



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Tuesday 9 November 2021**

**REVISED EDITION**



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**Tuesday 9 November 2021**

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

## **QUESTIONS**

### **Ashley Youth Detention Centre - Subsequent Homelessness on Release**

#### **Ms WHITE question to MINISTER for CHILDREN and YOUTH, Ms COURTNEY**

[10.01 a.m.]

The welfare of children in the Ashley Youth Detention Centre has rightly been recently in the spotlight. Equally important is what happens to children when they leave Ashley. On 8 September, when you addressed the Legislative Council Estimates Committee B, you said: 'In terms of my advice, all children, all young people have an accommodation option confirmed when they leave Ashley.' How many young people have been exited from Ashley into homelessness in the past year?

#### **ANSWER**

Mr Speaker, I thank the member for her question. Nothing is more important than the safety and welfare of our young people. It has been only relatively recently that the Premier announced the closure of the Ashley Youth Detention Centre.

Ashley has a long history and I acknowledge the efforts of staff working there. Positive gains have been made, and these have been recognised by the Custodial Inspector in his recent report. Despite this progress, we need to make more significant strides across the entire youth justice system. As the minister responsible I take this seriously. At the time we made that announcement, I talked about the fact that the youth justice reform we need will not only look at what we do in caring for young people and trying to divert them from the custodial youth justice system but also about the restoration of people post-custodial youth sentence, because it is critical that we have appropriate steps. I will have more to say about our broader youth justice reform in the near future.

We work with a range of providers to ensure that we have measures in place to support them as they depart the Ashley Youth Justice Centre. I am happy to seek advice on specific numbers of young people who have been through Ashley, or at a particular time within a time frame. Clearly, I cannot go into the specific circumstances of young people. However, I assure the House that planning does happen for young people prior to their departure from Ashley. We look at steps we can take, often partnering with other organisations, to ensure that our young people can stay safe and protected.

**Ms WHITE** - Point of order, Mr Speaker. Standing order 45, relevance. The minister has not answered the question which was: how many young people have exited into homelessness in the last year?

**Mr SPEAKER** - As you are aware, to repeat the question on the point of order is not a point of order. The minister has already sat down. I cannot put words in the minister's mouth.

They hear the question and they answer it. You always have the opportunity to ask them a follow-up question or another question on the same issue.

### **Ashley Youth Detention Centre - Subsequent Homelessness on Release**

**Ms WHITE question to MINISTER for CHILDREN and YOUTH, Ms COURTNEY**

[10.06 a.m.]

Can you confirm that in June this year a child was released from Ashley Youth Detention Centre into homelessness, and a worker bought a tent for this child so they had somewhere to sleep?

### **ANSWER**

Mr Speaker, I thank the member for her question. I have already outlined that the Government is currently working very hard on releasing further information with regards to our overarching justice blueprint. This looks at not just an integrated system of supports to address the complex factors that lead to youth crime but also an emphasis -

**Ms White** - You're not answering the question at all.

**Mr SPEAKER** - Order. The minister has only been going for 20 seconds. Please allow the minister an opportunity to answer.

**Ms COURTNEY** - on early intervention and diversion strategies.

We have also talked about the fact that we need to ensure we have mechanisms in place to support young people as they leave custodial youth justice. Young people who are currently sent to Ashley Youth Detention Centre by the court may remain in custody on remand for only a short period of time and, on their release, return to their families or other arrangements they were in before their time in custody.

Others are sentenced to detention for longer periods, allowing time to plan for their release. A multi-disciplinary case management team develops an exit plan that takes into consideration the preferences of the young person. All residents have accommodation options as well as other supports identified as part of this planning.

**Ms WHITE** - Point of order, Mr Speaker. Can the minister confirm a young person was exited into homelessness? That is not an accommodation option. Nor is a tent.

**Mr SPEAKER** - Order. That is not a point of order.

**Ms COURTNEY** - Thank you, Mr Speaker. The member who just interjected knows very well that it is completely inappropriate for me to comment on individual cases. I am explaining the structures and the safeguards that are in place to ensure that young people are supported as they leave.

As I was saying, all residents have accommodation options as well as other supports identified as part of this planning. Parents or guardians and carers, and the young person

themselves, are encouraged and supported to contribute towards their exit planning. Exit planning involves working with Community Youth Justice, Child Safety, Save the Children, the Department of Education, NDIS and other relevant stakeholders. This is to ensure the plans for supporting young people in the community align with the care plans in place at Ashley and are in the best interests of young people. For young people who are also in out-of-home care under a care protection order, an out-of-home placement is identified.

We know that, at times, some young people do present at homeless shelters after exiting Ashley Youth Detention Centre. This may be because their nominated accommodation or placement option has failed for a range of reasons, including the person choosing not to reside there after exiting Ashley Youth Detention Centre.

Our election commitments will provide even more options. The justice blueprint I have already foreshadowed will look towards how we can further strengthen these available resources and we are looking to ensure that we have even more mechanisms there to support them.

### **COVID-19 - Potential Cases in Health Workers**

#### **Dr WOODRUFF question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.10 a.m.]

We understand Tasmania's borders cannot stay closed forever. When we reopen, COVID-19 will come. The influx of people from COVID-19 states starts on 15 December and we must have our health system able to cope with the inevitable caseload. We are being contacted daily by Tasmanians who are extremely anxious about reopening. Health-care workers have expressed concerns about the staffing plans.

While we have a fully COVID-19-vaccinated health workforce, vaccination does not always protect a person. Your department's dashboard data is evidence of a health system that already does not function to modern standards. With understaffing a chronic issue, how will you manage when some of the workforce may not be able to fulfil their duties? Have you modelled the number of healthcare workers who may contract COVID-19 under various outbreak scenarios? If you have, what do the models say? What plans are in place to deal with them? If you haven't, why haven't you?

#### **ANSWER**

Mr Speaker, I thank the member for her question. Yes, there is some natural anxiety around the opening of the borders across the community. I well understand that as Minister for Health, as does the Premier.

We have been planning and preparing for many months for the opening up of our borders. That includes vaccination. I must say, once again, that vaccination is the number one line of defence when it comes to COVID-19 preparedness.

The member raised a number of questions. I inform the House that, from Monday 8 November, there are 127 employees who remain non-compliant in terms of the mandatory

vaccination. This equates to 66 permanent employees, 11 fixed-term and 50 casual who have failed to comply, representing less than 1 per cent of the workforce.

Understandably, Tasmanians are very keen to understand that our health system, which I have said on numerous occasions is experiencing increasing levels of demand in emergency department presentations and the like, and there are a number of areas we are working on in resourcing, hospitals recruiting more nurses and paramedics as well more broadly.

When it comes to the Reconnecting Tasmania plan, it will allow our borders to reopen safely to travellers while ensuring we have the health and safety nets in place to keep on top of COVID-19 during the reopening phases. We have undertaken modelling by Professor MacIntyre from the Kirby Institute and, based on our strong vaccination rates, we are confident that our state can reopen on 15 December and that our health system is as prepared as it can be.

As I have said, a significant amount of work has occurred over the past 12 months to ensure that our hospitals are ready, including increasing our public bed capacity. There will be 152 new beds by the end of this year; from May 2021 to December 2021, hiring an additional 840 FTE since July 2020 with further recruitment for new beds underway. Our escalation plans also provide, at their highest level, for a surge capacity of up to 211 COVID-19 ward beds across the state and up to 114 ICU surge beds. In addition, we now have two community care facilities: Fountainside in the south, with 50 beds, and the Coach House in Launceston, with 25 beds -

**Dr Woodruff** - You are proving my point. You are not talking about staffing. Have you done the modelling of healthcare workers?

**Mr SPEAKER** - Order, member for Franklin.

**Mr ROCKLIFF** - On equipment, we will have 367 ventilators available in the state and we already have a secure six-month pandemic stockpile of the critical PPE that will be required.

The Department of Health is currently finalising our COVID-19 at-home model of care, involving home pulse and oxygen monitoring and 24/7 support to assist to keep COVID-19 care in the community and save hospital beds for those who truly need it.

I say again, vaccination is the number one -

**Dr WOODRUFF** - Point of order, Mr Speaker. Relevance. The minister has not got anywhere near this question. This is a media release. The fact is, it only provides 73 per cent infection -

**Mr SPEAKER** - That is not a point of order. Order, please sit down. You have asked the question. Please sit down.

**Dr Woodruff** - He needs to come some way close to answering the question, Mr Speaker. Have you done the modelling?

**Mr SPEAKER** - Order, member for Franklin.



**Mr ROCKLIFF** - There has been an enormous amount of work done in terms of this preparation, Dr Woodruff, and you well know that. I am going to repeat: vaccination is the number one priority. I have mentioned a number of times, in the recent outbreak in New South Wales -

**Dr Woodruff** - It is not enough.

**Mr SPEAKER** - Member for Franklin, if you interject again, you will be asked to leave.

**Mr ROCKLIFF** - I have mentioned it a number of times but it is a point that needs reinforcing, because in the outbreak 95 per cent of the 8851 people hospitalized with COVID-19 were not fully vaccinated. Every vaccination will count towards a safer border opening and will help reduce the load in our hospitals and the public health measures.

**Ms O'CONNOR** - Point of order, Mr Speaker. On behalf of the people who are contacting us and health care workers, I would like the minister to address the issue of whether there has been modelling about the impact on health care workers?

**Mr SPEAKER** - That is a separate question. The question has been put to the minister, he is answering it. The minister has the call.

**Mr ROCKLIFF** - I understand there is anxiety about what will happen when Tasmania opens its borders. That is only natural, particularly amongst those who are more vulnerable in our community, such as our elderly. We have prepared our health system as much as possible, with additional staff, more beds, ventilators, surge capacity, COVID-19 beds and ICU beds.

It is important to note that it has been shown nationally and internationally that the majority of people who are COVID-19-positive will experience a mild illness and will not require hospitalisation. They will be able to be treated effectively in their home. I have outlined the purchase of 2500 smart devices, which can be dispatched statewide and will enable daily monitoring of patients' pulse rate and oxygen levels as well.

We are continuing to focus on recruitment more broadly across the health system. Our recruitment efforts between 1 July 2020 and 30 June 2021 have been positive. Going to the member's question around staffing, we saw an increase of 655 paid FTE across the department -

**Mr SPEAKER** - If you could wind up minister, please.

**Mr ROCKLIFF** - and I am advised that overall, we have increased FTE by 185 this financial year, taking the total to 850 full-time equivalents.

We are as prepared as we could possibly be, Dr Woodruff. I understand the question. I understand the concern in the community but there has been an enormous amount of work done to prepare our hospitals, to prepare for care at home, as well as recruitment, in terms of our COVID-19 preparedness.

## **Reconnecting Tasmania Plan - Reopening the Borders**

### **Mr TUCKER question to PREMIER, Mr GUTWEIN**

[10.17 a.m.]

Can you outline to the House how this majority Liberal Government is delivering our plan to secure Tasmania's future, especially in relation to our Reconnecting Tasmania Plan to safely re-open our borders? Can you confirm that the Opposition supports the Reconnecting Tasmania plan?

### **ANSWER**

Mr Speaker, I thank Mr Tucker for his interest in this very important matter. I can certainly provide the House with some advice on the first part of that question. I am not too sure about the second part, because I -

**Opposition members** interjecting.

**Mr GUTWEIN** - I am not too sure where they stand on a range of matters, but -

**Members** interjecting.

**Mr SPEAKER** - Order, the Premier has the call.

**Mr GUTWEIN** - COVID-19 has been, without doubt, one of the most significant health, social and economic challenges this state has had to face. Importantly, Tasmanians have risen to the challenge right through this. It is a statement of fact that we are one of the safest places on the planet and that is because Tasmanians have worked together. They have held out their hand to each other, and they have worked together to ensure that we could arrive at that position.

It came with sacrifices. Our industry and business sectors, especially the hospitality sector, bore the brunt. I thank them for that. However, it has kept Tasmanians safe. Importantly, we have been able to live a freer life in Tasmania than in most places across the world. The pandemic is not over, yet science and data from all over the world have now given us a solution - and that solution is vaccinations. It is a small and safe way to do something meaningful, to continue protecting one another and to help allow us to open our borders to those mums and dads, those people who want to visit.

My understanding is that the forward bookings are at 133 per cent now of what they were in the pre-COVID-19 year. People want to come. They want to see what we have and, importantly, people want to reconnect. Our Reconnecting Tasmania Plan allows our state to open whilst ensuring that we have the health and safety nets in place to keep on top of COVID-19 during that reopening phase.

As we have done throughout COVID-19, we are taking a sensible and cautious approach to reopening and we are ready. Our health system is prepared. We will not open our borders at 80 per cent like other jurisdictions. Throughout this we have walked our own path, and we will continue to do so.

By 15 December we expect that we will be at 90 per cent double vaxxed for our population 12 years and over. Importantly, last week we hit 90 per cent single dose. I say to all of those that have had the first dose: get the second dose. We know that if you do that, we will be above 90 per cent. On our current trajectory, it is not without the bounds of probability that we could be at 93 per cent to 94 per cent fully vaccinated. This week, we will hit 80 per cent double vaccinated. I urge those Tasmanians who have had the first shot, to turn up and get their second shot. If you have not had the first shot, please do so. It is your best defence against getting seriously ill. We know from what has occurred in New South Wales that 95 per cent of the people who ended up in hospital had not been fully vaccinated. Only 5 per cent of people who are fully vaccinated have ended up in hospital.

From 15 December, people will be able to enter Tasmania from all over the country, subject to being fully vaccinated, if aged over 12 years. To lower the risk, those coming from New South Wales, Victoria or the ACT must have a negative test result within 72 hours. An exception to this will be those returning Tasmanians who are fully vaxxed, who undertake a short trip of less than seven days. The test will not apply to them; however, they will need to monitor for symptoms. People who travel to Tasmania but do not meet these requirements will be subject to additional quarantine testing requirements.

Based on the Tasmanian-specific modelling we commissioned from the Kirby Institute, we are confident that we can open our borders and manage COVID-19 safely, including within our health system. By retaining baseline community health, hygiene, tracking and tracing protocols, coupled with COVID-19 safety business plans and a well-resourced and prepared health system, we will reopen our borders and we will do so safely and responsibly.

Our fully vaccinated health system stands ready. We will provide 24/7 COVID-19 support with escalation plans in place. We have employed - and this goes to your point earlier about ensuring Tasmanians have the confidence in what we are doing - 840 additional full-time equivalent staff have been recruited since July last year, and we are still recruiting. We have community care beds available north and south, and appropriate surge capacity of COVID-19 ward beds and ICU beds, ventilators and a PPE stockpile.

We have a clear plan and we are ready. If you want to look for empirical evidence of the benefit of being vaccinated look to New South Wales. As I have said, fully vaccinated people were only 5 per cent of the nearly 9000 people who ended up in hospital. It works and I encourage Tasmanians to turn up and get the jab.

I was asked if I could confirm where Labor stands on this -

**Ms O'Connor** - Five and a half minutes and you are about to waste Question Time.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - It has distressed me greatly in recent weeks that you have politicised the pandemic -

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - and you have taken every step of the way to do that. We need the Opposition to explain what they stand for and whether they support the plan because that will provide Tasmanians with confidence.

We have made it perfectly clear, and I feel very strongly, that we need to be absolutely convinced that every Tasmanian who is eligible has had the opportunity for the vaccination. I believe that threshold will be crossed. We have said that we want to get to 90 per cent double vaxxed, and I believe that we will get to that point. We then put in additional safety protocols for travel and testing from those high-risk jurisdictions, and I believe that will stand us in good stead. We have invested heavily, and we have ensured that our health system is in good shape for when we do reopen. Again, I ask the Opposition: where do you stand? What is your position on this? When are you going to let Tasmanians know whether you support our reopening plan?

### **Tasmanian Integrity Commission - Reporting of Suspected Corrupt Conduct**

**Ms JOHNSTON question to ATTORNEY-GENERAL, Ms ARCHER**

[10.25 a.m.]

I imagine you have been following the New South Wales ICAC inquiry into ex-premier Gladys Berejiklian's secret relationship with a disgraced former MP, and how that relationship may have affected the way she dealt with projects he was pursuing.

The ICAC Act imposes a duty on ministers to report to the commission any matter the minister suspects, on reasonable grounds, concerns or may concern corrupt conduct. It is this obligation that has been the focus of questions directed at Ms Berejiklian.

In Tasmania there is no similar legal requirement for ministers to report suspected corrupt conduct. In Tasmania, ministers can carelessly go about their business and legally, if not morally, keep their suspicions to themselves.

Do you agree that the public would expect that ministers should be legally required to report suspected corrupt conduct? Will you bring legislation into this House to rectify this omission, to ensure that ministers, and other senior public servants, are required to report suspected corrupt conduct to the Tasmanian Integrity Commission?

### **ANSWER**

Mr Speaker, I thank the member for Clark for her question. I note that there is a theme emerging from the member that is somewhat concerning and blatantly wrong in my view.

Is she insinuating that there are current or past members who she suspects are not abiding by the obligations under the Integrity Commission Act 2009 and various Codes of Conduct that are in place to cover the expected behaviours of both ministers and members of parliament? If this is the case, this is concerning as it appears that she herself may not be following through on reporting such behaviour to the Integrity Commission as the appropriate and responsible authority to investigate such misconduct, which is effectively what she claims to be an issue.

The Integrity Commission Act clearly outlines the role of the commission to investigate any claim or suspicion of misconduct. Misconduct is defined under the act as being:

- (a) conduct, or an attempt to engage in conduct, of or by a public officer that is or involves -
  - (i) a breach of a code of conduct applicable to the public officer; or
  - (ii) the performance of the public officer's functions or the exercise of the public officer's powers, in a way that is dishonest or improper; or
  - (iii) a misuse of information or material acquired in or in connection with the performance of the public officer's functions or exercise of the public officer's powers; or
  - (iv) a misuse of public resources in connection with the performance of the public officer's functions or the exercise of the public officer's powers; or
- (b) conduct, or an attempt to engage in conduct, of or by any public officer that adversely affects, or could adversely affect, directly or indirectly, the honest and proper performance of functions or exercise of powers of another public officer -

but does not include conduct, or an attempt to engage in conduct, by a public officer in connection with a proceeding in Parliament;

As all members here would agree, it is a fundamental tenet of being an elected representative of the Tasmanian Parliament to abide by all requirements and statutory obligations under Tasmanian law. If there is any concern for misconduct in public office, or for a crime to have been committed, they should be referred immediately to the police and/or the office of the Director of Public Prosecution.

I note that the Criminal Code which deals with all our indictable offences, our complex serious crimes, already deal with a number of sections including conspiracy and attempting to interfere with an executive officer at sections 69 and 297, as well as section 83 which deals with corruption of public officers; section 84, extortion by public officers; and the sections relating to fraud.

If Ms Johnston is not doing this, or any member for that matter, in accordance with their role as a member of the Tasmanian Parliament, I would be very concerned indeed.

Further, as I have repeatedly answered in recent months, any reform to the abuse of public officers which are serious and complex criminal offences require significant investigation and consideration. Considering any amendment to the Criminal Code should be considered in a measured, sensible and balanced way allowing for appropriate consultation and opportunity for appropriate scrutiny.

I can see the smirk on Ms Johnston's face and I am quite concerned there is a smirk because it means she has a pre-prepared Facebook tile again ready to go -

**Members** interjecting.

**Mr SPEAKER** - Order.

**Ms ARCHER** - and this is a really serious issue. I am going to stress here that I am deliberately outlining a very detailed and specific answer to your specific question, which did deal with a number of matters.

**Ms O'Connor** - Just for the record, Ms Johnston is not smirking.

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

**Ms ARCHER** - I hope that this is not politicised by another one of these Facebook tiles from the Independent member for Clark because this is a serious issue.

This is why our Government is currently undertaking a comprehensive, sensible and measured approach to consider necessary further reforms as a result of the Cox Review recommendations. My department is currently working with the Integrity Commission on this to consider areas for reform to the Integrity Commission Act, if necessary. This work will be informed by the recent independent statutory review undertaken by the Honourable William Cox, together with any other potential issues that have subsequently been identified.

In closing, our Government remains committed to progress this important work. Ministers abide by codes of conduct. Members of this parliament have a code of conduct to abide by. I have painstakingly read out the sections in the Integrity Commission Act that detail what our obligations are and what our specific tenets and obligations are under the law, specifically also in relation to the Criminal Code Act - and there is that smirk again.

### **Ashley Youth Detention Centre - Appropriate Accommodation Options on Release**

**Ms WHITE question to MINISTER for CHILDREN and YOUTH, Ms COURTNEY**

[10.31 a.m.]

I ask again: was a child released from Ashley in June this year with nowhere to go and, instead, ended up living in a tent in the middle of winter, yes or no? You say that children released from Ashley are given accommodation options. Do you consider a tent an appropriate option, yes or no?

### **ANSWER**

Mr Speaker, I thank the member for her question. I cannot comment on individual circumstances. The Department of Communities Tasmania has advised that young people are not released from Ashley Youth Detention Centre into tents.

What I can also advise the House is that we are dealing with young people who often have very complex personal circumstances. The team at Child Safety work incredibly hard to

support our young people not only on the day that they leave Ashley, but in the days, the weeks and the months after they have departed Ashley Youth Detention Centre to ensure that the support that is being provided is not only appropriate but is responding to the needs and requests of young people who are in those circumstances.

I am not going to second guess the hardworking staff. The advice that I have is that young people are not released into tents.

**Ms White** - That was not the question you were asked though, was it? What you were asked is whether this person ended up living in a tent.

**Mr SPEAKER** - Order.

**Ms COURTNEY** - As I outlined earlier, we recognise that there is more that needs to be done to support our young Tasmanians who intersect with the Youth Justice System which is why, as part of that, the Premier has announced the closure of the Ashley Youth Detention Centre, but more broadly, there is a body of work currently underway in developing an overarching youth justice blueprint.

Key elements of this new system will include an integrated system of supports that address the complex factors that lead to youth crime, an emphasis on early intervention and diversion strategies, and a youth justice system including custodial youth justice that responds to the young people who come into conflict with the law in a therapeutic way that serves their needs and keeps the community safe.

Part of the breadth of the work that is underway that I have outlined to the House is around how we can ensure that we are a nation leader when it comes to youth justice. There is a number of initiatives underway by my colleague, Mr Ferguson, with regard to unaccompanied youth homelessness, to ensure that options are available for young people. Either young people who find themselves in a time of crisis, young people who have complex needs, young people who at the time that they are, need to be able to get government support. That is why minister Ferguson is investing through this Government, substantial money as part of our action plan, into a taskforce around particularly youth homelessness.

I have outlined to the member and to the House the processes for planning for young people to leave Ashley -

**Ms White** - You have not. How many children leave Ashley and go into homelessness?

**Mr SPEAKER** - Order, Ms White. I warn you for constantly interjecting.

**Ms COURTNEY** - I have outlined what the processes are with regard to how we, through our Child Safety staff, care for the complex needs of these young people. I support the Child Safety staff members when they do work with the complex needs of these young people. I am committed, as the minister responsible, to carry through this youth justice blueprint so that we can have, not only a nation leading but a world leading youth justice system in Tasmania that is built on a public health approach, that has therapeutic responses and ensures that our young people stay safe and have pathways to be productive members of our community.

## **Forestry - Native Forest Logging**

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

[10.35 a.m.]

As you know, at COP26, world leaders including Prime Minister Scott Morrison signed the Glasgow Declaration to halt and reverse forest loss. We understand from statements made following the declaration that your Government does not believe it needs to change forest practices as a result, in contravention of the climate science. Will you listen to leaders in the Tasmanian tourism industry, more than 180 of whom have signed a letter to you and your colleagues, the Minister for Tourism and Minister for Climate Change, calling for an end to the logging of high conservation value forests?

Mr Speaker, I seek leave to table that letter now, copies of which have been distributed.

**Leave granted.**

**Ms O'CONNOR** - Thank you. Premier, like the Derwent Valley tourism operators and agricultural producers heavily-affected by smoke from an escaped Forestry Tasmania burn in March this year, these business owners regard industrial native forest logging as a threat to their tourism businesses, Tasmania's brand and the climate.

If your Government will not end the logging of this island's beautiful forests for the climate and young Tasmanians who are demanding it, will you listen to tourism operators, some of whom have joined us in the Chamber today, who are pleading with you to act?

### **ANSWER**

Mr Speaker, I thank the Leader of the Greens, Ms O'Connor, for that question. I welcome those tourism operators to the Chamber. It is an interesting question that you ask, because one of the examples of empirical evidence of where forestry and tourism can coexist is in my own electorate, in Derby.

**Ms O'Connor** - They are about to log around Derby.

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

**Mr GUTWEIN** - I was involved in many of those early discussions with the tourism industry, the local council, the STT although, back then I think I was in opposition, so it would have been Forestry Tasmania. What was able to be achieved, very successfully, in Derby was a coexistence, something that demonstrated that we could have tourism, but we could also have sustainable forestry. What I have witnessed - and I am certain we will witness again post-15 December - is that people are voting with their feet. Derby is an extraordinary example of coexistence between the industry, tourism and the forestry industry.

**Greens members** interjecting.

**Mr SPEAKER** - Dr Woodruff, you are on a warning.



**Mr GUTWEIN** - I have watched with amazement as people have beaten a path to Derby's door, where there has been a coexistence of sustainable forestry and tourism. We have watched that mining town - which was once decimated in population and economic opportunity - spring to life as hundreds of thousands of people from around this country and around the world -

**Greens members** interjecting.

**Mr SPEAKER** - Ms O'Connor, why is it impossible for you to ask a question and listen to the answer without interjecting? You are on a warning.

**Dr WOODRUFF** - Point of clarification, Mr Speaker.

**Mr SPEAKER** - There is no such thing as a point of clarification.

**Dr WOODRUFF** - Can I clarify that the Leader of the Opposition interjected eight times on a question earlier this morning. I am wondering whether there is consistency in this issue.

**Mr SPEAKER** - That is not a point of order. Please sit down.

**Mr GUTWEIN** - Acknowledging that we have tourism operators in the Chamber, I have witnessed the fact that coexistence can occur.

You reached into COP26 and the Glasgow Declaration, yet you are well aware that the land-use clearing regimen in this state changed more than a decade ago. We do not cut forests down and not regrow them. We engage in sustainable forestry in Tasmania, sustainable harvesting. All of us bring to this place our own lived experiences. One of those lived experiences that I have had has been to watch what I would consider to be an economic miracle occur at Derby where we have witnessed the coexistence of tourism with sustainable forestry management. As I have indicated, the world and the broader country have voted with their feet in that example.

It did not surprise me that you reached into COP26, but you know full-well that what was signed at COP26 is something that this state put in place over a decade ago -

**Ms O'CONNOR** - Point of order, Mr Speaker, the Premier has misled the House. The COP26 agreement is about reversing forest loss.

**Mr SPEAKER** - That is not a point of order. The Premier has the call.

**Mr GUTWEIN** - Mr Speaker, regarding forest loss, it is well understood that in this state we plant more trees than we take. Regarding the Leader of the Greens tabling her letter and the position she brings to this place, I believe very firmly that sustainable forestry and tourism can coexist, and that there are world-leading examples of where that occurs right here in this state. Those examples are well understood by the world and by the country. As I have said, not only have they beaten a path to our door prior to 15 December, but I expect post 15 December they will continue to revel in what is one of the best examples in coexistence in two industries in the world.

## **Australian Medical Association - Report on Tasmania's Health System**

### **Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.43 a.m.]

Last week Dr Helen McArdle released a damning report on Tasmania's health system and said nearly every aspect of it is over-stretched and on the brink of breaking down. Dr McArdle said staff are overloaded and exhausted. Bed-block at our major hospitals is extreme and patients are not receiving care in a timely manner. This is the head of the Australian Medical Association in Tasmania describing your health system. If the AMA says our health is already over-stretched and on the brink of breaking down, how can you say your Government has done enough over the past 18 months to prepare Tasmania's health system for when you re-open the border in five weeks?

### **ANSWER**

Mr Speaker, I thank the member for her question. We have worked very well and constructively with the Australian Medical Association. I have met online, at the very least, the head of the AMA nationally and of course I regularly meet with Dr McArdle and other representatives of the AMA concerning the health system more generally.

I recognise their report card released last week, which draws on the AMA report into the public hospital system and provides state and territory information in 2019-20. It highlights that like all states and territories, Tasmania experienced a decline in the percentage of people seen on time in emergency departments, with Tasmania ranked fifth on this measure ahead of South Australia, Western Australia and the ACT. It should be noted that this includes the period when COVID-19 emerged in Australia and in Tasmania in 2020, which was anything but a typical year of our health system.

I have recognised the challenges within our health system, with increasing demand. The most recent dashboard data confirms that the overall number of people waiting for elective surgery has reduced from 12 286 in January to 10 776 in September - a reduction over six months. A key focus, as Minister for Health, is reducing that percentage of those waiting for elective surgery outside the clinically recommended time frames. From reading the data, I understand that the percentage of people waiting outside the clinically recommended time frames is decreasing. That is welcome news. The overall reduction of 1500 patients is an encouraging sign, but there is a lot more to do.

The work we are doing with the Pre-Operative Statewide Clinical Surgical Committee, over the four-year elective surgery plan, is encouraging. Members of that committee would, no doubt, be members of the Australian Medical Association as well. The Budget provided funding of \$196.4 million over four years, to deliver some 30 000 extra elective surgeries. This consists of both state Government and Australian Government activity-based funding. We committed 22 000 surgeries at the election, and we are very pleased that we are able to support more elective surgeries to support the four-year elective surgery plan, which was clinician-led and patient-focused to deliver some 8000 additional surgeries over those four years.

The context of the member's question related to health system preparedness. I have outlined that in detail on numerous occasions. In my view, an enormous amount of work has been done, over the last 12 months in particular, to prepare for opening up our borders and

COVID-19 within our community. The date we are all working towards is 15 December and there is still ongoing work across a range of areas.

The work we are doing to recruit additional staff is also important. More specific to your question, Ms Dow, we have already employed an additional 840 staff across our hospital system from 1 July last year to this year - more people in our health system. It is important to be mindful that we have some 450 or more staff that otherwise would be working within our health system, working across the vaccination program. An enormous amount of resources has been taken away from the more pressing needs of the health system to support the vaccination program, which has been a success. I thank those staff, and I had the pleasure of meeting a number of them just a few weeks ago at MAC2 - the vaccination clinic for the second vaccination. I commended them for their commitment to the enormous task around vaccination.

I repeat: the number one defence for all Tasmanians is to get vaccinated to protect yourselves, your loved ones, your community, your family and friends. That is why we have had to make the tough decision on mandatory vaccination across our health system. We are very pleased that the initial number of 170 across the 16 140-odd employees across the health department - if I have that number correct in my memory - we initially said 170 were non-compliant; that is down now to 127. The point I am also making is that we expect the people working in the vaccination program to come back to support the ongoing work of our health system, once the intensity of the vaccination program subsides.

### **Reconnecting Tasmania Plan - Preparations made by Department of Health**

#### **Ms OGILVIE question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.50 a.m.]

Can you update the House on the significant preparation that has been undertaken by the Department of Health as part of the majority Liberal Government's Reconnecting Tasmania Safe Border Reopening plan, and is the minister aware of any alternative approach?

#### **ANSWER**

Mr Speaker, I thank the member for her question, and I note considerable interest in this matter. I will start where I left off for the previous question - the number one way to be prepared against COVID-19 is to get vaccinated. In the recent outbreak in New South Wales, 95 per cent of people who were hospitalised with COVID-19 were not fully vaccinated. This is fast becoming the pandemic of the unvaccinated. I repeat that, and that 95 per cent figure, because it clearly lays out the importance of vaccination as being the number one line of defence.

It is exactly why we have set such a high vaccination target of over 90 per cent by 1 December. We are well on track as at 7 November, with 90.5 per cent of Tasmanians aged 16 and over, having received one dose and 78.7 per cent being fully vaccinated. Our 12 to 15-year olds are now at 63.7 per cent dose for one dose and 34.2 per cent fully vaccinated.

The Government has a comprehensive plan to ensure we can safely and responsibly reopen and reconnect Tasmanians, particularly in terms of our health system. Most people who test positive for COVID-19 are likely to only experience mild symptoms and recover especially

if vaccinated. Therefore, with a highly vaccinated population, the majority of people will be tested at home and treated at home, or in another community setting.

The Department of Health is currently finalising our COVID-19 at home plan, which recognises that home is the preferred treatment setting, while ensuring our patients are safe and supported. COVID-19-positive patients will initially be assessed by Department of Health clinicians with engagement also occurring with any existing care providers, such as a GP, to determine the most suitable environment and support level required.

Daily monitoring will be enabled through simple-to-use smart devices, which include home pulse and oxygen monitors. We have already purchased some 2500 of these devices which can be deployed statewide. There will be centralised monitoring of health and wellbeing needs, with a team of health professionals available 24/7 to provide support. If the patient's condition worsens and requires escalation to an in-patient bed, plans are in place to enable direct admission to hospital bypassing the emergency department.

We are also prepared for the small percentage of people who get seriously ill and require hospitalisation, and I have outlined multiple times the additional staff, beds and surge capacity in place in terms of intensive care unit beds.

Ambulance Tasmania also has a \$5.2 million COVID-19 preparedness plan, which includes strategies such as fast-tracking the hiring and induction of 60 staff; preparation of 12 fully-stocked ambulances to be on standby to meet any increased demand; and the appointment of nine extended-care paramedics, three for each region. We are ready in all areas of our health system,. We have invested heavily to ensure we are as prepared as we can be for a COVID-19 outbreak.

The member asked about any alternative approaches. I am yet to hear of one and that concerns me. We hear a lot of fearmongering, which is very unhelpful to Tasmanians, as well as Dr Woodruff's point regarding the anxiety about the borders reopening. By their fearmongering, the Labor Opposition is increasing the anxiety amongst Tasmanians when it comes to 15 December. I am aware, however, of their enthusiastic embrace on social media - on Facebook, I believe - of the 90 per cent vaccination first-dose achievement. I am yet to see them support our reopening plan.

Mr Speaker, I ask them again, do they support it? I am asking them a question this time. I am not getting any answers. We are looking for the Labor Opposition's 100 per cent support for the Government's Reconnecting Tasmania plan. Stop sitting on the fence.

**Mr SPEAKER** - Minister, could you wind up, please?

**Mr ROCKLIFF** - All we are seeing is pandemic politics, which is concerning. At a time when the responsible thing for an opposition to do would be to encourage people to get vaccinated, all we see is fearmongering, scaring Tasmanians and pandemic politics. We will have none of that. We will continue to work positively with all stakeholders across our health system to ensure that we have all bases covered and we can reopen safely, responsibly but cautiously on 15 December.

## **COVID-19 - Capacity of Emergency Departments**

### **Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.56 a.m.]

Our emergency departments are at breaking point. Statewide, less than half of all emergency department patients are seen within clinically recommended time frames. At the Royal Hobart Hospital, nearly three-quarters of emergency department patients are not seen on time. When you were questioned over the weekend about how you could say our emergency departments were ready to respond to COVID-19 once you reopened the borders, you said: 'You cannot compare a busy emergency department environment to a pandemic environment.' What did you mean by this? Are you simply hoping people will not present for medical treatment once COVID-19 returns to Tasmania?

### **ANSWER**

Mr Speaker, I thank the member for her question. The member has highlighted the increasing demand when it comes to our hospital system and emergency department presentations. However, the Tasmanian Government has delivered more funding, more staffing, more health services than any previous government before.

#### **Members interjecting**

**Mr SPEAKER** - Order.

**Mr ROCKLIFF** - Despite this, there are ongoing challenges. I remember a time, Mr Winter, when I was asking questions about reduction of beds in wards, closing of beds, storage rooms opened to put beds in and staff being sacked. There is a big contrast -

**Ms O'CONNOR** - Point of order, Mr Speaker. I am seeking some clarity. I have been put on a warning for interjecting twice and I have listened to the Labor Opposition interject constantly without being pulled up. I want to make sure there is not a double standard in here.

**Mr SPEAKER** - It is not a point of order and you well know that. If it is a reflection on the Chair, then I am tempted to throw you out now. I will manage this, thank you very much, and I do not need your assistance.

**Mr ROCKLIFF** - Despite the record investment, a continued focus in terms of areas across our health system, our emergency department, access and flow, work that is ongoing, our demand is continuing to increase. More people are presenting for care at emergency departments in our public hospitals. For the period of 1 July 2020 to June 2021, 170 645 people across the state presented to emergency departments in our public hospitals, compared with 162 441 presentations for 2017-2018, for example. More people are presenting with complex issues and more people are coming into our emergency departments needing admission to our hospitals.

We are also operating in a COVID-19 environment, which means additional requirements in relation to assessment and to accommodate social distancing requirements in our emergency departments. All of this puts additional pressure on our health system and staff,

and can make it difficult for patients to be seen on time in emergency departments at our public hospitals.

When it comes to our statewide initiatives, recognising the increase in demand, emergency departments in our public hospitals continue to experience increasing pressure. In September that was highlighted. We are working with clinicians to look at all options for responding to the rising number of people presenting for care. We are opening more beds at our hospitals, with 152 new beds coming into our public health system.

We are continuing to recruit staff. I understand that the Health Recruitment Taskforce met again yesterday, or very recently, with the focus on employing still more people within our hospital system. Our \$20 million fund for private hospitals to reduce pressure on our public system will see the purchase of general medical, surgical, rehabilitation and palliative care beds, and elective surgery for public patients across our hospitals. We are also looking at admission and discharge processes to help reduce pressure on our emergency departments, including direct admissions and criteria-led discharge where appropriate.

We are also increasing care in the community through our Community Rapid Response, Hospital in the Home and Ambulance Secondary Triage Service and we have provided \$9 million for general practice and pharmacy after-hours initiatives.

All our hospitals are under pressure. The emergency department at the Royal Hobart Hospital has been under immense pressure, with extraordinary levels of emergency presentations throughout 2021. In light of those ongoing challenges at the Royal, we have been working with clinicians to help improve patient flow. I have mentioned access and flow already in this answer today.

Recent data analysis has identified that the Royal Hobart Hospital is currently on track to receive 75 000 presentations in 2021, which is at the top end of its current medical staffing ratios. On advice from clinicians, we have approved an increase in the medical staffing in the ED of at least 15 per cent to meet the Australian College of Emergency Medicine guidelines for presentations between 75 000 and 90 000 a year. I am advised this is around 10.5 FTE of doctors at our Royal Hobart Hospital emergency department.

