

Thursday 1 August 2019

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

RECOGNITION OF VISITORS

Madam SPEAKER - Honourable members, I draw your attention to our guests in the gallery. We have students from STEPS Employment and Training. We welcome you to parliament.

Members - Hear, hear.

STATEMENT BY SPEAKER

Behaviour of Members

Madam SPEAKER - Honourable members, this morning I have a brief statement to read to the House.

The behaviour in this Chamber over the past two days of this parliament has been less than parliamentary. In fact, the inappropriate yelling, nasty insinuations and some instances of very aggressive behaviour would not be tolerated in any modern workplace. I have news for you: they will not be tolerated here either. I consider it a form of bullying.

From this day forward, I remind you all that as leaders of the community and role models for our youngsters who visit parliament we will argue the facts of the debate before us as professional politicians.

Any failure to adhere to respectful behaviour will be given up to three warnings only because it has been accepted practice of the House and certainly not because I think it should be necessary to remind adults how to behave three times during question time or for the day's duration.

On the third warning the offending member will be asked to leave the Chamber. As a relatively new Speaker I have tried being tolerant and friendly. That approach has not been appreciated. I will now enforce the Standing Orders for good behaviour without fear or favour because the public expect us to get on with the serious job of governing and not to resort to insults and petty political arguments. Be assured I will no longer tolerate any backchatting of the Speaker and offenders may be asked to leave the Chamber without the three warnings.

Finally, as the guardian of this safe workplace I remind members that they are entitled to use the employees' assistance program should they be suffering any difficulties of a personal nature.

QUESTIONS

Jobs and Unemployment Rate

Ms WHITE question to PREMIER, Mr HODGMAN

[10.05 a.m.]

While your Government is consumed by chaos and dysfunction Tasmania has been haemorrhaging secure full-time jobs. Tasmania has the highest jobless rate in the nation. More

than 6200 full-time jobs have been lost in the last year and yet you seem incapable of recognising the jobs emergency that is getting worse under your watch. Will you finally admit the shameful fact that Tasmania has fewer full-time jobs than when you were elected in 2014?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for the question and acknowledge that whilst our unemployment rate has come down, and is a far cry from when Labor was in government and declared an unemployment rate of up over 8 per cent as merely disappointing -

Mr Bacon - That is not accurate.

Mr HODGMAN - For a Government that does place a very strong priority on a good economy performing well and a -

Madam SPEAKER - Excuse me, through the Chair.

Mr HODGMAN - Apologies, Madam Speaker - a budget back in surplus after the deficits that were forecast under the Labor-Greens government we have come a long way. In fact, 12 500 jobs have been created since we came into government in 2014. There are 12 500 more Tasmanians employed now than when we came into government. Under the former Labor-Greens government 10 000 jobs were lost.

Ms O'BYRNE - Point of order, Madam Speaker. It goes to standing order 48. The question specifically dealt with the 6200 full-time jobs that have been lost in the last year. If the Premier could turn his attention to the question we would appreciate that.

Madam SPEAKER - That is not a point of order. I ask the Premier to continue.

Mr HODGMAN - The point being that there are 12 500 more Tasmanians employed now. As of June 2019, 247 500 Tasmanians at work. I am also pleased that as at June 2019 there are 7100 more women employed in trend terms. As at June 2019 there are 1400 more young persons employed in year average terms as well.

Members interjecting.

Madam SPEAKER - Order.

Mr HODGMAN - As at June 2019 there are 800 fewer Tasmanians on the long-term unemployment list. Our unemployment rate at 6.7 per cent is down 0.8 of a percentage point since the 2014 -

Ms WHITE - Point of order, Madam Speaker. It does go to standing order 45. I ask you to draw the Premier's attention to the question, which is can he admit the shameful fact that there are fewer full-time jobs now than there were when he first took government in 2014?

Madam SPEAKER - As you are aware that is not a point of order. Please proceed, Premier.

Mr HODGMAN - I am giving the Leader of the Opposition the facts, which she does not want to hear, because it does not fit her narrative, which is unfounded and entirely inappropriate coming from a member of a government that was responsible for 10 000 jobs going from our state.

Ms White - There are fewer full-time jobs now than when you took office.

Madam SPEAKER - Leader of the Opposition, you are on the first warning for constant interjection.

Mr HODGMAN - Our unemployment rate is down, as I say. We have more jobs for Tasmanians and more opportunities through our plan. Our budget forecasts an additional 10 000 jobs to be created. There are more internet job vacancies advertised. Businesses are hiring now, so that is a good thing with a high level of business confidence in our state. We have demands for people with particular skill sets. Again, not a problem the former Labor-Greens government had to deal with. We do recognise that we need more skilled people. We want more people in full-time employment. We have made significant progress. Our economy is the strongest performing in the country, a one-off, in a number of key performance indicators. Business confidence levels remain high. Our economy is strong and it has happened because we are a government -

Ms White - You are haemorrhaging full-time jobs, Premier.

Madam SPEAKER - Order. Any more interjections and you will be warned.

Mr HODGMAN - that believes in economic growth and supporting Tasmanian businesses in actively implementing policies that are all about encouraging a strong business environment. That is why business surveys repeatedly say that our businesses are not only confident but they also support the Government's policies.

I do not want to dwell too long on the past. It was a sad and sorry past for our state when we slipped into recession and jobs were lost. We are making considerable strides. Regarding credibility, I do not think anyone will take seriously what the Leader of the Opposition has to say about our economy.

Madam SPEAKER - I will take Mrs Rylah.

Ms WHITE - Point of order, Madam Speaker. I understand the convention of the House is the first two questions go to the Leader of the Opposition.

Madam SPEAKER - That might be the convention but in this case, I heard Mrs Rylah first.

Family and Sexual Violence Action Plan

Mrs RYLAH question to MINISTER for PREVENTION of FAMILY VIOLENCE, Mr HODGMAN

[10.10 a.m.]

Can you outline the Hodgman majority Liberal Government's latest comprehensive family and sexual violence action plan and what the Government is doing to further strengthen the response to family and sexual violence?

Ms WHITE - Point of order, Madam Speaker. I understand the Standing Orders state that the first two questions go to the Leader of the Opposition -

Madam SPEAKER - Have you heard of Speaker's precedent?

Ms WHITE - I understand the Standing Orders indicate -

Madam SPEAKER - Which standing order?

Ms WHITE - I will just draw that to your attention, Madam Speaker -

Madam SPEAKER - I ask you to sit down and stop causing trouble. I ask Mrs Rylah to continue.

Mrs RYLAH - Madam Speaker, can I repeat part of that last sentence?

Madam SPEAKER - I would like you to repeat that, please.

Mrs RYLAH - Can the Premier outline the Hodgman majority Liberal Party latest comprehensive family and sexual violence action plan and what the Government is doing to further strengthen the response to family and sexual violence in Tasmania?

