Ordered*, That Mrs *Hiscutt* have leave to Table answer to Question No. 38 and have the answer incorporated into the Hansard record.

22 STANDING DOWN OF TT-LINE EMPLOYEES.— Mr *Gaffney* asked the Honourable Leader of the Government —

- (1) What is the Government's response to TT-Line (as a GBE) standing down employees due to the pandemic?
- (2) Have any other GBEs stood down employees?
- (3) What is being done to:
 - (a) assist TT-Line to find alternative work for employees, and/or
 - (b) provide financial support to TT-Line so that they can retain employees?
- (4) Have the CEO, Leadership Team and Board Members at TT-Line opted or been required to take reduced salaries and/or hours in an effort to alleviate some of the financial burden that the Company is under?
- (5) As a high portion of employees who have been impacted by the stand downs and call for reduced hours are Tasmanian, what action has been taken by the Government to assist Tasmanian employees?
- (6) The Prime Minister in his address to the National Press Club stated that GBEs were not eligible for Job Keeper as the onus is on the State Government to look after their own employees. What action is being taken to financially support affected TT Line Employees?

The Leader answered,

- (1) The Government has allowed TT-Line to manage its operations in a manner that is consistent with sound commercial practice.

TT-Line's passenger numbers have decreased significantly with the restrictions placed on persons coming into the State due to the Covid-19 pandemic. This has significantly reduced the amount of work required on both ship and shore.

Sailings between Melbourne and Devonport have had as few as 12 passengers with a crew of 70 on the vessel.

To address the lack of work required, TT-Line implemented stand downs of some shore employees, and reached agreement with the MUA on reduced staffing levels on the vessels which resulted in impacted seagoing employees accessing their leave entitlements.

In addition, passenger revenue which accounts for approximately 60% of overall revenue, has been substantially impacted causing stress on cash flows. To maintain the critical freight transport in and out of the State, TT-Line continued to operate sailings, at a material cost, despite the lack of passenger revenue.

To compensate for this loss of revenue the Company has put in place a number of measures to reduce its cash outflows. These include reducing fuel costs by cancelling Sunday sailings and increasing the voyage time thereby reducing fuel consumption, and cutting mainstream advertising from March through to July.

The Company is also working with its contractors and suppliers to reduce costs wherever possible without compromising safety.

TT-Line continues to work with employees and Unions to ensure that when full services return with the lifting of border restrictions, all employees will return to work to provide the services for which TT-Line is renowned.

- (2) The governance arrangements of Government businesses are designed to enable them to operate in accordance with sound commercial practice and as efficiently as possible.

Each Government business Board is responsible for decisions relating to the employment arrangements of its employees.

However, I can advise that exceptions to this are the Port Arthur Historic Site Management Authority and the Public Trustee, where employment is regulated by the State Service Act 2000.

Further details for Government businesses will become available in annual reporting later this year.

- (3) The Company has looked for other opportunities within its operations to employ staff that would otherwise be stood down.

An example of this is the employment of the shore based ship cleaners who have been redeployed to clean both the Devonport and Melbourne terminals which are normally serviced by outside contractors. In addition TT-Line has worked with both GBE & SOC's in Tasmania to investigate further work for the Contact Centre and also worked with the Department of Health to provide resources to assist in the cleaning of the Hospitals in the North West during the recent outbreak.

- (4) TT-Line's Chief Executive Officer and some members of the Leadership Team have elected to take leave during the Covid-19 pandemic in line with companywide policy.

There has been no change to the working schedule of Directors. They continue to meet (remotely via tele-conferencing) on a monthly basis in line with their pre-Covid-19 meeting schedule.

- (5) The Government's number one priority has been the health and safety of Tasmanians. However the coronavirus pandemic has caused significant economic impacts, including job losses, around Australia and Tasmania has not been immune.

This is why the Tasmanian Government has implemented two social and economic support packages which total \$1 billion. The support packages complement the Federal Government's multi-billion dollar response and are of a scale not seen in the history of our State in both the amount of funding and the breadth of measures.

Support includes measures designed to support all Tasmanians, including households and individuals, community organisations, health organisations, and businesses and jobs.

- (6) Many of TT-Line's employees have access to leave entitlements which they have been using when they have either been stood down or decided not to return to work at this time.

The Company has made some temporary administrative changes to the way leave is managed to enable to employees to access to leave entitlement they may not normally be able to access, and allowing this happen in shorter timeframes.

For those employees who have been stood down and do not have access to leave entitlements they may be eligible for the Federal Government's Job Seeker payment.

TT-Line's employees are not eligible for the Federal Government's Job Keeper payment as the Company is a State Owned Company.

23 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was proposed,
That the Council do now adjourn.

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

The Council adjourned at 7.16 o'clock p.m.

D.T. PEARCE, *Clerk of the Council.*

Briefings:

- *Voluntary Assisted Dying Bill in Tasmania 2020*
- *Bus Services*