Also, recruitment is already under way to coincide with our annual medical recruitment campaigns. This increase in medical staffing will help manage the demand in our ED at the Royal and will help improve patients being seen on time. It will also expand our capacity to manage future increasing demand and, importantly, take pressure off our staff.

I am also advised from clinicians, we are super-sizing the expansion of the emergency department. This will ensure the number of beds and treatment points in an expanded emergency department can support staff to respond to this new level of demand.

There is an enormous amount happening in recognition of the demand in our hospital system, particularly when it comes to emergency department presentations. I keenly await the monthly data when it comes to the emergency presentations, elective surgery waiting list and all the data we are presenting for accountability purposes to the community to generate discussion, but also to keep the Government accountable to delivering on our commitments, which involves opening beds and employing more staff.

## **TasTAFE - Resourcing and Commitments**

### **Mr ELLIS question to MINISTER for SKILLS, TRAINING and WORKFORCE GROWTH, Ms COURTNEY**

[11.03 a.m.]

Can you provide an update on the majority Liberal Government's investments in TasTAFE and how this Government is securing TasTAFE's future?

### **ANSWER**

Mr Speaker, the Government is growing our economy and creating jobs that will secure Tasmania's future. TasTAFE is crucial in this vision as Tasmania's foremost vocational education and training provider, delivering training for thousands of Tasmanians every year, and supporting hundreds of businesses across the state to train their staff and deliver the skill mixes they need.

We know that we cannot rest on our laurels and there is more to be done to ensure that TasTAFE can reach its full potential. This is why we are getting on with our plan to invest \$98.6 million in TasTAFE to ensure TasTAFE is put on a fit-for-future footing and can meet the needs of the Tasmanian community.

Our plan is comprehensive. We will recruit 100 new staff, invest in new facilities, resource new equipment, deliver a new structure and increase access to training for rural and regional areas. As part of this commitment to hire 100 more teachers over the next four years, this week TasTAFE is commencing a brand-new teacher recruitment campaign to attract the first round of new teachers. We are excited by this campaign and this initiative. TasTAFE teachers have an enormous impact on the lives of their students and this campaign represents a fantastic opportunity for skilled workers to consider a new career path by teaching in our public vocational education training provider.

The campaign will seek applications from a range of industries and professions with a particular focus on the following industry areas: construction and allied trades; electro-technology and plumbing; nursing, aged care, disability; alcohol and other drugs; engineering and metal trades; and cyber-security and blue tech. The campaign tagline 'Be a life changer - Be a TasTAFE teacher', could not be more appropriate, with the campaign featuring TasTAFE teachers sharing inspirational stories. We are confident this campaign will provide strong encouragement for further skilled workers to transition to a teaching career. Furthermore, I am delighted to announce that Tim Gardner has been appointed as the new chair of the TasTAFE board to commence on 30 November 2021.

Tim has a strong background in workforce development and training, and brings extensive experience across a range of leadership, management and strategic development roles including as the chair of Stornoway and chair of Metro Tasmania. Tim shares my passion for maximising the opportunities TasTAFE can provide for all Tasmanians to get the skills and training they need. I take this opportunity to sincerely thank Mike Blake, who has provided stable leadership for TasTAFE and made an outstanding contribution since joining the board in 2017.

As a Government, we are focused on ensuring TasTAFE is well-placed to meet demands for crucial skills and our comprehensive plan will secure TasTAFE's future. This is in stark comparison to the other side. The Labor Party is flailing to even think about what they might stand for. This was even recognised by Labor power-broker Tim Jacobson who said the PLP of the Labor Party has failed workers over and over again. That is not us saying that, that is Mr Jacobson.

Furthermore, if Ms White and the Labor Party do not believe us when it comes to the need to reform TasTAFE, maybe they could actually refresh what they did when they released their jobs plan in November 2020. 'TasTAFE is broken' said Ms White late last year. 'They need to rebuild TasTAFE from the ground up'. Again, it is not only this government saying it.

We have heard from the TCCI, the THA, TMEC, the TICT, Civil Contractors, Master Builders, fruit growers, Housing Industry and that is only a few. Industry wants this to happen.

**Mr WINTER** - Point of order, Mr Speaker. The minister has been flying close to the order of the day for almost the entirety and she is about to get to the order of the day which we understand the minister cannot do. I ask you to bring her to order.

**Mr SPEAKER** - I am keeping an eye on that and the minister has been generalising.

**Ms COURTNEY** - If that is all the Labor Party has to say when it comes to what we are planning for TasTAFE, I am glad we are in Government.

### **COVID-19 - AMA's Concerns after Border Reopening**

**Ms DOW question to the MINISTER for HEALTH, Mr ROCKLIFF**

[11.08 a.m.]

A fortnight ago, Dr Helen McArdle raised questions in the media about your plans for managing COVID-19 patients in Tasmania once you re-open the borders. She wants to know what will happen if a COVID-19-positive patient presents to a GP. Will the doctor and staff be required to isolate, or will they be able to continue to work? Are you not concerned that with the border set to re-open in only five weeks, the head of the AMA in Tasmania does not already have this information and feels she has to raise these issues through the media?

### **ANSWER**

Mr Speaker, I thank the member for the question. We meet regularly with the AMA. In fact we have been having monthly meetings with the next one on 22 November involving all key stakeholders across the health system: private GPs, AMA, HACSU and ANMF; more than 20 key stakeholders that we engage with regularly, and likely to be engaging with in that formal capacity more regularly as we approach 15 December.

Our GPs will play a very important role in our response to COVID-19 in the community, so it is essential that they continue to function. The Department of Health is working closely with the primary healthcare sector in relation to the opportunities for them to be involved in the COVID-19 at Home and more broadly about how they can continue to function and support patients in living with a COVID-19 environment. This information is being worked through



and clearly communicated well in advance of our borders opening, and there are ongoing discussions.

It is an important question that you raise, but there are ongoing discussions when comes to 15 December, directly with primary care. There was a meeting, I believe last week, between the secretary, the health commander, Primary Health Tasmania and other key stakeholders around a number of these issues. Those communications will continue as we work with all stakeholders, regarding our health system now and our health system post-15 December and presentations at our acute-care settings, or the work we need to do with our clinicians with general practice, the primary healthcare sector and our COVID-19 at Home response.

### **Building and Construction Industry - Issues**

#### **Ms BUTLER question to MINISTER for WORKPLACE SAFETY and CONSUMER AFFAIRS, Ms ARCHER**

[11.12 a.m.]

Kev Haley and Sonia Gardner put all they had into their dream home in Primrose Sands. They budgeted \$630 000 to build their home but are left with an uninhabitable property, riddled with 47 defects, which they have been advised to demolish and re-build at a cost of \$2.4 million yet you claim there is no need for a parliamentary inquiry into the building and construction industry in Tasmania. What do you say to Tasmanians like Mr Haley and Ms Gardner who, like hundreds of others, have been badly let down by your Government's absolute failure to equip Consumer, Building and Occupational Services with the powers it needs to crack down on shonky builders and protect home owners?

#### **ANSWER**

Mr Speaker, I thank the member for her question. Look, I am sick and tired of the member politicising the issue. She knows perfectly well that a parliamentary inquiry will not fix building defects. This is about fixing building defects. As I said in the member's motion in the last sitting week, I have looked at transferring powers which would otherwise go to court, which is very expensive for people to fix up building disputes when their mediations fail, to give that power and jurisdiction to the new Tasmanian Civil and Administrative Tribunal, which is not a court. People will not need legal representation and I am looking at fast-tracking the third tranche, so that we can put building defects before that tribunal, so that matters do not have to go to either the Magistrates or the Supreme Court.

Our Government is acting on this. We do not need a parliamentary inquiry. We accept that there are unfortunate matters. I acknowledge those who are feeling the effects of unresolved building disputes or shoddy workmanship that has not been remedied, but CBOS has the regulatory framework in place to ensure that they can deal with written contracts.

It was our Government, on 1 January 2017, that introduced a strong regulatory framework requiring written contracts. Prior to that, under a Labor government, written contracts were not required. Things were not mandated and there certainly were not implied warranties in contracts either. We now have three stronger acts that deal with this area.

As I have said in this House in response to your motion, and I will repeat it again today, I have also tasked my department with looking at the current regulatory framework to ensure we remain contemporary. I will do whatever it takes to ensure we have the appropriate powers in place. However, you cannot have a body like CBOS being judge, jury and executioner. That is why in relation to building defects and resolving the unfortunate disputes that cannot be resolved through mediation or through the CBOS process, we will transfer that to TASCAT. That is the appropriate avenue to take to ensure matters can be dealt with in a timely and cost-effective manner.

### **Bushfire Season - Preparations**

**Mr STREET question to MINISTER for POLICE, FIRE AND EMERGENCY MANAGEMENT, Mrs PETRUSMA**

[11.15 a.m.]

Can you outline how this Government is securing Tasmania's future through our preparations for the upcoming bushfire season?

### **ANSWER**

Mr Speaker, I thank my Franklin colleague for his question and his interest in this very important matter. The Tasmanian Liberal Government understands the importance of keeping our community safe, which is why we are investing \$111.5 million in bushfire prevention over the Budget and forward Estimates. Tasmania's firefighting agencies are also continuing their preparations as I speak, with more than 150 people taking part in a multi-agency preseason briefing in Launceston today. The Chief Officer is also providing bushfire preparedness briefings to members of parliament tomorrow.

While the current overall assessment for the 2021-22 bushfire season is for a normal fire potential, we know that we cannot be complacent about the dangers of bushfire, which is why Tasmania's fire agencies are well advanced in their preparations for the upcoming fire season. We thank them for their outstanding efforts.

Our remote area volunteers were deployed for the first time in March this year. They have also undertaken further training in September and October. We now have a total remote area capability of 144 career and volunteer firefighters. On top of this, there are also 155 Parks and Wildlife firefighting personnel and we have provided the Parks and Wildlife Service with \$2.1 million to implement remote area firefighting helicopter winch capability, thereby enabling the deployment of specialist firefighters to an exact location quickly.

The TFS also has a lightning strike strategy in place and works closely with the Parks and Wildlife Service and Sustainable Timber Tasmania to detect and respond to fires caused by lightning strikes. With the assistance of spotter flights and pre-positioned aircraft, this allows a rapid response, ensuring fires are extinguished before they spread.

I am also pleased to advise the TFS has secured exclusive access to 11 aircraft for the upcoming bushfire season, including seven helicopters and four fixed-wing bombers. These aircraft are strategically pre-positioned throughout the state and are a key component of our

highly successful rapid rate of attack strategy. In addition, we also have access to five local helicopter providers, as well as large-area tankers if required.

This Government continues to invest strongly in fuel reduction. Our fuel reduction program is nation-leading in its tenure-blind strategic risk-based approach. Today, we have invested \$55 million in fuel reduction. Over the forward Estimates, we will deliver another \$48.3 million to reduce the risk of bushfires. This is a massive investment of \$103.3 million in fuel reduction since 2014. This includes diversifying our approaches to fuel reduction, with \$2.5 million provided through the Fuel Reduction Program to support mechanical clearing in places where burning is not appropriate, and \$9.3 million to deliver 12 new fire mitigation crew members, with this resource already boosting and providing critical support to our fuel reduction efforts.

The 2021 Fuel Reduction Program has prepared us well, with 217 fuel reduction burns covering over 32 000 hectares to date. In tandem with this, our hugely successful Red Hot Tips program is supporting farmers and large landholders to conduct private burn-offs, with 229 burns completed, covering over 5300 hectares. On top of the \$595 000 we have already invested in Red Hot Tips, we have committed a further \$2.5 million to build on its success in reducing bushfire risk in our communities.

We know we face increasing climate-related threats and challenges and that we must continue to be vigilant and prepare for a range of emergencies. This is why we are also providing \$900 000 to stand up a permanent multi-hazard intelligence team in the state operations centre, who will provide early activation in the centre in emergencies.

We also know we cannot keep our community safe without our brave volunteers, which is why we are investing \$2 million to roll out mission-critical equipment and PPE for our volunteer firefighters, \$250 000 to kit out all volunteer fire trucks with new generation defibrillators, and we are extending our grants program for our volunteers, with \$500 000 each year to deliver equipment, amenity and facility improvements.

I am also pleased to advise that, at 8 November, 139 Community Bushfire Protection plans and response plans have been developed and 18 mitigation plans for at-risk communities and specific assets have also been prepared.

Tasmanians can also develop their own bushfire prevention plan and better understand their bushfire risks by going to [bushfire.tas.gov.au](http://bushfire.tas.gov.au) and I encourage everyone to do so, so that we are all well prepared.

Recently I have been honoured, along with other members in this House, to be part of regional national medal and service award presentations, paying tribute to the recipients and their families. I cannot speak highly enough of the exceptional work our brave emergency services do to prepare and to keep Tasmania safe as we approach the next bushfire season. To each and every one of them, on behalf of us all in this Chamber, I thank them all from the bottom of my heart.

This Government is committed to keeping Tasmania safe, which is why we have a strong plan for the upcoming bushfire season, which includes fuel reduction, training and strategic preparation.

Likewise, we also have our safe borders reopening plan. The question that is still waiting to be answered this morning is, does Labour support our reopening plan? We still have not heard this morning whether they do, or whether they do not. All they are very good at is pandemic politics. Do they support our reopening plan? Or do they not?

**Time expired.**

## **PETITION**

### **Wind Farms - Deferral of Development**

[11.21 a.m.]

**Ms Johnston** presented a petition signed by approximately 1036 citizens of Tasmania requesting that the House call upon the Government to defer all wind farm development in Tasmania until world's best practice is adopted by the EPA Board and an updated Threatened Tasmanian Eagles Recovery Plan is finalised.

**Petition received.**

## **TABLED PAPERS**

### **Joint Standing Committee of Public Accounts - Reports**

**Mr Street** tabled the following reports of the Joint Standing Committee of Public Accounts:

- (1) Annual Report 2020-21.
- (2) Review of the Auditor-General Report No. 4 of 2016-17: Event Funding.

**Reports received.**

### **Joint Standing Committee on Public Works Committee - Reports**

**Mr Ellis** tabled the report of the Public Works Committee on the following reference:

Mersey Community Hospital - Theatres and Outpatients Clinic Redevelopment Project together with the evidence received and the transcripts of evidence.

**Report received and printed.**

## **Joint Standing Committee on Subordinate Legislation - Reports**

**Mr Ellis** tabled the reports of the Joint Standing Committee on Subordinate Legislation:

- (1) Annual Report 2020-21.
- (2) Report No. 17 - Scrutiny of Notice issued under Section 20 of the COVID-19 Emergency (Miscellaneous Provisions) Act 2020 (Guardianship and Administration Board) and Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Resource Management and Planning Appeal Tribunal).

**Reports received.**

### **LIVING MARINE RESOURCES MANAGEMENT AMENDMENT (AQUACULTURE RESEARCH) BILL 2021 (No. 58)**

#### **First Reading**

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

### **REPEAL OF REGULATIONS POSTPONEMENT BILL 2021 (No. 59) JUSTICES (VALIDATION) BILL 2021 (No. 52)**

#### **First Reading**

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

## **SITTING TIMES**

[11.31 a.m.]

**Mr FERGUSON** (Bass - Leader of the House)(by leave) - Mr Speaker, I move -

That for each days' sitting this week, the House shall not stand adjourned at 6 p.m. and that the House continue to sit past 6 p.m.

We have two remaining sitting weeks for the House of Assembly, and the Legislative Council has three. A number of bills have been tabled today and the Government will be working carefully to ensure that bills that need to pass both Houses this year are presented in an orderly way this week. We will need to sit past 6 p.m. in order to allow consideration of those more time-critical bills.

I will attempt to work with members across the Chamber so that those are as orderly and not unduly late each evening. I commend that motion, so we can give it due attention.

**Motion agreed to.**

## **MOTION**

### **Sitting Time - Thursday 11 November 2021**

[11.32 a.m.]

**Mr FERGUSON** (Bass - Leader of the House)(by leave) - Mr Speaker, I move -

That the House, at its rising on Wednesday, 10 November next, adjourn until Thursday, 11 November next at 12 o'clock noon.

That would allow us instead of meeting at the usual 10 a.m. hour, to meet at noon, allowing members either to gather on the parliamentary precinct to observe the minute silence on the eleventh of the eleventh, to thank those who have served this country and our state and protected our freedoms. Some members in more southern-based electorates may be able to attend community events in their area.

**Motion agreed to.**

## **MOTION**

### **Suspension of Standing Order 19 - Thursday 11 November 2021**

[11.33 a.m.]

**Mr FERGUSON** (Bass - Leader of the House)(by leave) - Mr Speaker, I move -

That for Thursday 11 November next, Standing Order 19 be suspended.

This will allow us to work through the usual lunch break to catch up on that time lost due to the deferral of the sitting on that day.

**Motion agreed to.**

## **MATTER OF PUBLIC IMPORTANCE**

### **Building and Consumer Protection**

[11.34 a.m.]

**Ms BUTLER** (Lyons) - Mr Speaker, I move -

That the House take note of the following matter: Building and Consumer Protection.

I rise on this MPI to again bring to the attention of the House the current issues with inappropriate or insufficient oversight of residential building in Tasmania, and the inappropriate and lack of oversight for our building construction sector in Tasmania.

It is an important fact that 20 000 people are employed in Tasmania's building and construction industry and it is vital to a strong economy. Every industry needs effective

regulation to protect consumers and workers, and also to ensure that the way in which industry governs itself, and looks after its own quality and standards, is kept in line with other industries.

If you look at, for instance, the comparison between the civil sector and, at the moment, the building and construction sector, people in the civil sector are aghast at the difference between the way in which they are regulated and the standards which they have to adhere to, in comparison to the building of residential dwellings here in Tasmania.

There is great pride taken in by a lot of those civil sector industries, and very large penalties and fines if there is non-compliance. Organisations strive so hard to make sure that they have a real cultural value of high quality within their organisation.

We have many building firms in Tasmania - plumbers, electricians, surveyors, engineers, architects, draftspersons - that do take pride in what they do, and are amazing at what they do. Unfortunately, we have a situation in Tasmania where there are far too many builders and poorly trained subcontractors who are not meeting a certain quality standard. That is at the same time as we have a housing boom with a huge demand on those building organisations to meet that demand. At the same time, we are the only state in the whole of Australia that does not have a Home-Builder Warranty Insurance Scheme.

We have been unsuccessful in a motion to have an inquiry into this. We believe that an inquiry would be a fabulous way to bring experts into the room - experts from Tasmania and around Australia. We can look at what we do really well here, because we do a lot of things very well within that sector in Tasmania. At the same time, we will be able to investigate where the gaps are. Clearly there are many gaps and it is costing people thousands of dollars. We will be moving after the summer recess to bring that back to the House because we believe that an inquiry is very important. We think it is an open, honest and transparent way of -

**Mr SPEAKER** - Ms Butler, the issue with your motion and the inquiry around that motion has been dealt with by the House. You can talk about the issues but not what has been presented and moved through the House.

**Ms BUTLER** - Thank you, Mr Speaker. As an example, yesterday I spoke to an engineer and a building surveyor. They are very disillusioned with the spiralling quality of building work in Tasmania at the moment. They are also completely overwhelmed by paperwork. They are planning to leave the industry in the next 12 months. There are so many of those stories.

We were devastated to learn of Kev Haley and Sonia Gardner's plight, and their dream of building their dream home in Primrose Sands. I acknowledge the wonderful work by Fiona Blackwood from the ABC last night who worked with the couple in Primrose Sands around that and also the wonderful work of Annah Fromberg from the ABC. There are many more cases like that. There are literally hundreds of people. Most people in this Chamber would have spoken to somebody within the last month or two who has been able to tell them their own story, or someone they know with their own story.

It is a major issue, and I do not consider that having a review or having a bit of a look at where we could improve things is enough. It is a fantastic opportunity for us to future-proof the industry and also to look at ways we can better protect Tasmanians, especially our consumers, because it is not just the financial issue, or the financial stress that it places on people. People's marriages are breaking up. People's relationships are breaking up over these

kinds of issues. When you are forced into a situation where you have to live in a house that you cannot sell, that you cannot insure, it is so defective and you literally have no power - except to pay for legal fees, which you might not even be able to afford - to be able to try to rectify a situation. Now that, and with all your life savings in that particular dwelling, it is a terrible situation to put people in.

We have hundreds of accounts of people trying to get assistance through CBOS -

**Ms Archer** - Hundreds? Be careful with what you are saying.

**Ms BUTLER** - through different government regulations - I think the minister should have a look at some of the things on Facebook. There is a whole site that is dedicated to this. We are thinking about starting a petition, minister, and so we will see how many thousands of people sign those.

**Ms Archer** - Do not lie in this House.

**Ms BUTLER** - Excuse me? The minister must withdraw that.

**Ms Archer** - I withdraw the word 'lie,' but do not mislead.

**Mr SPEAKER** - Order, Ms Butler you only have a few seconds left so I advise you to use it.

**Ms BUTLER** - The minister has her head in the sand. What is she scared of? Why will she not have an inquiry? Who are you protecting, minister?

**Time expired.**

[11.41 a.m.]

**Ms ARCHER** (Clark - Minister for Workplace Safety and Consumer Affairs) - Mr Speaker, I do not have my head buried in the sand. The member has, by calling for a parliamentary inquiry. Ms Butler has just said she has 'hundreds of cases.' If you have hundreds of cases then encourage them to go to CBOS. They have the regulatory framework to assist and, in most cases, disputes are resolved.

I have said before in this House, and I will say it again: not all building disputes can be resolved. That is really unfortunate and that is why matters sometimes end up in the courts. I recognise that is expensive and it is timely. I have heard of the cases. I have met with people. Unfortunately some of them pre-date our reforms and so court action for some is the only recourse.

A parliamentary inquiry is not the way to go. The Government is acting. I do not have my head buried in the sand. This Government does not have its head buried in the sand. It was our Government that made the regulatory reforms on 1 January 2017 and I will run through those in a moment. It was our Government that supported streamlining industry regulation back in January 2017. It remains our priority to ensure that protections for the benefit of consumers undertaking residential building work remain contemporary. That is why I have charged my department to ensure that that framework remains contemporary. We are currently looking at that to see if we can provide any further strengthening mechanisms.



I wish Ms Butler would not play politics with this issue. It is -

**Ms BUTLER** - Mr Speaker, the minister is again casting aspersions on me. I ask the minister to please withdraw that.

**Ms Archer** - You are just trying to waste my time.

**Ms BUTLER** - Just try to play nice, minister, for once.

**Ms Archer** - Well you are not playing nice.

**Mr SPEAKER** - We do not have to agree with what each person is doing but you are allowed to state it.

**Ms ARCHER** - Thank you, Mr Speaker, and wise ruling, because I am going to state it. The member for Lyons is playing politics. She plays it on the northern regional prison and she is playing it on this -

**Ms Butler** - Ah, that is what this is about.

**Ms ARCHER** - No, you are playing it on this.

**Ms Butler** - Is this about me, or is it about the people of Tasmania?

**Mr SPEAKER** - Order, order.

**Ms ARCHER** - Thankfully the member has not raised the issue of home warranty insurance, because she has been incorrectly claiming in the media that that is applicable to these situations and it is not. The old scheme, which Labor abolished in 2008, applied to situations where the builder was dead, insolvent, or had gone missing. The member, in her op-ed the other day, incorrectly claimed that insurance would apply in these situations.

I ask that the people contacting Ms Butler see through this, and see that a parliamentary inquiry is not going to achieve anything but delay. As I said this morning in question time, what will provide a remedy to building defects when they cannot be resolved through CBOS, by way of mediating between the parties, we will give that jurisdiction to the new Tasmanian Civil and Administrative Tribunal -

**Ms Butler** - There is more coming, minister. There is so much more coming.

**Mr SPEAKER** - Order.

**Ms ARCHER** - It will be faster and it will be cheaper for people -

**Ms Butler** - There is so much more coming your way, minister.

**Mr SPEAKER** - Ms Butler, order.

**Ms ARCHER** - I have said it is unfortunate that in some cases building disputes cannot be resolved. CBOS investigates and takes enforcement action within the regulatory

framework, where appropriate. However, in some cases, disputes can only be resolved by way of civil action, and that is unfortunate. I know that with some of the cases coming forward in the media, CBOS had involvement with those constituents and I encourage people to utilise CBOS in this manner. They are given provisions within our current framework of the Building Act 2016, where we have regulatory framework for the performance of building work.

We have the Occupational Licensing Act 2005 which was amended to include licensing and conduct investigation of building services providers, which includes builders, building surveyors, designers, architects, engineers and council permit authorities, and the Residential Building Work Contracts and Disputes Resolution Act 2016 which includes significantly expanded consumer protection mechanisms. That was as a result of our updating of the regulatory framework in January 2017.

**Ms Butler** - This is not going to be enough. There is so much more coming out, minister. This is just the start.

**Mr SPEAKER** - Order, Ms Butler, you were heard in silence, or almost. Please stop your interjecting.

**Ms ARCHER** - Mr Speaker, in response to that interjection, I will say - and the member is choosing to ignore this - my department is looking at that framework to see if we can further strengthen it.

I will say it again: under Labor there were no written contracts; there was nothing governing anything. It could be a handshake deal between a builder and a consumer. Now they must be in writing. We must have a written contract and that gives people the right to pursue their disputes. We have the legal framework. I have said that we will strengthen whatever we can.

The member for Lyons continues to play politics on this issue and it is unfortunate for those who are caught up in a building dispute or a workmanship issue. The member is only seeking to slow down the process that the Government is already undertaking. The member wants to have a parliamentary inquiry. Quite frankly, Mr Speaker, that is not good enough. Labor's response in this area is not good enough.

**Ms Butler** interjecting.

**Mr SPEAKER** - Order, Ms Butler.

**Ms ARCHER** - I am already going to transfer building defect disputes to TASCAT. We are already reviewing an already strengthened regulatory framework but we will look at how we can strengthen that even further. When disputes arise, they need to be resolved.

**Time expired.**

[11.48 a.m.]

**Dr WOODRUFF** (Franklin) - Mr Speaker, I am pleased to contribute to this matter. The minister has spoken at length about how talking about this issue is playing politics. I can assure her that some of the underlying factors in this situation are political by their very nature. The take-home story in this situation - underlying the really tragic experiences that a number of

families and individuals are having around Tasmania with appalling defects on their building - is the lack of resourcing and capability for enforcement of our regulator, CBOS.

Yes, it is true that some of these things cannot be avoided. Yes, it is true there is civil litigation that will have to take place regardless of what our regulator does. However, it is a fact that the experiences of a number of these families, who have been badly treated by a small proportion of builders have been appallingly let down by the inability of Consumer, Building and Occupational Services, the regulator, to engage with their issue, to guide them through the process of working with their failed builder.

A number of couples have tried to get some support from CBOS and it appears from their testimonies that this has not been forthcoming. That was the ABC story that I am looking at, which was published yesterday.

Another story published yesterday was about Kev Haley and Sonia Gardner, and their terrible experiences with their property at Primrose Sands, trying to build it for their six children. It has been ongoing - the build began in 2016. Here we are five years later and they have spent what was meant to be \$630 000, but they have had to spend \$340 000 on legal fees. The building is so badly erected and constructed that they will have to tear it down if they want to live there. To rebuild, in today's prices, in our heated building market, would cost them an estimated \$2.4 million. That is a house that was quoted and started construction in 2016 for about a quarter of that price, \$630 000. That is a truly staggering increase. It is a story, unfortunately, which is replicated numbers of times.

This ABC article also refers to a couple who live in Cygnet, Adriane and Gillian Creamer. They have had an experience where they have been forced to take civil action and it has cost them \$150 000 to fix up a \$400 000 renovation that went wrong, and \$50 000 in legal fees. That is an extra \$200 000 on a \$400 000 renovation - a 50 per cent increase. It is awful.

The ABC article makes the point that the minister stood up here and rubbished Ms Butler saying that there were more than 100 other people's experiences. Well, the ABC points to 40 that they have, as of yesterday, who have approached the ABC. People do not generally go to the media with their stories but people are desperate.

This is a problem that has been created in large part by the Liberals' failing to properly regulate and enforce the system of certification, and to ensure that when things go wrong builders are identified, actions are taken and they cannot continue on and move from one job to the next job.

Who is the builder who built the Haley-Gardner house? Who is the person who did the work for the people in Cygnet? What other people are being exposed to shoddy workmanship from those builders? We all understand very clearly that this is a small proportion of the builders in Tasmania. This is not the majority. We must make sure -

**Ms Archer** - I am glad you said that.

**Dr WOODRUFF** - That is absolutely the case. I am good friends with lots of builders, and that is absolutely the case but, in a heated market, when prices are high, and people are running from job to job - if someone in Tasmania today wants to get window frames put into their building, I know from a builder yesterday that they will not get them in Tasmania until

July next year, minimum; and, actually, with the lag, it will be a year. If you put an order in today - Mr Speaker, I can see you smile at that, but I was shocked. It is shocking. The market is hot and some people are raking in a lot but while this is rush and push, and building materials are not available, people cut corners; it is just a numbers game. People cut corners because they are trying to juggle jobs, because of the pressure. People are desperate to get in by Christmas when they are told that their house was going to be finished in June, and here we are looking at people not being able to move in by Christmas. It is what happens in a hot market - people cut corners, builders cut corners, work people cut corners.

It is not the majority, but it is enough to mean that there should be more resourcing of the regulator to make sure that these things are checked upon.

**Time expired.**

[11.55 a.m.]

**Ms FINLAY** (Bass) - Mr Speaker, it is important to speak on this important matter. Tasmanian Labor, on this side of the House, bring forward conversations that we have in community, concerns that are expressed to us so that we raise the understanding and awareness of what is, for so many Tasmanians, a debilitating impact of having to work hard on behalf of themselves, often by themselves, to rectify the small number of examples, examples not of all builders in Tasmania, but to rectify major defects in building works. These have happened often in the single greatest investment that someone makes in their life. Often people who have stretched themselves, who have committed to an investment to build their dream home, often their first and only ever home, find that before completion, throughout the process and at conclusion, they have a property they may not be able to live in, that may, in fact, need to be torn down or that they cannot get someone to commit to come back and rectify the defect works in the property.

Today we have heard a number of comments about the supports provided for people in our community, yet we still hear from people who are having to mount very expensive and emotionally draining, impactful action in order to, not even yet for some, find resolution of these important issues.

There is not sufficient government oversight. Our regulations are inadequate. Too many consumers are left with thousands of dollars, tens of thousands of dollars, over \$100 000, of ruining debt for themselves and their families. We are raising these issues on behalf of members of our community.

This is not politics, although the member for Franklin said that, in fact, by nature, many of these concerns are political. This is not politics; this is personal. For the people in our community that we sit down with and hear from, the impacts both personally and in their families, their financial impacts, their emotional impacts, the impacts on their relationships, on their children and on their networks are, for many, debilitating.

A government at any point needs to stand up and accept. We have heard the minister this morning take responsibility and accept the concerns that have been presented in the community. They need to take the next steps and ask, 'What can we do now that will ensure the current concerns are rectified and this does not happen again in the future?'

We have heard from the minister that there is a suggested pathway, that if mediation is not successful, that if CBOS is not successful, it could go through TASCAT. There are concerns with that outcome and also concerns with the timeliness of when that might be implemented. For many in our community right now, we have -

**Ms Archer** -But a parliamentary inquiry will not do anything.

**Ms FINLAY** - Taking up the interjection of the minister, given that she mentioned the parliamentary inquiry, what a parliamentary inquiry does is put all the facts on the table, it brings experts to a table, allows people to discuss, to consider what happens in other jurisdictions, make recommendations and ensure that things are implemented.

I spoke to a gentleman in Launceston in a cafe, who shared with me the work that was done on his building, where the cladding was not applied either to code or to the manufacturer's instructions. In order to get someone to come back and rectify that, six years later it is still unresolved. There were issues in the bathroom with inadequate water protection, where there has been water damage in the bathroom. Six years later still not protected.

Another gentleman I am aware of through the same conversation has had tens of thousands of dollars of damage on an application on a concrete floor and is not adequately resolved four years later. These are over \$100 000-worth of impact of people in our community who are having to act on their own behalf.

Where the minister says an inquiry will not resolve this, we know that the people of Tasmania are calling, whether it is 40 people identified through the ABC recently, or whether it is a Facebook page that was set up in the community three months ago. When I checked the numbers this morning there were 281 members. When I checked just then it is at 284. There are new cases being shared daily in community about defect building activity and we need to do more to prevent that. What are we scared of with an inquiry? What are you scared that will be identified and recommended that you will not be willing to implement?

Tasmanian Labor, on this side of the House, want to bring forward the concerns of the community. We want to ensure that everything possible is done to protect members of our community. TASCAT may be good but there is no guarantee that it will incorporate building disputes any time soon. There is no guarantee that it will improve the system for consumers. Right now, CBOS cannot do the things that it needs to be able to do to support people in our community with concerns. If it can, it gets tied up for months or years in court. Will this change through TASCAT? Is it enough? Will it be able to provide the solutions that people are looking for in our community: people in our community where there is an emotional weight on an individual or in a family, the impact of mental health concerns, the challenges that these types of experiences cause family and marriages?

A gentleman recently disclosed, and it must have been painful to disclose publicly through the media, he was considering taking his own life because of the impact of these financial burdens. We know families and marriages are at risk because of these financial burdens. This is not politics. This is deeply personal for the people impacted.

In Tasmania we have a small number of people causing these great concerns to many members of our community. However, it is important to note, and I know the minister wants us to note this, we celebrate so many things that are amazing in Tasmania. We have some of

the best builders in the country. We have people who aspire to excellence. We know that even the best builders sometimes have defects. They go back and fix them. What we are dealing with is the small number of people who are making critical impacts to the single greatest investment of many people's lives. It is not good enough and more needs to be done.

**Time expired.**

[12.02 p.m.]

**Mr ELLIS** (Braddon) - Mr Deputy Speaker, at the outset I pay tribute to Tasmania's incredible construction sector. We have some of the best builders, plumbers, gasfitters, sparkies, tilers, brickies; whoever we are talking about. Tasmania is leading the nation, plumbers especially, with the quality of our work. Companies like Fairbrother and Vos win national awards all the time because of the quality of the build and, more importantly for the next generation, the quality of their training.

**Ms Archer** - The Housing Industry Association awards are on this Saturday night.

**Mr ELLIS** - Absolutely, and I encourage anyone who has a bit of time to get down to that. The recognition that Tasmania's construction sector has, particularly in the training space, is phenomenal. The majority of the last 10 apprentices of the year in construction have come from Tasmania. That is an incredible record that speaks to the quality of what we do here and how good we can be on our little island home.

Those good people, the men and women of Tasmania's construction sector, are out there building Tasmania's future, providing the tax revenue that provides all the services, the hospitals, the schools, the police that keep this state running, and are working hard to build a bright future for all Tasmania's employed young people.

What we have from the other side is, essentially, a jaunt so that the right of the Labor Party can do something. Clearly, from what we have seen from question time today, they would not even let them ask a question. It is getting a bit sad for Ms Butler, my good friend and colleague. She was booted by the Labor member for Franklin, David O'Byrne, in his failed leadership tilt. She has come back with a vengeance, where she is looking to do something and looking to get involved.

The whole point of this is that it is essentially a time waster. It is a make-work scheme for people who have nothing better to do.

We want our tradies out there building houses, roads, hospitals and schools. They have better things to do than turn up to an inquiry so that you guys can make yourselves feel good. That is the problem with what Labor is proposing to do here: they do not have any solutions. They did not even have to have contracts in writing when they were regulating the building sector so I understand them not having any ideas about the future of the building and construction sector.

This side of the House, particularly under this minister, has been one of the most reforming governments in Australia. The minister has already done incredible work on where we are at the moment. More than that, the minister has outlined how there is going to be even more enforcement, even better dispute resolution through the TASCAT process, so that you do

not have to go through the courts and have, essentially, a lawyer's picnic to get your bathroom fixed. You can go through a process that is commonsense.

What you want to do on that side of the House is slow that process down. You want four to 10 months of an inquiry into an industry that is leading the nation in the quality of its work and training when there is further work that the minister has proposed. I look forward to you glowing, bipartisan and fulsome support for the reforms the minister is going to bring in. It is going to be fantastic to have such an outbreak of bipartisan support for a fantastic idea.

I will address what the Government and the minister have done already to strengthen the construction sector in this state, after what we were left with from the failed Labor-Greens government. We all know that she is one of the hardest working, most reforming attorney-generals and ministers for construction and consumer affairs in the country. Let us go through what she is doing.

The Tasmanian Liberal Government moved to streamline the regulation of the building industry and implemented those reforms on 1 January 2017 to strengthen the protections for consumers in Tasmania. Consumer expectations of the standards of building work has increased in the past decade.

**Members** interjecting.

**Mr ELLIS** - That is good because we want people to have high standards. We want people to appreciate the fantastic work that our tradies do in Tasmania which flew under the radar prior to that in many ways. That is why the Government moved to reform the regulatory controls within the building industry. The 2016 reforms served to support the construction industry while providing the strengthening support and protection to consumers.

I hear the interjections from those opposite. It is incumbent on them to tell us what they think about the construction sector. Do they think that it is nation-leading and, by and large, fantastic, or do they think that there is some sort of broad-scale failure of the tradies in Tasmania? Are you attacking lots of people, or are you saying that there is a small number of people who can be dealt with through the established processes and the process which we are going to bring in through TASCAT? This is the question: is it some broad failure of our industry, or is it just a few people that we have in any industry? That is why we have enforcement mechanisms. That is why we have put in place most of them because we want to make sure that consumers are protected, that our people are put up to a high standard -

**Opposition members** interjecting.

**Mr DEPUTY SPEAKER** - Ms Butler, order.

**Mr ELLIS** - That is the problem; they want to slow that process down. They want to have a four to 10-month inquiry -

**Opposition members** interjecting.

**Mr DEPUTY SPEAKER** - Ms Finlay, order, and you as well, Dr Broad.

**Mr ELLIS** - at the time when tradies are busier than they have ever been, so they can take them off building sites and put them in front of these guys so that they have something to

do, rather than get on board with our TASCAT reforms so that people do not have to go through a lawyer's picnic every time they want to tidy things up.

The new legislation clearly allocated the responsibilities and duties on all participants in the building process, including owners, developers, building, plumbing practitioners, local government, and implemented the introduction of a risk-based approach to the building and plumbing approvals process, which means faster and simpler approvals for small or lower-risk projects and innovations to ensure a required standard of work. That is just common sense. You do not want to be bailing up small cottage jobs in the same way that you would be doing a hospital. That is what this risk-based approach -

**Time expired.**

**Matter noted.**

## **STADIUMS TASMANIA BILL 2021 (No. 48)**

### **Second Reading**

[12.10 a.m.]