ANSWER

Madam Speaker, I thank my parliamentary secretary for the question in relation to a very important priority for this Government that we are continuing to deliver on. It is an important area of reform - improvement and increase of services for our most vulnerable Tasmanians and those who are suffering, may suffer and who have, sadly, suffered from family or sexual violence. It is a top priority.

Alongside the Commissioner of Police, we recently launched our new whole-of-government action plan for family and sexual violence, Safe Homes, Families, Communities. I have, with the strong support of our entire team and a unified commitment of all members of government, taken a lead on this important issue since we first came into Government and now do so as Tasmania's first ever dedicated Minister for Prevention of Family Violence.

Safe Homes, Families, Communities follows our first action plan released in 2015, which was described as nation-leading. This is the next stage of our whole-of-community effort to eliminate family and sexual violence. It is back with new investment of \$26 million over three years, which is possible because of our strong financial management and our capacity to increase funding for essential services. It reflects the Government's substantive and ongoing commitment to prevent and respond to the appalling and unacceptable levels of family and sexual violence in our community. Our new action plan has been strongly endorsed by key stakeholders, for instance, the Sexual Assault Support Service and Our Watch, with whom we are putting in place a national first, a partnership program for primary prevention.

Jill Maxwell, the CEO of the Sexual Assault Support Service, said -

The issue of sexual violence within our homes and communities can only be tackled by a collaborative, targeted and resourced approach that seeks to tackle the root causes of sexual violence ... The Sexual Assault Support Service (SASS) commends the Tasmanian Government on the development of this Action Plan ...

The CEO of Our Watch said, 'It is extremely encouraging to see the Tasmanian Government demonstrating its commitment to primary prevention by taking these steps, in a national -

Ms O'Byrne - Do they know you are only funding a third of the family violence calls?

Madam SPEAKER - Order, warning number one, Ms O'Byrne.

Mr HODGMAN - first partnership model between Our Watch and a State government.'. The intersection of family and sexual violence was clearly demonstrated throughout extensive consultations on the new plan, a survey which engaged 500 victim survivors. I sincerely thank all those who have courageously contributed to the development of our action plan, delivering on the vision we all share, where all Tasmanian's are safe, equal and respected and our homes, families and communities are free from all forms of family and sexual violence.

The plan includes 40 actions to prevent and respond to evidence-based outcomes in a driven way. The three priorities are primary prevention and early intervention, response and recovery, and service system enhancement. There are a number of areas of new investment. Many initiatives from our first plan continue to be supported. One of these new actions is a new program; a sexual behaviours and sexually abusive behaviours program for children and young people addressing a service that stakeholders identified as a priority. Children demonstrating harmful sexual behaviours have a high incidence of becoming adult perpetrators or victim survivors of family and sexual violence.

We recognise these programs require a specialist approach and response and are not properly provided through a mainstream therapeutic counselling service, but we are extending forensic medical examinations for adult victims and survivors of family sexual violence. We are providing additional counselling services. Claims about our counselling services ignores that an additional 4169 hours of counselling hours, and 4117 hours of counselling have been provided since 2015. These are new additional services that have been provided by this Government for the first time.

We will continue to monitor the progress of our actions. We will continue to improve legislative measures to strengthen our responses. I note this week the first conviction under our tough, new, persistent family violence offender laws has occurred with a substantial term of imprisonment for the offender in an Australian first that punishes perpetrators for a continuing pattern of this behaviour. Legislation has passed the House this week as well, to better support young people. We will always take an evidence-based and consultative approach.

I thank all those within our agencies who have contributed to the development of the next stage of our action plan, and those with lived experience who have come forward. There is a long way to go before we eliminate family and sexual violence in our communities. We are making a positive difference by providing more support for victims and survivors, holding perpetrators to account and, most importantly, creating greater awareness that family and sexual violence is a crime and will never be tolerated in our community.

Unemployment Rate

Ms WHITE question to PREMIER, Mr HODGMAN

[10.16 a.m.]

Your Government is so hopelessly consumed by chaos and dysfunction that you have lost sight of the promises you made to Tasmanians. Shortly before the 2018 election, you promised to deliver

the lowest unemployment rate in the country. Instead you have delivered the highest. Tasmania's unemployment rate is 6.7 per cent and well behind the national average of 5.2 per cent. If the participation rate was at the national average, unemployment would be over 15 per cent. Why have you abandoned your promise?

ANSWER

Madam Speaker, it is another welcomed question from the Leader of the Opposition. It is one of the first I have received on our economy since Ms White has been the Leader of the Opposition. I can hardly recall a day when our Government has not been talking about the importance of our economy, what we are doing to improve our economic performance and to support Tasmanian business invest in our competitive strengths and to create more jobs. These things are a priority for this Government.

We have reduced our unemployment rate to the national average. Yes, unemployment rates will go up and they will go down. Sometimes they will go up as high as over 8 per cent, which they were under a Labor-Greens government.

Opposition members interjecting.

Madam SPEAKER - Order. Mr O'Byrne and Ms White both have a warning. Thank you.

Mr HODGMAN - It is an employment rate that, yes, we would love to be a lot lower and we will continue to work on it being so and is a lot lower than when you were in government. More Tasmanians employed than ever before, as has happened in this Government, is a far cry from when 10 000 jobs were lost in this state under Labor.

Our economy is more buoyant than ever before and more investment is occurring. We are the one party in this place that puts economic performance as a top priority because it is the foundation that allows us to invest more into essential services. It allows Tasmanian businesses to prosper and compete more competitively in global markets and it gives more Tasmanians the opportunity of a job.

While we recognise there is much more to do, our economy is in extraordinary shape. The credibility of the Leader of the Opposition will be seriously tested if she is talking about economic credibility. Given the track record of the Labor Party and their absence to deliver an alternative budget or economic development policy, it shows how lacking in substance they are on this subject.

Gaming Machine Policy

Ms O'CONNOR question to TREASURER, Mr GUTWEIN

[10.19 a.m.]

It was confirmed by last night's vote that Labor supports your socially and economically destructive policy to keep poker machines in pubs and clubs until 2043. Have you provided your Labor Party allies on gambling harm with an update or briefing on when the legislation to give effect to your policy will come to parliament, and how it will implement the individual licensing model which has been condemned by the community sector and the former head of the Gaming Commission? Perhaps you offered your Labor allies on pokies some merchandise to bring them closer into the tent. If you do not have any spares, here is one for the Opposition Leader -

Madam SPEAKER - Order, that is a prop; please put it down.

Ms O'CONNOR - Treasurer, can you tell the remaining two members of the House who recognise the wrong you are about to perpetrate on the Tasmanian people and their democracy whether you have written to the Federal Group about the renovation of their gravy train at the expense of low-income Tasmanians, and if so, what was in the letter to your major corporate donor and will you table the correspondence?

ANSWER

Madam Speaker, I thank the Leader of the Greens for her question and her interest in it. I note that as of last night, the Labor Party now has zero policies. They have walked away from everything they took to the last election. In fact, it was the signature policy of Ms White which she staked her political leadership on.

Members interjecting.

Madam SPEAKER - Order, Premier, Ms O'Connor, Ms White.

Mr GUTWEIN - I must admit that is probably to the delight of Mr O'Byrne in where the Labor Party finds itself in respect of gaming policy at the moment.

This gives me an opportunity to make some points about gaming more broadly. This side of the House believes that gaming is a legal and legitimate activity for Tasmanians to engage in. We believe we have one of the strongest harm-minimisation regimes in the country. Regarding the policy we took to the election, we make no apologies for enabling Tasmanians to have the choice to make the decision as to whether or not they want to partake in gaming activity. Importantly, I am proud of the fact that the policy we took to the election ends the monopoly.

In terms of progress of the legislation, we will be bringing legislation through early next year in respect of our policy. Treasury and the gaming branch are engaging with stakeholders. In terms of writing to participants, I would have to check my records.

Ms O'Connor - You can't remember?

Madam SPEAKER - Order, Ms O'Connor.

Ms O'CONNOR - Point of order, Madam Speaker. I seek the Treasurer's guidance here. If he has written to the Federal Group, does he or does he not remember it?

Madam SPEAKER - That is not a point of order but it might be a point of clarification.

Mr GUTWEIN - Madam Speaker, I have said quite clearly that I will check whether or not correspondence has gone to the Federal Group over the last 18 months.

Ms O'CONNOR - On the point of order, will the Treasurer update the House at the earliest opportunity, preferably today, in relation to that?

Madam SPEAKER - That is not a point of order but I hope the Treasurer will answer it.

Mr GUTWEIN - I am happy to provide an update to the House if I have written to the Federal Group over the last 18 months. However, as the member would be well aware, I sign hundreds of pieces of correspondence each and every week. I will check my records and provide an update to the House at the earliest opportunity.

Unemployment Rates for Women

Ms O'BYRNE question to PREMIER, Mr HODGMAN

[10.24am]

Under your chaotic and dysfunctional leadership in Tasmania, Tasmanian women are losing their jobs at an alarming rate. There are 4100 fewer Tasmanian women in full-time work than this time last year. That means that one in 14 women who had a full-time job last year no longer have work. Tasmanian women deserve full-time jobs, and they deserve a premier who will stand up for them. Why have you ignored the plight of women losing their jobs at such an alarming rate?

ANSWER

Madam Speaker, I thank the member for the question. More jobs for all Tasmanians is very important to this Government and we are pleased that there are more jobs for all Tasmanians. There are areas, of course, where we want to see more Tasmanians employed in regional parts of our state, for example. That is why we have a new push on strategic growth in investments into our regions that support job-creating projects for the long-term unemployed, young Tasmanians and also more women in our workforce.

Whilst I acknowledge, as I will always, that there is much more to do to support the inclusion of Tasmanians into our workforce, under this Government there are now 12 500 more Tasmanians in work than when we came to government. At a national level we should not forget the extraordinary strides that have been taken with respect to record levels of employment in our country under the Morrison Coalition Government.

With respect to women, as I said in my earlier answer, I am advised that as at June 2019 there were 7100 more women employed in trend terms and that is also something which is a very positive improvement and a far cry from when Labor was in government. Since we were elected 7100 more females have been employed and more jobs have been created. Female full-time employment is higher and female part-time employment is higher - 5200 jobs in year average terms. Labor's record during the term of their government from March 2010 -

Ms O'BYRNE - Point of order, Madam Speaker, understanding order 45, relevance. I asked the Premier about the last 12 months. Could he turn his mind to the last 12 months of his leadership?

Madam SPEAKER - That is not a point of order. I am getting tired of these frivolous points of order. I ask the Premier to address the issue.

Mr HODGMAN - I am citing figures as at June 2019, so they are current. Female full-time employment is higher, female part-time employment is higher: 5200 jobs in year average terms.

Ms O'Byrne - Underemployment is higher.

Madam SPEAKER - Order, Ms O'Byrne - warning number two.

Mr HODGMAN - During the last term of the Labor-Greens government from March 2010 to March 2014, 1700 women lost their jobs in trend terms. With respect, they have no credibility on economic or financial matters. They can produce no alternative budget. They have no policies. The only thing people can look to is past behaviour and track record, and under Labor and the Greens jobs were lost. Under us, they are being created.

Madam SPEAKER - Ms White and Ms O'Byrne, this is your last warning.

Ms O'BYRNE - Madam Speaker, I didn't actually interject then.

Madam SPEAKER - No, but you were being noisy and talking over the top of the Premier.

Ms O'BYRNE - No, Madam Speaker, I suggest that I absolutely was not. I have been attempting very hard -

Madam SPEAKER - Are you questioning the Chair again? I suggest you sit down. Thank you.

Ms O'BYRNE - Madam Speaker, I am just letting you know that I was not interjecting.

Health - Access Solutions Meeting Outcomes

Mr TUCKER question to MINISTER for HEALTH, Ms COURTNEY

[10.28 a.m.]

Can the minister please provide an update on the actions the Hodgman majority Liberal Government is taking to support our hospital staff and improve access to health care?

ANSWER

Madam Speaker, the Hodgman majority Liberal Government is focused on delivering our plan to build a better health system for our community, the plan that we were elected to deliver. We have been upfront about the challenges and faced them head on, growing funding, recruiting staff and building the facilities we need to deliver more services to more Tasmanians.

It is no secret that the demand on Tasmania's hospitals has continued to grow at a significant rate. We are seeing an increase in the complexity of patients and it is clear that we simply cannot keep doing what we have been doing, which is why the medical colleges and frontline staff have led the calls for innovative thinking and ensuring we are utilising our precious health resources as effectively as possible.

The Access Solutions meeting was held in June, bringing together more than 50 crucial health stakeholders representing a broad cross-section of the health system and featuring some of our best health system thinkers, clinical leaders, health consumers, key decision-makers and experts. The resulting 23 actions were divided into immediate, short, medium and long term. I am pleased to be able to provide the House with an update.

Earlier in the month I confirmed that the immediate actions had been progressed establishing a private hospital working group improving access to data and establishing a new length of stay committee. The short-term actions were slated to the end of July 2019 and I can advise that these have all been met within the scheduled timing.

Highlights of these include the decision to admit authority for ED consultants is in place, bolstered with one-way referral and no right of refusal policies.

Mr O'Byrne - Not one cent is acceptable. Talk to the doctors.

Madam SPEAKER - Mr O'Byrne, that is warning number two.

Ms Butler - Talk to the AMA maybe. They are pretty happy with you guys at the moment.