**Mr GUTWEIN** (Bass - Premier) - Mr Deputy Speaker, I move that the bill will now be read a second time.

I am pleased to read a bill before this House to establish Stadiums Tasmania. Tasmania's major stadium assets are important for generating economic activity and encouraging active lifestyles, facilitating the highest levels of sport to compete in Tasmania and hosting outstanding entertainment and events. The Stadiums Tasmania Bill 2021 recognises the importance of these community assets by establishing a new statutory authority with specific responsibility for overseeing Tasmania's major stadiums and to maximise the economic and social benefits they deliver.

Establishing Stadiums Tasmania will centralise the ownership, management and future capital development of our major stadiums under a single entity with a statewide perspective. It will ensure each stadium operates effectively and efficiently and continues to meet the needs of sporting codes and competitions, other users and audiences. It also better aligns Tasmania with the approach adopted by other states where major stadiums tend to be managed by state governments.

Stadiums throughout Australia and the world are continuing to be developed, providing cities and regions with the necessary infrastructure to attract major events and in turn generate social and economic benefits to the communities that host them. This helps to generate employment opportunities, stimulates local and regional economies, builds stronger communities and contributes to our wider visitor economy.

In Australia, new stadiums have recently been built in Parramatta, Perth and Townsville, while major upgrades have either commenced construction or are planned in Brisbane, Melbourne and Sydney. As a result, Tasmania's major stadiums are contending with new and upgraded stadiums elsewhere, increased patron expectations, heightened security requirements and higher standards to attract and retain major events.



To remain relevant and competitive in this environment it is imperative Tasmania has an overarching authority to ensure our major stadiums remain contemporary and meet, if not exceed, these national and international standards. Without an overarching and strategic approach, major stadiums can quickly lose their relevance and appeal, deteriorate and end up costing taxpayers significantly more in maintenance and upgrades.

The Stadiums Tasmania Bill 2021 will address this significant deficiency by bringing together the appropriate expertise and resources at a state level in a manner that recognises the management of major stadiums as a highly and increasingly specialised function distinct from the traditional roles of government.

This bill will facilitate cohesive planning and investment across these assets and better position them to attract international and national events while continuing to host events at a state and local level. Furthermore, the bill recognises the need for this new entity to act commercially and be responsive and flexible in decision making, and to understand the physical, social and economic and community connections major stadiums have.

Our major stadiums play a critical role in bringing Tasmanians together and drawing people to our state from across the country and around the world, which in turn generates significant employment and economic benefits. It is estimated that the major events each year at UTAS Stadium alone, injects an extra \$30 million into the Tasmanian economy. In addition, our major stadiums are critical for the ongoing engagement of Tasmanian teams at a national level.

Providing pathways for people to compete at the highest level in sporting codes in truly Tasmanian teams, will stimulate greater grassroots sporting participation and generate outcomes that will help to build a more active and healthier Tasmanian population. However, for these benefits to be fully realised, our major stadiums need to be managed and developed in a collective and planned way with unique features that complement each other with the ability to meet the increasing compliance requirements and user expectations, attract a wide spectrum of users and audiences here and elsewhere, and contribute to broadening and growing our economy.

In managing major stadiums there is an array of interests and policies through a wide range of uses and audiences that need to be considered. An authority of this type needs to have an appropriate balance of being commercially focused and community minded. The bill I am presenting today achieves these objectives. Let me now give the House an overview of how this initiative will be implemented.

Stadiums Tasmania will initially assume the Government's responsibility for MyState Bank Arena in Hobart and the Silverdome in Launceston, both of which are owned by the Crown. Consultation with relevant stakeholders is under way regarding the inclusion of UTAS Stadium in Launceston which is owned by the City of Launceston, as well as Blundstone Arena in Hobart which is owned by the City of Clarence and Cricket Tasmania.

The bill will also equip Stadiums Tasmania and include other stadiums in the future should the strategic need arise. A two-staged approach has been used to implement Stadiums Tasmania. The Stadiums Tasmania Bill 2021 will establish the authority and enable a chairperson, board members and other key personnel to be appointed. This is a time-limited provision which will enable the authority to engage essential initial personnel who will help

inform the due diligence and transition process for stadiums which are to transfer to the authority, support an ongoing stakeholder engagement, and to identify the appropriate organisation, structure and operational systems for the authority.

A subsequent bill will then be prepared to table in this place next year. The second bill will be informed by the expertise appointed to lead the authority and will include provisions for the transfer of stadium assets, contracts, liabilities and employees to provide the future employment arrangements for the CEO and staff and identify other consequential amendments needed following the due diligence process.

This two-stage approach will allow the authority to be first equipped, informed and ready before the subsequent transfer of the agreed stadiums occur. The 2021 State Budget included an initial appropriation of \$1.5 million for Stadiums Tasmania. A financial profile of each stadium and the budgetary requirements for inclusion will be developed under the purview of the authority.

This information will be presented to Government and is to guide any future appropriations needed. It is important to remember that while Stadiums Tasmania is focused on major public stadiums, this does not diminish the importance of other community-based assets operated by local community groups or Government. However, it does recognise the role major public stadium infrastructure fulfils in maximising Tasmania's ability to engage and secure national and international events.

I now turn my attention to some of the specific provisions contained in the bill before us today to give effect to the Government's policy intent. Many of the provisions built into the bill are drawn from the proven provisions built into the legislation that governs other statutory authorities and Government Business Enterprises. Let me start by highlighting the focus of Stadiums Tasmania in terms of the future assets it is being established to manage.

The definition of asset in part one sets an expectation on the stadiums' related assets that may be transferred to or acquired by Stadiums Tasmania are mainly used for major sporting events as well. The intent of this definition is to ensure the primary focus of Stadiums Tasmania remains for managing and developing major sporting infrastructure and related assets of state significance.

While it does not preclude the Government assigning or Stadiums Tasmania acquiring other assets, this provision sets a clear expectation that assigned assets will be multi-faceted and their purpose compatible with the bill's purpose, functions and powers. The authority's functions in section six outlines the duties, roles and responsibilities that Stadiums Tasmania's board and staff will have as custodians of these important assets on behalf of the Tasmanian community which include:

- the ability to loan, acquire, manage, operate and maintain plant or invest in and facilitate their future development;
- attracting and delivering international, national, state and local sporting entertainment and event content;
- ensuring the safe, accessible, effective and efficient operation, use and development;

- helping foster excellence in sport and facilitating Tasmania's engagement in competition at all levels;
- the ability to attract, produce, promote and host content that draws audiences, generates employment, stimulates the local and visitor economies;
- operating in a commercial manner that maximises value for the state, proactively communicating and engaging with stakeholders, conducting research and providing advice on the development of these assets.

These functions encompass the business, planning and community responsibilities which must all be integrated in Stadiums Tasmania's management of these important assets. The powers of the authority are listed in section 7. They will enable Stadiums Tasmania to conduct its business and meet its legislative functions including the power to deal with property, operate in a commercial manner, enter into contracts and manage access to its assets.

Importantly this new authority is to be led by a skills-based board. The board will consist of five to seven members including the chairperson who collectively possesses the expertise, experience and qualifications listed in section 8(3). These provisions position the board to be able to make informed decisions which will guide and govern the organisation to meet its functions and obligations.

Members will be identified by a public recruitment process and appointed by the minister. Members' terms will not exceed three years and board members may be reappointed although not for more than three consecutive terms, to ensure the board is refreshed. The board is responsible to the minister and the Treasurer for the performance and exercise of the authority's functions and powers that will then ultimately be accountable to the Parliament.

Other responsibilities and powers which relate to the board under this bill include powers relating to delegations, responsibility to notify the minister and Treasurer of any developments or risks that may significantly impact the authority, and the ability to establish any committees it requires. These measures reflect good governance.

The strategic oversight and direction requirements are set out in part 3 division 2 of the bill. They include provisions for a ministerial statement of expectations, ministerial directions, a triennial strategic plan and annual business plans. Inclusion of these provisions reinforces the Government's commitment to transparency and accountability by ensuring that provisions of this nature are included in the bill and they are published.

The minister is to issue a statement of expectations to the authority on a triennial basis like those that are issued for other statutory entities and the intent is to allow Government to provide more detail on its expectations for the authority within the contexts of its functions and powers. Ministerial directions have been included to allow the minister, when needed, to direct the board to undertake a specific action to achieve a strategic objective or facilitate the administrative or managerial function of the board if or when it is required.

The board is responsible for preparing and maintaining the currency of the strategic plan for the authority. It is to give effect to the government's expectations, communicated through the statement of expectations, and provide the authority's goals and objectives through its general management, operations, financial sustainability, maintenance and development. The strategic plan is also to detail the strategies for managing risk, measuring success and monitoring progress towards the realisation of the strategic plan.

The board will be supported by a chief executive officer and staff. As previously mentioned, they will initially be appointed by the minister on the advice of the board. This arrangement is being used so their expertise can help inform the transfer, transition and future employment arrangements that are to be provided.

The CEO will be responsible to the board for the day-to-day management of the authority. By their very nature, major stadiums are complex and resource intensive to operate, maintain, upgrade and develop. Specific skills, experienced vision and coordination is needed across our major stadiums to manage them effectively, keep them fit for purpose for an array of users and meet the heightened expectations of audiences. The establishment of Stadiums Tasmania will position us better to meet all of these requirements, and to maximise the role and benefits these assets can have for our communities and for our state.

I am grateful for the fine work that has been done by Infrastructure Tasmania and the drafting team to create a unique piece of legislation which gives this place the ability to establish a bespoke entity, drawing on established legislation previously passed by this place and proven experience in other jurisdictions.

Stadiums Tasmania is expected to be established in late 2021, commence operating during 2022 and assume responsibility for the agreed stadiums from mid-2022 upon the commencement of the subsequent bill.

Mr Speaker, I commend the bill to the House.

[12.21 p.m.]

**Dr BROAD** (Braddon) - Mr Speaker, I rise to give my contribution on the debate on the Stadiums Tasmania Bill 2021. From the outset, I say that Labor does not oppose this bill but we certainly do have some questions.

This was an election commitment in April this year. The Tasmanian Government announced this plan to establish Stadiums Tasmania and create a new statutory body to oversee 'The sound use, management and future developments of Tasmania's major public stadiums and related assets across the state'.

This came across as a bit of a thought bubble, and these things do happen in election campaigns. The factsheet says 'the Stadiums Tasmania build 2021 has been developed in response to this commitment'. The department has been tasked with taking this election commitment and turning it into a workable piece. The Stadiums Tasmania Bill is the first stage of that process and, as the Premier and minister outlined, is the first step and with a second step to come sometime next year.

I thought it was a recent election thought bubble; however, it probably goes back a bit further than that if you have a look at the 'Plan for a brighter future' document that the now Premier and then Treasurer, together with his Liberal team, came up with as part of their so-called alternative budget in 2013-14. They state, on page 31, that their proposal was in a plan to get budget spending under control: a plan to 'centralise property and facilities management' is one of the headlines. It goes on to say:

A majority Liberal Government will centralise property and facility management roles across government. This is easily achievable given a government the size of ours.

It goes on to say:

Tasmanian Government is a significant property owner. In addition, the government spends tens of millions of dollars each year leasing both commercial and residential properties from the private sector. It is imperative, particularly in times of budgetary challenges, that governments ensure that assets are properly managed, thereby minimising waste and maximising returns to taxpayers.

A whole-of-government property unit has the potential to deliver many benefits -

and some of these will sound quite familiar after the second reading speech from the Premier.

A skilled and strategic team, centrally located with standard quality outcomes and measurable performance indicators. Part of the benefits will be better value for money for Tasmanian taxpayers from management of the government's built assets, reduced duplication and savings through operational efficiencies, improved budgetary control and accountability especially in this case for lease renewals but also maintenance and asset sales, better management of vacated building and premises -

and so on, but also talked about a one-stop shop for the private sector and those doing business with government, with streamlined service to delivery and reduced red tape. This all sounds familiar and, indeed, it echoes the comments that I received in the briefing. I was grateful for that briefing from the department and I thank Pete Smith and Trevor Gibson for partaking in it, and also the Premier's adviser, Rick Dunn.

Much of that briefing and the justification for the Stadiums Tasmania Bill possibly goes back to a similar idea that was generated back in 2013. The question I have for the Premier is whether there is a centralised property and facilities management function? Was this created? Is there a whole-of-government property unit that was promised back in 2013-14? If so, why was that not charged with operating the stadiums that the Government now owns and controls, instead of having to come in and create Stadiums Tasmania? Is there a duplication? I am unsure, Premier, whether this government property unit was ever created. I would like clarification on that. It is quite ironic that in the plan to get budget spending under control, it is estimated that a shared model of property and facilities management in Tasmania will deliver significant cost savings of \$7 million over four years. The promise back then was that it was going to save \$7 million. However, from the briefing I received it, appears that the initial bill for this program will be \$9.5 million over the forward Estimates - \$1.5 million, then \$3 million and then \$5 million, out to 2023-24.

It would be ironic if what we have done here, instead of the budget savings that the Premier was booking back in 2013-14, it is actually costing the budget now \$9.5 million; and that will be ongoing across the forward Estimates, as long as this Stadiums Tasmania operates.

The fact sheet talks a lot about the potential. What we have here is maybe a bit of difference between potential and actual. I consider this Stadiums Tasmania Bill - if you pardon the sporting pun - puts the ball back in the Premier's court to make a success of this. What do we have when, and if, this bill passes? We have a new organisation that is in charge of managing two stadiums. That is what we have. What the Government, and indeed the Premier, is talking about, is the potential of managing up to four stadiums and maybe more, some unknown time down the track.

There are also significant issues with Government taking over the MyState Bank arena in Hobart and the UTAS stadium in Launceston. There will be ongoing negotiations with the current owners and managers - and at the moment that is a potential, not an actual. This bill actually delivers management of two stadiums - the former DEC and the Silverdome in Launceston - with the potential for up to four stadiums, as outlined in the bill.

There is a bit of talk about a, 'bespoke statutory authority.' The other issue here is that the Government is talking about a bespoke statutory authority with a suite of functions that highlights the important range of duties, roles and responsibilities being assigned to the board and staff of Stadiums Tasmania; a range of powers and provisions that will equip Stadiums Tasmania to achieve an appropriate balance of commercial focus and community objectives.

This commercial focus is an interesting one because we know that the two stadiums in question have, for a long time, been loss-making ventures. These are significant assets and they bring a lot to our state - cycling in the velodrome; entertainment at the DEC. I have been to a number of concerts at the DEC, including The Wiggles on a couple of occasions, so these are community assets that need attention. However, I wonder what this commercial focus means, given their history of being largely loss-making facilities. They are obviously very expensive to upkeep. We have recently seen what has happened to the DEC. It was handed over to the Glenorchy City Council for a dollar. Then the Premier, in his wisdom, bought that back for millions of dollars and is now spending tens of millions upgrading it. These buildings have been quite resource intensive. I am not sure how putting them together in a Stadiums Tasmania will reduce that budget impact and the impact on the maintenance bill over the coming decades given their ageing infrastructure. There are upgrades going on at the DEC right now but there will be management challenges in an ongoing sense.

There is talk now of efficiencies in allocation of infrastructure spending. I am not sure how you get efficiencies; how Stadiums Tasmania would deliver those efficiencies. It could coordinate as a project management if there is a project management function. I do not think there is cost savings in terms of scale by having an organisation that is of a bespoke scale. I am not sure how you can justify that assertion that there will be efficiencies in maintenance spend across the forward Estimates because it is suddenly being organised by a statutory body rather than under the department that currently manages it. Is it the government property unit, if there is one that is currently managing the Silverdome and the upgrades on the DEC?

There is a range of powers and provisions that will equip Stadiums Tasmania to achieve the appropriate balance. I have set that line about commercial focus. Appropriate balance is an interesting thought. What does the Premier mean by 'appropriate balance'? Is that indicating that the Premier is willing to accept a quantum of loss as has been in the past? Is that what he is getting at there?

This bill establishes a skills-based board of five to seven members with qualifications, experience and expertise in areas critical to the authority's success. This is a very good part of the bill. It lists very relevant qualifications and experience including expert knowledge in the following matters - this is directly from the bill in part 3, section 8, Board of Authority. This bill does a good job in outlining the expertise that Stadiums Tasmania is after:

- business and financial management - obviously, there will be need for financial management.
- communications, marketing and sponsorship - that is sensible. Part of the reason for having these large stadiums is to attract major events. If you are attracting major events you need to organise the communications, marketing and sponsorship, so that makes perfect sense.
- infrastructure development, delivery and asset management - as I have outlined, this is very important because these large buildings have an ongoing requirement for upgrades and maintenance.
- legal, corporate governance and risk management - also good to have on any board.
- major event management and operation - this can be tied into the previous communications, marketing and sponsorship.
- management of major stadiums and venues - that is something that is valuable to have. That expertise would be reasonably rare. It is hopeful that if this bill passes we can find someone really good. There are not many major stadiums and venues where you can try to get that experience from.
- sports administration or high-performance sport at a senior level - we know that these stadiums are also places where high performance sport is undertaken, such as basketball, cycling and netball, they all go on in these stadiums. It would be valuable to have that sports administration because these are key pieces of infrastructure for Tasmania's sporting community. Especially if the Government is successful in negotiating deals with the Launceston City Council, Cricket Tasmania, Clarence Council, and so on, to try to get the other stadiums as part of Stadiums Tasmania.

That is also an interesting question. The Premier is talking about the balance of community and commercial. A key issue here is the balance of sport and sporting pathways. You know that these large stadiums, if you include the two large football grounds, are key parts of pathways into elite sport, not only just cricket and football, but other sports as well. There has to be a balance, not just commercial and community, but also in those requirements for the sporting community to be sure that these pathways still remain.

In talking about the skills required in the legislation for a board, I also go back to the Government's 'Building Tasmania we can all be proud of budget response' from 2013-14, where there was this interesting commitment to reduce spending on boards and committees. This is the accusation that is in this document from the previous Labor government:

The Government has over the last 15 years shifted many of its decision-making processes to unelected boards and committees and it is estimated that there are more than 200 boards with more than 1600 board members. We will review every board, and every board will be asked to find

savings. Those boards whose functions and responsibilities are no longer required will be wound up.

This was also pitched as a red tape reduction strategy. It is very interesting that after the Government was elected in 2014, they did sack a whole range of boards and committees. It is interesting that the Government is actually seen to be reenergised in their view that boards and committees are the way to go. It is interesting that the Premier has gone a bit 360 on that commitment to reduce boards and it is now to appoint boards all over the place.

We have seen the Premier backtrack on a number of commitments. We have seen the budget management sort of crumble as he borrows \$2 million a day every day for the next four years, as he backflips on his commitment for no more lockups with 25 000 hectares of the future potential production forests to become national park, the other commitment he made not to put a moratorium on the salmon industry - that one has gone out the back too. So budget management, salmon, timber, and now starting this commitment previously to reduce spending on boards and committees - we are starting to see a pattern develop here.

These are major public assets. The discussion here is that the MyState Arena, the management, if I am not wrong, will come into Stadiums Tasmania in mid-2022. Is that correct? Or does the management shift immediately on the passing of this bill? I think there is a staged - I am trying to remember back to the briefing. Other venues such as UTAS Stadium and Blundstone will come in -

**Mr Gutwein** - This sets up Stadiums Tasmania, which will oversee that particular asset.

**Dr BROAD** - So those assets become under control immediately on the passing of this bill?

**Mr Gutwein** - No, they will transfer in.

**Dr BROAD** - They will transfer in? They are transferring in mid-2022? That is correct? So there is that period that is going to take until mid-2022 before the management of those stadiums actually occurs. There is a period of a set up between the passing of this bill, should that happen, and mid-2022 before the stadiums are actually managed. There is a period of time where Stadiums Tasmania is going to be established, get board members and staff, and then mid-2022 is when the stadiums are going to shift across into Stadiums Tasmania.

The goal here is facilitating engagement with major national and international sports and events. This part from the briefing made sense. At times in the past we have had individual stadiums competing against each other for the same international/national events.

I am not sure the lack of competition would do. Having better coordination in different venues bidding for the same event or bidding for the same concert, that might be of benefit provided that the north of the state does as well as the south of the state, obviously. We do not want Stadiums Tasmania sending all the good concerts to the south and the north missing out. That sort of coordination from Stadiums Tasmania could be a potential benefit. That was an aspect that shows some potential.

I question why this is urgent, and that is getting back to the point about the stadiums not being managed effectively until mid-2022. We also know that there are still negotiations under



way and there is another bill to come. The question I have is why could this not be packaged up as one piece of work rather than two separate bills coming in different calendar years? What is the urgency? We heard at the last sitting week that this was an urgent bill. Then it dropped off. The last sitting was going quite long. We had a number of bills to debate and this one dropped off. We did not get to this one but we are getting to it as first order of business in this sitting and we have the Government talking about urgency. That was something that was presented as the reason why we are debating it now.

I get back to this idea of it being a thought-bubble and that the Government is trying to build the plane as they are flying it. There are still negotiations happening. There is still due diligence being undertaken and there are still discussions happening with a number of stakeholders.

This bill sets up Stadiums Tasmania but the way that it will be delivered in the future is uncertain because there are those aspects that are still happening - still negotiating with Aurora, still negotiating with Blundstone and still talking to stakeholders. The other thing is the way this is set up. It would be interesting if the Premier could answer these questions about scrutiny.

How will an opposition now and into the future be able to scrutinise Stadiums Tasmania? Given that it has not been set up as a GBE, I imagine that it will not be under the scrutiny of the GBE hearings. How will it be scrutinised? Will it simply be maybe an annual report and then a line item in the budget to be interrogated during Estimates or, indeed, will there be an opportunity to scrutinise during the GBE estimates? I am assuming not.

That is quite important. If this Stadiums Tasmania grows to encompass four major stadiums across the state - maybe even more - with associated significant expenses and expenditures, giving Stadiums Tasmania proper scrutiny would be important to make sure that Tasmanian taxpayers' money is being wisely used. It is also interesting that at the initial stages there is going to be an executive chair then followed after a period those roles will be split into a chair and a CEO. I say that in passing.

The other question in terms of oversight: how will there be scrutiny on potential asset sales? If we go back to the pre-election commitment of a government property unit - and this is what draws my attention to it - one of the issues was talk of asset sales. What is to protect Tasmanian sporting organisations, community groups and users of these large stadiums some time down the track of those assets being sold to private interests? I am not sure whether that is contained in this bill. I cannot recall seeing any prohibitions to asset sales in those terms.

There are other assets in regional communities and if they come into Stadiums Tasmania, what is to stop government from reducing the scale of Stadiums Tasmania at some stage by selling off assets? Is there some provision for those asset sales being open to community scrutiny, if and when asset sales are on the cards? The last thing we want to see is governments trying to balance budgets by flogging off significant state assets. It is unclear what would actually happen here.

The Premier liked the idea of Stadiums Tasmania during the election campaign. He thought he got a bit of a boost by the deal he did to get the JackJumpers established and created a situation where a lot of money is being spent on the stadium. The Government is, in effect, bank-rolling the JackJumpers for the first three years with sponsorship and other contributions. It then thought, 'Oh well, I may as well remind people of JackJumpers and the investment in

the DEC and the way to do that would be to start talking about Stadiums Tasmania so I can talk about all my successes'.

It was a successful election for the Government and now they have chucked it into the hands of the department and said, 'Make this work'. When you look at the legislation in front of us, there is potentially a lot of control from the Government. We have a board that is being established but this board can be given ministerial directions.

Could the Premier outline who will be the minister responsible for Stadiums Tasmania? I am not sure if that is clear. Would it be the Premier? The Premier is bringing the bill through. Maybe that was because it was his election commitment and he wants to bask in the glory of the JackJumpers as previously outlined, but who is the responsible minister for Stadiums Tasmania? Where will it sit in the organisational structure?

**Mr Gutwein** - Do you like the JackJumpers; are you behind the JackJumpers?

**Dr BROAD** - Like the JackJumpers? We will see how it goes. I like the idea of the JackJumpers. I love the idea of there being sporting pathways for Tasmanians. I love Tasmanians being able to see the elite sport at its best. I absolutely love seeing that. But have you signed a good deal? That is the question that will be judged over a period of time. That is something that in the end, you are going to be held accountable for. There is a period of time where the state government is bankrolling the JackJumpers.

**Mr Gutwein** - Thank you once again for your fence-sitting.

**Dr BROAD** - No, this is your legacy piece and you are basking in the glory of it. You will ultimately be held accountable and that is the way it should be. There are other things beholden in this about the developments around the DEC that you will also be held accountable for.

Stadiums Tasmania can receive direction in a number of ways, through ministerial directions, whoever the responsible minister is. I assume it would be State Growth but it may be Sport. I am not sure where it is going to sit, so can the Premier can outline that?

It could also be given Treasurer's instructions. The Treasurer can give instructions in the way that they manage their finances, I imagine, in regard to borrowings, debt to equity ratios. Who knows how Treasurer's instructions can be, but there is also a statement of expectations that can be levied on the board.

The way this is set up, there is the potential for significant ministerial and government control in the way these stadiums are managed. If that is done in the best interests of Tasmanians, that could be a good thing but the last thing we want to see is - pardon the pun - these stadiums being used as political footballs.

We want to see these stadiums managed in the best interests of the community, sporting organisations and the majority of Tasmanians, not being used as political tools to cynically win votes through pork-barrelling.

There is significant potential for governments to step in, in a number of ways - through ministerial directions, through Treasurer's instructions and through statements of expectations.

I do not think we have really got an equivalent organisation we can compare to, but which other similar or board-controlled government organisations are also subject to those three ministerial directions, Treasurer's instructions and statements of expectations? I know GBEs are, but what other State Government entities, or those controlled by boards, are also subject to those three tiers of instruction? If the Premier can highlight that for me in his summing up that would be good.

To sum up, I believe this bill actually creates some expectations and puts pressure back onto the Premier. This is his big idea. This needs to deliver what it says it will deliver. If it is only managing two stadiums - the DEC and the Silverdome - I am not sure that this is the appropriate structure, given the Budget requirements off into the distance, with \$9.5 million over the next three years: \$1.5 million next year, \$3 million the year after and \$5 million in 2023-24.

**Ms O'Connor** - What about the other \$65 million for equity support?

**Dr BROAD** - You can address that on your own. There will be significant cash being outlaid. I am sure if anybody who is taking over these stadiums has to ensure that they are up to the current standards and so on, there might be some significant budget expenditure on the other stadiums if they come into government ownership. A new board would have a duty of care and would need to get them up to standard so that might involve some significant budget outlays.

If it is just an organisation, a board running a stadium in the north and a stadium in the south, I am not convinced this would be the best way for that to happen given the Government's previous stance on red tape reduction and reducing spending on boards and committees. If the Government is successful in bringing in other stadiums, if you have got four stadiums then I think you can justify this strategy. If you only have two, then it would not be judged as a success. This puts pressure on the Government to have those negotiations in good faith and make sure the other stakeholders are satisfied that this is the best model as well.

In summing up, Labor supports this but I have some questions that I ask the Premier to respond to, and then if successful that the Premier follows through and makes this a success.

**Time expired.**

[12.53 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, we are prepared to take a stronger position on this legislation than Labor. We do not support it. It is the bread and circuses bill. We have single parents who have had 48 rejections for an affordable home. We have people dying in our emergency department waiting rooms and we have a government that is prepared to put \$65 million of public funding into equity support for this new body and a rolling operational budget that at the moment is somewhere in the vicinity of \$9 million. This is bread and circuses.

It should not be a priority of government to set up a new bureaucracy. That is what is happening here. This is a bill that effectively establishes the Stadiums Tasmania bureaucracy to oversee two stadiums, at this stage, maybe more in the future. It is a complete waste of public funds. For example, if you cost an affordable home at about \$300 000 to build, \$65 million could build 220 homes for Tasmanians. It could certainly contribute towards

facility upgrades at our major hospitals. It could be invested in the child safety system, which remains chronically underfunded but no, we have bread and circuses. That is what we have with this legislation. We are not prepared to just roll over and say, 'This is all very nice. Let's talk about our Tassie AFL teams, men's and women's, that would be fantastic, tick. JackJumpers - wonderful, love them, tick'.

For good governance, invest in people so that we do not have families languishing on the public housing waiting list which is now at over 4000 people. It has doubled since I was not minister. It has doubled since 2014. We had it at just a bit over 2000 and now we have a public housing waiting list at more than 4000 and we know they are only the people who put their names on that list. Most people who are struggling to find a private rental do not even see the point in going on the public housing waiting list because they do not have a year or two to wait for a new home.

We think this is rubbish legislation. I thought it was interesting in the second reading speech from the Premier that he is:

... grateful to the fine work that is being done by Infrastructure Tasmania and the drafting team to create a unique piece of legislation which gives this place the ability to establish a bespoke entity, drawing on established legislation previously passed by this place and proven experience in other jurisdictions.

and a focus that puts the Tasmanian community at its heart.

Vomit, Mr Deputy Speaker. The week before last we went through the most appalling display in this place where the Tasmanian community was in no one's minds but the Greens and Ms Johnston. Spare us the claim that this is about the Tasmanian people at its heart. The Tasmanian people are a consideration when either of the major parties in here choose to make them so and when they are not corrupted, for example, by donations from the gambling industry.

We have a few questions. I am not going to talk on this bill for very long. The question I have is about the equity support injection which is in the budget papers for the Stadiums Authority Trust in the first year, this budget year, \$20 million, next year \$22.5 million, the year after that \$22.5 million and then a blank spot in the fourth year. What exactly is that \$65 million in public funding intended for? What does 'equity support' mean? This is a massive sum of public money to invest in bread and circuses.

Then we have the Stadiums Authority Trust operational funding which in the first year is \$1.5 million, next year \$3 million, the year after that \$5 million and the year after that \$5 million so we have a total of \$14 million across the forward estimates, so it is \$65 million plus \$14 million. We have nearly \$80 million of public funding wrapped up in this fanciful notion. What exactly is the 'equity support' money intended for?

It is interesting because the Liberals are the party of 'small government'. When we urge, for example, that there be some intervention so that people can have an affordable home, when we urge that there be some restraint on the explosion in short-stay accommodation, we have been told by the previous housing minister, Mr Jaensch, and other Liberal members, 'that is the housing market, let the market take care of that.' So we leave people who cannot afford a home to the mercy of a market which does not give a stuff about them but we can have Government

draft legislation, and stick \$80 million behind it, for stadium management. Heavens above, absolutely ridiculous.

We have raging inequality on this island. People cannot afford to pay the rent, their power, buy food, but no worries, we have a Stadiums Trust so you can go along and watch an AFL game or go along and watch the JackJumpers and forget all your worries for a few hours.

It is not unlike, is it, the legislation that went through here the week before last that basically says to people, 'Sit in front of a poker machine and forget your worries for a few hours while you lose every cent in your pocket.'

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

## **STADIUMS TASMANIA BILL 2021 (No. 48)**

### **Second Reading**

**Resumed from above.**

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, it is really an expression of the frustration over so many social, ecological and climate-related issues we have to confront as Tasmanians and as a parliament and then a bill like this comes up. At one level, there is a logic to it: to have a centralised approach to the management of our major sporting facilities. At the same time, it is something that could sit quite neatly within the Department of State Growth, for example. You could have a component of your highly skilled bureaucracy managing the stadiums and making sure they are fit for purpose, they stay contemporary, and there is coordination around events, or you could put it in Sport and Recreation, in the Department of Premier and Cabinet.

It is a biggish idea but I cannot see a pressing need for a newly established authority with around \$75 million allocated towards it in the first four years when there is so much out in our constituencies that requires government coordination and investment.

It is on that basis that we will stay true to our alternative budget, which defunded the Stadiums Tasmania Trust and allocated the \$65 million in the Budget for Stadiums Tasmania towards a fairer statewide planning scheme; a chief engineer, state architect and state demographer; more investment in the Tasmanian Planning Commission so that we can have real clarity over its role and its capacity to be that independent and for so long highly regarded planning authority. Investing in mapping the level of our biodiversity and making sure that we have species recovery plans in a time of declining biodiversity. Investing in state policies. Having a chief scientist who can provide you with advice on how this beautiful island can be a beacon to the world of genuine sustainability, not the sort of garbage we hear about the approach to native forest logging, which is so unscientific.

When we hear from the Premier, who should know better, the Minister for Climate Change and the Minister for Resources the kind of unscientific garbage around logging, it is really dispiriting. We spend a lot of time talking to young people and they understand this. They understand that if a government is flattening a forest that is 300 to 400 years old, with all the carbon that has been stored in that forest, there is a massive loss of carbon. The science is

very clear. It takes 200 or 300 years for the carbon that is in that coupe to be recovered. It is logic. It is the most basic carbon maths -

**Mr Ellis** - The lectern is carbon. It was in a Tasmanian forest and is now not in the atmosphere.

**Ms O'CONNOR** - I do not listen to you, Mr Ellis, because I have no respect for you. It is just basic mathematics. The frustration in here is that there seems to be this gaslighting, certainly of the Greens but gaslighting of Tasmanians about what sustainability means. The basic carbon maths of logging a forest is really simple if you think about it with a clear mind and you are being honest about it. You fell a coupe of giant old trees, you burn it so it is releasing huge volumes of carbon, you chip it, and most of it ends up as paper which has a very short carbon life. You have lost a whole forest, you have felled it, you have burned it. Yes, you replant but it takes those trees at least 200 years to draw down the carbon that was lost in the logging operation.

I digress. We would allocate some of the funding that has gone towards the Stadiums Authority Trust to a chief scientist who could advise government on making sure that we are not only looking after this island but that we are looking after its people, its infrastructure and its wild places.

We would also invest some of the money in 'ruggedising', if you like, our cities and towns, making them rugged and resilient to climate impacts, increased heat, the risk of bushfires in a place like nipaluna/Hobart. The Lord Mayor has described that risk as like living under a volcano, and it is true. If you talk to Professor David Bowman or read his writings, there is a real risk in this beautiful city of ours. We should be investing public monies in that kind of future building, making sure our infrastructure is 'ruggedised', making sure we are building homes that even for people who are not wealthy are homes that will keep them cool in the summer and warm in the winter, through relatively modest investment of good building materials and good design.

We are not going to support this legislation because we would rather see \$75 million go into those other policy areas. I understand why the Premier has brought this forward and I say good luck to him.

[2.37 p.m.]

**Ms FINLAY** (Bass) - Mr Speaker, I am happy to make my contribution, and support Labor's position of supporting this as it passes through the parliament. As already outlined, we have some questions and some expectations subject to it being successful with its implementation and ongoing management.

I acknowledge that, as the previous member mentioned, it makes sense. It is practical, it improves what is currently a network of significant pieces of infrastructure that are sometimes in competition with each other, sometimes seeking to do similar things, and then have to decide and continue to reinforce that north-south competition that often happens in regard to what will happen where and why. It also takes away a burden on sometimes a small community carrying a large financial responsibility for a region and the state. Practically, this makes sense.

However, the Premier's second reading speech acknowledged the complexity of implementing something that seems fairly simple. As has been mentioned, if it does

successfully bring in two stadiums, then it may be partially useful. If it can bring in more stadiums, as hoped for, that is when it really comes to have some strength.

It is complex in regard to its governance and the responsibilities of those people who will be required to have board oversight. It is complicated when you are asking an organisation to be commercially minded and also consider community needs. Where there is a recognition that the new entity will act commercially, be responsive and flexible in decision-making and understand the physical, social, economic and community connections that major stadiums have within the state, that is a lot to ask of an organisation that is being required to balance being commercially focused and having a community mind.

When we go through the responsibilities that say the board is required to operate in a commercial manner that maximises value for the state, it does become complex; when that board of directors is considering the challenges of financial responsibility in being able to manage assets that are often enablers of economic development in a region, but are actually financially resource-intensive. That would be the first reason why that is required but would be actually difficult in practice to implement.

Particularly from Bass and being from Launceston, one of the assets that is identified is the University of Tasmania Stadium or as we love to call it, York Park, where we are taking assets out of community ownership and handing them to a board which has a bespoke piece of legislation. The community loves having access and responsibility in ownership even though it is burdensome and problematic. One of the expectations is that when these ministerial statements are provided, when the direction is given to the board, that this community-minded aspect continues to ensure that decisions are made in the best interest of the state whether it be sporting events or entertainment events. For instance, in northern Tasmania we specifically have a cool season strategy around having events there in the winter and harder months for hospitality and tourism. Those sorts of things should be maintained in the configuration of who has what, where and when. That is vitally important and where these assets that are financially draining actually make the economic impact into a small community.

I suppose that is the first suite of comments. I wish those people well who are appointed, subject to this being successful, and recognise that the task will be challenging. When we are talking about transitioning these community assets across to statewide management, there has also been a recognition in speaking to this bill, that we are talking about assets that have potentially in the future, a focus on only elite or high-level sporting or entertainment events. We know that these facilities in small communities and in local communities have always been part of that pathway. Again, reading from what the Premier said earlier, we know that these are providing pathways for people to compete at the highest level in sporting codes in truly Tasmanian teams but it will stimulate greater grassroots sporting participation and generate outcomes that will help build a more active and healthy Tasmanian population.

If we are going to stimulate greater grassroots activity, we already know that grassroots and local community assets are completely overwhelmed. We know there is much to be invested in terms of being able to create those environments where particularly young people and children have access to quality local facilities. There was a correlation drawn earlier between not wanting to invest heavily in sporting facilities when we have got so many challenges in the community.

One of the things that I love about sport and about facilities like this is that it often provides a sporting pathway for a young person when we are talking about grassroots sports and young kids being able to use facilities and participate in sport. It also creates social pathways, education pathways and community pathways - often for some young people where sport is their only outlet to positive opportunity and positive engagement in a community. Where these elite facilities come under the management of an entity that is required to focus on the commerciality of it, we need to continue to recognise the importance of the community elements of these facilities and make sure that we do not see this as the answer to investment in sporting facilities. We need to continue to deliver on the commitments or the required commitments to develop community infrastructure.

As the Premier said earlier, it is important to remember that while Stadiums Tasmania is focused on major public stadiums, this does not diminish the importance of other community-based assets operated by local communities or government. Again, drawing on my experiences in Bass with York Park, there are current commitments and hopefully future commitments to further development of that space. Whether that be for cricket, football, rugby, soccer or basketball, or whether one of the other assets - the Silverdome - is for netball, what we need to recognise is that at the grassroots much more needs to be invested into facilities.

There was a report done around five years ago on the community-level facilities required for basketball, an area that I know. We had a shortage of about 12 courts and there are now facilities being developed in the suburbs. There will be facilities hopefully developed in this major facility depending on the decision of the board that oversees these facilities in the future but we are still short. We have a facility like Elphin and I ask the question if there is ever consideration in the future that if Elphin was redeveloped to have baseline quality courts for the number of kids that are growing, say, in basketball, for that to be incorporated into this entity where the network of facilities is not just recognised for elite sport and events but for the pathway towards outcomes so people can participate at this level. A young person who wants to play basketball needs to have a court to play on, which is not for an under 12 or 14 at 10 o'clock at night. Then they can go to the Torns and then they can go to the JackJumpers. It would be lovely at a facility like this managed for the state where there is WNBL team and women's support is also heavily invested in.

I can see where it might be practical and it might be useful. It is a little bit complex and it is probably the right approach. From a former local government perspective I know that being able to take these significant assets off the balance sheet of local government is positive in those communities but I recognise there are still negotiations to go on particularly with the cities of Launceston, Clarence and Cricket Tasmania. That takes me to a question that our shadow treasurer asked earlier. There were comments in the second reading speech about the responsibilities of a new entity where the responsibilities to own, acquire, manage, operate, maintain, plan for, investing and facilitate future development of the facilities are under this board but there was no comment in the second reading speech about how assets are disposed of.

I recognise in section 7(2) it talks about disposal. When the Premier speaks later I would like it if he could describe the process of disposal. For instance, if this entity having been required to operate with commerciality decides to sell an asset under its responsibility - just say they sell Blundstone Arena because it would be a great location for apartments - what is the process of consideration and what are the protections for that? It says in here that it can only be done with the approval of the minister and the Treasurer but as our shadow treasurer



said, what is the scrutiny over those sorts of decisions either in real-time or later, and what are the protections for the community whether that is the right decision even though it is being independently handed to the responsibility of this board. I think that is something that people would be interested in having clarified further.

For me, it makes sense, it is a practical instrument. Tasmanian Labor supports it. It takes away that north-south rivalry which is sometimes useful and interesting. It sometimes creates a good story but what it will require is that whoever sits on this board will be responsible, in my case, to the northern community that we continue to have those economic benefits in the cooler months with strategies of implementing sporting and other events in those times that really matter and that it does not prevent a young kid getting on the turf and having that experience in an elite facility.

It should not excuse future investment in community facilities in order to provide the pathways so that we can have Tasmanians playing at the top of their game in these sorts of codes that we see playing here. We have got Tasmanian footballers, basketballers and soccer players being able to participate and being supported all the way through, so that they can experience what it is like to be out there in the centre of the field in one of these facilities. They are the sorts of questions that we have. This bill has our support and we would love some responses to those questions.

[2.49 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Speaker, I rise to speak on the Stadiums Tasmania Bill 2021 and at the outset indicate that I will be supporting the bill. Having said that, there is a number of questions I am going to put on the record for the Premier/Treasurer to answer.

I want to echo some of the sentiments the Leader of the Greens, the member for Clark, Cassy O'Connor, put on the record that this was an election commitment of only a few months ago and already we are acting very quickly to activate and to give purpose to that election commitment. The point made by the Leader of the Greens has been echoed by other members in this House. What that necessarily does is it exposes the Government for a lack of action on a whole range of other core issues confronting our community. The Government needs to be cognisant of that.

Here we are, months after the last election and we are giving action to this election commitment but, for example, in housing, in the lead-up to the 2018 election there was a crisis in housing. There was a crisis conference call to respond. Yet that issue has become demonstrably worse. It is important that you can do a range of things - walk and chew gum as you would say, Premier - but it exposes some of your failings in other areas: your chronic under-investment in infrastructure, the data coming out of the health system is horrific, and housing is a challenge. Yet, we are acting with haste because essentially there are no new assets to manage at the minute. You have identified some negotiations and some discussions but effectively you have the MyState arena, which is under a lease to the Larry Kestelman group which is effectively being rebuilt and managed, and we have the Silverdome which you have had for decades.

Whilst there is a need, we think this is a sensible bill, I think the criticism and the critique of the Government is right. You are exposed to a whole range of other matters and that point is well made. Having said that it does not mean that you cannot make sensible decisions in government when they are needed. There are models managing sporting assets across the

states. Governments of both political persuasions in Queensland, New South Wales, Western Australia, South Australia, all have models of government ownership or government management either through state-owned companies, GBEs or trusts that have been established under the purview of those state governments to manage those assets.

I thank the departmental officials, Peter and Trevor, for their briefing on this legislation. Given the geographic break-up of our state, the assets we have and how they are being managed at the minute, it is important for the state Government to play a coordinating role through an entity such as a stadiums board to manage it. It is not a new idea. In my previous role in the previous parliament, we met particularly with the Launceston City Council and I know the Launceston City Council was very keen to talk about the asset in York Park and how it is managed moving forward. As one small council relative to the rest of the state, they manage an asset which services not only the northern part of Tasmania, the north-west, but it is a statewide asset and you have a council with certain capacity to manage that asset. They also have a significant submission with significant plans for the upgrade of that sporting precinct with greater expansion plans. That is arguably beyond the capability of one council to manage what is a statewide asset.

This is not new. This has been bounced around within discussions with the major parties over the last couple of years so it should not be a surprise to people. We know that with Blundstone Arena, or Bellerive oval, boot arena, that you have a cricket association working with a council to manage a facility. They are very good at playing cricket and we wish the Tigers and the Hurricanes well this coming season, but they should really be focusing on playing cricket and not being a facilities manager. I know they have not committed unnecessarily to a transfer of ownership or management. I know in discussions over the last number of years there has been discussion around the management of both York Park university stadium and Bellerive and Blundstone.

Again, the point has been made by other speakers on this bill that effectively this is the first step of the process in terms of legislation to facilitate the creation of Stadiums Tasmania. Also, what you are asking the parliament to do is to take you, I believe, on trust that negotiations with the current owners and managers of the two assets you identify in the briefing documents being Blundstone and York Park, that they will transfer to state ownership. I believe that, potentially, is an assumption. There is a whole range of complicating factors in terms of discussions with the two operators of those stadiums.

Again, they do not come to the state Government with a nice clean slate. There are significant questions around future maintenance of both of those facilities; the cost of upkeep. We know with changing in television rights deals, lighting and certain facilities to ensure that they can attract those international activities, that takes money. The Leader of the Greens referred to the \$65 million equity allocation. You would assume some of that is being allocated to ensure that they can maintain those kinds of fixtures that they have currently hosted and into the new television rights deals and into the new seasons that they are able to host those things.

There remains a number of questions. That is, the role of the current occupants and what their expectations will be moving forward. You have codes that commit to a facility. They do not work in 12-month financial years. They work in longer term agreements. By the time the state Government sits down to work out the finalisation of potentially an ownership transfer, for example, the Launceston City Council to the state government, there is a whole range of current occupants and current people who have expectations both professional,

semi-professional and amateur who will need to have commitments from the state Government to ensure that those obligations are maintained and they are maintained in a sustainable way. That obviously goes for Blundstone Arena.

I have referred to both of the facilities that have been mentioned and the question mark around maintenance liabilities. What is the due diligence of the Government? Whilst there is a \$65 million equity line of credit effectively, which has been allocated and I am assuming to the responsibilities that you will inherit with these two facilities if you are able to finalise commercial negotiations, obviously, the question is what happens if you cannot come to terms with the Launceston City Council and Cricket Tas? You would essentially set up a white elephant which is managing the Silverdome because you have someone managing MyState Arena. I do not think that would be acceptable to the people of Tasmania or to the parliament. What due diligence on maintenance and forward expenditure will be required to maintain the national and international status of those facilities?

The point has been made around the board and the requirement for it to act commercially. Whilst that is sensible, these are genuine community assets. We note particularly and in discussions around the takeover or the management of the MyState Arena, there is a number of community events, for example, the eisteddfods, the dancing, the primary school choirs, a whole lot of community access and really good at friendly, family community rates. There is potentially a conflict between acting commercially and having a return to Stadiums Tasmania when acting in the best interests of the state. We have seen this not just with an organisation which is not a GBE with a couple of organisations that have been referred to, but even when we do have a GBE act where the minister has some level of control over the decisions, for example, when Hydro made the decision to sack a lot of staff recently, the Government basically said there was nothing it could do. You do potentially create the environment where you force the board to act commercially, but they may not act in the community's best interests. Premier, can respond to that and maybe talk about the role of the ministerial directions?

I have a number of other questions. You talk about, and it was talked about in the briefing, that there is not an exhaustive list apart from a criterion which is the ability to host international and national events of significance. Again, we support the creation of this organisation to manage that, but you then have a whole range of other facilities which potentially come in to play. Can the Premier/Treasurer indicate if there have been any more discussions? For example, the Tasmanian Hockey Centre at New Town hosts international sporting events. Governments of both persuasions over the years have invested significant capital grants to Hockey Tasmania to ensure that the lighting, the fields and the facilities are appropriate for the standard of events they seek to host. Is the New Town Hockey Centre being considered? Have there been any discussions there? Once you open up these criteria, there is a range of other sporting codes that will be putting their hands up.

You have the Lake Barrington Rowing. The same example and the argument used by the Launceston City Council regarding the importance of the York Park sporting precinct and the service that it provides to the rest of the state could be used for the Launceston Swimming Centre. That is a facility that services half a dozen of those northern Tasmanian councils and council areas and communities. That is a significant liability but an investment in community sport for that local community. However, by the criteria you are establishing under this Stadiums Tasmania bill, suddenly a number of those facilities come into play.

I know there will be a line. The Lauderdale Football ground is probably not one that is on your radar in relation to hosting international events. It is a great facility, the old tip that it is. It is much loved by the local community there -

**Mr Gutwein** - The Bridport Football Club has huge ambitions.

**Mr O'BYRNE** - Huge ambitions, yes. I remember the Scottsdale Recreation Ground, the old showground, was very keen to host statewide football.

I will not refer to the premiers of the NTFA, Mr Speaker, out of respect for your premiership winning season, but the question is clear. There is now a range of facilities and codes that, by virtue of the definition of this bill, would potentially be interested in taking on. I need to know, Premier/Treasurer, are those kinds of facilities being envisaged?

The taskforce on AFL talked about a bespoke or new stadium at Mac Point, a greenfield stadium. Is that being contemplated in relation to the discussions and what are your thoughts and views on the stadia? That would not be uncontroversial, as you would know. If you establish this vehicle to manage, all of a sudden you need to give people an indication about where you are heading with it.

I need to know whether there is a dividend policy that you will be applying to Stadiums Tasmania. If it is something that the Government sees as a revenue maker for the state, will it come into line with a GBE dividend-style policy? That is something that you could refer to.

Cricket Tasmania has been very good at leveraging funds out of Cricket Australia and federal governments through a whole range of electoral and funding cycles. Once you remove them from the ownership, and I am sure they are keen to play their role to support infrastructure investment into sporting facilities in Tasmania, is there a consequence? There is an extra motivation for them to play a role in seeking funding to upgrade their facility because they manage it and it is in their interests. It would be good if you could indicate in your discussions with the codes around this stadium, and I assume you have around the push to have an AFL team in Tasmania, that clearly is part of your thinking and how a men's and women's club could manage their facilities north and south. Is there any indication around what discussions you have had with the major codes across Australia regarding their willingness to invest in infrastructure and put their shoulder to the wheel to get Tasmania on the national stage?

I should have declared at the outset that I am a financial member of the JackJumpers. I have seats up in the cheap seats ready to roll. I have the six-game membership. I declare that I am a JackJumper and I wish them all every success. It is fantastic to have a national team in the NBL representing Tasmania.

In discussions with friends interstate in different governments, particularly Queensland and Western Australia, they talked about the role of infrastructure that those codes played in investment to get, particularly Western Australia, the new football ground in Perth up and going. That is a consideration for us to be aware of.

Also, understanding the role of Events Tasmania and Sport and Recreation Tasmania. Sport and Recreation Tasmania does significant infrastructure, not so much at the elite level but they do from time to time. Events Tasmania plays a key role in coordination. Could the Premier/Treasurer explain the relationship foreseen between Stadiums Tasmania and Events

Tasmania, whether there is an overlap and whether staff will be moved from Events Tasmania to Stadiums Tasmania in their role?

The final point is about scrutiny, it not being a GBE. I know, being in government and outside of government, the different levels of frustration you get about being able to provide scrutiny for the Tasmanian community on some of these entities. TasWater, for example, is not a GBE. The Government has an ownership stake and they present themselves to GBE hearings for accountability. There are opportunities in Estimates at Budget time. Beyond the Estimates process, I know other members have raised this question: given there is a sizeable equity allocation, how will that be used? They are not insignificant organisations comparative to other GBEs and state-owned companies. They are multi-million-dollar facilities that will be managed. It is important that the people of Tasmania have access, that the parliament is able to scrutinise the books, ask questions and provide a level of scrutiny beyond the to-and-fro of an Estimates hearing, where sometimes you do not get to it because there is a limit of time and other things at play. Level of scrutiny is important.

In summary, this is appropriate legislation to manage what is, and what could be, something very positive for Tasmania, in terms of coordinating events and coordinating national and international sporting events, national codes. It is not without questions. You are asking for a bit of a blank cheque because, essentially, it is only early-days discussions with the two facilities that are mentioned in York Park and Blundstone Arena. Without those two assets this is pretty hollow and thin. It would be good to hear from you about how you approach that.

[3.08 p.m.]

**Mr GUTWEIN** (Bass - Premier) - Mr Speaker, I thank members for their contributions. In summing up, I will try to deal with each member's comments and questions as we go through, noting that a number of them cross over. If I touch on one for one member, I believe the House will forgive me if I do not go back and answer the same question for a second member. I am happy to take a reasonable number of questions by interjection as we work through.

First, I am not going to play politics with this because, in the main, everyone is supportive of where we are going. However, there are a couple of matters I should clarify.

Dr Broad, you said that this was a 'thought bubble'. In fact, as the previous speaker indicated, local government has spoken to both major parties about ownership of some of those major assets in past years. You may not have been a part of those discussions but the conversation, especially in the north of the state, with Launceston City Council, has been underway for about a decade in terms of their thoughts about the broader ownership of that stadium. They have long recognised that there has been a significant impost on them over time as one council servicing a regional need and, in fact, a northern Tasmania need.

When I was Treasurer, the council approached me, prior to COVID-19. From memory, the Launceston City Council went on a visit to major stadiums around the country, certainly to Perth, and looked at the Geelong Trust with the GMHBA Stadium, as well. Discussions have been occurring regarding this type of structure for a number of years now.

Regarding the other matters you raised, you touched on - I was impressed, in fact - thanks for going back to the 2013-14 Plan for a Brighter Future. I know what you do in your spare time now, which has been informative. One of the things we announced back then, in 2013-14,

was the centralisation of property management. If you had been in the House in that first term of government between 2014 and 2018, Treasury centralised the management of major property leases, beginning in Hobart then across the state. Those leases were largely the office-type leases we have. Any lease above 400 square metres is now managed centrally by Treasury, rather than by individual agencies. As a result, we have allocated about \$7 million of savings we thought could be achieved.

My understanding is that the update we provided in the 2015-16 Budget, or thereabouts, was that we were on track to achieve those. I do not have any further numbers on those but I do know in Hobart, as the first step, there was a major rationalisation which took into account this building here, the new building, and a number of office leases we had across the city. That was dealt with. It was reported on annually against our savings targets and is providing a good outcome for the state in the way we manage our property portfolio, our lease portfolio especially.

You asked why we did not look at including these other assets at that time. One of the things that evolved in my thinking, and in the minds of Tasmanians over the last decade, certainly over the last handful of years, has been that we have an opportunity to be on the national stage. The management of our assets, both in terms of new investment but also ongoing maintenance, is important for these assets. Taking a centralised approach that does not have, for example, the owners of the Derwent Entertainment Centre, now MyState Arena, which was formerly the Glenorchy City Council, competing against the state government for activities that might occur at either the Silverdome or that facility. We are now in a position where, as a state government, we own MyState Arena and it provides us with the opportunity to have an overarching statewide view on how best to manage large events that would come into the state and the benefits they would bring.

You touched on getting the appropriate balance and you mentioned Aurora Stadium, I think you called it, but UTAS Stadium. It is an interesting one. One of the challenges the owners of these major stadiums face - a case in point was what was then the Derwent Entertainment Centre, which is now MyState Arena. For a small council, it was costing their ratepayers about \$1 million each year. It was managed by the council within the confines of their budget. I believe we will see a completely different opportunity arise now as a result of the management of the LK Group and the JackJumpers there. Importantly, there is a community service obligation built into their lease so that the smaller events some members have spoken about are still able to go ahead. There is a requirement for the owners to make the stadium available for those types of events.

I had a sneak preview of MyState on Sunday. It opens with the first game next Sunday and I encourage everyone to get along and have a look. I am pleased, Mr O'Byrne, that you have taken a six-game membership. I think there is a 12-game membership. I encourage you to ratchet up. What was interesting in the discussions is I think they said their membership was over 3000, which is a significant base.

What was interesting and with a new set of eyes in the management of that facility, the flow of people through a contemporary stadium. For those who have been to the DEC in the old days before it was redeveloped, the flow of people both in their entry to the stadium, their access to merchandise, their access to food and beverage, the viewing opportunities that people have is just simply breathtaking compared to our understanding of that stadium in the past.

Contemporary stadium management takes into account a whole range of matters, not only being able to ensure that the patron gets the best viewing experience but at the same time the stadium actually works to enable commercial outcomes to be achieved as well. This then provides for reinvestment, et cetera, as we move on. This is one of the challenges with UTAS and with Blundstone arenas. I will come to those matters in a moment.

Regarding the touch on the skills-based board, I believe that makes sense. I will use UTAS as an example. Their written down value is in the \$25 million to \$30 million bracket but the replacement value of a stadium of that size would be \$100 million plus today. That council has an annual budget of about \$100 million. That is their revenue stream for that council, including both their rates and their grants income. It is a significant asset on their balance sheet that requires ongoing and continual investment. Stadiums Tasmania with a contemporary view of stadium management, looking at the redevelopment that is proposed, will be able to provide a better outcome for the participants, both the patrons and those who play sport there and importantly, the flow of people through those stadiums.

I recently had the benefit of having a chat with Colin Carter. He is an out-of-the-box thinker in stadium management. Whilst that is not his forte and not what he is paid to do on a day-by-day basis, some of the contemporary thinking that goes into stadium management today is extraordinary. With the right skills-based board, with the right CEO, we will have an opportunity both for the major stadiums that we have to have a commercial focus but also a community focus as well. With a state this size and with the types of assets that we have, I do not think you can distinguish between the two, and nor should you. It is an interesting point to make.

Whilst the Launceston City Council might not be happy with me making this point, they have always struggled in getting their turf management right and providing access to other local codes. When I say 'struggled', I will use the term that has been provided to me by an individual some time ago, somebody who had played on the ground, an AFL footballer I think, coined the phrase. He said UTAS is like treading on God's carpet. It is one of the best regional stadiums in the country, if not in the world, in the quality of the surface. However, what that has meant is that there have been challenges to get local codes on that ground. What we have to do is to ensure that we can find the right mix moving forward.

Why is this urgent? That is an important question. This bill puts in place the board skills base or enables us the opportunity to select that skills-based board and a CEO.

Mr O'Byrne, quite rightly, made the observation that, especially in Blundstone Arena, we have had some very positive discussions to date with both the council and with Cricket Tas. However, at the moment that is a strange ownership model where you have a council-owned facility that over the years has had significant public investment through Cricket Australia, the federal government, and the state government into assets which are owned by Cricket Tasmania. Those things need to be worked through and understood.

As we go through the due diligence process, having people who have the appropriate skills to be able to look at what an appropriate transfer might be of that asset and how best to meet the needs of the current users of the ground and, those with longer term commitments on the ground, but also to recognise their investment, is going to be important. Around the country, people have been engaged in this with other governments and other large councils. When you look at some of the stadiums and the way that matters are dealt with in Brisbane, for

example, you have a council that has one million ratepayers and has significant assets. Getting this balance right is going to be important. Having the skills-based board in place to assist in that process of the transfer of those major assets, noting that at this stage all of the current owners are supportive of the steps that we are taking, it is simply being able to land the right outcome in how that transfer occurs.

Importantly, that leads me to this issue of the sale of an asset. In the legislation, if there were to be an asset disposed of, that would be dealt with by the Treasurer and by the minister. The minister would be the minister for Infrastructure with State Growth. In terms of the transfer of the assets, I would fully expect that the ownership would only be agreed to by those current owners on the basis that if those major assets got to a point where the state no longer wanted them, they would transfer back to local ownership. That would be something that would need to be considered through the process and as part of the negotiations.

We are setting this up, not to sell assets; we are setting this up to manage assets appropriately moving forward and, I hope, to manage one of the challenges that we have in this state, which at times can be quite debilitating, and that is the north/south divide. I hope that in establishing Stadiums Tasmania we can ensure that we take a whole-of-state focus. Governments in the future may not be comfortable with some of the decisions that Stadiums Tasmania make in terms of where a certain event might be or a certain sport might be played. What we have to do is enable government to have a role in that but ultimately the right decision would be made in the overall management of those assets. The board and the CEO will provide us with that opportunity.

In terms of the management, obviously there will be the opportunity for ministerial directions, statement of expectations, there will be a triennial plan, an annual plan that will be put in place. Most of you in this place are quite understanding of the processes that currently wrap around both SOCs, GBE's and also statutory authorities, which this will be.

Regarding scrutiny, and I will make this point with a smile on my face, in terms of the budget this will become part of the budget process. I know Mr O'Byrne made the point that at times at Estimates you do not quite get to the important bits. Well, that is a matter for you. You ask the questions, not me. Volume 2 of the BP 2 currently provides for the statements for Brand Tasmania, House of Assembly, the Integrity Commission, Legislative Council, Legislature-General, Tourism Tasmania, Tas Audit Office, Office of the Ombudsman and the Office of the Governor. Those statutory authorities that appear there can all be inquired into. I do not think I have ever had to open up BP 2, volume 2 in the eight years that I have been Treasurer.

We will report on the entity through that process. I encourage members - as I do this I am probably inviting at the next budget Estimates for BP 2 to be opened up and I will have to spend a little bit more time getting myself across the budget papers. There will be scrutiny available there, then again with an annual report and I would not discount, as it appears that many have, this place. Questions can be asked here with regard to any matter. Full scrutiny will be available on this particular entity.

Other matters were raised. Ms O'Connor, and I say this with the greatest respect, appears to be trying to have her cake and eat it as well. On one hand, in fact *Hansard* will demonstrate, she said 'tick, AFL team, men and women's, tick, JackJumpers, yes, appropriate stadiums, no'. It was a cheap political shot at Stadiums Tasmania. She pointed to the \$65 million equity



transfer, which I will deal with in a moment, in regard to UTAS Stadium and how I expect that to play out. She pointed on one hand to that and completely ignored the fact that with regard to affordable housing, the Government has the single largest investment ever underway, more than \$600 million-worth of investment into affordable housing. She touched on health. Again \$10.8 billion-worth of investment into health. There has been significant investment, in fact hundreds of millions in investment into built infrastructure regarding health that this Government has rolled out over the period I have been Treasurer. There has been the single largest investment into our education system as well.

Whilst I can understand Ms O'Connor wanting to play a degree of politics here, on one hand she supports our ambitions at a national level but on the other wants to play politics with the fact that they will need reasonable, contemporary stadiums and facilities for that purpose.

No-one has raised - Mr O'Byrne may have - the national teams that we have an ambition to achieve and having them operate in Tasmania. These appropriate stadia will assist in that they all bring an economic benefit. An AFL team will have approximately 200 highly-paid individuals, both from their playing group who will be extraordinarily well remunerated as we understand, through to their senior management and their support staff. It is a business of more than 200 people. If you look at the JackJumpers and the investment they are making in personnel and players and their reach into the community, they bring with them a significant economic benefit. With the start of the blitz here on Sunday, the national marketing that will occur as a result of MyState Arena opening and the opportunity for that first game will be extraordinarily good for the state.

You cannot dismiss on one hand the need to invest and maintain appropriate stadia and not recognise the broader economic benefits that these national teams bring in relation to exposure. In respect to direct investment into the community, the politics that was played on that particular point - I digress a little but Ms O'Connor took us to the flattening of forests and anyone listening to her contribution would have been of the view that we were harvesting hundreds, if not thousands, of hectares worth of forest that was 300 to 400 years old and we were doing it every year, ongoing. I asked for some advice in relation to the amount of old-growth that was felled in the state over the previous 12-months. It was 32 hectares. That would have been taken on the basis of clear fell but it would have been utilised for fine furniture production. In fact, that type of timber will continue to be a carbon store, not just for the life -

**Mr Winter** - She said they turned it into paper.

**Mr GUTWEIN** - Mr Winter, you made the point that it was going into pulp and paper. That timber is utilised for some of the finest furniture that is made in the world. We should not forget that. There is also some partial old-growth logging which is where the coupes are retained and there is about 400 hectares of that to be clear. This 'flattening of the forests and clear-felling' is just a myth. I say to any young people who are listening here, 'do not be gaslighted by the Greens on this.' Look for the information. It is available on the STT website.

Ms Finlay spoke about making sense. She touched on a range of matters. This commercial/community balance is important. We are a small state. In my view you can never have a stadium that is simply for the elite in Tasmania. That model does not work. There will always need to be a balance between the commerciality of our stadiums and the community use as well. I know that this is something, for example, Launceston City Council has found challenging over time. I am sure there are many in this place, in the lead-up to finals for the

NTFA, or the TSL, who receive representation about not being able to get into UTAS Stadium. It is difficult and it is challenging, and for the board and CEO of Stadiums Tasmania these challenges will still emerge, but it would always be my expectation - and this will be captured in the statement of expectation delivered to Stadiums Tasmania - that they balance community use and that they are always cognisant of it. As they are developed over time, I would like to see stadiums developed in such a way that we can actually provide more services through what are significant pieces of built infrastructure.

With respect to the Silverdome, we lease out space, I think, to health professionals, and to the TIS as well. We are looking to get other options and with the developments that council has currently considered and our equity into UTAS will support, it is a matter of ensuring that those stadiums can come alive, not just one day a week, but can be utilised for a range of other purposes on an ongoing basis.

**Mr O'Byrne** - By interruption, would that be dealt with, in your view, by the ministerial instruction? Is that how you would do it?

**Mr GUTWEIN** - The statement of expectations will provide the guidance. In terms of the corporate plan, as you would well be aware, in relation to the corporate plans for our government businesses and our statutory authorities, the minister and Treasurer play a role in assessing those and being comfortable with them. It is my expectation that it would be captured through there.

I spend time in Launceston and that is a large stadium which I would pass if not once a week, a couple of times a week. That is built infrastructure that, if designed cleverly in a contemporary way, could support a range of uses. My understanding is that is what has been done with the new stadium in Perth. That stadium provides not only support for their AFL teams, but also physiotherapy, GP services, and a range of other options that that infrastructure lends itself to. That is something we need to have a mind to in supporting communities.

The point was made about other assets. Elphin: will that be redeveloped and could that potentially become a part of Stadiums Tasmania? Potentially, yes. The one that has been discussed with me over time is whether there is an asset on the north-west coast that could potentially be brought into the mix. The one that springs to mind up there is Dial Range which is a fantastic facility. I think that was developed before this Government; whatever support was provided for that investment was not my Government or Mr Hodgman's. But -

**Mr Rockliff** - No, I think it was.

**Mr GUTWEIN** - Was it? Did we support that?

**Mr Rockliff** - Absolutely.

**Mr GUTWEIN** - Thank you. There you go. I make this point: that is the reason we will have a skills-based board and CEO. That is the reason we will have members of parliament or government ministers who will receive feedback from the community.

Regarding annual plans and the statement of expectations that are provided, those matters will be informed through the creation of those documents. Importantly, it will be the way that the government provides its direction. Obviously there is an opportunity for the minister under

the bill to direct Stadiums Tasmania should they feel that they need to. Whilst directions are not often given, they certainly can be at times. I have been involved in some of those over the years. It ensures that Stadiums Tasmania will be a servant of the people of Tasmania because the minister involved will be able to provide that direction should it be required.

The independent Labor member for Franklin raised a number of matters. The due diligence process has already begun regarding some of the discussions, but that would be a matter for the board. That is one of the reasons why we want to put the board in place and have skilled people who can look at that due diligence process. We will need to have appropriate engineering experts look at the infrastructure. We need to interrogate the council's financials for those assets so that we have very clear picture of what the state would be taking on, and on what terms.

The other issue there is Blundstone, which sits behind as the next process behind UTAS. There is an ownership structure that is simple, but has been complicated as a result of significant investment which is owned by one of the tenants, as I understand it. That needs to be worked through and understood. That due diligence process would be undertaken by those people with the appropriate skills with the support of Infrastructure Tasmania and supported by Treasury as required as we work our way through that.

The terms for other assets - and I loosely touched on a couple- really comes down to capacity. Launceston City Council has enormous capacity in terms of its broader functions. UTAS Stadium is an asset that serves not just the north of the state, it serves the state. It is an asset that the council has certainly made - both this side of the House and that side of the House well aware of over a number of years - aware of the fact that they are managing a significant asset that is serving more than the ratepayers than Launceston.

Regarding other assets, there are some which are currently in state ownership but not flagged for transfer, such as the Elphin sports centre. That is owned by the state and managed by a community board which, if memory serves correctly, is run by Peter Dunphy. He has done an outstanding job over time leading a community board in the management of that asset. However, there may come a time where there is a requirement for additional investment. There may come a time where there is an opportunity for that asset to be skulled and that would be something that Stadiums Tasmania could consider if it was felt that the capacity that Stadiums Tasmania would bring to the table would be appropriate for that type of asset to be managed moving forward.

The other point was a dividend policy. With our government businesses, the expectation is not that we would seek a dividend from this. We would hope that with an asset of this size that it could generate sufficient revenues to ensure that it could meet depreciation and ongoing investment but that will be difficult. It would be a very bold Treasurer who would look at a large stadium such as UTAS or even the Silverdome or conversely MyState Arena and say that that is going to be an asset that is going to make an ongoing return for the government.

My expectation is that there will be significant reinvestment that is going to be required into the two major assets that we would take on, and dividends are the furthest thing from my mind as a Treasurer. I would like to think that in terms of the leases where we can, if there are opportunities for some commercialisation of part of those assets and, as I have touched on, physiotherapists, doctors, other services for the community that have a commercial aspect, that those stadiums can do more. At the end of the day, this is not being set up to drive dividends

for the state. This is being set up to ensure that we can provide an overarching framework for the management of our major stadiums that is both contemporary but importantly focused on providing the best community use and outcomes and also ensuring that when we are on the national stage we have stadia that is appropriate for that purpose.

In the main I have covered -

**Mr O'Byrne** - The relationship with Events Tasmania and Sports Arena.

**Mr GUTWEIN** - In the same way that Events Tas at the moment when it considers, for example, the Silverdome as one of its options of what it might run or not run, I envisage that it would work with the new Stadiums Tasmania body with a view to ensuring that as the opportunity arose, Events Tas could utilise those facilities should it require it. Again, and I have used Mac 1 down here, where we have a CSO in place that will ensure that those opportunities are available moving forward in terms of the management.

The challenge in this, and it has been rightly put, will be to ensure that, with local government, we can get an outcome that is suitable to them and an outcome that is suitable to the state, noting that the investment that will be required over time into these stadiums will be beyond even Launceston or Clarence City Council's, and their relative size. These are assets that serve the state. For that reason, the significant investment moving forward is best managed by the state but we need to get the right outcome.

I thank members for their contributions. Stadium Tasmania, as I have said, is not something that has been considered in the last six to 10 months. It is something that has been broadly discussed with councils for a period of time and where we are heading now in respect of having a team like the JackJumpers on the national stage, our ambitions for our own AFL men's and women's sides, the time is right to ensure that the stadiums that we provide for them are contemporary, fit for purpose and, importantly, services our community as well.

With that, I finish my contribution and thank the officers for their work and the briefings they provided others.

**Bill read the second time.**

**Bill read the third time.**

## **TRAFFIC AMENDMENT (PERSONAL MOBILITY DEVICES) BILL 2021 (No. 57)**

### **Second Reading**

[3.45 p.m.]

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

That the bill now be read the second time.

The purpose of the Traffic Amendment (Personal Mobility Devices) Bill 2021 is to deliver on the Government's commitment to permit personal mobility devices (PMDs), on footpaths, shared paths, bicycle paths and some roads. Personal mobility devices are small electric devices designed to transport a person over small to medium distances such as e-scooters, e-skateboards and self-balancing hoverboards.

Prior to the 2021 state election, the Government made a commitment to identify the regulatory amendments required to safely permit PMDs on certain types of public infrastructure within 60 days of being re-elected. The Government subsequently committed to implementing the necessary amendments by early December 2021. This bill is the first in a package of regulatory amendments required to deliver on that commitment.

Amendments to subordinate legislation are also being progressed to regulate the use of PMDs according to a comprehensive policy framework. This framework is largely based on amendments to the model Australian Road Rules agreed by infrastructure and transport ministers in May 2021. Minor amendments have been adopted to ensure the framework is fit for purpose in Tasmania.

PMDs provide an alternative transport option that is cost-effective, low-pollution and can be part of the solution to traffic congestion. Currently, motorised scooters with a power output of more than 200 watts are categorised as unregistered motor vehicles and are not permitted on public roads. The package of regulatory amendments will allow PMDs to be used by people who are at least 16 years old. PMD users will be required to comply with all applicable road rules and to ride with due care and attention for other road users.

Under the framework, they must wear a helmet, must not travel past a sign prohibiting PMDs, must not use a mobile phone while in or on the device, must not exceed specified speed limits, must not carry another person or an animal, and must not ride under the influence of alcohol or drugs. Both privately owned and commercial hire-and-ride devices will be permitted under the framework.

This bill amends the Traffic Act 1925 to empower road managers such as local councils to authorise PMDs to access roads they manage, in addition to local roads that will be permitted under the regulations. The bill also provides police with the power to seize and temporarily detain a PMD if they reasonably believe that it is being used contrary to the road rules, similarly to existing power for wheeled recreational devices such as skateboards and scooters.

The Government recognises the importance of safety of PMD users and other road users, and is committed to reviewing the regulatory framework, including the additional provision for road managers, in 12 months, to identify any emerging safety implications.

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

**Ms WHITE** (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I indicate that the Labor Party will be supporting the bill.

I thank the minister's office for arranging the briefing that was provided. Thank you for answering our questions.

We were disappointed that we were not provided with opportunities to trial the different varieties of motorised scooters but noticed that you have been doing that, minister, and congratulate you for your helmet-wearing. You are more commendable than some other members of the Liberals and National Party who have been in the media recently who do not seem to know how to wear a helmet at all, especially the ones who have been wearing safety helmets with our Prime Minister. They are sort of sitting at the back of their head. You did a better job than them.

**Ms Archer** - Gosh, you are bitter. That comment was absolutely unnecessary. That is a really nasty comment.

**Ms WHITE** - I was commending him for his excellent hat-wearing and remarking that he is doing a good job about it. I am surprised you are so disappointed with my remarks, minister. I did not realise this would be such a touchy bill. I thought it would be very straightforward. We are talking about motorised scooters.

There are a couple of things I would like to get on the record from the minister that are specific to the bill.

In the second reading speech it talks about the Government making this commitment prior to the state election. I cannot help but reflect on how this policy announcement came about, which was the last day of the election campaign. Members in this place would recall how intense that election campaign had been. The election was called early. It was a short election campaign. We were out on the hustings every single day, working incredibly hard to talk to as many Tasmanians as we could about our vision for Tasmania. On the last day of the election campaign, I thought the Premier would be out talking to Tasmanians about what a re-elected Liberal Government would deliver for Tasmanians to improve their lives, to tackle the challenges in housing and the health system, and improve education opportunities for Tasmanians. But what did he do? None other than wheel up on a scooter. Talk about strange priorities. The last day of an intense election campaign, the Premier decided to talk about electrified scooters.

I am excited that we are finally debating this bill. It has been a highlight for the Liberal Party, with the Premier and the minister taking great delight in safely fastening their helmets and jumping on their electric scooters, and getting that photo opportunity.

**Mr Ferguson** - It is good for the community and people are excited about it.

**Ms WHITE** - No doubt. I have a couple of questions which I will get to. I cannot help but make the point that I, personally, did not think this was the highest priority for the Tasmanian community on the last day of the election campaign. I was surprised that the Premier thought it was.

I have some questions for the minister because it is not referenced in the second reading speech but I know this is of great public interest. That is the speeds at which these vehicles can travel, whether that be on roads and shared paths or on footpaths. From the briefing, there was discussion about 25 kilometres an hour for roads and shared paths, and 15 kilometres an hour for footpaths. Can you provide information to the House whether that is the case, whether there are any changes proposed to what was provided in the briefing and, also, how that will be policed and enforced? How will it be communicated to users of personal mobility devices?

I am interested in how the law currently deals with people who are using these devices. There are many of them. We see them around and people are currently using them on footpaths and on our shared paths and roads. Given we have not passed the legislation through the parliament, how are they currently dealt with under the law?

When do you expect this to take effect from? My understanding is that the Government wants it to be in place for 1 December because councils, particularly in Launceston and Hobart, are in conversations with private operators to establish share facilities for these personal mobility devices so they can start businesses hiring them out. I am sure both councils and the private operators are interested to know when they can start to operate under this new framework. I am not sure if it is mentioned in the bill. I might have missed it, minister, but can you confirm that persons using personal mobility devices will be treated as pedestrians in how they are regarded under Tasmania's laws and our regulatory framework?

In relation to how you are going to deal with the speed limits for those personal mobility devices, I understand that the devices themselves can have a speed limit set as a maximum at which they are able to travel. Is it going to be a requirement that all these mobility devices have that set before they can be sold through retail outlets, or will people just have to be cognisant of that if they are using them? Some of them can go faster than 25 kilometres an hour. I am interested to know if that is the case. When they are sold, would they be able to go faster than that, or are you going to require the manufacturer to impose some way of limiting their speed to 25 kilometres an hour?

You also spoke about the regulatory framework that will be adopted in Tasmania. I might have answered my other question about how they are currently being dealt with under the law but I will wait for your answer to that. Can you explain to us when those regulations are likely to be finalised?