Madam SPEAKER - Ms Butler, you are on warning number one.

Ms COURTNEY - The first of a series of access and flow staff engagement forums has been held allowing staff to discuss problems and barriers, and share ideas and solutions. A cultural improvement plan has now been designed for the THS, a key component of breaking down longstanding cultural barriers within the organisation with implementation rolling out this month through to the second half of next year. This will see all staff more empowered to play a key role in meeting the care of the need of patients.

I can also advise that the Government has received advice on planning for bed openings in K Block and the review of the Tasmanian Health Service structure. We will consider this advice carefully and will have more to say on that in the near future.

I sincerely thank all the participants in the Access Solutions meeting and their ongoing progress to deliver the plan. I will be writing to all participants to provide a more detailed progress update.

We recognise there is much more work to do, but this is positive progress and builds on last year's budget that has been all about maintaining the momentum and investing for growth. This is in stark contrast from what we see on the other side. We know that Labor has absolutely no credibility when it comes to Health. They could not even come into this place with an alternative budget showing Tasmanians what they would do if they were in leadership roles. When we went to the election they had seven different health policies. They have no idea what they stand for. They have no policies. Ms White handballed the Health portfolio at the earliest opportunity and has made it very clear -

Members interjecting.

Ms COURTNEY - You handballed it and you -

Mr Bacon - Have a look behind you.

Madam SPEAKER - Order. Mr Bacon, you are on warning number one. I suggest some of this frivolity slows down. Please continue.

Ms COURTNEY - I thank the member for his interjection because when I look behind me I see a health minister for five years delivering for Tasmanians.- 1000 more people employed, 130 new beds -

Members interjecting.

Madam SPEAKER - Mr Bacon, warning number two.

Ms COURTNEY - What we have behind me is a health minister who delivered and an entire Government that has continued to focus on the Health portfolio.

Members interjecting.

Madam SPEAKER - Order, Ms Butler is now on two and Dr Broad is on one. There will not be many left at this rate.

Ms COURTNEY - Tasmanians can trust this Government to deliver. We have continued to run the budget responsibly so that we can invest in key areas such as Health and we will continue to do so, unlike the other side that only come in here and criticise.

Greenhouse Gas Emission Levels

Dr WOODRUFF question to MINISTER for ENVIRONMENT, PARKS and HERITAGE, Mr GUTWEIN

[10.33 a.m.]

The latest Tasmanian greenhouse gas emissions for 2017 have been released and they make for shocking and distressing reading. Our overall emissions for the state have declined relative to 1995, mostly because the Tasmanian Forestry Agreement stopped such intensive forest logging and now growing trees are storing carbon. The report shows a disturbing trend. Emissions in nearly every industry other than forestry have gone up significantly.

Between 2016 and 2017 emissions from agriculture grew 10 per cent, from industrial processing by 10 per cent, from mining by 7 per cent, from manufacturing and construction by 11 per cent, in the waste sector by 5 per cent and in the land use sector by 9 per cent. The Arctic is on fire, there are titanic levels of methane gas being emitted and freshwater glaciers in Greenland are rapidly melting. These are all signs of a planet that is cooking.

We must act on the climate crisis and bring emissions down across all sectors. Will you recognise that this is a climate emergency and legislate the targets that scientists tell us we need, to dramatically reduce emissions across every sector?

ANSWER

Madam Speaker, I thank the member for that question and her interest in this important matter. I am very pleased to speak about our greenhouse gas emissions. We are a world leader - and you forget to say that and you should be proud of what Tasmania has been able to achieve.

The latest reported greenhouse gas emissions, which was released on 6 June this year, demonstrates that Tasmania has a unique, world-leading emissions profile in comparison with other jurisdictions -

Ms O'Connor - In comparison to America.

Madam SPEAKER - Ms O'Connor, warning number one.

Mr GUTWEIN - Our net emissions in 2017 were a 95 per cent decrease from the 1990 baseline level. I make the point that we are uniquely placed and we should celebrate that. Rather than using alarmist language, as they do, what they should be doing is explaining to Tasmanians, and especially school students, that we are unique in the world. We are so very well placed -

Dr WOODRUFF - Point of order, Madam Speaker. I take personal offence at that. I was stating the facts. The minister is implying that I am making stuff up. I was very clear about the facts from the report and that is what I am speaking to only.

Madam SPEAKER - You have taken personal offence. I am not certain at which part, but -

Dr WOODRUFF - Thank you, Madam Speaker, 'alarmism'. It is not alarmist to speak the truth. I am quoting from the minister's own report and what the scientists have said. Speaking the truth is not alarmist.

Madam SPEAKER - I do think that is an extreme thing to be upset about but, I will ask the Treasurer if he could apologise for saying 'alarmist'?

Mr GUTWEIN - Madam Speaker, if I have offended the member by calling her 'alarmist', I withdraw that term. I do not know where I would put the fact that the 'Arctic is on fire', but that is just -

Dr WOODRUFF - Point of clarification, Madam Speaker. The scientists are reporting that the Arctic is on fire. Every country in the Arctic Circle is burning with wildfires out of control and this has never been recorded before, at all. I am reporting what every newspaper is saying.

Madam SPEAKER - Thank you very much for that clarification.

Mr GUTWEIN - Madam Speaker, I will come back to the point I was making and that is that in this place we should be proud of our emissions profile. We should be proud of the fact that we lead every jurisdiction in this country with our emissions profiles. We have the lowest emissions per person of any Australian jurisdiction by a long shot.

With regard to the decisions that have been made in the past, credit should be given to those who were a part of the hydro industrialisation - the fact that we have a target and will achieve 100 per cent renewable energy by 2022. We are uniquely placed and we should be proud of the position that we hold, not just nationally but internationally, with our emissions profile.

Dr WOODRUFF - Point of order, Madam Speaker. Standing order 45 in relation to relevance. I have asked the minister about the individual sectors. I specifically asked him to address the point about the individual sectors and creating targets for sectors because they are going up.

Madam SPEAKER - As you know, that is not a point of order. It is another distraction to the House but I have allowed you to put it on *Hansard*. Please continue, Treasurer.

Mr GUTWEIN - Thank you, Madam Speaker. I will close by saying that we have a very good story in terms of emissions and it is a story that not just this place, but that Tasmanians more broadly should be proud of. As we moved forward with further investment into renewable energy, as we progress to become the battery of the nation, our position will over time be strengthened.

Jobs Policies

Ms DOW question to PREMIER, Mr HODGMAN

[10.40 a.m.]

Despite your constant boasting, it is harder for young Tasmanians to get a job here than almost any other Australian state. You have lost 2000 apprenticeships and traineeships and TAFE is in tatters. Jobs in regional Tasmania are being shed at an alarming rate. More than 40 people are losing their jobs every day on our north-west and west coasts. In George Town the jobless rate is higher than 10 per cent. When will you admit that your Government's job policies are simply not working?

ANSWER

Madam Speaker, I thank the member for her question. Of course we want to see more Tasmanians - young, old, women, men - employed and yes, we are seeing more of that happening across our state in all sectors and more in particular areas, as I have clearly acknowledged. But it is farcical for any Labor member to ask us about economic performance when our economy is ranked as one of the best performing in the country. Another report released this week says our economy is performing strongly and our gross state product and state final demand are growing at the fastest rate in a decade. We also have the highest levels of business confidence in the country and have sustained that for some years. It is extraordinary that a Labor member would ask us about the state's economic performance.

Ms DOW - Point of order, Madam Speaker. I draw the Premier's attention to the last line of my question, which clearly asks when he will admit that his Government's jobs policies are not working.

Madam SPEAKER - You have to state that it is a point of order under standing order 45 - and by the way, it is not a point of order.

Mr HODGMAN - I point to the facts. Our job-creating policies, what we have done in the first term of government and what we are doing now, are delivering improved outcomes for Tasmanians.

To correct the record and place on record some facts, it is critical for our Government to get more young people into employment. We have had some significant improvements with apprenticeships and traineeships, but there is a lot more to be done and we are committed to doing so. In fact, I can inform the member that in our state, trades apprenticeship commencements have increased by 12.5 per cent over the past 12 months - that is an improvement, I am sure you would acknowledge - when nationally they have decreased by 0.1 per cent over the same period.

Youth unemployment fell by 0.3 percentage points in the last two months, so that is also an improvement, I am sure you would agree, despite what you say in your question. In fact, the rate is 1.6 percentage points lower now than when we first came into office, so I am sure you would agree. Any sensible objective assessment would agree that this is an improvement on where things were at.

When it comes to regional employment, in the north-west coast, the member's region, and on the west coast, the average number of people employed is 1800 more than in the last year of the Labor-Greens government. In Launceston it is also higher, with 3000 more, and in Hobart and the south-east the year average employment rate has also significantly increased. I again make the case that things have improved.

The answer to your question, member for Braddon, is no, you are wrong, things have improved, but yes, we acknowledge there is more that needs to be done. That is why we have delivered a budget that is forecast to create 10 000 more job opportunities for Tasmanians, ironically the number of jobs that were lost under Labor and the Greens.

Ms WHITE - Point of order under standing order 45, relevance, Madam Speaker. I ask you to draw the Premier's attention to the fact that every day 40 people on the west coast and north-west are losing their jobs and what is he going to do about it?

Madam SPEAKER - Sorry, that is not a point of order.

Mr FERGUSON - Madam Speaker, can I address the points of order?

Madam SPEAKER - Yes, that would be helpful.

Mr FERGUSON - Madam Speaker, as you have already hinted, these repetitive points of order are highly disorderly. It appears they occur whenever the minister or the Premier who is addressing the question is actually making a very pertinent point. I draw that to your attention and ask that members not continue disorderly and frivolous points of order.

Mr O'BYRNE - Madam Speaker, on the point of order, it is well within the Standing Orders for the Opposition to take points of order in question time when the ministers not only ignore the question but also invite interjection to create more havoc in this place. We think it is perfectly orderly for us to raise these issues with you for you to determine, not the Leader of Government Business to determine.

Madam SPEAKER - That is a point but I have already previously made the point that we are getting quite a few frivolous points of order.

TEMCO - Possible Closure and Loss of Jobs

Ms O'BYRNE question to PREMIER, Mr HODGMAN

[10.45 a.m.]

In just over a month TEMCO's parent company, South32, will decide whether it is going to shut the smelter's doors for good. There are 300 well-paid, stable jobs that are directly at risk. The closure of TEMCO would have a devastating effect in George Town and across the north of the

state. What action are you taking to save the 300 jobs at TEMCO? I ask you to update the House on how many times you have personally met with TEMCO management and what support your Government has offered to keep the smelter open.

ANSWER

Madam Speaker, I thank the member for the question. I will need to ensure that the information with respect to the precise number of times there have been meetings be provided to the member in due course, but I can say it was as recently as 30 May this year that we met, and we will continue to engage. When I say 'we', I mean myself and the Treasurer. The Minister for State Growth and the Treasurer would also be able to update or inform the House more extensively of the considerable levels of engagement that take place between our officials within the departments of State Growth and Treasury about circumstances with respect to South32, TEMCO, and other major industrials. I categorically refute any suggestion that the Government is not constantly and actively engaged with all Tasmanian businesses that may have matters of pertinence to their performance and presence in our state and what the Government might do to encourage and facilitate that. Again, under this -

Ms O'BYRNE - Point of order, Madam Speaker. The Premier has said that he would update this House. May I ask through you that we seek to get that information by the end of the day because it does appear the Premier has not met with them since May?

Madam SPEAKER - I do not believe that is what the Premier said. The Premier has not met with them with since May but other members of the Government and staff have.

Ms O'BYRNE - Madam Speaker, could we have that information of when those meetings took place by the end of today?

Madam SPEAKER - I will ask the Premier if that is possible but it is his call.

Mr HODGMAN - Of course I will provide information to the member at the earliest opportunity. The point I was making - as you have rightly said, Madam Speaker - was to confirm for the member's comfort that the Government is actively engaged. We are well aware of the circumstances with respect to TEMCO. We are also acknowledging the fact that -

Ms Standen - You would think it would be a bit more urgent - 300 jobs.

Madam SPEAKER - Ms Standen, warning number two.

Mr HODGMAN - they have made it very clear that they are undertaking a process, a review. There is a review team leading that work and the review will take some months. We have requested and expect from TEMCO and South32 that the Government be constantly apprised of any matters material to their business and of course to the workers at that business, as we are with all our major industrials. As a Liberal government we are very determined to ensure they continue to operate here and continue to be part of Tasmania's strong and competent economic environment. Our major industrials always have pressures upon them, most notably around commodity prices but also energy prices.

Ms Houston - There is 10 per cent unemployment in George Town.

Madam SPEAKER - Ms Houston, warning number one.

Mr HODGMAN - Our track record is one of bringing more businesses to Tasmania. We have a dedicated office, the Office of the Coordinator-General, which is opposed of course by the Labor Party but is designed to bring more business -

Ms WHITE - Point of order, Madam Speaker. The Premier should withdraw that remark because it is not true.

Mr HODGMAN - Apologies, you are right. One day you opposed it, another day you supported it. A bit like your pokies policy. It is another policy - it is hard to keep track of what the Opposition actually stand for. If the record is now that they support the Office of the Coordinator-General that is a good thing, because it is designed to bring new business to Tasmania. Amongst the key performance indicators to see private investment in our state also amongst the highest in the country shows levels of confidence in our state.

Our Government will always do what we can to support Tasmanian business, large and small. We will put our track record up against yours any day of the week. You are, by your own behaviours, demonstrating the chaos that exists within your own party.