Another observation, about their use in Canberra: it would be remiss of me not to point out for the Health minister's benefit that in the first three months that personal mobility devices were operational in Canberra, they had about 60 hospitalisations.

**Mr Ferguson** - Were they the riders or pedestrians?

**Ms WHITE** - I do not know. It would probably be a combination of the riders and pedestrians. We have heard some describe these personal mobility devices as stealth machines that come up behind you, you do not hear them when you are walking along the footpath, then you get knocked over by a scooter. You might need to consider what impact this might have on our emergency departments. They also have a number of nurse walk-in clinics in Canberra, which we do not have here, and I do not think data was collected about how many people walked into the nurse-led clinics as a result of accidents from using personal mobility devices.

I do not know if you have considered that at all but our health system cannot afford to have any further admissions at a time when it is already under extraordinary strain. We have seen the impact of mountain bike riding on some of our regional hospital settings and our main hospital settings. I anticipate we might see, as a consequence of this legislation, an increase in the number of people presenting to the emergency department with injuries as a result of using a personal liability device or being contacted by one on a footpath.

That is it, in terms of questions, minister. I am super excited to debate this bill, given it was the pinnacle of the election campaign, the key thing the Premier wanted to talk about on that last day of that very important election. I am very surprised to see him absent from the Chamber because I thought he would be in here cheering for it. Maybe he will come in and give a speech on the second reading debate. We can only hope.

[3.58 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, we will be supporting the Traffic Amendment (Personal Mobility Devices) Bill 2021. This is legislation that contemporises the kind of transport we can have on our roads. We want to see as many clean transport solutions on our roads as possible. I am quite pleased to see a Liberal government moving in this direction, given the antagonism we have had at a federal level to electric vehicles until, apparently, only yesterday. Certainly, happy to see more e-scooters, e-skateboards and self-balancing hoverboards on the roads.

We are also going to see those kinds of personal mobility devices come as well where people will be flying around in the skies, which is a whole new level of regulatory complexity on the way.

I want to place on the record, given that we are in a traffic and transport debate, correspondence that a number of members of parliament have received from people who live along the Southern Outlet. There has been a worrying level of disrespect shown to those homeowners who live on that side of the Southern Outlet. It is five weeks since they co-signed with a number of community representatives, elected representatives including me, a letter to the Premier asking him to take an interest in the proposed fifth lane, to intervene. There has been no response from the Premier to people who live along the Southern Outlet.

I know that when you are a northern member it is very easy to flick your hand at the south. We saw Dr Broad do that earlier in the debate on the stadiums, and it comes up from time to time. You do not generally hear MPs who represent southern electorates being so partisan and dismissive of MPs from the north. It does not cut both ways.

This community is entitled to a response from the Premier. This community has a very legitimate sense of injustice and of not being heard. They asked in that letter to the Premier to see what the rationale was. They inquired about whether any modelling had been done on alternatives. They told a personal story of connection to their place and expressed a frustration about an apparent lack of imagination about possible alternative approaches, and a frustration that they felt they were being steamrolled and there was no scope in the Government's thinking for another way of doing things.

This is a government, as we know, that when it talks about infrastructure, it primarily means road infrastructure. In 2021, it is so terrific to see a bill like the one we are debating today which is not about cars and roads. We have not heard from this minister why there has not been exploration, for example, of changing public service work hours. Why there has not been more incentive given to people to ride-share. Why there has not been a rapidly accelerated park-and-ride capacity. There are things that you could do here without destroying people's homes and displacing them, by the by, in the middle of a housing crisis.

The first thing you should do when you are the Premier of Tasmania is have the respect to respond to a community. We are not talking about one individual who lives there. We are



talking about a community of people who live along the Southern Outlet, who have written to the Premier in good faith more than a month ago. All they have received so far is the standard acknowledgement. It is not good enough. It is disrespectful. I hope my colleague in Clark, Ms Archer, is listening and takes this up with the Premier too, because these are Ms Archer's constituents as well.

**Ms Archer** - I have been communicating with them.

**Ms O'CONNOR** - That is very good to hear, but there is a genuine concern that the Premier plans to ignore this letter. Mind you, Dr Woodruff and I recently wrote a letter to another member of this place and that has been completely ignored too.

My question to the minister is, what is the current legal status of personal mobility devices like this? There is a whole range of different types of vehicles, or mobility machines that ply the roads. We have e-bikes. We have assistive chairs for people who have mobility challenges. Where do these personal mobility devices currently sit within the law? Why are they treated differently? For example, you need a provision within a statute from a standard scooter or skateboard. Is it because sometimes they can go faster? Why is there a whole layer of legislation and regulation around these machines when you have a look at some of the other machines?

Perhaps the minister can help us understand what the legal framework is around an ordinary skateboard as opposed to an e-skateboard. Has the minister given any thought to the possibility that at some level, if we are limiting this to roads that have a 50 kilometre an hour speed limit, that we might be disadvantaging people who live in rural and regional areas where the speed limit between Campbell Town and Longford might be 80 kilometres an hour - I think it is 110 kilometres an hour but it is certainly the only local road that some of those people will have access to.

I note that there is a capacity for other local roads to be brought in under the subordinate regulations. I will be somewhat interested to hear what that might look like. When we talk about 'some' public infrastructure, what does that mean? Is it some public roads?

**Mr Ferguson** - Yes.

**Ms O'CONNOR** - In your Government's mind, are the words 'roads' and 'infrastructure' indivisible? What this actually says then, if we just read it in plain English, subordinate legislative amendments are also being progressed to permit personal mobility devices on 'some' public roads. Even though the second reading speech and the factsheet talk about infrastructure, we are only talking about roads because -

**Mr Ferguson** - No, that is not quite right.

**Ms O'CONNOR** - Well then, you explain that to me when you get up.

**Mr Ferguson** - Bike paths, shared paths and footpaths.

**Ms O'CONNOR** - Right. So we would allow self-balancing hover-boards on footpaths?

**Mr Ferguson** - Yes.

**Ms O'CONNOR** - All right. I am hoping that the minister who is responsible for the plan to put a fifth lane on the Southern Outlet might respond to the concerns that have just been sent through at 1.42 pm today by the Southern Outlet noise-affected residents who feel they are not being heard. They want to know why the minister or the department will not release the modelling figures even though they have been asked in writing on at least two occasions.

With those few comments, we support this bill. It will be great to see some of these machines on the road in the near future.

[4.08 p.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Mr Deputy Speaker, I thank Ms White and Ms O'Connor for their remarks on behalf of the Labor Party and the Greens party. I appreciate the enthusiasm and the excitement that is in the community on the subject. In fact, while I will not be debating the fifth lane proposal during this bill debate, I am happy to be on record and say that the Government will be more than happy to continue to engage with people with an interest in that issue. It was the case, Ms O'Connor, that when we had a previous debate, I am certain that it was before the election - actually I should not say that. I am not certain that it was; it was in my recent memory. You asked me about this matter and when we can see some progress on these scooters. Here we are today and it is pleasing that we are here and it is a commitment that we have been working on.

I note that other states have already moved in this space and have had mixed success. The National Transport Commission (NTC) on behalf of all infrastructure and transport ministers, state, federal and territory governments, have been combining resources around a total regulatory review of the Australian Road Rules which are the model road rules, which are nearly always adopted uniformly by the states and territories. We have now been through that process to include the use of personal mobility devices to be incorporated within the Australian Road Rules.

That has now been adopted. It has been subject to an extensive consultation process. I commend members to have a look at that on the NTC website, if you are interested, and with a couple of exceptions which I have highlighted already and which we will touch on again shortly, Tasmania has adopted those. We have also 'Tasmanianised' them because in some cases, particularly at the request of local councils, particularly Hobart and Launceston it is fair to say, they have asked us to derogate in respect of some local roads. That is why the bill provides for this framework. I will endeavour to respond to the questions that have been posed by Ms O'Connor and Ms White. I have quite a bit of material here and I am certain we will cover those questions.

This bill supports the subordinate legislative amendments that are also being progressed to together implement a framework that will permit the use of PMDs on public infrastructure. I hope there was not any misunderstanding around that. Public infrastructure is not only roads; it is also intended to cover the other forms of infrastructure - footpaths, bike paths and the shared paths. The framework is modelled on the Australian Road Rules, which were amended in May this year. This was informed by a two-year project by the NTC which included a decision regulatory impact statement, which I will later read from, and a public consultation process with quite a few submissions again which are available.

As referenced by the bill, the Road Rules 2019 will be amended to contain this definition of a PMD. The definition is intended to be device neutral so that it regulates the range of small,

electrically powered devices. In my second reading speech I name what those are that we are aware of today but that could change.

I have more detail on this but the definition will specify that a PMD is a device that has one or more wheels. This will be referenced in the upcoming regulation. Before you ask me, that will be in place to coincide with the commencement of this bill when it is proclaimed and has Royal Assent. I come back to the list: has one or more wheels; is propelled by one or more electric motors; is designed for use by a single person only; has an effective stopping system controlled by using brakes, gears or motor control; cannot reach a speed greater than 25 kilometres per hour on level ground when propelled only by the motor; is not more than 1250 mm in length by 700 mm in width by 1550 mm in height, and is not more than 45 kilograms when the device is not carrying a person or other load but does not include a bicycle, a motorised scooter, a motorised wheelchair, or wheeled recreation device, and for that matter it does not include e-bikes.

The examples have been mentioned. Self-propelled personal transportation devices such as Segways are not treated as PMDs due to the dimensional restrictions applied to PMDs and existing Tasmanian regulations that have been made to apply to those devices. E-bikes are not covered by the regulatory framework applying to PMDs and will continue to be instead regulated by the existing regulatory requirements that apply to bicycles.

**Ms O'Connor** - By way of interjection on indulgence, how is a plain scooter regulated on the roads now, or a skateboard; those other things that do not have an electronic engine?

**Mr FERGUSON** - I am happy to take the interjection. My adviser advises the framework for PMDs is modelled on the road rules and approach that is made to wheeled recreational devices. Those products that you have mentioned, Ms O'Connor, would be in the category of wheeled recreational devices such as skateboards and scooters, already covered in existing road rules. To answer the question before you ask me, yes, and again they are regarded as pedestrians in that respect.

**Ms O'Connor** - Okay.

**Mr FERGUSON** - Which brings me to Ms White's question: PMD users will be defined as pedestrians for the purposes of the road rules and will not be subject because of that to need them to have a driver licence. They are still required to obey the road rules as pedestrians. Perhaps not many people realise this, but pedestrians are covered by road rules and have to follow them as well when they are interacting with traffic.

The regulatory amendments will also restrict PMDs to accessing local roads, which are roads that have a speed limit of 50 kilometres per hour, or less; do not have a dividing line or median strip; and do not have multiple lanes if a one-way road. That is recognising that that is the approach that has been settled by state, federal and territory ministers. However, I will come to the derogations.

The first is providing road managers with the power to add other roads that a speed in the 50 kilometres per hour, or less, that do have a dividing line, or a median strip, or multiple lanes if it is a one-way road for PMD to access. I would like to be clear about this: without that provision that would not be possible. In Tasmania, we have quite a lot of local roads in our communities which, while 50 kilometres or less in speed limit, they might have a dividing line

down them. Without this provision, PMDs could not be used on that infrastructure. What we have done here is, under our legislation, which will be assessed and evaluated over the next 12 months, that the owner of that road, the manager of that road, which in most cases will in fact be local councils, can themselves deem that that road is now allowed also to be used for PMD. I hope that makes sense.

On the example though of a road from Longford to Campbell Town, even a back road, I would not imagine would be 50 kilometres or less. Even if it did have a dividing line I could not see a situation where that would be permitted, or desirable, but I can see a situation where - because I am acknowledging that a lot of people might think this is just for the cities. I can see examples of this being directly relevant to local, regional council areas. In places like Scottsdale, or Sorell, or Queenstown I expect that while you may not see a line, or a Neuron scooter - because that is not probably going to be commercial in the short term - it is plausible in my mind that a privately owned e-scooter, or PMD, might be available there if councils approve those local roads. The power has been provided to road managers as the Government believes they are best placed to understand their own network and which roads may be suitable.

I am also responding to a question in relation to enforcement. Ms White, the bill does provide police with an additional option of enforcement of the road rules, by providing them with a power to temporarily confiscate a PMD when they believe a device is being used contrary to the road rules. This is consistent with the powers that police currently have under the Traffic Act 1925 for wheeled recreational devices such as skateboards and scooters.

We were asked this policy question during the bill's development, and we very quickly, on the advice by the way of police I do not mind saying, settled that this was the best way to maintain enforcement. The idea of having speed cameras, or even hand-held speed detection radar devices, is clearly not going to work in the environment that is being considered here today. It was considered that this is the best way forward to give police the flexibility and the ability to make that judgment for themselves in the circumstance, and to allow them to deal with the situations most likely unsafe because somebody is either travelling recklessly without care and attention, or clearly speeding, or in some other way not obeying the rules, for example, using a mobile phone. I will not tell any tales, but I will say I have tried the e-scooters legally, in another state, and it is very difficult to drive one of those units while holding a mobile phone.

The bill also supports a balance between providing PMDs with access to public infrastructure and safety. We are quite concerned about ensuring that as part of our consideration of this that we have looked after pedestrians. The evidence indicates that most people who have come a cropper as a result of using PMDs are the person using the device who have sustained that injury and not the other road users or other pedestrians.

I am reading from the National Transport Commission's Decision Regulatory Impact Statement from August 2020. I will read from page 40:

The limited information available around the safety implications of PMDs points to similarities to that of bicycle crashes. That is, most injuries to PMDs users and bicycle riders are due to falls which occur following a loss of control or collision with an object. Similarly, it appears that across both modes of transport only small proportions of crashes and subsequent injuries involve pedestrians [References cited]. When collisions with pedestrians

occur, generally any injuries sustained are minor in nature, while fatal outcomes are rare.

While there is potential for collisions and subsequent injuries to occur from PMD use on pedestrian and bicycle paths, similar to that of pedestrians and bicycles on shared paths [some references there], it may be that the perception of danger exceeds the actual safety risks and that the risk of using PMDs in pedestrian areas may be low.

I offer that feedback from the decisionaries.

I mentioned a number of times already, because I do think it is important, given that this is a new mode of transport, we do really feel that the review of the legislative and regulatory framework that we are introducing, does need to be undertaken. We intend for that to occur in 12 months to be able to respond to any emerging issues and ensure that we continue to be prepared to be flexible or adapt our own framework going forwards so it is fit-for-purpose for our state. Maybe there are lessons that we can learn that we can share with other jurisdictions.

I was asked by Ms White if e-scooters speed is limited. I will answer another question in the same way. What is the current enforcement of e-scooters or PMDs, given that we are introducing this and making them lawful? I have to say, if you are seeing them being used on footpaths or public roads, that is not lawful right now. It is not legal and it is the existing case that police are the only people capable of enforcing that on a daily basis so, if you are seeing that occurring, it simply is not lawful. I suspect that many people who are doing so, may not be aware of that.

**Ms White** - You can buy them.

**Mr FERGUSON** - You can buy them. You can buy them on line or possibly even in stores but you can use them as I did at the weekend in a non-public infrastructure setting because I was not going to set a bad example. If they are being used on footpaths or streets, it is not legal today. It will be very soon, subject to the other House.

Are they speed limited? It will depend entirely on the particular device. If the device is powered in a way with its energy store and/or its propulsion system, its electric motor, if it is not capable of achieving a speed of 25 kilometres per hour because it is not a particularly powerful model, then it would not need to be speed limited. However, if a motor and propulsion system is capable of rapidly achieving a speed without a speed limiter on it to hold it back to 25 kilometres, under this legislation that would not be lawful. The bill has been written in such a way and the regulations will be written in such a way that it cannot reach a speed greater than 25 kilometres per hour. There is a responsibility now on consumers of these products. If they have chosen already or are thinking about purchasing a e-scooter in the future, it is on them to make sure it is compatible with the future regulation.

I can indicate that the commercial brands that I am aware of, without the speed limiter, they can go quite a bit faster than 25 kilometres per hour but the software in the device is holding you back from being able to gather a pace greater than 25 kilometres per hour. That is an argument to be very careful about: which device you either buy or choose to rent. That would be a word of warning that I place on the record and in response to you Ms White.

**Ms White** - I hope that is not a word of warning to me, is it?

**Mr FERGUSON** - No, to all of us because it is the case that people can purchase them now. We have been very careful, for example, in footpath environments to speed limit it to 15 kilometres per hour because that is about the fastest that even a pretty fit person would be able to jog for any length of time. We are trying to make them appropriate for those environments whereas on cycleways and shared paths it can be 25 kilometres per hour. By the way, if you are looking at quite a narrow footpath or one that has a lot of foot traffic on it, for example, if you were looking in central Hobart, you could think of a number of situations where there is a lot of pedestrian traffic and that is not desirable, the Hobart City Council can simply put up a sign that says 'no PMDs'. It would be then unlawful to use the PMD in that environment.

If you do not want to have a situation of PMDs interacting with pedestrians because you know either the path is very narrow or there are a lot of rubbish bins, bus stops, perhaps A-frames from shops, or it is just a very busy place with many pedestrians and you want to avoid that chance of interaction, then the city council or the regional council would be more than able to indicate with the signage that that is not on.

I feel that I have answered all the questions that have been posed. I am happy to have a nudge if I have not.

**Ms White** - Hospitalisations? That was just for your information.

**Mr FERGUSON** - The best I had was from the decisionaries on that.

**Ms White** - I believe it is currently 63. One of the questions I should have asked but I am happy, minister, if you can take it by interjection, is about the communications package associated with this to inform pedestrians and users. When will that start to roll out?

**Mr FERGUSON** - Yes, I might grab that advice. Yes, Ms White, we have planned a communications program to coincide with the passage of the bill and the commencement of the new regulations. We want everybody to be aware of the opportunity as well as the rules that will sit around this so I will take that advice and come back to you. That might be the last of the questions.

Thank you, Ms White, because this is all material. We do really want everybody to be across the new arrangements and to be safe. I am pleased to tell you that at the weekend I signed 29 letters to 29 mayors and councils so that they could be right across this. We are also going to be launching a campaign which will coincide with the new bill's commencement and the new regulations in early December. It will be called 'ride with respect'. It will feature digital social media, radio, and it will be in newspapers. There will also be some posters available on a number of city streets. The message is really one to the people who want to start using this new technology, whether they are going to try commercial rental ones or use their own, they can do that. They need to check that their device meets the specifications and they need to then operate within the rules that the House is being asked to agree to today.

I hope that is useful. I appreciate the support around the place and I look forward to seeing you on your various e-scooters with properly-fitted helmets. I commend the bill to the House.

**Bill read the second time.**

**Bill read the third time.**

**LAND (MISCELLANEOUS AMENDMENTS) BILL 2021  
(No. 43)  
LIVING MARINE MISCELLANEOUS AMENDMENTS (DIGITAL  
PROCESSES) BILL 2021 (No. 26)**

**Bills agreed to by the Legislative Council without amendment.**

**TASTAFE (SKILLS AND TRAINING BUSINESS) BILL 2021  
(No. 56)**

**Second Reading**

**Ms COURTNEY** (Bass - Minister for Skills, Training and Workforce Growth) -  
Mr Deputy Speaker, I move -

That the bill now be read the second time.

TasTAFE is our largest vocational education training provider. TasTAFE has a critical role to play in providing vocational, education and training that leads to jobs and that benefits the Tasmanian economy and the community. We know that Tasmania's workforce and our next generation of young people will need different skills and training to keep pace with the changing needs of learners, employers, industry, the economy and the community.

The Tasmanian Government's vision for TasTAFE is for it to be future-focused and a market-aligned training provider that is responsive to the needs of Tasmanian learners and employers. We want to ensure TasTAFE provides more Tasmanians with the skills they need to get jobs now and into the future.

TasTAFE will always play a role in providing services in regional areas and foundational skills including literacy, numeracy and digital literacy. This is one of the key reasons the Government provides such a significant ongoing investment in TasTAFE. The Government has committed an additional \$98.6 million to upgrade TasTAFE facilities and equipment, increase access for regional and rural students, and employ 100 teachers and trainers. We have also guaranteed that 80 per cent of future training funding will be invested in TasTAFE.

The Tasmanian Government has committed that TasTAFE will transition to a publicly-owned, not-for-profit government business model in line with the PESRAC recommendation. This recommendation was accepted by the Government in March this year and was one of the key commitments taken to the 2021 State Election. It is important to be clear that TasTAFE will not be privatised under the new model.

TasTAFE is Tasmania's foremost VET training provider and we are committed to ensuring this remains the case into the future. The TasTAFE Skills and Training Business Bill 2021 establishes a framework that has been tailored to the role and function of TasTAFE

as a modern vocational, education and training provider while recognising that it is substantially resourced by government to deliver services of critical importance to Tasmanian learners, businesses, industry and the broader community.

This bill does not transition TasTAFE to a Government Business Enterprise under the Government Business Enterprise Act 1995. The bill provides TasTAFE with a stand-alone and fit-for-purpose legislative framework, separate to the Training and Workforce Development Act 2013 that gives TasTAFE greater autonomy and flexibility that better reflects the environment in which it operates and the industries it serves.

Part 5 of the Training and Workforce Development Act 2013 that relates specifically to TasTAFE, is repealed as a consequential amendment. However, the broader provisions of the act continue to apply to TasTAFE including purchasing arrangements, the Vocational Education Training system as a whole, and provisions relating to the administration of apprenticeships and traineeships.

In response to consultation feedback, the bill specifies TasTAFE's function to provide foundation skills and vocational education and training to a high standard that is responsive to employers, its students and the community, including in rural and isolated areas where other providers cannot or are not meeting demand effectively. It also provides for collaboration with industry, employers and other educational providers on vocational education and training models or pathways.

To support these functions, TasTAFE is empowered, subject to specific provisions in the bill, to provide vocational education and training or other educational training to enable persons to apply qualifications and participate in the workforce or further education and training.

TasTAFE may also enter into a range of service or property transactions. However, any disposal or acquisition of real property will continue to require ministerial approval.

Finally, participation in other corporate structures will also continue to require the approval of both the minister and the Treasurer.

TasTAFE will be governed by a skills-based board of between five and seven directors appointed by and responsible to the Minister for Skills, Training and Workforce Growth. The minister is required to issue TasTAFE with a statement of expectations setting out strategic objectives and priorities, and policy expectations for the performance of TasTAFE, to be tabled in parliament for greater transparency.

TasTAFE continues as a general government sector entity under the Financial Management Act 2016 with exemptions that enhance financial flexibility. This includes TasTAFE having borrowing powers from the Tasmania Public Finance Corporation, which is not currently the case.

TasTAFE is required to prepare a corporate plan and an annual report each year, with the annual report to be tabled in parliament. TasTAFE will continue to be funded through statutory purchasing arrangements established under the Training and Workforce Development Act 2013, with scrutiny through the parliamentary Estimates process under the skills and workforce growth portfolio.



Mr Speaker, our public training provider needs to have the agility and flexibility to deliver training that can respond to the needs of industry, students and the Tasmanian community. TasTAFE needs to be able to ramp up training delivery in high-demand and emerging industries, and be better placed to attract high-quality, qualified trainers from industry to support training and delivery at times that work better for business and employees.

Feedback from industry and employers is that TasTAFE needs to deliver training in different ways across more hours in a week and across more weeks of the year, meet seasonal training requirements, provide training through holiday periods and take account of business operating requirements, provide more flexibility and choice for learners, including apprentices, particularly those in small business and be able to attract new trainers from industry in a competitive labour market.

Under the transition, TasTAFE will have its own employment powers under the national fair work framework. It will no longer be an agency under the State Service Act 2000. This is given effect by amending schedule 1 to remove TasTAFE as an agency and the CEO as the head of agency. The bill does not specify the Fair Work Act 2009 because all employers in Tasmania who are not subject to specific legislative provisions in the Industrial Relations Commonwealth Powers Act 2009, such as the State Service, are subject to the Fair Work Act 2009. The national fair work framework regulates employment and workplace relations. It provides for terms and conditions of employment and sets out the rights and responsibilities of employees, employers and employer organisations in relation to that employment. It is a framework that applies to most employers and employees in Tasmania, including the private sector, the community sector, local government and most state-owned business entities.

It is also the framework that applies to the Victorian public service and TAFEs in a number of Australian jurisdictions, including New South Wales, Victoria, the ACT and the Northern Territory.

The Government acknowledges the work of TasTAFE employees who are committed to supporting learners by providing high-quality training. This will continue to be the case following the transition. We want to empower TasTAFE to reach its full potential so the proposed changes to the employment framework are designed to provide TasTAFE with a less rigid framework and to have more autonomy over its workforce. This will enable TasTAFE to more effectively attract and retain highly skilled staff on flexible arrangements across its operations, including training delivery and support areas, and will enable TasTAFE to be responsive to the needs of the current and future workforce, employers and industries.

Under the bill, on 1 July 2022 all TasTAFE employees become employees of TasTAFE under the fair work framework. For TasTAFE employees on the commencement day, their existing terms and conditions in awards will be preserved under copy state instrument for a period of up to five years, for preserved awards and preserved agreements until terminated, or until a new agreement is negotiated or registered for all employees. This will occur whether the nominal expiry date for the agreement has passed or not.

New employees who join TasTAFE after the commencement date will be employed either under a new enterprise agreement or through a contract of employment underpinned by the equivalent modern award and having regard to market pay rates. Under the fair work framework, awards are preserved for five years. Agreements are preserved unless and until terminated or until a new agreement is negotiated and registered.

Continuity of service for a transferring employee will continue under fair work framework transition arrangements. We are committed that no existing TasTAFE employee will be worse off and there will be no forced redundancies.

There will be no changes to TasTAFE employee superannuation arrangements or entitlements under either the defined benefits scheme or the accumulation scheme, and there will be no changes to long-service leave arrangements and entitlements.

In addition to the protections provided for in the fair work framework and state legislation, the Government has also provided an additional assurance for existing TasTAFE employees that, where they were recruited to a State Service role, within a period of five years after the new act commences, there will be deemed to be no break in their State Service employment. TasTAFE employees will also continue to be able to second to roles in the Tasmanian State Service.

TasTAFE is the largest vocational education and training provider in Tasmania. In 2019, TasTAFE attracted more than 20 000 students. For TasTAFE students, there will be no effect on student enrolments or placements. The savings and transitional arrangements set out in the bill ensure that student enrolments or offer of an enrolment or placement made by TasTAFE will continue through the transition date.

The Government understands and recognises the importance of TasTAFE to the Tasmanian community. We also understand the importance of appropriate workplace practices to ensure that TasTAFE is a safe environment for students and teachers. The TasTAFE board will be required to develop a child-safe code of conduct that is consistent with the National Principles for Child Safe Organisations. The bill also establishes an appropriate compliance and inquiry framework to ensure that complaints are appropriately addressed and there are appropriate powers to act in the event of alleged breaches of the child-safe code of conduct. My expectation is that the code of conduct will be prepared as a priority and that it will be implemented by 1 July 2022.

The bill removes a requirement for TasTAFE teachers to be registered with the Teachers Registration Board. This is given effect by amending the Teachers Registration Act 2000. This registration overlaps with the national regulatory environment requirements and is an aspect of regulation that does not apply to other training providers, or the University of Tasmania. This has been identified by TasTAFE as a barrier to recruitment and an administrative burden for teachers and trainers in the organisations.

TasTAFE teachers may still choose to be registered with the Teachers Registration Board and may be required to do so under certain circumstances. I can assure Tasmanians that this change will not result in reduction of standards.

The bill also provides for a range of consequential amendments to give effect to the TasTAFE model and to update references to TasTAFE where it exists in other legislation. Further, the bill provides for savings provisions and transitional provisions to ensure the smooth transition from current arrangements. The Government proposes to commence the bill on 1 July 2022, when the new arrangements come into effect.

The Tasmanian Government has consulted broadly in the development of its vision for TasTAFE, including with industry, community groups, TasTAFE students and relevant unions.

Feedback received during the public consultation process has been considered and the bill addresses that feedback where appropriate.

Mr Speaker, the Government is the strongest supporter of TasTAFE. TasTAFE has a bright future and our transition plan will ensure that it has the structures in place and investment it needs to maximise training opportunities for Tasmanians.

Our plan will build our local workforce which is why it has a strong support of local industry and will help us to continue to build the Tasmanian economy. We are focused on providing more opportunities for Tasmanians to get the training they need and a strong TasTAFE is crucial in achieving this goal.

I commend the bill to the House.

[4.45 p.m.]

**Ms O'BYRNE** (Bass) - I have to say, Mr Speaker, that I contemplated that I would come into the House, stand up and say that this bill is very poorly consulted, does not give effect to the Government's stated intentions, and is a politically and ideology motivated attack on dedicated public servants. I was going to declare that we will oppose it and sit down, so why would we waste the parliament's time debating such ridiculous legislation.

However, I feel the need to explain to some other members of your party, some of them who might be a little more committed to TAFE, about how deceitful the Government has been in its public commentary on the bill. I am also going to take a few moments to reflect on the second reading speech because this is something that this Government has been doing more and more. The second reading speech is becoming predominantly a government policy speech with some reference to the aspects of the bill.

I remind members about what the second reading speech is legally required to do. It exists so that if there is a question around the intent of the bill in its application that cannot be resolved legally through looking at the bill itself, you can go back to the second reading speech and find out what the government's stated intent was. There are a heap of things within the second reading speech that have nothing to do with the legal intent of this bill.

I was going to raise a number of them but the one that I am going to hold on to because it was the one that made the Chamber laugh, was, 'this Government is the strongest support of TasTAFE.' Well, the second reading speech is actually not any way reflective of the state of intent of this Government and that is what it is supposed to be legally, so I find that really offensive.

Question time was also quite telling today when the minister was asked a question about TasTAFE and about the TAFE reforms. When it was suggested that it may have been pre-empting an order of the day, minister Ferguson in his incredibly helpful way, interjected that the question and answer was about the reform agenda and that it had nothing to do with the bill and this is because the bill has nothing to do with the reform agenda. The bill has nothing to do with that. It is the first honest statement that we have had out of this Government in relation to TAFE since they have started. This bill has nothing to do with the reform agenda. Nothing to do with additional funding that is required for TAFE to do its job well. Nothing to do with making TAFE more responsive to industry needs. Nothing to do with anything except

this Government's archaic industrial relations agenda. It almost has the flavour of H.R. Nichols to it. Work Choices by stealth.

This bill is not about TasTAFE. This bill is about industrial relations. This bill is about attacking public servants, clearly, openly and I cannot believe that the Government is trying to cloak it in anything else. If the Government genuinely wants to have a conversation about resourcing TAFE, about supporting students, about supporting staff, about growing our training capacity, then we are up for it. Every person on this side of the House is up for it. We will sit down and we will work with you, because those are good intents.

We support TAFE. We believe in TAFE. We believe in investing and growing it, as are the staff who work there and the students it impacts on. The minister said in her second reading speech that it had been well-consulted with students. Well, that is not what I am hearing from students. The consultation was conducted with staff, while they were teaching, and if they were not able to get there, they were given a list of what was decided. When will this Government actually learn what consultation is? Consultation is coming forward with an idea, having a genuine conversation about that, and then perhaps changing your stated view, but the Government has no intention of doing that. This bill, almost to exclusion, is about cutting the conditions and wages of future staff and as soon as the transitional agreements expire, which they do, it is about cutting conditions and wages of existing staff.

It beggars belief, because it is already hard to attract people to work in TAFE, mainly because the Government does not support it well, and so it becomes a really unpleasant place. You commit to it, you take the job because you genuinely want to work with the workforce of the future. You genuinely want to train and you get treated like rubbish by this Government. It is hard to attract staff for that in a market, where in many cases, they can earn more on the tools.

It beggars belief that you think you are going to get more staff as a result of this. How do you honestly think you will go when clearly the intent is to cut conditions. Please do not keep on with this absolute falsehood that it is about attracting people with higher wages because if you wanted to offer staff more then you could. You could do that right now. Do not say it is because you want more flexible hours because if you wanted to do that you could. There is nothing stopping you from doing that. Do not say it is because you want to reform the elements of structured programs because you know that requires national changes and the changes to TAFE, particularly the ones in this bill, in no way deliver that. This bill does not do that and you know it.

If the minister wants to detail in her response today exactly how this bill delivers a change to the nationally accredited courses and their requirements, I welcome that. That would be very interesting. If the minister wants to detail why additional funding and investment can only occur due to this bill being passed, I welcome that too because I cannot see anything stopping you. If the minister wants to detail why staff will want to work in more insecure environments despite all that we have learnt as a nation about the risk of insecure work through COVID-19, then please explain that to the House but I doubt the minister can because this bill is not about that at all. It is an attack on staff and every member on the Government benches knows that.

Let me make it clear. There are existing avenues to give effect to change in the existing Tasmanian public sector industrial arrangements. If you want to effect change you can negotiate a collective agreement or you can make changes to the existing state award

provisions. You are in the middle of negotiations. You can put anything on the table. If you want to improve awards and conditions then you can. It is a minimum rates award. It is not a paid rates award. There is nothing to preclude providing market-based salary packages. Health does it all the time. The minister knows that, she was the minister for Health. She knows she regularly offers market-based salary incentives. It can be done now. You just do not want to.

It is not about paying more to attract staff. It is about paying less to those who are there, and do not say that everyone is going to transfer over and it is going to be fine because in your lovely little fairy world all their conditions are going to be protected, that no-one is going to be worse off because copied state awards transfer over. They transfer over with a finite life. They have an operational existence of five years. This bill talks about 'up to five years' for any other agreements and then what? Do you genuinely and honestly think that anyone believes you are going to leave people in that circumstance reflecting the state award provisions? Of course you are not, otherwise you would not be doing this. This is absolutely not a long-term prospect for those workers.

You have told industry that the only way to achieve all of your changes is to set up a new body, to do this legislation today. They believe you. They expect you to tell them the truth but your Government has been dishonest from the start and you know it. We are not going to support this legislation. It is a purely ideological and politically moved agenda wrapped up in faux concern for the industry and a blatant attempt to try to convince people that you care about TAFE. If you did care about TAFE you would not have made it harder for them to do their job. You would have looked at ways to invest in it already, not actively undermine it. You would have helped build capacity, not cut it.

The Government's own fact sheet lists eight elements of change as part of the new exciting model. Seven out of the eight can be delivered under the current legislation. One cannot. Let us go through them: ministerial oversight? You do not need this bill for that. You can do that. Financial powers? Does not need this bill, you can do that. Functions and powers? Once again, you do not need this bill for that. It is sortable. Board arrangements? Once again, you do not need this bill for that. Financial capacity? Do not need this bill. Regulatory environment? Does not need this bill. Savings and transitional provisions? Does not need this bill.

Then, Mr Speaker, we arrive at the nub of it. We get to element number eight: employment powers. The new legislation is required to enact the employment powers to commence this Government's plan to shift its workforce out of the state service and under the provisions of Fair Work to take away the capacity of the Tasmanian Industrial Commission to issue its determinations. I want to read a bit into the *Hansard* because it looks like the minister does not understand this and this is from the United Workers' Union (UWU) submission:

The final report of PESRAC, delivered in March 2021, frames current industrial relations arrangements at TasTAFE as "*... align[ed] more to a school than an industry environment.*" The report suggests that there are some concerns that TasTAFE is unable to "*... nimbly shift its training resources (staff and facilities) to adapt as required*" to meet industry and student needs.

It is suggested by the authors that "*... maintaining existing governance structures and amending the TasTAFE Teaching Staff Award would go part*

*way to improving service delivery and agility" but this is rejected on the basis "such an approach would be drawn-out and would not achieve organisational change at the pace required." (emphasis added).*

PESRAC's findings ignore the industrial reality of a transition of employees to the FW Act.

In December 2012, the Commonwealth Parliament amended the FW Act to add a new Part 6-3A – providing for the copying of State industrial instruments when there is a transfer of business from a State public sector employer. The provisions will be activated if the proposed transition of TasTAFE out of the public sector occurs in accordance with the draft bill.

Section 768AI in the FW Act provides for the copying of State public sector awards. A copied State award remains in operation for a period of five years.

Section 768AK in the FW Act provides for the copying of State collective employment agreements. A copied State collective employment agreement remains in operation until it is terminated by the majority agreement of employees or on application to the Fair Work Commission.

If the PESRAC recommendations are to be put into practice, a new agreement will have to be delivered to achieve that. This can only be done through negotiation with the Unions and TasTAFE employees. The increased regulation of the FW Act agreement-making provisions make this more difficult to achieve than it would be under the agreement-making provisions of the *Industrial Relations Act 1984* (Tas).

In the meantime, the existing 'industrial realities' will persist. The provisions in the bill to move employees to the FW Act actively make change more difficult to achieve in the short term.

Longer term, you can cut all their conditions, let us be very clear about that, but in the short term you do not get what you want.

It also ignores the fact that many of the recommendations of PESRAC are achievable under current industrial relations settings. For example, the awards and agreements currently in place do not constrain the ability for TasTAFE to offer market-based salary packages to attract trainers or leaders - they provide for minimum entitlements only.

It is right now open to the Government to give TasTAFE more freedom in negotiating its own industrial arrangements which could address the PESRAC recommendations.

Which is absolutely not what this Government wants to do. It goes on to talk about the issues around the protection of workers who are transferred and the commitment the minister keeps making that no one will be worse off. As I said, copied state awards have a finite operational existence of five years and after that they become covered by Fair Work awards which provides

for substantially reduced salary entitlements. The minister knows that. That is exactly why we have this bill before us today.

If you do not need this bill to make the workplace changes that you want to make, then why do you need it? It can only be - and this is borne of my many years of watching this Government at play. I remind members again of the first thing they wanted to do in industrial relations when they came into government, which was to change the Tasmanian Industrial Relations Act to have all our pay rates and changes to pay and conditions manageable by regulation and not by taking it to the commission. Let us not think that they have had the interest of workers deep in their hearts at any stage.

It can only be because it is a precursor for further carving-out of other public sector workers. Who is next? TAFE workers right now. Who else might you want to carve out? Who sits alone that the Government could set up as one of their new little entities and move off? Anyone who works in a particular hospital or health service? A subset of workers in a health service? Parks? They would carve off pretty easily.

**Ms O'Connor** - Infrastructure Tasmania.

**Ms O'BYRNE** - Infrastructure Tasmania. There is a whole host of entities that could follow this model. I wonder why we have to do this for TasTAFE.

You have some cover for TasTAFE because you have tricked people into thinking that this bill is going to fix things and you know it will not. Then you have a model to use for other public sector workers. That is what this is about. Who else do you want to kick out of the protection of the State Industrial Commission?

Minister, in our briefing, I was trying to find out where the bill gave effect to its stated intent. Where it did all of those issues around training, where we would get those compacts from, where we get that training from? They are not there because this bill does not do that.

The compact around accredited short courses can be negotiated now. We do not want to. The biggest falsehood that you have perpetrated on the Tasmanian community is that your nationally accredited courses will magically be more flexible as a result of this change. What rot. TAFE provides high-quality structured training all over the state and you are still obliged to provide that structured training to be implemented as per national accreditation.

Because you did not talk to TAFE staff, I will read in a letter from a TAFE worker who has been there for a long time and actually understands how it works - and I am going to move for an extension of time:

The Tasmanian Government is choosing to ignore and/or provide misinformation about the realities of what an RTO can or cannot do under the Australian Standards and Qualifications Authority. The standards and auditing are the same for any RTO whether it is an RTO under an education umbrella, TasTAFE or a privately run one, an RTO run perhaps through a GBE or any other entity.

This makes the Government's rhetoric about changing TasTAFE to improve flexibility rubbish. TasTAFE does not, nor does any other vocational

education provider, have the ability to change what is in a training package other than the electives chosen and even then, it has to be within the rules of the training package.

If a hairdresser said they wanted to change three of the units in a hairdressing training package to three different units from the business training package for one of their apprentices, but the training package rules stated this was not allowed, then it can't happen. And if it did happen, the apprentice would end up with a non-accredited qualification.

What TasTAFE already does is offer that business trainee additional training, if requested, to cover what they need and, unlike this Government, they can make them aware of what is and isn't possible under their training rules.

A construction company might not want to pay an apprentice to study a particular construction process because they don't use it and they want that content removed from a particular unit, but they still need the rest of the unit. Again, neither TasTAFE nor any other provider, private or Government Business Enterprise or whatever this new entity you want to call is, as a unit, must be delivered as specified by the Industry Skills Council. The only way that a training package, or unit or set of units, can be delivered outside of what has been endorsed by the skills council is to be offered as a non-accredited course, which means that the qualification will not be recognised across Australia.

TasTAFE can and does offer non-accredited training already and the minister knows that. It is made clear to organisations what non-accredited training limitations are and the restrictions it may have for students and employees.

The Government, on the other hand, seems to be going down the path via not providing industry and students with the truth of what the Government's version of flexible training might mean to them or they are undertaking to not provide Tasmanians with accredited training that can be recognised across Australia.

Industry, if they want input into how their training packages are delivered, must liaise with their federal skills body. The Government should be supporting and encouraging this process rather than using TasTAFE as a scapegoat. Blaming TasTAFE is ridiculous. They have to follow the same rules and standards as all other providers.

The letter goes on, talking about the concerns they have about the Government information around this and makes reference to the cost increase that was put up on TasTAFE's website for 2022 and then, just as suddenly, magically removed when it was commented on. We know exactly what and how the Government is intending to do with course costs.

Structured training is different from sessional training, module training, short courses. It is an environment that allows for high-quality peer learning in a structured environment. It is not just a one-on-one module at a workplace. It delivers a more comprehensive skill set as it covers all the modules and has the facilities and equipment it needs to provide. Groups of



learners learn really well through this process. This is one of the reasons that it is a tried and tested model, as it gives a greater skill set for workers in their whole career, not just in the first place they might be working at that time. Why would you unpick it for political gain?

The minister keeps saying, 'we are going to give TasTAFE millions of dollars'. Great, give TasTAFE millions of dollars. It can always have more money and more support but that is not what this bill does. This bill does not deliver the money. This bill just moves workers.

Minister, on 30 September, you said:

As part of our plan to invest \$98.6 million in TasTAFE and make sure it is future-focused, we want to empower TasTAFE to better meet local needs and train the workforce of the future.

Our TasTAFE plan means quality training for students, autonomy and flexibility for TasTAFE and training at times that work for students, business and employers.

TasTAFE already provides quality training for students. It enjoys a very high satisfaction rate - over 85 per cent amongst businesses and students.

In 2021, Skills Tasmania celebrated excellence in vocational education and training with the Training Awards. At these awards, TasTAFE was provided an award for the Trainee of the Year, Ashling Cannell, for her Certificate III in Education and Support. Aboriginal and Torres Strait Islander Student of the Year, David Lowery, Certificate IV in Forest Operations. Vocational Student of the Year, Gypsy Rose Blackberry, Diploma of Education, Early Childhood Education and Care. Equity Vocational Student of the Year, Claire Draayers, Certificate II in General Education for Adults. Equity Apprentice of the Year, Michael Taylor, Certificate III in Heavy Vehicle and Mechanical Technology. Equity Trainee of the Year, Frances Daisy Walsh, Certificate I in Hospitality.

As I have said, it is not up to TasTAFE, day by day, to unpick nationally accredited training programs. Training product development is commissioned by the Australian Industry and Skills Committee, according to a national schedule and based on both industry and government priorities. Skills IQ has a role to support allocated industry reference committees to ensure training packages reflect the skills and needs of industry. In 2019 TAFE got its seven-year accreditation with Australian Skills Quality Association (ASQA). To achieve that they had to meet several requirements including the standard for RTOs and the extract for the standard RTO says:

Standard 1. The RTOs training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses.

In fact, the minister-of-the-day stood there and said, 'That's proof. You are saying mean things about TasTAFE all the time. They are amazing. We do not need to change anything,' when we were calling for more investment. When we were calling for more supportive staff. When we were identifying issues that TAFE staff wanted to work on to be more responsive. This Government would not have it, would not have it at all.

The other falsehood is this rubbish that you kept running that TAFE is a 9 to 5 training provider. What an absolute falsehood. You keep talking about the lack of flexibility. That is absolutely not true. You know that programs are offered outside of normal working hours and please stop pretending it is a 9 a.m. to 5 p.m. proposition. It is an absolute insult to those staff who do early mornings, those staff who do late nights, those staff who do out of hours work to respond to industry needs. It is absolutely offensive that you keep saying that.

TasTAFE courses can include a blend of campus and on-line learning, fully on-line or face-to-face. That is flexible. They offer courses of evenings and weekends. They continue to run throughout the calendar year including the Department of Education's school holidays. You keep spreading falsehoods about what TasTAFE does. It is outrageous and offensive, minister. No wonder you were not strong enough or gutsy enough to go and consult with staff because you did not want to hear that. That is why the consultation sessions were set while staff were teaching. That is why they got a written document telling them what the consultation was.

Let us have another little chat about the nature of the workforce because I am really concerned. What we have learnt through COVID-19 is that one of the things that made people most insecure was the fact that their work was insecure and there is a national push to lock in secure work to provide really good frameworks for workers. This is not being done. In negotiations for the new TasTAFE teachers' agreement, the state government has put in its log of claims the removal of the cap on employment of sessional or casual teachers. The current cap is for TasTAFE to employ no more than 15 per cent of its teaching work force as sessionals and is currently operating well under cap by just 1 per cent. The only reason to seek an expansion of the cap now is in readiness for a very large increase in its casualised workforce.

This Government talks a lot about supporting people, talks a lot about thanking people, did so at the end of the pandemic and yet we know that workers who do not have secure work are not safe. They are not safe when pandemics occur. They are not safe when there are other safety issues that they want to raise because they are casuals. What are they going to say? They are not going to put at risk their sessional work. You want an insecure workforce because an insecure workforce is compliant but it is also unethical. Absolutely unethical.

Let us not forget that we are seeing damage that has already been done to TasTAFE in other jurisdictions with governments seeking to undermine the TasTAFE role and we talked a bit about South Australia and the cuts to regional areas. Over the past decade a dozen regional campuses have closed in South Australia, subsidised courses were cut along with 450 full-time teacher positions, 20 courses were cut from their metro campuses which included subsidised childcare, aged care and disability courses.

We spent a lot of time talking about the trades and the impact of training on the trades but when we are looking at our significant areas of workforce shortage in the future, these are some of them. Forcing students to study with expensive and poor-quality private providers. Industry groups in South Australia in areas including childcare, aged care and disability have raised concerns about the TAFE course cuts and the quality of training provided. There are areas of growing workforce shortages. The nationally-led children's education and care work force strategy states:

Inappropriately short duration qualifications, variable quality and insufficient knowledge of the NQF - the national quality framework - are the most commonly cited responses for poor quality graduates.

The most recent update that I have, and I do need to go and check, is that they are estimating another 79 courses will have been cut in South Australia this year. Is that the future of TAFE that we will be looking at, minister? Is that exactly what you think we will be looking at?

I want to touch on the facilities audit that the minister is spruiking at the moment and we do not have any answer yet on whether that facilities audit is going to result in either the closure of campuses or closure of facilities. On 1 October, minister, you refused to rule out campus or facilities closure in your interview on the ABC. We are going to ask you to rule them out now. I am calling on her to do it, and if she stands up and does it, I am not actually sure that I will believe her. I am calling on the minister to answer a question and if she does answer it I must confess I do not have confidence. I do not have confidence because they have been so dishonest about everything else.

Minister, let us know what you are planning to do with the facilities audits. If you are dismantling, if you are planning to dismantle the structured training environment, are you expecting that the outcome of that is going to be that there is not going to be a need for a lot of the structure training facilities because you are going to move to a more modular or sessional base work or a more private RTO-like model? This sounds to me like a licence for campus or facilities closure.

We did see the closure of the TAFE campus in Launceston. Everyone says that is great because we spent some money up at Alanvale. Well, I am not sure you have got rid of the rats in D block yet, so that is a bit of a challenge. There are a whole lot of reasons why having a campus in the middle of town was really important for people in Launceston. Accessibility was really important. Public transport was really important. People who are doing courses while their children are at school are really important. That has become more and more difficult. You have not upgraded the entire site and you are millions away from doing that to a sustainable level. I am just assuming that your facilities audit is going to be another way of cutting facilities and campuses around the state but you know, rule it out. It would be lovely to have you say that is what is going to be what happens.

You keep saying that TAFE has to fundamentally change. There is no-one on this side of the House who does not want to see TAFE do as much as it possibly can. There is no educator who works at TAFE, no attendant who works at TAFE, no support worker or administrative person who works at TAFE who does not want to provide the best TAFE experience for students. That is not possible when the Government's only legislative agenda is to make it harder for those people to have secure work. You could fund TAFE and support it. You could have done it at any stage over the last eight years. You have chosen not to because you have this process here.

The 2019-20 annual report surveys employer satisfaction. TasTAFE is required by the national regulator to report on employee satisfaction with training in 2020. As in the previous two years, satisfaction was over 85 per cent. Of note, were responses to three quality indicator statements. Overall, we are satisfied with the training, 86 per cent. We would recommend TasTAFE to others, 87 per cent. We would recommend the training to others, 89 per cent.

These results would suggest, that whilst the critics of TasTAFE are few, and very vocal, they are driven potentially by ideology or by the messages you are giving them, than by evidence. The Annual National Centre for Vocational Education Research (NCVR) student outcome survey measured student satisfaction levels. The 2019 and 2018 results show TasTAFE students have better outcomes than the Australian average. Graduates agreement with statements for 2019: satisfied with teaching 89.1 per cent in Tasmania, 86.9 national average. Found the training relevant to the current job: 81.7 in Tasmania, 80.5 in the national average. Satisfied with the overall quality of training: 91 per cent in Tasmania, 88.1 per cent national average.

No doubt and no-one is saying that we cannot improve TAFE but the data that you are relying on does not provide evidence for the very radical and destructive policies that you are proposing through this legislation. In 2019 ASQA, as I said, renewed TasTAFE's vocational education and training and Commonwealth register of institutions and courses for overseas students' registrations for seven years. And, the annual report stated:

Given seven years is the maximum term for re-registration, this is an extremely positive result for Tasmania. This achievement demonstrates the quality of TasTAFE's training and assessment and is testament to the hard work and commitment of more than 800 teachers and support staff who deliver high-quality vocational education and training to our students.

Your minister stood in this House and said it was evidence that TasTAFE was doing a great job and you have done nothing but undermine it since.

I have a question on clauses 36 to 40 about child and safety which are currently covered through the Teacher Registration Board provisions and include the Working with Vulnerable Children and police checks and non-teaching staff are covered with the working with vulnerable children check. As I understand it, that is only there because the rest of the bill removes staff from the State Award and then consequently you have the registration board removal which has that rigorous process. I am not sure that you need that outside of this legislation. You are not planning any other changes at this point to the arrangements about children's safety.

**Ms Courtney** - Sorry, can you repeat the question?

**Ms O'BYRNE** - So, the provisions that you have are there because you are taking teachers out of the registration body and because you are taking state servants and putting them in the national program. That is why you need clauses 36 to 44.

**Ms Courtney** - I will respond to -

**Ms O'BYRNE** - Yes. If that is the case, it does not need to exist - I am interested in whether this is work that you would anticipate would have to happen without this bill. It is the only bit of the bill that may have some kind of import outside of a political agenda. I am interested if you could touch on that. If it is needed then the minister could clarify it; but once again, that does not need this legislation tonight.

The decision to gut TAFE was a last-minute, cobbled together inclusion in the Premier's Address off the back of one submission to PESRAC. A submission, all members will

remember, had questions raised due to the organisation's connection to the Chair. This Government has spent months since then running around, trying to make a policy fit a political announcement; trying to create a GBE and realising that was going to be a bit of a problem. Creating a new model; failing to properly consult with staff and students; and today, with this bill, we can see the outcome of that.

The bill does not give effect to your statement to reform TAFE, to change the way they trained, to put them, as you said in question time today, on a 'fit-fit for future footing'. It is purely an industrial arrangements tool, what I fear is a pre-cursor to more attacks on public sector workers. We believe in TAFE. We support its students, its workforce and the industries that rely on them.

I have thought heavily about it, as did my conversations with the responsible shadow minister, but we will not seek to amend this rubbish bill. It should be consigned to the dustbin now. I will conclude with the words of a long-term, respected educator. I want to point out that these educators are not using their names, because they were not consulted with originally, and we know what a vindictive Government this is:

The vision of the new revitalised TasTAFE, is sleek, glossy and enticing. The reality to be put in place by the legislation will be a blemished, tainted and corroded stain on the memory of the highly-engaged and appreciated award-winning institution.

I do not commend this bill to the House. I condemn this Government for its failure to support TAFE, and for its attacks upon its own workforce and make it clear that we will stand up for these public servants, and the next ones that this Government will invariably seek to target.

[5.17 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I thank Ms O'Byrne for an outstanding contribution on this legislation and commend the amount of deep work that she has done.

The Tasmanian Greens do not support this legislation. No case has been made for it. The bottom line is, and we actually had it laid out quite well there by Ms O'Byrne, from the Greens' point of view, given this Government's history, we do not trust them. We do not trust them with the future of our public vocational training provider. We know that this legislation has come from a single submission, from a former secretary of Treasury, Don Challen, to the Premier's Economic and Social Recovery Advisory Council. One submission.

There was no push from industry for this. There was no call from staff who work at TasTAFE. No unease from students at TasTAFE. This has come from one person who submitted in - who was on PESRAC, but also who put this forward through a process, which as time has gone on, we have become more and more aware, was completely opaque. No transparency at all about the Premier's Economic and Social Recovery Advisory Council, and so there is a series of recommendations that are made in there, which Government has said, 'it is committed to implementing every one of,' but of course, as we know, chapter 6, environment and sustainability, that has taken a back seat.

We cannot see, and we try, but we cannot see rationale for such a radical shake-up of a public vocational training provider which has served this state so well; given tens and tens of thousands of students the opportunity to take up a career in something that they are passionate about, or they are good at. This legislation is ideological. The more you look at it, you realise that there is something quite sinister sitting underneath it.

We have teachers at TasTAFE, who as a result of this legislation will no longer be called teachers. We are changing the Teachers Registration Act in order to do that. They will not be state servants, they will be put under federal law. That seems to us what is the guts of this legislation. As Ms O'Byrne said, it is an industrial tool. The consequence of this legislation passing is a corporatised TasTAFE that from our reading would be entirely industry driven, where because of poorer working conditions unless protections, I think, much less likely to attract the skilled and quality teaching and training staff that you need. What we know for sure is that course fees will rise. There is no way around that. That is the experience in other states as well.

We heard in the minister's second reading speech - 'We want more Tasmanians in rural and regional areas to be able to access TasTAFE'. If course fees go up, as they will, because the board can do that, how are we going to attract more Tasmanians, particularly those from rural and regional areas and urban fringe and people who are experiencing social and economic disadvantage, if we charging \$10 000 or more for a fee? In fact, the childhood educators are very concerned about an increase. The Early Childhood Australia, Tasmania branch, acknowledges that it is already difficult to attract people into the childcaring sector because it is very testing work and it is not particularly well paid. The Early Childhood Australia, Tasmania branch, in its submission on the TasTAFE Bill, said:

The education and care sector workforce are predominantly female who are juggling work and family responsibilities and in many cases undertaking a qualification pathway which is mandated under national law and regulations for employment in the sector.

Information provided directly by TasTAFE in the last week, both inadvertently in the public domain and also to a large education and care provider, is that the fees would increase and align with other TAFE models across the nation. \$16 000 for a Diploma in Early Childhood Education and Care. The Early Childhood Australia, Tasmania, wants clarification from the minister about whether this is the cost that is likely to be slugged on students who want to have a career looking after children. Clarification is required as to whether this is the cost after funding subsidies have been applied, and therefore the cost directly borne by the service and/or the student. The wages on completion of the qualification do not match the cost of the qualification and are consequently a disincentive to entering the education and care workforce.

Further down in the submission they say:

Currently the sector is experiencing extremely critical workforce challenges and any increase in qualification fees will negatively impact on service provision. Increases will lead to forced service closures, result in a reduction of available childcare spaces and/or room closures due an inability to meet vital workforce regulations, and restrict the workforce pipeline as proposed

charging policies will create a barrier for new educators entering the sector and/or existing educators on a career pathway.

If the minister could respond to that concern, that would be very helpful.

It was in 2013 that the then education minister, Nick McKim, stitched back together what had been the Tasmanian Polytechnic and the other stream of that which was a more academic-focused stream of education. It was incredibly disruptive to the public vocational training provider, reclassified as a polytechnic. A whole new layer of complexity and difficulties was a consequence. So, in 2013 the then minister, Nick McKim, stitched together TasTAFE; it had been TAFE Tasmania before it was dismantled by the previous premier, Mr Bartlett.

There are a number of aspects raised by the Australian Education Union in their excellent and comprehensive submission to this legislation we think should be laid out on the *Hansard*. I am very curious to know what kind of consultation there was with the AEU and any other union over this legislation. There was no consultation with the teaching and training staff or other associated staff at TasTAFE and there was certainly no consultation with students, or those Tasmanians who might be looking to entering TasTAFE.

In the draft bill, and I have had a look at the final bill and this is not resolved, the AEU raises the issue of the functions of TasTAFE. The following key functions in section 57 of the current Training and Workforce Development Act 2013 have been omitted in the draft bill:

- (2)(a) to provide to persons vocational education and training that -
  - (i) benefits the Tasmanian economy and builds the productivity of the Tasmanian workforce;
  - omitted.
  - (ii) is of high quality; ...
  - omitted.
  - (iii) results in those persons obtaining nationally recognised skills and qualifications.
  - omitted.

(2)(b) in the act that this legislation would dismantle:

to provide persons foundational skills training -

and I note that foundational skills are referred to in the legislation that we are debating today -

- that when successfully completed may lead, or may lead when so completed in conjunction with other training, to those persons obtaining a qualification;

that has in some part been adopted in the late legislation, and

- (2)(c) to develop, in consultation with relevant industry associations, models for the provision of vocational education and training to employed persons for the purposes of developing skills, including developing skills needed to alleviate or prevent skill shortages in the Tasmanian workforce.

...

- (2)(h) to collaborate with principals of schools ... in relation to the support of persons as they move through school, vocational education and training, higher education ... training and into the Tasmanian workforce;

omitted.

There is a whole range of capacities in the existing legislation that underpins TasTAFE as a public vocational training provider that have been removed in the bill we are debating today, but there is some stinging criticism by the AEU of this legislation. They are coming at this from the point of view of people who are passionate about making sure we have quality education and training experiences at an affordable price by highly qualified trainers and teachers. That is the bottom line. We need a quality, public vocational trainer. The AEU says:

The draft bill, if implemented, would have immediate and severe negative impacts on the current TasTAFE workforce and widespread negative impacts on the Tasmanian community and economy over time. The legislation is radical with far-reaching consequences and unlike anything previously imposed on Tasmanians. The bill expels TasTAFE teachers and support staff from the Tasmanian State Service and forces them into Fair Work with immediate disadvantage contrary to Government claims. The legislation and a policy agenda that underpins it will exacerbate existing workforce skill shortages and exacerbate teacher shortages at TasTAFE.

In the face of these severe and growing work force shortages, which are acknowledged in the submission and has been laid out by Infrastructure Australia, the state Government is proposing to degrade and deskill TasTAFE with the draft bill allowing for the appointment of a homogenised board lacking appropriate skills and diversity. These are omissions are even more extraordinary when the reason given for this radical restructure was to create a more, 'future focused organisation.'

As we know, the PESRAC report - which the Premier has wholly endorsed - details the privatisation model for TasTAFE. It advocates full cost recovery which means higher fees charged to students and employers and for profitable courses to be peeled off for private registered training organisations, while TasTAFE delivers the unprofitable training. PESRAC also encourages contestable skills funding which forces TasTAFE to compete for Government funding with four profit RTO's which are notorious for cutting corners with their training modules. It is all so simply noted in the AEU submission.

It is worth noting, says the submission, that out of 178 submissions to PESRAC only one was critical of TasTAFE and advocated for a quote, 'Jetstar privatised model'. That submission came from NCK Evers Network of which the PESRAC Chair, Don Challen, is one of seven



members. It is also interesting to note Mr Challen is a senior adviser to Flagstaff Partners, a corporate advisory firm which lists on its website one of its services as, 'privatisation of government owned business enterprises'. Mr Challen's employment with Flagstaff Partners Pty Ltd as a senior adviser is listed on his statement of interests.

What is being proposed here is a savagely radical remake of an entity which has served this island well, off the back of a single submission to PESRAC. Ms O'Byrne laid out the falsehoods extremely well on the basis of this layer upon layer, this Sara Lee layer upon layer of lies. The parliament is being asked to dismantle TasTAFE, to stop TasTAFE teachers and trainers from being teachers under the Teacher Registration Act, to make their employment more insecure, to stick them under federal legislation and to let industry run the show, basically.

We argue TasTAFE should be free to everyone who wants to learn and improve their skills. The Government can afford that. For heaven's sake, we had a debate in here earlier today where the Government is sticking \$75 million into the Stadiums Tasmania Authority. Imagine how much access to quality vocational training you could provide to Tasmanians - no matter where they live - for \$75 million.

We had in the second reading speech, some of this language, oh yes, the false claim that they want to ensure TasTAFE provides more Tasmanians with the skills they need to get jobs now and into the future. If course fees go up that is simply delusional, or it is just dishonest. We heard from the minister that the Government has committed an additional \$98.6 million to upgrade TasTAFE facilities. Why not now? Why not invest in that while TasTAFE actually needs that investment in its infrastructure, or are we polishing up these facilities as Ms O'Byrne alluded to in order to ultimately sell them off?

We have a guarantee from the minister that 80 per cent of future training funding will be invested in TasTAFE. Why can they not have that guarantee now? That would ensure long-term sustainability. We heard in the minister's speech there has been feedback from industry and employers. Not a word about people who work at TasTAFE, not a word about engaging the students and certainly nothing about talking to the Australian Education Union or any other union which represents people who work at TasTAFE.

We have some questions. I point out the United Workers Union sent its submission on 18 October this year in relation to workplace conditions and entitlements for future TasTAFE employees:

The bill does not protect terms and conditions of employment of TasTAFE employees in line with the Government's promises. The Government promises in the fact sheet about the draft legislation for TasTAFE that the draft legislation, 'Proposes that TasTAFE staff will transition with ... the same terms, conditions and entitlements as set in industrial awards and agreements', and, that 'no existing TasTAFE employee will be worse off'.

The legislation itself makes no such promise as the United Worker's Union points out and they say:

As stated previously, copied state awards have a finite operational period of five years. After this time, employees will become covered by Fair Work modern awards which provide for substantially reduced salary entitlements.

Copied agreements continue to apply until terminated but there are limited circumstances in which they can be varied.

For a comparative example with the modern awards, at present, full-time facility attendants working day work at TasTAFE receive (from 1 December 2021) a salary of between \$47 950 to \$54 020, dependent on their length of service.

Under the Educational Services (Schools) General Staff Award 2020 (an award which provides for the closest analogue for the work of facility attendants) -

a federal scheme -

a full-time employee earns between \$41 473 to \$47 807 depending on the position assigned to them.

Whichever way you look at it, people who work at TasTAFE, certainly on these awards and I am sure it is broader than this, will be between \$6000 and \$7000 worse off a year. Staff will be worse off financially over time, students will find these courses more unaffordable, and there are a whole lot of question marks over the Government's ultimate ambition for TasTAFE.

I have a few questions. Can the minister explain what the relationship would likely be - should this legislation pass and we certainly hope it does not - between TasTAFE and privately registered training organisations? Under functions and powers of TasTAFE it is to provide vocational education and training in Tasmania in accordance with the Statement of Expectations from members of communities, including but not limited to rural and isolated communities and other communities where other providers of vocational education and training cannot or are not effectively meeting demand. It is like the private providers will get the cream of the crop and TasTAFE will be left to do the hard slog by providing vocational training into hard to reach communities that are not being serviced by private RTOs. Can the minister confirm that is the case?

Again, under the functions and powers of TasTAFE, the new TasTAFE is able to, with the written approval of the minister and the Treasurer, participate in one or more of the following arrangements for the purpose of sharing the profits:

- (a) a joint venture.
- (b) a partnership, and
- (c) another formal arrangement.

The House should have some examples of what that might look like. A partnership with whom? The Tasmanian Hospitality Association? I would not be surprised. What might another formal arrangement be under that provision?

The TasTAFE Board, which has gone from being under the current act a more qualified skills-based board to this very dry line-up of people appointed by the minister of between five and seven members, but the functions and powers of the TasTAFE Board include the power to do all things necessary or convenient to perform its functions under this act. Can the minister

confirm - even though I know it to be true - that that means TasTAFE can raise fees and lower the amount of money it pays to a more casualised workforce?

Clause 12 is the clause that is a slightly schizophrenic clause because it basically states that for the purposes of the act, the TasTAFE Board is not a public sector employer and it jumps around in the next clause and says that they are for the purposes of the Public Sector Superannuation Reform Act. So, they are not public sector employers but they are for the purposes of that division.

In clause 14, there is confirmation that TasTAFE can hike up fees, levies and charges. Can the minister provide some clarity to the House as to when the Child Safe Code of Conduct, which will apply to all those TasTAFE employees, will be complete? It says within three months of the commencement - I think it is in three months of a corporate plan being written, and you have a Child Safe Code of Conduct. This is probably a reasonable opportunity to raise the issue as it relates to the Department of Education, following the release of the inquiry undertaken by Professor Tim McCormack and Professor Michael Smallbone, which found that there is a whole range of systems that the Department of Education simply did not have in place to keep children safe.

In fact, the Department of Education, certainly through the 1970s, 1980s and 1990s was moving paedophile teachers from one place to another. A point that is made by the inquiry is that even today, the inquiry heard that the Department of Education still has a cultural issue, internally, with believing students who raise issues and that there is a reflex within the Department of Education to defend the adults, to defend the teachers and not to believe the students. We certainly would not want to see that sort of thing happening at TasTAFE today, or under a TasTAFE as re-made should the upper House pass this legislation.

We heard from the minister that funding is going into TasTAFE facilities. What is the plan for any funding, block funding, or ongoing operational funding in the same way, for example, that the Government still provides funding to Metro Tasmania so that it can meet its community service obligations? In clause 21 of the bill, the funds of TasTAFE are only what it collects in fees, levies and charges. What it otherwise receives in performing its functions and exercising its powers, received by it, or the TasTAFE board from any other source.

Is that clause 21(1)(c) where the state government might make a contribution to TasTAFE should it require it? Is the minister able to explain in plain English the provisions regarding the transfer of Crown land and the potential transfer of current TasTAFE facilities to a newly and radically re-made TasTAFE should this legislation pass?

I just say this for the drafters: I am sorry to be pedantic but clause 25, Borrowing by TasTAFE, the Tasmanian Public Finance Corporation is not a person. I understand there is a flabby, legal argument about this but you have a clause in here that says:

Except with the written approval of the Treasurer, TasTAFE, or a subsidiary of TasTAFE, must not borrow from any person other than the Tasmanian Public Finance Corporation ...

It is not a person.

That is the end of my questions, but in closing, the Government has done a really poor job of selling this. There is a reflexive move towards propagandistic language and clichés and spin, that is the discourse the Government's TasTAFE reform agenda has been all about. As Ms O'Byrne said, I guess no wonder in some parts of the community and in some sectors of industry they think this is what is needed because they have been fed lies about TasTAFE as it is. If TasTAFE is struggling now it is because this lot have been in government for the past seven, eight years.

If TasTAFE is not performing to the satisfaction of some people in industry they should actually look to the Liberals who have been in Government for nearly eight years and who have continually undermined, in our view, public vocational training as provided through TasTAFE.

There was one submission I had a flick through but it just bored me, so I did not read it too much but that was Luke Martin's Tourism Industry Council pushing hard for this reform. All the other reasons to oppose this legislation aside, if the big corporates like Luke's TICT are so fiercely advocating for this legislation using a whole lot of hyperbole in their submission, well, that just adds in our view, to the argument for opposing it.

This legislation is not about providing excellence in public vocational training. It is not about investing in and attracting highly-skilled teachers and trainers. It is not about giving more Tasmanians access to affordable vocational training because TasTAFE courses will become more unaffordable. They are already high. They are a disincentive now. Imagine once you have unleashed a not-government business but a general government entity, is what I think it is being called. Imagine what is going to happen to course fees but also, course diversity. If this is about the Premier's high-vis army and they are going to allow the Civic Construction Association and the Master Builders Association to drive what TasTAFE does because your policy or your politics adheres you to a high-vis army because you have so little imagination that you think that is Tasmania's economic future and you think that that is what all young Tasmanians who were looking for a vocational career, should aspire to, that is really sad.

We strongly oppose this legislation.

**Time expired.**

[5.47 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, as a member for Lyons, a member of the Government, minister for Primary Industries and Water, Resources, Energy and Emissions Reduction, Trade, a whole host of productive industries in this state are calling on the Government to progress this bill and deliver on this signature election commitment to the people of Tasmania.

This was discussed and debated uphill and downhill. This is a very important bill. Yes, there has been some debate about PESRAC and the recommendations coming out of that. There have been derogatory remarks by the Leader of the Greens with respect to Don Challen. We know that this bill is supported by industry groups and is in the best interests of the workforce of the future.

We know what Labor has advised publicly prior to the election. What did they say about TasTAFE prior to the election? They say they had a plan for jobs. They say TasTAFE is

broken. Labor said that TasTAFE needed to be rebuilt from the ground up, and that vocational education and training in Tasmania needed -

**Ms O'Byrne** - It is a public institution. This is a bill about sacking workers. He is being dishonest.

**Mr DEPUTY SPEAKER** - Order, Ms O'Byrne.

**Mr BARNETT** - Mr Deputy Speaker, I am referring to the little red book of debt, audaciously called their Plan for Jobs by Labor. It was put out, and I am just quoting, and it said:

TasTAFE needed to be rebuilt from the ground up and that vocational education and training in Tasmania needed to be more efficient.

There was discussion and debate. There is no doubt about that. The fact is they are ideologically opposed -

**Members** interjecting.

**Mr DEPUTY SPEAKER** - Ms Dow and Mr O'Byrne, you will all have an opportunity to contribute. Ms Dow, you were interjecting before you had even sat down.

**Mr BARNETT** - Thank you, Mr Deputy Speaker, they are ideologically opposed to this bill and to this reform because they are wedded to their union masters, and that is exactly what has happened here in this parliament today as expressed by the shadow representative and spokesperson for the Labor Party.

They are going against the wishes of those in the various industries, the farmers, the foresters, the fishers, the miners, those in energy industry and emissions reduction. They are going against all of those. I will give you some quotes from those representatives, from those advocates for and on behalf of those industries, Ms Dow. I will give you those quotes and you can listen and learn and hear the feedback from those industry associations who want a future for their sectors. This is the backbone of our economy we are talking about. We are talking about the future of Tasmania. We are talking about the future of the state, about future jobs. This is future-proofing Tasmania, to ensure that we are adaptable, versatile and flexible and are ready to operate in the 21<sup>st</sup> century as a leader across this great nation and across the globe.

Tasmania can do this and we will do this. We are very determined because this is a future-focused TasTAFE. We are delivering. As the minister and the Premier have so ably said publicly many times, we are backing it in the budget with nearly \$100 million of support, \$98.6 million to be exact, 100 new teachers as well as the new buildings, better equipment, and expanded rural and regional access to training. We are talking about being adaptable to industry, to businesses large, medium and small. The 38 000-plus small businesses - we have not heard much about them in this place from the Opposition and the Greens. No, we have heard very little to nil with regard to the smaller businesses that want to be able to gain access to workers who can operate, be adaptable and meet the needs of the future. That is what we are talking about.

As a government, we are the strongest supporter of TasTAFE and its crucial role as a public training provider. We had all these arguments from the Labor Party during these debates, publicly saying 'you are privatising TasTAFE'. It is rubbish and you know it. You should apologise and withdraw these ridiculous accusations because they are simply untrue.

We have taken this strong plan for TasTAFE to the people and it is a resounding signature policy of this government, and the people of Tasmania expect us to deliver on our promises and plans. Guess what, that is what we are doing; delivering.

Particularly as the minister responsible for the farmers, the foresters, the fishers, the miners, those in the energy space, they need the support for the future to be adaptable and TasTAFE will remain a not-for-profit under this new model. It will remain in public hands so there is no doubting that. It will be strengthened and be better. We are building a better and stronger TasTAFE and something that is adaptable.

Industry is crying out for this and I will go through some of these comments shortly for members of the Labor Party and those who are listening, but what about the students? What about them? Let us provide support to them as they deserve this. What we want to ensure is that industry has closer alignment with the training to ensure that we have the trained, qualified and empowered workforce right here in Tasmania to do the job not only now, not next year but into the next decade and beyond.

We have a long-term plan in this place as a Government, for all of our portfolios and for this great state of Tasmania. Why is it that we are leading Australia with regard to the economy and economic growth for the last seven quarters? It is because we have a plan to secure Tasmania's future and we are delivering on the plan. That is what this bill is all about and we would expect those in this chamber and those elsewhere to be backing it in because this is part of our plan. Why is it that amongst all of Australia, the level of confidence in business is so strong and why is it that they are grateful for the initiative and strong plans by this Government for their future? It is because of that very fact that we have these strong plans to secure Tasmania's future and we are aligning this training, skills development, education, and initiatives right here underneath the efforts of TasTAFE well into the future to align that to industry needs. We are absolutely acting on that.

The minister has hosted round tables. She has met with industry groups and as have I, in my portfolio areas and we have listened. We have responded to their concerns and calls for reform and that is what we are delivering on. Let me refer to those and that interjection across the Chamber a few moments ago asking who are these industry groups and what have they to say? Let us have a look at them. Let's start with the Tasmanian Chamber of Commerce and Industry, Michael Bailey, on 1 October, quote -

**Opposition members** interjecting.

**Mr DEPUTY SPEAKER** - Order, members on my left.

**Mr BARNETT** - I am quoting Michael Bailey -

**Ms O'BYRNE** - Point of clarification. The minister referred to interjections that did not take place. I am concerned about him.

**Mr DEPUTY SPEAKER** - Ms O'Byrne, there is no such thing as a point of clarification and you know it.

**Ms O'Byrne** - There was no interjection either.

**Mr BARNETT** - I am quoting Michael Bailey -

**Ms O'Byrne** - You are making up interjections.

**Mr BARNETT** - You may not like it. You do not like what the Government is saying -

**Mr O'Byrne** - With respect, I think it is you.

**Mr BARNETT** - You think it might be just me. I do not think so because we are at one on this side. We are united unlike the Labor Party on the other side. Let's just take that interjection, Mr O'Byrne. This is coming from you, sir, former leader of the Tasmanian Labor Party, and you are interjecting on me and saying that I am speaking for and on behalf of myself and not on behalf of the Government. Let me tell you something: we are at one. We are united on this side. You are a divided rabble on the other side of this Chamber. As for Mr O'Byrne with his interjection, trying to call out the fact that you are acting as though you are part of the parliamentary Labor Party. You have been sacked. You are not. You are an independent Labor. I do not know what we call you now.

**Ms O'Byrne** - Can we have some relevance to the debate.

**Mr BARNETT** - I am happy to make reference to the member but clearly you are a divided Labor Party.

**Ms O'Byrne** - He is making up interjections and wandering off the topic. He needs to go and have a cup of tea.

**Mr DEPUTY SPEAKER** - Ms O'Byrne, if you are going to interject, the minister is going to respond to them.

**Ms O'BYRNE** - Point of order, if I can raise the fact that the entire discourse has occurred because the minister misled the House by referring to an interjection that did not place.

**Mr DEPUTY SPEAKER** - It is not a point of order, Ms O'Byrne. The call is yours, minister.

**Mr BARNETT** - Thank you, Mr Deputy Speaker. Now we have both O'Byrnes from the other side. Michelle O'Byrne and David O'Byrne, both speaking and both interjecting on me as speaker and as minister for this Government, speaking for and on behalf of the Government, speaking for and on behalf of the farmers, the fishers, the foresters, the miners, and you are doing everything you can to obstruct.

Simply by speaking and saying what you do, you are proving that you are a divided rabble. You are. The left wing, the right wing; you are mercilessly attacking each other. We know that. We see it not just on Twitter and social media. We know. We get feedback. It is

happening all the time. For goodness sake, people have had enough of it. Come together and have a plan. Put forward a policy, an alternative budget. You have nothing to offer and as for your leader, there is nothing there. There is nothing to offer.

I was quoting from Michael Bailey, of the Tasmanian Chamber of Commerce and Industry. What did he say on 1 October? He said this:

Tasmanian industry and the business community is unified in its support for the full set of the PESRAC recommendations relating to TasTAFE.

He goes on to say:

We want a TasTAFE with flexibility to deliver training,

and

what we need is a transformed TasTAFE that looks and acts more like the businesses and industries that will be employing.