Ms WHITE - Point of order, Madam Speaker. It goes to standing order 45, relevance. What is the Premier doing to make sure those 300 jobs are not lost? This is an issue he could at least address.

Madam SPEAKER - That is not a point of order and your experience knows better than that.

Mr HODGMAN - As I have said, not only do we meet with the company and our officials engage with them, not only do we continue to do all we can to keep Tasmania's economy the best performing in the country that it now is, compared to the mess it was when you were in government, is going to be quite pertinent to their ongoing presence in this state. Any other matters with respect to their business, all matters concerning their employees are a top priority for this Government.

Ms Houston - The south is not the whole of Tasmania. What about the regions? What about the north?

Madam SPEAKER - Ms Houston, that is warning number two, and that was most inappropriate. Premier, I think you should wind up.

Mr HODGMAN - I will. I know the Opposition, I know what they will do, and it will be to try to scare people unnecessarily. It will be to try to create a negative picture. That is the one and only economic policy they have: to talk our state and its businesses down.

Renewable Energy Developments

Mrs PETRUSMA question to MINISTER for ENERGY, Mr BARNETT

[10.52 a.m.]

Can you advise the House of the Hodgman majority Liberal Government's progress towards our 100 per cent self-sufficiency renewable targets? Is the minister aware of any alternative energy policy proposal?

ANSWER

Madam Speaker, I thank the member for her excellent question and I am looking forward to responding and saying, yes. In terms of the Hodgman Liberal Government there is no stronger supporter of a growing economy creating jobs and knowing that our renewable energy developments are a key part of our future. I am delighted to confirm today, before this House, that the Government is on track to make a 100 per cent self-sufficiency in renewables by 2022. We are on track just one step away with the Cattle Hill Wind Farm in the Central Highlands and the Granville Harbour Wind Farm on the west coast; important investments. With those two investments some 260 extra megawatts will be injected into the system to get us to that 100 per cent fully renewable by 2022 and that is very good news.

That is \$580 million of investment, hundreds of jobs, millions of dollars invested in small businesses and the workforce in all of those rural and regional areas across the west coast. It is very good news. All of that is because of the policies of the majority Hodgman Liberal Government and our Tasmania-First Energy Policy to drive the economy and create more jobs. This is what the Tasmanian people voted for at the last election. They said yes to the Tasmania-First Energy Policy knowing the benefits to deliver low-cost, reliable, clean energy.

Yesterday we had a debate in this place on this very issue and Labor had an opportunity, but what did they do? They squibbed it. They were looking to the past to try to build their credentials around energy and they remain sitting on that barbed wire fence. Very uncomfortable.

Just yesterday the member for Braddon intervened and expressed support for the Robbins Island Wind Farm, but we have heard nothing from my counterpart Labor shadow minister for energy. We have heard nothing. What is their position? They are continuing to sit on the fence and getting very uncomfortable.

We are working shoulder to shoulder with the Morrison Liberal Government, a \$56 million commitment for the design and approval process for Project Marinus. Thank you to the Morrison Liberal Government. Likewise \$17 million for the task force workforce to prepare for the future in our own \$30 million investment for our pumped hydro projects.

Developers are assessing thousands of megawatts in wind farms such as Epuron's plans for a 300-megawatt wind farm in the Central Highlands, with a public meeting coming up this weekend. That is very encouraging and, together with the Battery of the Nation and increased interconnection, we are talking about some \$5 million of potential investment in Tasmania with thousands of jobs.

What will happen, we have seen a massive U-turn from the Greens, with decades and decades of commitment to renewable energy and cleaner climate, the evils of carbon, the urgent need to switch to renewables, the future of our children is at stake, yes alarmist claims from time to time. We have heard it today, the Arctic is on fire, say the Greens, and of course the parliament should declare a climate emergency.

Ms O'Connor - We are obliged to tell the truth in this place. The World Meteorological Organization has confirmed that the Arctic is on fire.

Madam SPEAKER - That is not a point of order, thank you.

Mr BARNETT - The Greens have been claiming up hill and down dale, year in, year out, decade in, decade out, their support for the renewables and when you get a major renewable development project, of course Greens are opposed.

Ms O'Connor - We want it to be properly assessed.

Mr BARNETT - They are jumping to conclusions without waiting for the formal lodgement of the development application.

Ms O'Connor - That is exactly what I said we needed to do.

Madam SPEAKER - Ms O'Connor, warning number two.

Mr BARNETT - The rigorous independent assessment process at the federal level, at the state level, development approval process, the planning approval process, the environmental approval process has all got to be gone through.

Regarding community engagement, we support that. We encourage that as a Government. The Greens had their chance yesterday in this House to express that view and they squibbed that and they said no, that support is not forthcoming.

What we are talking about is state building; it is nation building; it is job creating; it is economic growth and development. In this state we know that the Greens means 'no'. We know that green actually means 'stop, stop, stop'. That is what the Greens actually stand for. You have a Hodgman majority Liberal Government. We are delivering. We are growing the economy, creating more jobs and it is on the back of our renewable energy projects.

Farm Tax

Dr BROAD question to PREMIER, Mr HODGMAN

[10.57 a.m.]

The budget your Government handed down just two months ago not only foisted \$1.1 billion in debt on Tasmanians and \$450 million in cuts to services but buried in the detail was a big new tax. Your farm tax could mean that family farms with as little as 20 per cent foreign investment could be hit with a land tax surcharge. The agricultural sector has reacted with alarm to this big new tax, warning that it could cost jobs, stifle investment and reduce land values. How much investment and how many farming jobs have been put at risk by this big new farm tax?

ANSWER

Madam Speaker, I thank the member for the question again. We welcome the constructive input from the TFGA and farmers. We will always consult very strongly with them on our policies. But another classic example of Labor spin here - all spin and no substance in trying to talk down levels of confidence in our state, trying to raise fears and concerns. The only people in this place who are talking negatively about Tasmania's economy now are the Labor Party. They are the only people I can think of who are being critical about Tasmania's economic performance.

There are important things we need to do. Keeping our budget in good shape and raising increased revenues is important because we have had writedowns, as the member would know. We

have to ensure that the state can continue to remain in surplus and deal with increased demands in our schools and our hospitals with a growing population, also to fight against fires and floods that impact here from time to time. Good governments should look at ways to increase our revenues, from our point of view.

As we have said previously, when it comes to foreign investment, whilst this Government strongly welcomes it, it is also important that it needs to be balanced and it needs to be managed in the best interests of the state.

Ms Haddad - What about jobs?

Madam SPEAKER - Order, Ms Haddad.

Mr HODGMAN - We as a state deserve a fair return on that investment: Tasmanians who love and own businesses in this place; Tasmanians who have a strong interest in seeing our economy perform as well as it is, I believe. We believe and would welcome an increased level of investment by those foreign companies that wish to be part of Tasmania's strong economic landscape. We will strike the right balance. We will be increasing the FIDS from 3 per cent to 7 per cent from 1 January 2020.

Members interjecting.

Madam SPEAKER - Order, Dr Broad, warning number two. Ms Haddad, one.

Dr BROAD - Point of order, Madam Speaker. How many jobs will this farm tax cost?

Madam SPEAKER - Thank you, that is not a point of order.

Mr HODGMAN - Thank you, Madam Speaker. I would like to answer the question, and this is a new tactic. Whilst they are not able to interject as freely as they would like, they are doing so through pointless points of order and it is as disorderly. When they talk to us, they claim everyone else is chaotic. They cannot, after a direct warning from the Speaker, behave themselves in this place. They cannot manage a media event without turning it into chaos. They cannot produce an alternative budget. They have no economic policies and they have the gall to come to this place and be critical of ours, which are supporting Tasmania's strong economic growth.

With respect to the substance of the question, we will increase the FIDS from 3 per cent to 7 per cent on residential land, and from 0.5 per cent to 1.5 per cent on primary production land.

We are reviewing the definition of foreign persons and developing a foreign investor land tax surcharge similar to other jurisdictions, I hasten to point out. In undertaking the review, we are consulting with key stakeholders including the Law Society, the Tasmanian Farmers and Graziers Association, accounting and professional organisations, and property industry bodies. There is further consultation planned in relation to the land tax surcharge. The foreign investor land tax surcharge will apply to residential and primary production land and will not apply to commercial land, which is already subject to land tax.

Dr Broad should stop his baseless and pointless scaremongering. We have announced that we will develop the tax over the coming months, and modelling and consultation will occur as part of that process. It is not a tax on investment, as Dr Broad would claim, because we are focusing on

ensuring that our foreign investors pay their fair share. We take advice as to the economic impacts. We want them to pay their fair share and to compete on a level playing field and further enable investment into essential services and infrastructure, as our budget is doing.

Under the Labor-Greens government, business confidence levels were down and the vast majority of Tasmanian businesses thought that Labor's policies were working against them. In addition to ensuring Tasmanian businesses are the most confident in the nation, this is only so because they are confident in the business conditions in our state that are also amongst the best in the country. They will continue to be so, under the government.

Building Sector Growth

Mrs RYLAH question to MINISTER for BUILDING and CONSTRUCTION, Ms ARCHER

[11.03 a.m.]

Can you advise the House as to how the Hodgman majority Liberal Government is working with industry to deliver strong growth in the building sector, and how successful has this been?

ANSWER

Madam Speaker, I thank the member for Braddon, Mrs Rylah, for asking this question. It is a valuable question following the Premier's contribution today in relation to the strength of our economy and the creation of more jobs in this state. The Hodgman majority Liberal Government is delivering on our plan to build a stronger economy and create more jobs. Further evidence of this has been released this week and it shows this plan is working.

Earlier this week, the Australian Bureau of Statistics released the Building Approvals data up to the end of June 2019. It confirmed that Tasmania is the strongest state in the nation for the annual growth of dwelling approvals. The 2018-2019 financial year saw 3121 dwellings approved, which is the strongest growth of any state and 9.5 per cent higher than approvals for the 2017-18 financial year. Tasmania was the only jurisdiction to record growth in the value of building projects in 2018-19, with more than \$1.7 billion approved across the year, more than 11 per cent higher than the previous financial year. These strong figures are despite a contraction nationwide and demonstrate the strength of confidence in Tasmania's building and construction sector.

In addition, the recently released latest Housing Scorecard Report for the Housing Industry Association also demonstrates the success of our Government's policies, which are encouraging more Tasmanians to purchase a home. The HIA Housing Scorecard presents analysis that ranks each of the eight states and territories based on the performance of 12 key residential building indicators. The national scorecard showed that Tasmania has seen the biggest improvement in the nation in building conditions and now sits second only to Victoria in favourable residential building conditions. Stuart Collins, the executive director of HIA Tasmania, commented that -

Tasmania has pushed into second place on the HIA Scorecard with ongoing strong levels of lending for the construction of a new home. The Apple Isle also had the strongest migration figures for both net overseas and net interstate migration and has maintained a very strong level of detached home construction which is evident across all indicators.

Our Government acknowledges the importance of the building and construction sector to our state. It is why we are committed to supporting further investment and jobs in the sector and why we are continuing to cut red tape and streamline processes to make it easier, faster and cheaper to build.

Ms O'Connor - This is a waste of question time.

Ms ARCHER - This is good news, Ms O'Connor, very good news of the support and strength of our building and construction sector, rather than talking it down like those opposite. Our support includes -

Ms O'Connor - Question time is not the place for your good news and self-congratulations.

Madam SPEAKER - Order, Ms O'Connor. You are coming up to warning number three.

Ms O'CONNOR - Point of order, I am seeking clarification, Madam Speaker. I thought I was on warning number one and that that was number two.

Madam SPEAKER - No, I am sorry, you were not listening. You are up to number three, which means you are out of the building. Seeing as you are doubting it, I will let you go.

Ms ARCHER - Madam Speaker, our support includes the Australian and Tasmanian governments' joint commitment of \$9.7 million to the Planning and Building Portal project, which will help cut red tape for the construction industry and further streamline development in Tasmania. This project is due for completion by 2021. I was part of the national agreement gained at the recent building ministers -

Ms O'CONNOR - Point of order, Madam Speaker. Standing order 48, the minister has had more than sufficient time to answer a Dorothy Dixier. The answer is now running close to five minutes.

Madam SPEAKER - I share your frustration but there is flexibility on this, apparently. I ask the minister if she could please wind up in another 30 seconds.

Ms ARCHER - Madam Speaker, I doubt it has been five minutes. I have gone through about a page of notes and that is, from my calculation, probably three minutes.

Madam SPEAKER - It is likely due to interruptions but I can assure you that Ms O'Connor is very astute at timing.

Ms ARCHER - Thank you, Madam Speaker. I was proud of the national agreement gained at the recent building ministers' forum of all state, territory and federal building ministers to implement the Building Confidence Report. This report is a critical roadmap to the improvement of compliance and enforcement systems for the building and construction industry.

Our disciplined economic management has delivered the best business conditions in the country, which drives economic growth and helps to create new jobs. This Government's long-term plan is working. We recognise there is more work to be done but Tasmanian businesses want certainty. They trust our Government to deliver this certainty and it is what they voted for. The

Hodgman majority Liberal Government will continue to deliver on our plan to build an even stronger economy and create more jobs.

Hydrogen Industry and Strategy

Mr O'BYRNE question to PREMIER, Mr HODGMAN

[11.09 a.m.]