That makes sense to me. It is spot on. That is where we are coming from. It is backing in this Government's plan 100 per cent.

Let us talk about the foresters. What does the Tasmanian Forest Products Association say?

The TFPA is supportive of the TasTAFE transition, based on that it will become a future-focused and market-aligned training provider that is responsive to the needs of Tasmanian learners, employers and industries, and provides more Tasmanians with the skills they need to get jobs now and into the future.

I hope they are listening on the other side because these are important organisations, important sectors of the community and the Labor Party has mentioned nothing about these future-focused plans and views of these associations. The Fruit Growers' Association of Tasmania:

We support the Tasmanian Government's vision for TasTAFE to be a future-focused and market-aligned training provider that is responsive to the needs of the Tasmanian learners, employers and industries ...

It is essential that TasTAFE has the right foundations and structure and the right tools to ensure it can be flexible enough over a reasonable time frame to be flexible, adjust and work more closely with industry and employers and deliver the required training at the required times ...

Guess what? It is not only the peak body associations. I get that feedback directly from fruit growers, as minister, likewise in the business community. As I say, across the small business community, medium-sized and larger business, it is not only the peak bodies.



What about the Tasmanian Minerals, Manufacturing and Energy Council, Ray Mostogl, north-west coast, based up there? I am looking at the member for Braddon. What did Ray Mostogl say? We were at the annual dinner a few nights ago. This is what Ray Mostogl says:

TMEC is seeking a TasTAFE which is better synchronised to both the core technical training (traditional apprenticeships and traineeships) as well as the emerging technical training needs being driven by new industries (defence, renewable energy etc.) and new technologies and materials.

This makes a lot of sense. We are looking to the future. He is talking about new technologies, he is talking about renewable energy, 100 per cent fully self-sufficient in renewable energy. Why is Ray Mostogl a strong advocate of this new TasTAFE? He is part of Energising Tasmania, the funding support from the federal Government to create the work force for the future for our renewable energy plants that will deliver billions in investment, thousands of jobs, and push downward pressure on electricity prices. I thank Ray Mostogl for his leadership in this regard, in working with others to help provide future-proofing for Tasmania, particularly in renewable energy, across minerals, manufacturing and energy across the board.

There is a whole lot more, but I do want to mention the National Electrical and Communications Association, NECA. What do they say? Ben Shaw - congratulations, well done on your appointment and role heading up NECA in Tasmania:

NECA is highly supportive of the proposed legislative changes and looks forward to working closely with the Tasmanian government to ensure the desired improvements to TasTAFE, are delivered in a manner satisfactory to industry and government once the legislation is passed.

That is where we need to get to, to pass this legislation. I could deliver quotes from the Tourism Industry Council of Tasmania, from the Master Builders' Association, from the Housing Industry Association, Civil Contractors' Federation and it goes on and on. I am so pleased to be supporting this and I commend Sarah Courtney for her leadership, together with the Premier and the rest of the united team of the majority Liberal Government: a united team, unlike those on the other side of this Chamber, who are a divided rabble.

As I conclude and make a final remark with respect to the Greens, this is not unusual for them to be opposing this type of bill because they are anti-jobs campaigners flat out. The parliamentary arm of the Bob Brown Foundation and they, as anti-jobs Greens have copied and pasted their usual slash and burn approach to our productive industries and delivering on their vision of a radical jobless utopia. Well of course we are not in that utopia. We have jobs in Tasmania.

We want to grow the number of jobs. We have the fastest growing economy in Tasmania and have big plans for the future for Tasmania and we are on it. As I conclude, this is about the future of Tasmania and backing in what is vitally important for their future and that is future Tasmanians and their jobs. We want to create the jobs of the future and a future looking TasTAFE is going to deliver on that. We are the strongest support of TasTAFE and it is a crucial role as the public training provider. I will conclude there and I am very, very pleased

to be backing this bill, the minister, the Premier and the rest of the united team on this side of the Chamber.

[6.06 p.m.]

**Ms DOW** (Braddon - Deputy Leader of the Opposition) - Mr Deputy Speaker, that was an interesting performance from Mr Barnett. It is important to put on the record he did in actual fact misrepresent the interjections during his contribution and he knows very well that he did. That is why members on this side were seeking a point of clarity around that through you, Mr Deputy Speaker.

This bill comes to this House and this place under the guise of the PESRAC report. Like other recommendations in the PESRAC report, including local government reform and a recommendation that the Government was calling on the Labor party to support, we are not going to be supporting this bill. This bill is fundamentally an industrial relations tool or instrument. That is fundamentally what this is about. This is about the ideology of the Liberal party. It is not about the future of TasTAFE.

This Government has had eight years to address the inadequacies across TasTAFE. They have had eight years to invest in TasTAFE. They have had eight years to better support TasTAFE's workforce right across Tasmania and, to date, they have not done that. This bill will not do that. Seven hundred and four Tasmanians and their families will be affected by this bill. Those 704 hardworking Tasmanians who provide an invaluable service of vocational education and training across Tasmania to both Tasmanians, young and old, will be impacted by this bill. This bill is about diminishing their conditions. It is about cuts and it is not about supporting those workers.

This Government comes to this place and talks about the rhetoric of how they support workers. This bill is a clear evidence base for the fact they do not support workers. If they did, they would not have brought this bill to this place in the first place. It is just another example of this Government riding rough-shod over public servants, our hard-working public servants.

As Ms O'Byrne clearly articulated, perhaps this is the beginning of more industrial relations instruments to come. We do not accept that either. This bill does nothing to address the shortage of teachers across TasTAFE, across the state. It will not do anything to attract people to want to work for TAFE and it will not do anything to attract people to want to stay working with TAFE. That is a huge concern because one of the single issues around TAFE is their ability to recruit and attract teaching staff. Fundamentally, that is why there cannot be courses provided across other parts of the state, particularly in regional Tasmania where I come from.

Just this week, I had a constituent write to me about a course publicly advertised during TAFE's open week of courses that will be provided on pathology and I have written to the minister about this - laboratory studies, sorry, it is not pathology. This course has been clearly advertised as being made available from the Burnie campus. When that student went along to that information day they were told that course was no longer going to be provided at Burnie, they would only be able to provide that in Hobart. That constituent is not going to move to Hobart to do that course, and why should they when it is publicly advertised the course would be available. That does concern me. Under this Government we have already seen courses

being made online rather than face-to-face and those across the caring services sector where we know it is so important there to be face-to-face education and training.

Right now, we have made no secrets over a number of years about our desire to see greater investment in TasTAFE, greater support for those who work across our TAFE campuses, and, more importantly, for students - young and old - across Tasmania, no matter where they live to have access to good skills and training opportunities. Mr Barnett talks about the importance of this bill to the Tasmanian economy. Fundamentally, this Government's investment in skills and training is critical to the Tasmanian economy. In my view, it is one area that they have severely neglected over nearly eight years.

It is a structural issue, and you see that in regional areas where there are high levels of unemployment and that can be directly related to the fact that there are limited opportunities for people to access skills and training. In fact, TasTAFE has not had a strong presence across those rural and regional communities for many years now. It is only at the last election that this Government started talking about rural and regional TAFE. It was only after it was a key focus of our jobs plan. I put on the record today that our job plan was a comprehensive document. It was an excellent document. It had excellent policy in it around investing in TasTAFE. It was about rebuilding TasTAFE, and that work was brought together over many years of consultation with industry, Mr Barnett, with the union movement and with TAFE students and our local communities.

That work was also done through our industry advisory councils which we worked very closely with industry through over many years. I can tell you that the number one issue that was raised right throughout those industry advisory councils, was skills and training. We listened to that, and that was our response; and our policy was born out of those discussions primarily with industry. We also worked with the unions, the AEU particularly, about that policy and what that would mean for them and how it was all about providing greater support to them and investing in their workforce.

This morning, in Question Time, for there to be reflection on that jobs plan and for the minister to say that was all about that we thought that TasTAFE was broken, that it was not working and that would be an impetus for us to support this bill, is simply untrue. Further to that, I note, and this is the core issue when it comes to this piece of legislation that is before us today, this is not about the reform of TasTAFE. All those things that are in this document here can be done outside this process and should have been done over the last seven years across Tasmania.

It is absurd that you would be looking at a time frame of 2023 to be doing an analysis of what the gaps are in skills and training opportunities across key industry sectors in 2023 in this plan. That work should have been ongoing for your Government since you came to Government in 2014. You clearly have not done the work, if it is in this paper around your transformation of TasTAFE to be done years down the track. To me, that is unacceptable.

I also make the point that during Estimates, we asked quite clearly about the budgeted items that are around the extra TasTAFE teachers. I put the question on notice again to the minister today, about how many of those 100 staff have been employed so far? Where have they been employed? How many of them will be employed across regional and rural Tasmania? You only have to look at the Budget papers to see there is no funding in the out

years around the regional TAFE virtual campus model. There is no funding in 2023-24, 2024-25. Why is that?

When we asked that question, the minister's response was, 'we are working with Libraries Tasmania to look at a model'. You have had nearly eight years to look at a model about how you might improve access to training across rural and regional Tasmania. You have not done the work and that has been detrimental to those communities. You only have to look at the communities in my electorate of the west coast and at Circular Head who have taken it upon themselves as a community to fill those gaps, to develop study hubs that will work closely with TasTAFE; to look at ways that they can provide opportunities to engage with TasTAFE across those local communities.

When we look at the jobs hubs model, that is yet another policy that was part of our jobs plan and it is one you have adopted now. You only have to look at the great work that has been done in Sorell over many years now, under the leadership of Mayor Kerry Vincent, to see what they have done in their local community to connect people to skills and training, to connect people to employment opportunities. It is wonderful place-based work that has been going on for many years now; but it has been developed in the absence of there being a clear policy agenda and clear investment in rural and regional TAFE by this lack of investment across rural and regional Tasmania.

That is why those models have been developed - to fill that gap, and to make sure those rural and regional Tasmanians have access to employment opportunities in our traditional industries which are crying out for skilled workers right now, right across Tasmania. This bill is not going to help them to get access to skilled workers.

**Mr Barnett** - Yes, it will. Great support.

**Ms DOW** - It will not, Mr Barnett. It simply will not be. The feedback they have given us over many years is all about the need to increase access to face-to-face training across those rural and regional communities. Your Government has not done that, and you are still not going to do it. You are doing it virtually, through libraries across communities.

One of the largest growing sectors of our economy is the caring industry - disability care, aged care. It should not be provided by online learning opportunities. It should be face-to-face delivery. It is a caring career. It is all about people. It is about body language. It is about providing empathy and care to people. There are tremendous opportunities across rural and regional Tasmania for people to have a career in these growing sectors of the economy, but right now they cannot get access to those skills and training in their local communities.

The consequences of that are that hundreds of Tasmanians are waiting for aged care packages and disability support packages right across Tasmania, and it is having a severe impact on our health system - bed blockage, and putting a huge demand on families as they provide care for their loved ones. That is another example of a flow-on effect of this Government's inaction when it comes to skills and training.

A number of myths have been put by the Government about this bill and I want to dispel a number of those myths and put those on the public record. They are that inflexible time of day training is provided by TasTAFE. The reality is that TasTAFE teachers arrive to teach as early as 6 a.m. most days. TasTAFE has the lowest teaching hours. Teachers work more hours

per year for TasTAFE than in New South Wales and Australian Capital Territory. The Government says that TasTAFE is unable to adapt to shifting employer demands. The reality is the Government's mismanagement and underfunding of TasTAFE has restricted teacher options and opportunities. The Government says that TasTAFE needs more micro-credentials or skill sets. The reality is that these are already in place through the Skill Up short courses for the COVID-19 recovery.

Of course, the Government has the myth that courses offered are too broad. My colleague, Ms O'Byrne, clearly articulated this point and that standards and content are developed by industry nationally. This bill will not address that.

I will finish my contribution today with the words of a TasTAFE student, because this is about what investing in TasTAFE is all about. It is about young Tasmanians getting a job, earning a livelihood, providing for their families, and having access to those skills and training in their local communities. Tasmania has a highly dispersed population. We have significant disadvantage across our regions. This Government should be providing every opportunity that it can, to enable young Tasmanians, older Tasmanians that have transitioned out some of our traditional industries as those have changed over time, to have every opportunity to access skills and training in their local community. You have not done that.

'If I wasn't in TAFE now I probably wouldn't be anywhere', says TasTAFE construction student, Alicia. 'I reckon I would be sitting at home, not going to school because I struggled there. I was behind on everything and would get overwhelmed. But when I came to TAFE, it was probably the best option for me. TAFE's taught me my maths, I'm understanding the work I'm having to do, they've got so much support in TAFE with everything. When I got into TAFE, I was so happy I called everyone. Since starting TAFE it's been probably the easiest thing I've done. I'm actually smiling at my maths work, I'm getting my work done and things are so much easier, maybe because it's something I enjoy doing. I want to encourage other people my age, if they're struggling at school, to do their best, finish high school, get into a trade. It is probably the best thing that you can do for yourself'.

That is a perfect example of how good access, good investment in public vocational education and training, can transform the life of an individual, which is fundamentally what we should be considering every time we look at pieces of legislation in this place.

This bill is not about students like Alicia. This bill is an industrial relations instrument. It is not about the reform of TasTAFE. As I said, you have had nearly eight years to invest in TasTAFE, to better support staff and to ensure that every Tasmanian, no matter where they live, gets access to good skills and training, and are supported to do so. You have not done it.

We will not be supporting this bill and we will be waiting with bated breath to see how far your reform process goes and if you actually deliver what you said you will. To date you have not, so why should we have any confidence and why should Tasmanians have any confidence that you actually will improve TAFE, and access to skills and training to better support industry and Tasmanian students, young and old, and to make sure that skills and training, and the opportunities available across Tasmania ensure improved economic outcomes for all Tasmanians?

[6.22 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I rise to speak on the bill and at the outset let me say that TasTAFE is a trusted institution. It is an institution that has provided vocational training and custodial care for generations of Tasmanians. It has provided a pathway from unemployment to employment. It has provided a pathway from high school to careers. It has provided a pathway for industries to rebuild, to retool and to have a workforce that is fit for purpose. It is trusted. It is trusted by the Tasmanian community. It is trusted by many employers. In survey after survey, it has been endorsed by the Tasmanian community as a trusted entity, as a trusted training provider and as an institution that people have faith in.

Is it perfect? No, it is not. If you talk to many TAFE teachers and people who work in the system, there is always room for improvement. They are constantly looking for ways to provide better services and better support to students and industry alike. They are constantly reframing and retooling their work to the best of their ability to respond to the needs of Tasmanian industry and the Tasmanian community.

We heard a number of peak organisations, and it has been quoted in the debate already today, saying that they endorse the Government's plan. I would say that what they are endorsing is a better way for TAFE, a better way for vocational education. If you are presented with one option for that future, they are going to sign up to it because that is the only option on the table.

What we have here is a combination of three things. There is the Liberal Party ideological view of public sector-funded, controlled, run and delivered training. This is a desperately opportunistic political opportunity taken by the Government. It is an admission of failure that their Government is unable to meet the needs of industry, to work with TAFE to ensure that the organisation is the best it can possibly be, providing the solutions for the future workforce in multiple industries in Tasmania. It is ideological. We know this because, since the mid-1980s, we have seen Liberal governments, both state and federal, dismantle public institutions that deliver good, low-cost, solid training in areas that are not economically viable. The market would take a very strong view on some of the training provided by the TAFE. However, it is not about the market; it is about TAFE providing educational opportunities for young Tasmanians and Tasmanians who either want to change a career, build a new career or see an opportunity in an industry that is desperate for new skilled workers.

Both state and federal Liberal governments, over many election cycles, time and time again, have sought to offload their responsibility to provide training to industry and Australians across the country. So, it is ideological.

I call it desperately opportunistic because, other speakers have referred to the PESRAC recommendation and the single submission that was brought forward. Not reflecting on the stature of Mr Challen - I have known him for many years, he is highly respected and highly regarded, but he is conflicted, to a point. He has a personal view, an ideological view about training. It does not make it right and to have one submission refer to a corporatisation, essentially - call it what it is - if it walks like a duck, quacks like a duck, looks like a duck, it is a duck - it is privatisation, effectively. It is the abrogation of the Government's responsibility to provide this training.

It is desperately opportunistic because, under the COVID-19 response, there was much criticism across Tasmania about the life of this Government, the current Gutwein Government

and the previous Hodgman government, that it was just minding the shop, that it was a government that had no agenda. No micro-economic reform. No signature agenda that fundamentally improved and changed Tasmania, apart from minding the shop. I reckon this Premier, after reading those editorials and seeing the commentary around the state, was a little bit chided and upset by that. All of a sudden, he had this PESRAC report drop in his lap and he could find something that he could paint up as an agenda. It is about training, it is about reform and 'we will privatise TAFE, we will corporatise TAFE, we will abrogate our responsibility that we have, as a government, to provide vocational training to Tasmanians'.

It is desperately opportunistic for a government that has minded the shop for the last eight years that they found something in the PESRAC report that looks like an agenda, that looks like something that they may say, 'we fundamentally improved the state'. This is not it. It is ideological because we have seen conservative governments over the last generation dismantle public institutions that are valued, supported and trusted. It is desperately opportunistic because this is a government without an agenda. It just minds the shop and it has plucked a single submission out of a recommendation from PESRAC and painted it up as a veneer of a vision for the future of Tasmania.

It is also an admission of failure by this Government. They have put up the white flag on training over eight years: eight years to improve a system and support TAFE, to work with TAFE, to work with industry to have a functioning vocational education system.

Ideologically, they have contracted out so many. There are many good private providers but we have seen time and time again, when government abrogates its responsibility to ensure the good, solid delivery of training is provided, people are preyed upon. There is profit-taking. There are low standards. There are poor-quality outcomes for industry and for people seeking and undertaking that training.

The white flag has been flown. I remember back in the last period of the last time Labor were in government and the Leader of the Greens referred to the then minister. We were talking, in 2014, about potential skill shortages across industries. We were talking about how we were going to prepare for that and when coming back into this parliament in 2018, I was invited to the industry association's forum on training and they had criticisms of the lack of skilled staff - and this is in 2018. They were complaining about a lack of coherent support from the Government. They were not blaming TasTAFE, because TasTAFE is an instrument of government. TasTAFE is the lever you pull to respond to the needs of industry and in 2018 they were saying:

This is a real problem for us. We can't find skilled staff. We want to give Tasmanians jobs. We want to give them pathways to trades, to vocate to paraprofessional roles. We want to invest in Tasmanians, because not only do we have a skill shortage but we want to give Tasmanians jobs because we can't compete with mainland companies.

Particularly, in that industry they were referring to. They were looking to the Government for an answer and response and effectively, we are at the situation now where the crisis in the provision of training is acute and it is not just in the infrastructure. We saw the Infrastructure Australia report released in October. Between now and 2025, Tasmania would need approximately double the trades workforce to deliver on public infrastructure commitments.

The skill shortages in construction trades is inhibiting the industry's ability to respond to the opportunity both in the civil construction and in the building and construction sector. We have also heard time and time again from the service industries, disability, aged care, early childhood education and care that they have skill shortages; they need support. Instead of the Government saying this is our responsibility, we need to respond - and you had eight years to respond; you have failed so many industries in terms of training - it has been held together by the goodwill of TasTAFE staff who are desperate and proud of the work they do. They get up early. They provide flexible support to the business' employers they work with. They are holding this system together by goodwill and their passion for the trade; their passion for the work they do in the service sector with a whole range of instruments. They are so passionate it has been held together with precious little support from this Government and now we are fit with the ideological journey.

The rank opportunism - a government with a lack of an agenda trying to pluck something out of the air and essentially given the white flag to their responsibility as a government and as a minister to say: 'I am going to be one to fix this'. This was a massive opportunity for this minister to say: 'I am going to be the one that is going to fix this. I am going to get my hands dirty; I am going to roll up my sleeve and I am going to support the public provider because we know that is in the best interests of Tasmanians', because we have seen when this kind of corporatisation and quasi privatisation occurs in other states, courses get cut. TasTAFE is the provider of last resort. Fees go up. That is the experience interstate.

Again, the response was it was a genuine accident, but when the fees were advertised on the TasTAFE website they had doubled. I will take it on face value it was an accident, maybe not. Maybe that was the intent and they have deferred the increases to CPI for another 12 months, hopefully, getting this through the two Houses of parliament so then they can make those decisions and push fees up, further pricing Tasmanians out of the trading opportunities, further making it harder for them to get a job, to get a job that they would love and they are good at, that could provide for themselves and their family, put a roof over their head, and food on the table. That is the fundamental role of TasTAFE to provide those opportunities for young Tasmanians but if the courses are cut, if the fees are increased, if the Government essentially washes their hand of it by saying 'it is not our responsibility because we have pushed it out to this sort of halfway house; it is not our fault'.

We have seen that happen before when Hydro sacked just under 100 staff earlier this year. What was the Government response to that at GBE? It was not to stand up and fight for those jobs. 'It has nothing to do with us.'

When the minister said we are investing \$100 million in TAFE, that is absolutely welcomed. That is a solid investment in TAFE, but the problem you have now is you give us these guarantees these things will not happen, but by virtue of the legislation you are not taking responsibility because you do not have control over that. It will be very clearly that, fundamentally, course content and delivery method is at the sole discretion of the CEO and the board. You are building up plausible deniability to say, 'well, I have the minister's instructions, we are working with the board, they are separate from Government, it is not our responsibility, it is not our fault'. Minister, it will be your fault. It is your responsibility.

We do need to invest in TAFE. We do need to support workers, building pathways to better careers and better jobs and we need to listen to the industry, by not abrogating our responsibility to respond but by saying no, particularly in a rural and regional community like



Tasmania. This is where the costs are higher, the consequences are greater for a lack of training and support and the need for industry is acute, absolutely acute. I do not mean only the trades industries. I am referring to early childhood education and care, disability, aged care; these are the sectors with massive employment growth.

If I were the minister and saw this challenge, I would want to be a part of the solution, not contracting out my responsibility and abrogate my responsibility to a GBE or whatever they are calling it, this new way of calling, essentially, a privatised entity.

When you look at the removal of the requirement for TasTAFE teachers to be registered with the Teachers' Registration Board, how does that improve teaching outcomes for students? What is that about? Is that about undermining the profession, because it sounds like it? Is that about saying, well, we do not want the best qualified people to do the work, provide the greatest range of skills to students and to industry, we want the cheapest option, people who do not necessarily have the skills or the qualifications, we are going to do it on the cheap? It completely undermines the integrity of the training provider.

I am not tarring every private provider with this brush, but we are seeing so many examples across the country, with dodgy operators who do tick and flick, they take the money from the federal and state governments, and they throw these people on the unemployment scrap heap. Employers say that training is not worth a pinch, we will not employ them because their training is not valid. We want to try to access the support for training, but they are not even Australian Qualifications Framework-3, they are not even at the standard that we would have entry level for us. If you leave it to the market, if you leave it to the in degree, unregulated sector, the outcomes are worse for working people and for industry.

We know the key thing, it must have been listening to the speech from the Budget, if you are sitting there, you are working in TAFE, you are working away in the education union that represents those workers and all of a sudden, this bomb is dropped with no consultation up until that point. They thought they were having a good relationship with the Government but, all of a sudden, the nuclear option was pressed, we are going to sack hundreds of public servants, we are going to put them into a system that will diminish their future job security, not only in the next 12 or 18 months to two years. This diminishes their career, it undermines their passion in the work that they do and the support they provide to Tasmanians.

This is a bill that abrogates the Government's responsibility to deal with what is one of the biggest problems this state faces; pathways to employment through training and skills shortages in key industries. We are at a crossroads moment and the Government should be saying, we are going to take responsibility for this, we are going to get our hands dirty, we are going to roll up our sleeves, we are going to listen to industry, we are going to work with TAFE, we are going to work with teachers, work with people at the coalface to fix this, to improve it.

It will never be perfect, but the commitment I have seen first-hand in TAFEs across Tasmania is inspiring. You have wonderful people so you should not in the middle of the Treasurer's budget speech and in the hotbed of an election, tell them they are not worthy effectively by your actions and that we do not trust them. You sit down and you work with them and the job security for the EFAs, the education facility attendants: I remember back in the mid-1990s when I was a young union organiser where we were protecting from contracting out. As sure as eggs and you will not have control over this because you are giving it away, cleaners will be contracted out. Jobs will be lost. Job insecurity will rise. In every

contemporary piece on how you deal with your labour force you provide them with job security. You invest in them as people. You give them certainty. You give them transparency over the future of the organisation they work with.

This does none of that. In fact, it is the rank opposite. It is the absolute opposite. This is a dog of a policy and I predict it will be knocked out by the upper House and consigned to the dustbin of history, as it should be. This is not the way to fix the challenges in vocational education and training in Tasmania. This is ideological. This is desperate opportunism for an agenda for a government that has none and this is an admission of failure in the Government's eight years of working with TAFE and the vocational education system. I will not be voting for this bill.

[6.41 p.m.]

**Ms JOHNSTON** (Clark) - Mr Deputy Speaker, my contribution will be remarkably short and blunt because I believe that this bill deserves nothing more but I do want to put on the record my position.

I have genuinely tried to understand what the problem is that this bill is attempting to fix. I have listened to every reason put forward by the Government. However, each reason appears to me to be a furphy. As other members have already articulated quite well, the Government already has the ability to deal with each of the alleged problems or reasons and I do not intend at this point to rehash these.

Essentially, what this boils down to for me is that the Government is taking an ideological position that dropped out of the PESRAC process and is wanting to jam through legislation that commercialises and undermines the value and importance of TasTAFE as an education provider for students. The rhetoric put forward by the Government is that it wants to create a bespoke statutory entity that provides market focusing services to the community. However, this in my view is just smoke and mirrors. What it is actually attempting to do is take a sledgehammer approach to its perceived industrial relations issues. In doing so there seems to be a clear threat to the integrity of teaching practices and teaching staff, a clear threat to job security and a clear threat to the best interests of students and better educational outcomes. That is where I am primarily focused.

In the name of flexibility and of being more responsive to industry, this bill creates nothing but uncertainty in the sector, uncertainty for industry, uncertainty for teachers and uncertainty for students. I promised my contribution would be short but I will not be supporting a bill that undermines an important educational institution.

I am, however, very keen to talk about better educational outcomes, student outcomes achieved through collaboration with the teachers who care deeply about their jobs and their students. I am keen to talk about better investment in TasTAFE and that ought to be the driver for any change to TasTAFE but I will not be a party to ripping it apart because the Government thinks essentially it has industrial relations issues.

[6.44 p.m.]

**Mr FERGUSON** (Bass - Minister for Finance) - Mr Deputy Speaker, I am pleased to speak in support of this important legislation. I commend my colleague the Minister for Skills, Training and Workforce Growth, for her initiative in doing the important and difficult work of

developing this legislation, consulting as she has already articulated, and ensuring that we do deliver on the needs of our state right now.

A lot of lazy comments have been made by a number of speakers during this debate already, like those rhetorical flourishes about it is all ideological. I do not even know what people mean when they say that. It offers nothing in terms of a pathway forward. What I am interested in is some pragmatism about achieving an outcome that our industry and employer groups are craving right now.

Those lazy kind of lines add nothing to the debate because I cannot even decode them. When you consider the journey that TasTAFE has been through already, it has been one of incredible vandalism by the Labor Party, who today are pretending to be their great friend and supporter. Who could forget what the Labor Party did to TAFE Tasmania? It seems that some of you may have forgotten what your once proud party did to TAFE. You pulled it apart. You broke it into three pieces. You smashed it up against the wall, left it with three pieces and those three pieces were left floundering under the then so-called Tasmania Tomorrow 'reforms'.

That was a disaster, not only for TAFE, not only for the staff and the students, it was a disaster for our state and it was a short-lived education experiment. The late great Sue Napier warned about this at the time. It was rushed, I do not even think it was ideological. It was just nonsensical because what David Bartlett, the then education minister had said he was trying to fix was the problem with retention in Tasmania. The Labor government was totally unwilling to extend high schools to year 12. It would have been a sensible reform, that would have been a genuine reform, but no, rather than actually doing the sensible and more or less obvious thing about dealing with the fact that far too many young people in Tasmania continued to see year 10 and their Leaver's Dinner as their exit from the education journey, rather than attempt to tackle that and look after people's futures in a different way, they went this Tasmania Tomorrow model.

I do not know what it was based on because it did not seem to have any evidence base around it, particularly for a small jurisdiction. The history on this is very clear and I remember it like it was yesterday. It took TAFE Tasmania, broke it into three separate organisations; the Tasmanian Academy, the Tasmanian Skills Institute and the Polytechnic. The eight colleges around Tasmania that were servicing year 11 and 12 students with both TCE subjects and VET subjects, four of those eight colleges were gradually sucked into that environment and four were not. It was a complete dog's breakfast.

In case I have to remind some of the members opposite, some of whom were part of that journey, others not, it saw three organisations fighting over funding and resources, certainly saw them fighting over property and timetabling. You had classrooms that were being double booked and unbooked, you had triple costs in regard to the corporate overheads that had been established as a result of having those three statutory authorities. All of them were fighting for their brand and relevance in a very confused education and training marketplace. It was a dog's breakfast, and by the way, we are not talking very long ago. It was a mess.

From opposition, the Liberals were calling for TAFE to be restored, in name, in brand and in function. I was part of that journey, and as the shadow education minister at the time, it was my personal campaign, together with Will Hodgman and Peter Gutwein as the shadow treasurer, to fight for this.

It was the case, that after the 2010 election, the Labor government became a Labor-Greens government. The Greens, from their crossbench position, had similar concerns about this and had rung similar alarm bells around this Tasmania Tomorrow set of changes or 'reforms' and went to that 2010 election promising to bring back TAFE, but then doing their deal with the Labor Party to hold up that government at the time. It took quite some time, but we got there. Eventually, the Labor-Greens government came to the view that we needed to bring back TAFE and end that experiment which had wasted so many opportunities for young people around Tasmania. At the time, there was a group of young people on a relatively new platform called Facebook who started a group, 'David Bartlett ruined my education'. That was signed up to by many young people.

It is hard for me to ignore the fact that there were a lot of people caught in that process and they have gone on with their lives, but that was the traumatic period in their education and training journey and completely wasted opportunities.

Nick McKim, to his credit at least, engaged a very eminent person by the name of Virginia Simmons to give him and the government guidance about how to actually go about following through on what had been Liberal's and Greens' policies on TAFE. Virginia Simmons, I would have to say, would be one of the great minds on the subject, particularly at the time. While the Liberal opposition did not agree with where the government landed on this in the end, because it did not go far enough, personally had they heeded the advice of Virginia Simmons they could have done a much better job. Nonetheless, we got TasTAFE back and ended that appalling experiment.

It is interesting that as the government that came to office in 2014 has been a very strong and consistent supporter of TasTAFE with its new name and new brand and an important role for government to actually stand behind that organisation, which we have consistently done, throughout our time in office so far but it has got to the point, quite frankly, where many of the ways in which TasTAFE operates are on outmoded industrial arrangements and certainly from a governance point of view, the minister's been very clear about wanting to bring that into the modern era.

You know that PESRAC, the Premier's Economic and Social Recovery Advisory Council was very clear on this. One thing I would like to remind the House about, which caught my interest because it surprised me, when PESRAC had only commenced but not completed their work, it surprised me that the Leader of the Opposition, Rebecca White, called on the Government to accept the recommendations that PESRAC would make. I thought that was an odd thing to call on the Government to do. You do not actually know what you are asking the Government to sign up to, because the report has not been made. The recommendations have not been offered. I thought that was interesting.

**Ms Dow** - That's very interesting.

**Mr FERGUSON** - I beg your pardon?

**Ms Dow** - Like local government reform.

**Mr FERGUSON** - No, I think you are missing the point here, Ms Dow. My point is, I find it odd that in a vacuum of not knowing what a body might be recommending to

government, that you demand the government sign up to that. I would be surprised if you do not agree that it is odd.

**Ms Dow** - But we do agree, that is why we did not -

**Mr FERGUSON** - I do not know why you are interjecting because it is not adding anything to your credibility. I found it odd. You were within your rights to do so. I found it odd, because you are really asking - you are actually signing - you are the one when you call on the Government to do that, you are the one signing the blank cheque. You were demanding that the Government must implement the recommendations of the recovery advisory council.

It is a matter of history that PESRAC came through with an interim report, with interim recommendations and they are being implemented but also, the final report which was presented to Government and to the parliament earlier this year. It is very noteworthy that one of the recommendations of the council headed by Don Challen and supported by some very great Tasmanians who are skilled and committed and trustworthy people who have advised and guided this process, called on the Government to bring TAFE into the modern era for the express purpose of looking after learners; looking after our future tradespeople; looking after our economy and dealing with some of the skills shortages that our state is enduring. I will come back to that if I have time a little bit later on.

Guess what? The Government has endorsed in principle the recommendations that I am referring to and is it not interesting that as soon as it was made, the Labor Party jumped right off that train and demanded that the Government not accept that recommendation.

Not only that, and it is a matter of history now that we then went into an election mode in late March for a 1 May election, and the Labor Party just went out there flat out telling lies to the Tasmanian community about the Government's intentions in this space. It is a dammed spot on Labor's record here because they actively went out with all of the, if you like, heat of an election campaign, and you told people we were going to sell it. You told people we were going to privatise it. It was dishonest. It was a lie. It was not true. Sometimes in life something can be partly true. This was not even partly true. It was your theatrics which failed. Tasmanians saw through it. TasTAFE is not for sale is it, minister?

**Ms Courtney** - Absolutely not.

**Mr FERGUSON** - If it were, who would buy it? It is not for sale. Who would buy something that requires public subsidy to pay for the learner's training? It was a flat-out dishonesty to the Tasmanian community; but, ultimately it did not matter because it was bookended by the decision of the people of Tasmania who made their own judgment on this. The Premier and the then minister for education and training, Mr Rockliff, the Deputy Premier, made it very clear that is not the Government's intention.

Teachers will not be worse off. In fact, we are improving the funding for TasTAFE. We are strengthening TasTAFE. Some would say we are giving TasTAFE its best chance to succeed in the future. I would say that, and make the point - 100 more TasTAFE teachers. For goodness sake, do not hamstring that organisation by keeping it bonded to the past.

**Ms O'Byrne** interjecting.

**Mr FERGUSON** - The minister did. The Government has had to combat this fear campaign of dishonesty. You can talk all your ideology you want, you can talk about whether it is union bashing or just being hamstrung by your union bosses, or you can talk about your various claims. The fact is we are strengthening the organisation and providing it with a brighter future - more funding and more teachers. The fact sheet for the bill said a lot and I just wanted to touch on a couple of those.

Who would argue with an organisation that has the functions and powers to enable it to provide VET to benefit the economy, to build the productivity of the Tasmanian workforce and to provide effective pathways into work. Who could argue with that? The Labor Party. Who could argue with TasTAFE being governed by a skills-based board, responsible to the Minister for Skills, Training and Workforce Growth? The Labor Party argues with that. That does not sound like the sale of an organisation to be privatised.

Who could argue with TasTAFE being required to prepare a corporate plan, an annual report each year, with the report to be tabled here on this block of wood? It does not sound like a private company to me. Who could argue with that? The Labor Party is arguing with that.

Who could argue that TasTAFE will be able to directly employ staff and appoint a Chief Executive Officer under the National Employment System, under the law of the Commonwealth, the Fair Work Act 2009? Who could argue with that? The flexible arrangements that are needed so that TasTAFE can nimbly provide the service that its customers need. Who are the customers? They are two-fold. They are the students, the ones who want to get a start in life, or have a career change, or upgrade their skills; and of course, there are the businesses that are relying on the availability of a skilled workforce ready for the next job. I do highlight the Fair Work Act 2009. What is wrong with that? Heads down.

**Ms O'Byrne** - Sorry?

**Mr FERGUSON** - Very quiet.

**Ms O'Byrne** - Once again, misrepresented. If I respond I will be -

**Mr FERGUSON** - That is Labor legislation. It was written by Bill Shorten and passed through the Commonwealth Parliament so who could argue with that. The Tasmanian Labor Party is arguing with that. I do not understand it. They can explain it, but that is the situation. Transitional arrangements are all allowed for.

This side of the House, the Government, is determined to help the Tasmanian economy to prosper and do well, because when it does, our young people can prosper and do well, our families can do well, and our communities can prosper and go ahead. I have heard a couple of references to skills shortages - I think Mr O'Byrne said it the most. I acknowledge there are skills shortages in Tasmania.

It is definitely couched in a glass half empty sentence, is it not? What has happened in Tasmania is that we are leading the nation with employment growth, with more people in work today than before the pandemic and more than in the state's history. Guess what, Mr Deputy Speaker? People who previously were unemployed can get a job now, and many of them have. I congratulate them and guess what, business wants more than is available. Now, take a look

at our unemployment rate -thankfully at the present, just below 5 per cent - but there are still some people there who ought to get a job, can get a job but we need to help them meet the gap and one of the gaps is training, helping them to get the skills. It might be a White Card, it might be a barista course, it might be a pre-vocational course to get them a foot in the door of an apprenticeship. It might be a foundations course for literacy. Whatever it is, that is one of the important roles of TasTAFE and we need it to be able to more nimbly meet the needs of the businesses who are experiencing skills shortages I will put it another way. It is a labour shortage.

If you are going to have a problem in the economy, that is the one you want. You do not want to have a work shortage like you have under Labor-Greens governments, where people cannot get work. You are much better off to have a labour shortage, where there is more work than there are people to get those jobs and one of the gaps, even with a diminished unemployment rate, that we can help address is with skills training.

We will not be walking away from long-term funding of TasTAFE. The minister has been clear. Our guarantee of investing 80 per cent of skills funding in the future has been stated clearly and who could argue with that. The state has a massive infrastructure project pipeline between both public and private interests over the next decade, of more than \$17 billion. This is a once-in-a-generation opportunity to sustainably grow our building and construction industry in Tasmania, the Tasmanian workforce, and to deliver productive value-for-money infrastructure built by our people, our companies wherever possible, and our workers.

Back in June of this year the Premier and I convened the Skills and Infrastructure Roundtable. The minister, Ms Courtney, attended. We had all the key stakeholder groups in attendance. The parties discussed the challenges and the current constraints in infrastructure delivery both here as well as what is occurring nationally, as economies are recovering and private investments return. The parties at our roundtable agreed that Government and industry will continue to work to collaborate, in fact, even more than ever to collaborate and coordinate to support sustained industry growth in a long-term capital program to deliver industry certainty. Given this commitment, the parties are working close together to ensure that a whole-of-Government approach is adopted to infrastructure investment, timing and delivery of a pipeline, of public and private sector investment that provides long-term certainty and confidence. We all signed the MOU which is meeting the Government's commitments to assisting industry in growing their workforce.

Industry tells us that they believe they need, over the next four years, to grow their own workforce - I mean the Tasmanian workforce - by about a quarter to meet the growth in the pipeline. Skills Tasmania, with assistance from Keystone, who are doing a great job, has led negotiations with HIA, Master Builders Tasmania and Civil Contractors Federation to develop the deliverables, which I am very pleased to say are now almost finalised.

Key to achieving these outcomes will be a robust training system that meets the needs of the businesses that rely on it, the learners that rely on it, so the system can support our bold effort to grow the workforce as quickly as we can and to be able to do this we will require a flexible approach to skills development and training. TasTAFE is key to delivering on this plan, and we support it. After all, we have been supporting it consistently, even from opposition, and I believe that only a further reformed TasTAFE will be able to rise to this challenge and we want it to succeed. We are willing to do it and you can call that ideology if you

want. I do not care. I call it the pragmatism that Tasmania needs. We are willing TasTAFE on but we want it to be able to move more quickly in the water.

Here is what some of our industry friends who have been involved in our hi-vis army initiative have had to say about minister Courtney's reforms and the Government's reforms. Master Builders Association of Tasmania:

... a more nimble business model, which can better respond to the fast-changing demands of industry is crucial for TasTAFE to meet the future training needs of the building and construction industry ... We urge parliament to pass these reforms in full.

The HIA, Housing Industry Association - I must say I enjoyed a tremendous evening at their annual awards night just last Saturday evening. It was a great celebration of the incredible industry that it is part of and it is a wonder that the 550 people were even able to be there. They are so busy, they have so much work on and they have never had it so good in a sense. They have said:

The changes proposed would also enable TasTAFE to ramp-up training delivery in high demand and emerging industries or sectors while offering flexible arrangements to support training delivery at times that work better for businesses and employees.

I draw the House's attention to the fact that if you are an RTO that is not TasTAFE, guess what, you can do that because you are able to operate in the nimble flexible way that we are trying to aim for. In actual fact, it could be said that TasTAFE is held back from being able to operate as efficiently as some of the other players in the RTO space. The Civil Contractors Federation have said:

We believe that the proposed reforms would enable TasTAFE to better provide industry the right training, at the right time, to the right people in the right place ... We urge the Government to implement these reforms as they are fundamental to helping the civil sector build the high-vis army Tasmania needs.

I find that very compelling, and if other members of this House are too blind by their ideology on this, then they are letting down Tasmania. They are letting down young people. They are letting down families. They are letting down industry and business. They are even letting down the people who make up TasTAFE. They are letting them down because they are not giving them the best opportunity to do well, to prosper into the future even as an organisation.

We have a clear reform program for our state's major training provider and it will provide industry associations with the opportunity to align their sector's workforce development needs with those of our state's, proudly, primal, Tasmanian Government-owned training body. Not privatised. Government owned. Looked after by the Government. Supported and funded by the Government and given a fresh future.

I know it has already been referred to, but I want to emphasise that we need to pass this legislation through both Houses and not squib our moment, so that we get more choice for



learners. More teachers and training in our regions. Better pay for skilled teachers. Flexible hours - a common complaint - aligned to business and industry vocational needs. That is what we will do, because more skilled workers are needed now.

We inherited a broken TasTAFE. It was disabled and hampered by that dreadful experiment that had been wreaked on it by the then Labor government. It had suffered. Since then we have invested more than \$40 million into TasTAFE upgrades and new facilities. I think that is a significant demonstration of what Liberals will do with TasTAFE. We will invest in it. We will support it and we will stand by its brand as we did from opposition when the Labor Party had thrown it into pieces.

We are also getting on with the job by building the \$21 million Energy Trades and Water Centre of Excellence at Clarence to train the tradies of the future, and that is being delivered next year. We already have the highest apprentice completion rates in Australia. I do not have the figures to hand, but from a brief I saw recently, I believe it was more than a 30 per cent increase since 2016. We have seen some great investments leading to some great outcomes.

Parliament should pass this bill. Parliament and parliamentarians should not be swayed out of some of the breathless rhetoric that has come from some of the industrial bodies on this matter. In conclusion, I invite the Labor Party who plainly do not want to have a rational comparison of policies on this or a rational way forward, such is being called for by industry. I remind Labor of what you have said as recently as last November. It is called the 'little red book of debt'. I think it is a big photo album which wastes a lot of toner every time you print one out. A lot of photos, a lot of stock art but one of the things that Labor said which I do not agree with, but it is an interesting insight into the soul of the modern Labor, or what passes for Labor. TAFE is broken, page 29. That is what Labor thought of TAFE. It said it was broken.

**Ms Dow** - Read a bit more.

**Mr FERGUSON** - Yes, they said more, lots of political claims. Over the page, page 30, this is what Labor says about this organisation it is trying to tell us everything is alright, do not touch it. Labor said, and I think it was only last November they published their little album:

Tasmania needs a TAFE system that gives people lifelong skills to get a job that aligns with the needs of industry.

All that under the heading of rebuilding TAFE from the ground up. They thought TasTAFE was so stuffed it had to be rebuilt from the ground up. Labor, therefore, has no credibility in relation to its many breathless statements it has been making on this.

I look forward to more debate. Those members, particularly of the Opposition, who are only doing the bidding of their union bosses, I challenge to respond to those comments I made and in addition to tell the parliament what is so wrong with Bill Shorten's Fair Work Act 2009 that TasTAFE teachers and the executive of the organisation should not be able to be employed under Bill Shorten's Fair Work Act.

[7.11 p.m.]

**Mr TUCKER** (Lyons) - Mr Deputy Speaker, I rise to give a brief contribution to this bill.

First, I noticed, like Mr Ferguson, the word 'ideology'. I also noted Ms O'Connor's comments about 'practical' and that this bill was not 'practical'. I looked across at her at the time and wondered whether she has a practical bone in her body. I have to be honest about that. I wonder whether Ms O'Connor actually gets out of Hobart and has a talk to some of these businesses that are employing these apprentices.

I am talking about Mr Graeme Elphinstone, at Elphinstone's at Triabunna. He has a lot of problems there with his apprentices, because he trains them to do a number of different apprenticeships at the same time so they are a jack of all trades and they can fill in when someone is away, not just train for one thing. The other one I think of is James Darcey, of Midland Tractors at Longford. He sends his apprentices to the Bendigo TAFE to take advantage of the targeted training that Bendigo TAFE developed in conjunction with AGCO Australia.

They are practical. Practical common-sense things that need to be fixed and I take my hat off to this minister because she is fixing it. We know why Labor is a little bit niggly about this one, because when we look at Labor's record it is a shameful record on TAFE. Labor pulled TAFE apart in their disastrous Tasmania Tomorrow experiment. They introduced the doomed Polytechnic and Skills Institute which later had to be merged, didn't it, Ms Butler?

The Labor-Greens government at the time admitted it had been a failure. Finally, under pressure from the Liberal opposition they brought TAFE back but saddled it with debt from the start. Under Labor's disastrous reforms there were less students, courses cost more, and unions, teachers, staff and parents did not support it. There were job cuts, there were course cuts and it probably cost hundreds of millions of dollars. All the things Labor is trying to accuse the Government of, actually happened under them.

Labor's dismantling of TAFE led to a major problem from the start with its replacements failing and quickly becoming a joke. We know why Ms O'Byrne is getting upset because she did not speak up when all these things were going on, did she? She probably had her mind on other problems at the time such as sacking a nurse a day. After Labor's abolition of TAFE thousands of students were lost from the education system. It was clear very early on that Labor's fake TAFE would not work according to the unions.

Three out of four teachers had no confidence in Labor's Tasmania Tomorrow disastrous experiment in that lead-up. The AEU were doubtful about pulling TAFE apart from the start. Labor's mis-management of the Skills Institute almost immediately led to budget problems.

The CEO put the blame squarely on the break-up of TAFE and then, after only 18 months of Labor mis-management student numbers and courses had already collapsed to the worst in the nation. Then the Labor premier, David Bartlett, took full responsibility for Tasmania Tomorrow failure. Cuts of 55 full-time equivalent jobs at the Skills Institute were blamed by staff on the TAFE split.

The real cost of Labor's dismantling of TAFE was closer to \$150 - 200 million, according to one education union. Then after the Labor-Greens government merged the failed Tasmanian Polytechnic and Skills Institute, the re-badged TasTAFE already had \$5 million in debt. TasTAFE became embroiled in misappropriation allegations. Under-investment in work health and safety led to classes being cut and Labor mis-management led to courses being cut and students being forced to miss out.

I do want to put something on the record as I finish up now, we the Liberal party, always acknowledged the incredible work of the hard-working staff at TasTAFE and any suggestion that referring to the staff training students at TasTAFE as trainers is somehow meant to devalue their work is completely without basis.

**Ms COURTNEY** (Bass - Minister for Skills, Training and Workforce Growth) - Mr Deputy Speaker, I am genuinely disappointed and saddened by the cynicism, the falsehoods and quite frankly the lies that have been told in here this evening about the plan this Government has taken to the election, that I am in here to deliver better outcomes for young people across Tasmania. It is disappointing that members have chosen to come into this place and double-down on the fear they have tried to create for our staff, for those who learn and for businesses. It speaks volumes, not about who spoke but about who did not speak: Ms White did not contribute; Mr Winter did not contribute -

**Ms Butler** - Ms Butler did not contribute.

**Ms COURTNEY** - I can see that you did not contribute, Ms Butler. Thank you for pointing that out. If we look across, Dr Broad did not contribute. The member who is the representative supposedly for small business, who is in the Chamber right now, did not contribute. Did they fight it in the party room, I ask? Did they actually put up a fight for businesses across Tasmania, or just roll? Did they just rollover in the party room to the union bosses? There is no way those members that I just named would not have heard from industry, would not have heard from businesses, would not have heard from eminent Tasmanians about how important this legislation is for the future of Tasmania. It is a disgrace, to be perfectly frank.

This is about creating more training for more Tasmanians, making it more accessible and amongst all the allegations and falsehoods that have been thrown across the Chamber tonight, I want to make it very clear that I take my role, as Minister for Skills, Training and Workforce Growth seriously and particularly when I couple the legislation we have brought today with the fact I am minister for Education and Young People and want to see opportunities for them in Tasmania. My Workforce Growth component is where we are delivering jobs hubs around Tasmania so we can have pathways into work, for Tasmanians, no matter where they live. We are building up capacity. We are breaking down barriers and this legislation goes to the very core of that. This is why we have heard from businesses -

**Opposition members** interjecting.

**Ms COURTNEY** - because they know this is what they need to deliver those opportunities for Tasmanians. This is why I am so disappointed with the other side and their failure to genuinely engage in this matter. I see an enormous opportunity lost, if they do not support that. I will go through each of the members' contributions because, while there were a lot of assertions thrown around the Chamber, I take my role very seriously.

I believe in this legislation and I will carefully go through all the matters raised, articulate the responses for members so they can be assured. I know that, despite the fact that I will do that and it will take some time, I expect that members on the other side will leave this place tomorrow, and will continue saying those falsehoods, will continue driving fear into the workforce at TasTAFE and will continue to ignore the cries from businesses to do something about training in Tasmania.

Before I go to the range of issues raised, one of the aspects that I am particularly galled about is the fear that has been created through assertions in the Chamber tonight about staffing and the protections for staffing. I draw members' attention to a media release I placed on 9 November and I am going to read this into *Hansard* because, quite clearly, members did not take the opportunity to read it and failed to take on board the commitments I have made. If they, somehow, did not think I was sincere outside the Chamber, I am putting them on the record here in the Chamber, into *Hansard* -

The Tasmanian Liberal Government is committed to supporting our hardworking TasTAFE staff, while also ensuring TasTAFE is given the flexibility and agility it needs to compete nationally with other skills and training providers.

It has been our commitment since day one that staff will be no worse off under the TasTAFE transition plan. This is why, through the legislation currently before the parliament, key protections for existing TasTAFE staff will be delivered, including that -

- transferring employees will retain the same salary and entitlements in existing Awards and Agreements through Fair Work provisions;
- there will be no change to the employment status of staff - a permanent employee will remain a permanent employee under Fair Work;
- there will be no changes to superannuation arrangements and entitlements under either the Defined Benefits Scheme or the Accumulation Scheme;
- there will be no changes to long service leave arrangements and entitlements;
- transferring employees' continuity of service will be recognised and honoured;
- for a period of five years after the new act commences, where staff are recruited to a role in the State Service, there will be deemed to have been no break in their State Service employment; Importantly, every transferring employee to be covered by a future agreement will get a vote on that agreement - not just the union members.

This means that any new agreement must be approved through a majority vote of employees covered by the Agreement, which is an important check and balance for future negotiations.

The legislation also retains powers for the minister of the day to direct the TasTAFE Board, as well as enabling the issuance of a Statement of Expectations.

Fair Work is a system introduced by a federal Labor government, which was strongly supported by a state Labor government at the time who said:

There will be better and clearer protections for workers who participate in workplace negotiations, who access their rights under awards and enterprise agreements or who become members or delegates of their relevant union; and

The collective bargaining arrangements in the national system will be of benefit particularly to low-paid workers.

TAFEs in several other jurisdictions, including New South Wales, Victoria, Northern Territory, the ACT, as well as the Victorian Public Service, operate under Fair Work. The Fair Work framework also regulates the appointment of most Tasmanians who are not in the State Service.

We have been clear about what the TasTAFE transition will achieve - TasTAFE will not be privatised, it will remain not-for-profit, and no existing staff member will be worse off. The Tasmanian Government's plan will ensure TasTAFE is placed on a fit-for-future footing. Further, I heard through a number of interjections throughout the course of the debate about when are we going to be making these investments? Are the promises around teachers actually going to materialise? I was out on the lawn today with the CEO of TasTAFE, starting a recruitment campaign for the first 25 of those 100 teachers.

I was out there starting recruitment. I can outline currently on the website to back up the plan for the campaign, the jobs are outlined - animal studies north, bricklaying statewide, construction statewide, electrotechnology south, flooring statewide, horticulture and landscape construction south, information technology statewide, metal fabrication statewide, nursing statewide, painting statewide, plastering statewide, plumbing south. One of the things I find really interesting as I read out this list - and this is just some of the list - is that it aligns with where we have a lot of demand in industry at the moment.

One of the challenges TasTAFE has is to be able to be competitive with industry. That is what we are trying to do - create the opportunity for TasTAFE to be able to effectively operate in a market so that we can bring teachers on board, so we can bring trained and skilled people into TasTAFE, because we know it is a competitive market. In these high demand industries, we want to be able to pay people more so that we can deliver outcomes for Tasmanians. We have money on the table. It is in the Budget - 100 additional teachers. We have the campaign out there. What we want is a mechanism to give TasTAFE the flexibility to employ them in a way that can be possible in a competitive market.

I fail to not only understand the arguments from the other side, but again I am so disappointed that they come in here and make allegations that we are not really recruiting them and they are not real jobs; they are.

What I am going to do, as I committed to in my opening, is to run through a range of different assertions that were made. There were a number of questions raised by members. The ones I will tackle first are important, because they are around child safety and both Ms O'Byrne and Ms O'Connor touched on that. I will deal with those first and then I will run through other questions in a logical order which should touch on most of the issues raised by members. It is important in the second reading speech that I am provided that opportunity to do that.

In terms of Ms O'Byrne, your question around clauses 36 to 40, is that because of the removal from the TRB or the State Service. That is only because of removal from the TRB. That is not to do with the State Service. That only relates to the removal from the TRB and the requirement for child protection; nothing to do with the State Service component of it. It will

provide more protections that will cover all of TasTAFE staff, not just the teachers, because it is only the teachers who are covered by the TRB component.

**Ms O'Byrne** - The rest are just Working with Vulnerable Children Checks.

**Ms COURTNEY** - All the other staff will be covered by the new provisions, but the child safety that will be stood up and in response to Ms O'Connor's question, it will be for 1 July. I made that commitment in my second reading speech.

**Ms O'Connor** - The Child Safe?

**Ms COURTNEY** - The Child Safe Plan. I made that in my second reading contribution.

**Ms O'Connor** - Sorry, I missed that.

**Ms COURTNEY** - That is fine. I wanted to make it clear that I put it on the record in that contribution.

**Ms O'Byrne** - My other part of that question and I do not want to slow you down, is that if this legislation did not pass, would there still be initiatives that you would then need to apply by 1 July in relation to the Child Safe requirements for the other staff or would Working With Vulnerable Children checks do? I wondered how that would work.

**Ms COURTNEY** - If this legislation does not pass, TasTAFE will continue as a current entity with the teachers required to be by TRB.

**Ms O'Byrne** - Would you then have to amend the other staff, though?

**Ms COURTNEY** - That would be something that might be considered as a future thing with regards to broader child safety, and particularly with the Commission of Inquiry, for ramifications for broader people that work with the State Government, either through GBEs or otherwise. I am not going to pre-empt where the commission of inquiry goes, nor I know Ms O'Connor very keen interest in child safety legislation, noting the Attorney-General is leading that so I will not go into the time lines of her legislation, but I have an expectation that all government organisations would somehow be considered through that. Again, I am not going to pre-empt her work or the commission of inquiry. That is where we stand with child safety because I did want address that one because they are important to me.

Ms O'Connor, with regard to the relationships with private training providers, this is the same as the current act. The key role of TAFEs across Australia is to provide a safety net as well. Those provisions do not change from the current act, the current ones you outlined in clause 5(2)(2).

Please excuse me if my comments do not quite align. I was trying to write them down at the same time. High quality removed? No, it has been added back in response to consultation. With regard to the requirement to consult with school principals, they are included in the educational providers component.

You asked to please explain clause 12 in plain English. This is an avoidance of doubt clause. It is possible to be outside of the State Service Act but still a public sector employee under other acts, so that is the removal of doubt.

Clauses 21 to 24 about assets: my notes say please explain in plain English. These are the same as in the existing provisions in the Training and Workforce Development Act, but I can get further detail on those.

**Ms O'Connor** - Another question that related to clause 21, and on indulgence Mr Speaker, was about the various components of TasTAFE's funding and subsection (c) talks about other sources. I was trying to explore with you, what the state government's role would be if TasTAFE needed funding or whether there was block funding?

**Ms COURTNEY** - I am sorry, I missed what you said.

**Ms O'Connor** - There are various sources under clause 21 of Funding and then subclause (c) says: 'received by it, or the TasTAFE Board, from any other source.'. Is that the provision that would allow the state government to top-up funding for TasTAFE and also potentially do some block funding for TasTAFE? I am trying to discern what the state government's potential funding role is in a future TasTAFE, should this pass.

**Ms COURTNEY** - I will step back a little bit. One of the things we wanted to achieve very much in this bill and I will address it perhaps later on when I go through some of the other answers as well, is ensuring that TasTAFE is in the best possible position, should we see more national reforms in training. We want to look at that mechanism. It will still be funded in the same way that it is at the moment. The funding mechanism does not change, but it is funded differently. It does not get a CSO per se like Metro was the example, so the funding mechanism remains the same.

You asked about Schedule 3, clause 2 about real property. This is another avoidance of doubt. TasTAFE is a legal successor in title for current properties owned by TasTAFE. It currently owns most of the assets itself. I have already dealt with clause 21 about funding. TasTAFE will continue to be funded under the Training and Workforce Development Act as it is now.

**Ms O'Connor** - Thank you.

**Ms COURTNEY** - My pleasure. I will now get to more detail to address members' questions, although there seems to be only a couple of members left in the Chamber.

I have outlined about the 100 new teachers and where they will be employed. It has been raised by members on the other side 'why can't these outcomes be achieved under the State Service framework'? The Government has fully explored what could be achieved in the State Service context. The State Service framework is designed to support the bureaucracy to manage a larger workforce and, in many areas, employee skills are transferable and can be readily deployed to manage shifting priorities.

TasTAFE does operate in a different operating environment. It has its own competitive market for both its services and its workforce. This is despite the fact - and I would like to reiterate the fact that we have made the commitment about the minimum funding that we will

provide TasTAFE. As I have outlined earlier, TasTAFE has its own constraints due to the national regulatory framework for VET and national shortages of VET trainees. The rigidities of the state service framework further constrain TasTAFE. This is the model and I would like to be very clear, this is a bespoke piece of legislation that has been built from the ground up to ensure that it responds to all the needs that have been raised so that we can get the best piece of legislation.

I know that one of the things that was raised, I think by Ms O'Connor, was about industry being so important in this -

**Ms O'Connor** - I know they are important but the point I was making is they should not be the only and primary voice you hear.

**Ms COURTNEY** - and one of the things that is absolutely critical is that we do need to partner with industry.

**Ms O'Connor** - Sure.

**Ms COURTNEY** - And so if we look to, particularly the PESRAC recommendations about industry compacts, this includes effectively step-up commitments to provide clear and specific advice on current and future training requirements; to implement a range of training and education pathways and promote jobs in their industry; to collaborate, support people from industry working as trainers and to share infrastructure to allow students to train on modern technology. Industry is absolutely critical in this. Ultimately, industry is not only the provider of jobs for those Tasmanians who get through training, and I use the word industry very diversely.

It is very easy when we are talking about industry in this context to sometimes think hi vis. That is one part of it but you also articulated, Ms O'Connor, this is about skill shortages across a whole range of different areas across our economy, across our community. It is why today when I made the announcement about targeting the first 25 teachers of the 100, I specifically named up aged care, disability care and drug and alcohol services. We have clear recognition that we need to look at what we can do, not only to attract more people into those industries but upskill the people who are within those industries. We do need those partnerships because as well as the jobs, we need those industry partners to provide training. In many of the care industries in particular, the partnerships that they provide in the actual workplace to be able to do that is critical.

Having industry at the very core of this is about providing those outcomes and about providing meaningful pathways into jobs for Tasmanians whether you are a young person or whether you are an older person who wants to retrain, or wants to upskill. In many cases, the TasTAFE students that I have spoken to have been dislocated from their current job and provided with this pathway. TasTAFE does that well and I want it to do more of that.

Much has been said also of TasTAFE's satisfaction rates and I agree. I think it is brilliant that we have students who are satisfied with the outcomes that we are getting. We know that TasTAFE currently attracts a significant amount of government investment on an annual basis and we want to make sure that it is able to operate flexibly, efficiently and to support Tasmanians to gain skills that will lead to jobs.



Going to my last answer to you, Ms O'Connor, this is about making it more accessible for more Tasmanians to ensure that skilled students gain matches to contemporary jobs that are out there. It is about leading to pathways to a career, improved engagement with industry and also absolutely critically, so that TasTAFE can employ more trainers and teachers so that we can deal with the additional skills needed as new industries emerge.

I am going to again return to the questions. I will say that in a very tongue-in-cheek way with regards to TasTAFE staffing. I want to make it really clear that when I have said that we do not want staff to be worse off, we have very much interrogated this to ensure that they will not be so I would like to run through the legislative protections that will ensure existing TasTAFE staff are not worse off.

Firstly, transferring employees will retain the entitlements in awards and agreements. The transfer of business rules under the Fair Work Act protect employee entitlements when their employer has changed but their work has stayed the same. Entitlements accrued by employees are transferred across to the new employer who is obliged to recognise them. When the transfer of public sector employees occur, a copy of existing award and agreements that apply to those employees will be recognised and continue under Fair Work. The employment of transferring employees will continue to be covered by copied awards and agreements, and transferring employees will continue to be able to enforce those entitlements. Awards are preserved for the default period of five years or until a new Fair Work enterprise agreement is negotiated and registered. Agreements are preserved until terminated or until a new Fair Work enterprise agreement is negotiated and registered. Furthermore, transferring employees will get a vote on any new enterprise agreement.

A new agreement must be approved through a majority vote of employees, section 182 of the Fair Work Act. A majority vote occurs when a majority of employees covered by the enterprise agreement who cast a valid vote, vote to approve the enterprise agreement. If a proposed enterprise agreement has been voted on and a majority of employees do not approve the agreement, the bargaining process can continue until such time as a majority of employees covered by the enterprise agreement cast a valid vote to approve the agreement. If a proposed enterprise agreement has been voted on and a majority of employees covered by the enterprise agreement who cast a valid vote do not vote in favour of the agreement, the bargaining process can continue until such time as the majority of employees vote to approve the agreement. The Fair Work Act does not limit the number of times that a proposed enterprise agreement can be put to the vote.

Transferring employees' continuity of service will be recognised on the transition to Fair Work. The Fair Work Act provides for the continuity of service of a transferring employee. This means that accrued entitlements, such as leave, will continue unless they are permitted to be paid out and are paid out.

TasTAFE will observe the Statutory Holidays Act 2000, and Easter Tuesday will be observed in accordance with the copied awards and agreements. The Government has made a policy commitment that TasTAFE will offer to continue to observe Easter Tuesday in future negotiations on an enterprise agreement.

There will be no changes to TasTAFE employee superannuation arrangements and entitlements under either the defined benefit scheme or the accumulation scheme. TasTAFE

employees will continue to be employees for the purposes of the Public Sector Superannuation Reform Act 2016.

There will be no changes to TasTAFE employee long service leave arrangements and entitlements. The Long Service Leave (State Employees) Act 1994 will continue to apply.

The Government has provided additional assurances to TasTAFE employees through the bill that, for a period of five years after the new act commences, where they are recruited to a role in the State Service, there will be deemed to be no break in their State Service employment.

Moving to other comments that were made, where a TasTAFE has a physical presence in a community, this will continue to be the case across Tasmania. One of the key parts of our election commitment is about investment, not only in delivery of training and courses in regional areas but in the facilities in regional areas. This is about ensuring that access to regional and rural students across Tasmania is increased and improved. This is why we have made the commitment that where they have a physical presence in a community, this will continue to be the case.

We have seen, disappointingly, over recent days another fear campaign from Labor about the work being done to audit the facilities we have around the state. Mr Speaker, this is in direct response to other recommendations that PESRAC put forward. This is about making sure that we invest wisely in the facilities around Tasmania. I think Tasmania would expect that of us. We also need to make sure that the places we are delivering training are receiving investment in a strategic way for the courses of the future in that area. We have made the commitment of \$14 million for rural and regional starts. We have named up, as has been discussed by Mr Ferguson, specific initiatives around the state.

What this audit will also do is ensure that we have the information so that we can have a coherent long-term capital plan for TasTAFE. This is evidence of the fact that we have a long-term plan for TasTAFE. We have a long-term plan for the delivery of training in regional areas. This is to make sure we have contemporary equipment, contemporary training practices, improved student experience, sustainability and a good environmental footprint. This is smart work that is being done to make sure that the public money being invested across Tasmanian facilities through TasTAFE is done in a way that gets the most student benefit. We are very focused on that.

With regards to investment: some members of the House and I believe Ms O'Connor may have gone to it in her contribution - her assertion, and I do not want to verbal you, Ms O'Connor, that we can get these same outcomes just by doing things better. Investment in TasTAFE has actually risen and at the same time TasTAFE is delivering less training hours. We need to do something different. We need to do something more. We have made the commitment of 80 per cent of our training budget into TasTAFE. It is incumbent on me as the minister responsible to make sure that we are providing opportunities for as many as Tasmanians as possible, providing those pathways into jobs, that those small businesses around Tasmania that are desperate for skilled workers are getting the workers they need in the location they need. It is absolutely critical that we look to these things we can do and this goes to the very core of the legislation we have before us today.

Regarding governance and what is different from now, I will outline for members that in terms of the framework of this legislation, as I said, it is a bespoke piece of legislation that is built from the ground up. This is tailored to the role and function of TasTAFE and gives effect to the recommendations from PESRAC. It draws upon the appropriate elements from both the statutory authority model and a government business model.

TasTAFE's functions have been streamlined to better reflect its roles in the community. TasTAFE's powers have been extended to include borrowing capacity from the Tasmanian Public Finance Corporation. Ministerial oversight has been improved through the tabling of a statement of expectations that is required to be tabled in parliament, improving transparency.

TasTAFE will continue to be scrutinised by both Houses of parliament each year through Budget Estimates.

TasTAFE's board and arrangements have been modernised and flexibility increased to allow for a changing environment.

Before I move onto the other points, there were some assertions by members questioning the quality or the calibre of the capacity that we have on our board at TasTAFE. I am really proud of the fact that I announced Tim Gardner as chair of TasTAFE this morning. I know that Tim is deeply passionate about outcomes for Tasmania. He is deeply passionate about training and making sure that TasTAFE can be an absolute core part of service delivery in Tasmania into the future. I also pay tribute to Mike Blake and the role he played providing stability and also an enormous range of governance skills to TasTAFE.

Continuing where I left off, Mr Speaker, as I said, TasTAFE board arrangements have been modernised and flexibility increased to allow for changing environments.

TasTAFE has its own employer powers to provide it with autonomy and flexibility required to address training needs. Overlapping regulatory and constraining requirements have been removed with appropriate safeguards.

One of the other hallmarks of contributions that we have had from Labor in regards to TasTAFE, and we have seen it in question times before, is coming in here and saying, 'it is going to be just like South Australia, it is exactly like South Australia', making wide, sweeping statements and somehow, making that equal to the bill we have before us today.

The South Australian model is quite different. TAFE South Australia is a public corporation, which is the equivalent of a Tasmanian GBE. TAFE South Australia is not a federal system employer. They have a range of different nuances here. Again, coming in here and claiming that someone in another jurisdiction has done something that has resulted in staff potentially being worse off in a range of different circumstances is not relevant.

I am here with our bill. I am here with the commitments we have made. I am here with the implementation plan I brought forward to this place. I am here, delivering on the commitment our Government made to the people of Tasmania at the election earlier this year. I want to make sure the fear being pedalled by the other side does not, somehow, become the only voice because I care deeply about the outcomes for TasTAFE.

VET training is vital to providing opportunities, not only for those people in Tasmania who are participating in it but the broader community, our economy, society and community benefit from a strong TasTAFE. I am fundamentally of the view this legislation will strengthen it for the future and it will ensure it can be responsive when the economy changes, if federal funding changes. There are a whole lot of things that can change an economy going into the future. This is about making sure TasTAFE can best serve Tasmania for decades to come.

Going back to my opening comments, I am appalled by the lack of engagement by some members on that side in a process brought to this place in good faith to get better outcomes for Tasmanians. We have, throughout this bill and throughout the process of bringing this bill to this place, consulted widely. I will go to this in more detail in a moment.

More broadly, I want to talk about PESRAC and I want to talk about the fact the Premier made these commitments in the state of the state address earlier in the year. We took this to the election, consulted with TasTAFE staff, which included independently-facilitated sessions held in early August to obtain staff feedback on the future of TasTAFE. These sessions were held statewide on campus and, online with staff. If they could not attend they were encouraged to provide feedback via email. Over 200 staff were involved in these sessions.

I tabled an implementation plan informed by consultation with industry, staff and unions. The department, led by Kim Evans, has met with unions on a number of occasions and has had an open invitation to talk about the bill and our proposal. A second round of sessions were held with TasTAFE staff in mid-October to consult on the proposed change. The Secretary of State Growth has had a number of his own meetings with TasTAFE employees to ensure they are aware and the fear-mongering from Labor does not go unaddressed or unabated.

We have talked about PESRAC a lot today. People have referred to it on a number of occasions. I would like to reflect on the lead-up to the recommendations of PESRAC and the people who were involved in PESRAC. This was not some kind of secret committee or process. The Premier was very straight with the people of Tasmania about what the economy, as well as the health of Tasmania was facing as COVID-19 started hitting, needed a decisive response, it needed decisive action and that is exactly what the Premier did through commissioning PESRAC. If we look to the people who were involved, I have heard - and it is disappointing - people make disparaging comments about the chair of the PESRAC committee. I would like to talk about the other people who are members of PESRAC. These are their recommendations. These are the recommendations of these people: Rufus Black, Dale Elphinstone, Tim Gardner, Kim Goodes, Samantha Hogg, Leanne McLean, Paul Ranson and Brett Torossi.

Those eminent Tasmanians put their name to this report. It was their report; this is what they brought to Government. We have heard from a number of different speakers the view that there was just one submission and they are making disparaging comments about the person who made that submission. I have just outlined the people who are on PESRAC. Do we really think those eminent Tasmanians cannot think for themselves with regard to the weight of information that was put before them? It is an absolute insult to those Tasmanians and the work that they did.

If members had been bothered to read this report, it says, and this is the authors saying this:

We are proud of the breadth of our consultation program as it has provided the opportunity for about 3500 people to be involved directly feeding their insights ... to us.

**Mrs PETRUSMA** - Point of order, Mr Speaker, standing order 115, I move -

That the member be granted an extension of time for 10 minutes.

**Motion agreed to.**

**Ms COURTNEY** - As I was saying with regard to PESRAC, 3500 people involved, directly feeding in their insights. It goes on to say:

We sat alongside over 100 people from community and business sectors in nine workshops to get on the ground insights about COVID-19 implications and recovery options rather than merely relying on typical submission-based input.

We took the outcomes that these workshop participants identified as the most important to three regional roundtables. We wanted to speak to regional Tasmanians to ensure the voice of our dispersed communities outside urban centres was heard.

They are not our words, they are the words of the eminent Tasmanians who participated and led PESRAC and the recommendations. It is those Tasmanians who said the single most common topic at our workshops was that skills, training and TasTAFE are central to the recovery from the economic and social impacts of the COVID-19 pandemic.

Tasmanian employers want TasTAFE to succeed. A key reason it is not doing so now is that it is operating with far too many constraints. Despite good intentions and some recent progress in student satisfaction and employability, we were told that TasTAFE is unable to adapt to the shifting demands of employers and individuals at a pace required to support recovery. They are not my words. Those are the words of the Rufus Black, Dale Elphinstone, Tim Gardner, Kim Goodes, Samantha Hogg, Leanne McLean, Paul Ranson and Brett Torossi. They came to us with this and we listened. We listened to the people of Tasmania. We listened to those thousands of Tasmanians who were consulted and we listened to those Tasmanians who provide leadership roles all across our community.

If we look to the breadth of experience and participation those committee members have in the Tasmanian economy and in the community, it is extraordinary what they do for communities across Tasmania. The passion they have for Tasmania. They came forward with these recommendations. We listened. We listened to those recommendations and I am in here, in the House tonight, seeking to deliver on those for Tasmanians because we want to see a strong recovery from COVID-19. I want to see opportunities for young Tasmanians. I want to ensure we have a positive future for Tasmanians, that Tasmanians do have the opportunity to achieve their full potential. This is what this legislation is about.

**Ms O'Connor** - Unless they are gambling addicts of course, that you people shafted, poor people, poor communities.

**Mr SPEAKER** - Order.

**Ms O'Connor** - Faux outrage.

**Mr SPEAKER** - Order.

**Ms COURTNEY** - I strongly believe this legislation will address the concerns that these members raised, and indeed that is what we are seeking to do here, with the delivery of these recommendations. These recommendations are about the board. They are about accountability. They are about delivery of services. They are about investment into TasTAFE so it can be sustainable for the future and that is what this legislation is about. This is about delivering on what is in this plan.

The thing that disappoints me most is that it seems those on the other side did not even seek to positively engage in this process. In the time remaining -

**Ms O'Connor** - If your Government was not so full of spin and crap -

**Mr SPEAKER** - Order, member for Clark, order.

**Ms COURTNEY** - I do not have the opportunity to talk through what each of the industry participants of those members opposite said, but the fact that they did not stand up and defend the fact they are going to seek to vote this bill down, simply because they want to oppose. There is no plan. There is no alternative.

**Ms O'Byrne** - You do not need this bill.

**Mr SPEAKER** - Order.

**Ms O'Byrne** - This is an absolute crock and you know it. You do not need this bill to do what you want to do. So dishonest.

**Mr SPEAKER** - Order, member for Bass, order.

**Ms COURTNEY** - We have seen it in their policy that they had last year; their Jobs Plan for Tasmania. 'TasTAFE is broken,' they said. 'We need to re-build it from the ground up.' I am in here with bespoke education legislation, making sure that TasTAFE can deliver.

**Ms O'Byrne** - There is another reason for this and you know it.

**Mr SPEAKER** - Order, any more of that, member for Bass, and you will be asked to leave.

**Ms COURTNEY** - I question the authenticity of those members because I do believe there are quite a few members on that side who do engage with industry, talk to industry, listen to industry, and I fail to believe they have not heard loud and clear from industry that this is what they need and this is what they are seeking. My question for the Labor Party: they admitted that TasTAFE was broken and needed to be re-built from the ground up and I am in here asking them to partner with us, so that we can have a strong VET-training system, a strong public provider into the future.

We know that Labor is divided. We know they are being dictated to by unions on the outside and members on that side should hang their heads in shame for the fact they have failed to even articulate why they do not support this. I know those members are ashamed. They got rolled in the party room and got dictated to by the union leaders outside the room. What is most disappointing is that they are letting down Tasmanians in regional areas who want to access training in the future.

This is about strengthening it. This is about making sure we can have a training provider that is fit for purpose for the future. That it is having investment into its regional areas. We have listened. The PESRAC members were not a 'thought bubble'. That was considered advice to Government after listening to thousands of Tasmanians from around the state. I am very proud to be part of a Government that has brought this legislation to parliament. I am very proud to be part of a Government that is listening to industry. I am very proud to be part of a Government that is putting the needs of Tasmanians in the future, first.

Mr Speaker, I commend this bill to the House.

**Mr SPEAKER** - The question is that the bill be read the second time.

**The House divided -**

**AYES 12**

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ellis (Teller)  
Mr Ferguson  
Mr Gutwein  
Mr Jaensch  
Ms Ogilvie  
Mrs Petrusma  
Mr Rockliff  
Mr Street  
Mr Tucker

**NOES 12**

Dr Broad  
Ms Butler (Teller)  
Ms Dow  
Ms Finlay  
Ms Haddad  
Ms Johnston  
Mr O'Byrne  
Ms O'Byrne  
Ms O'Connor  
Ms White  
Mr Winter  
Dr Woodruff

**Mr SPEAKER** - The results of the division being Ayes 12, Noes 12, therefore in accordance with the Standing Order 167 I cast my vote with the Ayes.

**Bill read the second time.**

**Bill read the third time.**

**ADJOURNMENT**

**Mr FERGUSON** (Bass - Leader of the House) - Mr Speaker, I move -

That the House do now adjourn.

**The House adjourned at 8.09 p.m.**