In December of last year, your Government signed a Joint Ministerial Statement on Hydrogen. The statement committed you to deliver domestic projects, including investigating use of hydrogen in the gas networks and scoping the need for hydrogen vehicle refueling stations. A local hydrogen industry presents significant opportunities to build our export markets, grow local jobs and capitalise on Tasmania's renewable energy advantage. What have you done to ensure that Tasmania is strongly represented in the national hydrogen strategy, due to be released at the end of this year, and what progress have you made to uphold the commitment your Government gave as a signatory to the joint ministerial statement to deliver local projects and the jobs with them in Tasmania?

ANSWER

Madam Speaker, I thank the member for his question. It is an important area of policy for government, to advance Tasmania's economic footprint here and across the world. It was a significant part of the discussions I was involved in on our recent trade mission to Japan. They have a significant national policy that is all about increasing their usage of hydrogen. Tasmania could be a great exporter of that product to that country, as well as utilising within our own. I welcome the question from the member. It should properly be directed, by way of the detail he seeks, to the Minister for Energy, but better luck next time.

Time expired.

Ms White - No leadership over there, is there? Seriously, you should know the answer to that. You went on a trade mission regarding it. You just talked about it.

Member Suspended
Member for Lyons - Ms White

Madam SPEAKER - I am going to ask you to leave the Chamber, Leader of the Opposition. That is completely unruly. I suggest you come back in an hour.

Ms White withdrew.

PETITION

Public Areas under the Nature Conservation Act 2002

Mrs Rylah presented a petition signed by approximately 2000 citizens of Tasmania praying the desire to retain the Arthur-Pieman Conservation Area, the Western Tasmanian Aboriginal

Cultural Landscape and State Reserves (Sundown Point and West Point) as public areas for the whole community.

Petition received.

TABLED PAPER

***New Scientist* Article - 'The Arctic is on Fire'**

[11.13 a.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, I seek the leave of the House to table a paper. I circulated a copy to the Leader of Government Business and the Opposition Party. It is titled, 'The Arctic is on Fire'. It is a report from the *New Scientist* dated 13 July 2019. It is in the company of, although I do not have other documents to table, but that phrase 'the Arctic is on fire' has also been reported by *The Economist*, *Forbes*, *Science Direct* and *The National Interest*. They are only a few of the scientific journals and well-credentialled papers around the world that have used those particular words, which we used during question time.

Madam SPEAKER - For future reference, when someone wants to table something, could they please make sure I receive a copy?

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, not to delay this. It is page 14 from a journal, *New Scientist*. It is a great journal. I read it religiously throughout my Bachelor of Applied Science degree and it is a great periodical. It is a great read but it is already a public document. It does not need to be tabled, although we will not be opposing it being tabled.

There are other ways for the member to make the points she seeks to make. In order not to waste any further time on it I draw the House's attention to the fact that tabling papers attracts privilege and it goes through this formal process for that reason. There does not seem to be any case for why this needs to be tabled in the House.

Dr WOODRUFF - Madam Speaker, I am a doctor of science and I took personal offence at the comments made by the minister about my 'alarmist language' when I used the term 'the Arctic is on fire'. I do believe -

Madam SPEAKER - I believed he apologised.

Dr WOODRUFF - Yes, but it is important to correct the record. I was referring to scientific papers that have been published.

Madam SPEAKER - Apparently, you do not need to debate it so I will put the question. The question is that leave be granted.

Leave granted.

Paper tabled.

MATTER OF PUBLIC IMPORTANCE

Animal Welfare in Tasmania

[11.16 a.m.]

Ms O'CONNOR (Franklin - Leader of the Greens) - Madam Speaker, I move -

That the House take note of the following matter: animal welfare in Tasmania.

We recognise that the wellbeing of animals in Tasmania, whether they be domestic, on farm lands or wild animals, is a matter of very significant importance to the vast majority of the Tasmanian people and it is one of those issues that cuts across politics. You can talk to people who have been lifelong Liberal voters, lifelong Labor voters, lifelong Greens voters and, overwhelmingly, people really care about the wellbeing of animals. They want to know that the laws that are in place to protect animals are being enforced. They want to know that the bodies that are authorised to speak for animals, to undertake inspections and to press charges when necessary are properly resourced. They want to know that they are pursuing those who would be cruel to animals or neglect their wellbeing without fear or favour.

However, there is no question that, since 2014, the wellbeing of Tasmania's animals, whether they be domestic animals, farm animals or wild animals, has gone backwards. The first Animal Welfare Act that the new Liberal Government undertook to amend on taking office was to do away with the Treasurer's instruction that we had put in place in the Labor-Greens government that directed government agencies to procure cruelty-free eggs. You would think that was something all members of this place could agree was the right thing to do. If you have the procurement power of government agencies, you want to make sure we are not consigning chickens to a life of misery in cages that are no bigger than an A4 sheet of paper. You would want to have government agencies procuring cruelty-free eggs, which drives a change in practice and leads to the market being able to support more cruelty-free eggs and more free-range eggs.

But, no, the Liberals did away with that Treasurer's instruction, thereby strengthening the battery hen industry in Tasmania. Shortly thereafter, the new Liberal Government did away with the ban on 1080. Anyone who has seen pictures of wildlife that have ingested 1080 knows that it is one of the most barbaric, unjustifiable ways to deal with browsing animals. It causes an excruciating death but, no, this Government lifted the ban on 1080.

To compound their cruelty, they made sure the RSPCA was not adequately funded to undertake its inspectorate work. That removed one of the most important, effective and independent safeguards for animals in Tasmania. I remember being a young journalist and the RSPCA was a powerful force for good for animals in Tasmania. The organisation vigorously went after people who were cruel to animals or neglected animals, without fear or favour, and pressed charges when necessary, but the RSPCA does not do that work anymore. That work is undertaken inside Government by Biosecurity Tasmania, so there is no longer an effective independent inspectorate to look after animals. We have a Biosecurity Tasmania agency which is under-resourced and is by its very nature regrettably captured by industry.

We have raised this week a range of issues relating to the wellbeing of animals in Tasmania and the Government's responsibilities to administer the Animal Welfare Act 1993. We have raised the issue of repeated detailed alarming allegations of animal cruelty and neglect at the 25 farms that make up the VDL properties in the north-west of Tasmania, yet we did not have a commitment

from the Minister for Primary Industries and Water to undertake unannounced visits to each of those properties to investigate those allegations, which have credibility to them because of the level of detail that is provided and the fact that the whistleblower who spoke to us had worked at those properties for three years.

Then it was confirmed by the Greens that this Government has issued crop protection permits to kill swans that have led to the shooting of around 8000 of these beautiful birds over the past three years. We also know that there are still crop protection permits being issued for farmers to shoot wombats, an animal which has been in a localised sense obliterated by mange, a terrible disease that is wiping out the populations of this fantastic native animal in localised areas such as around narawntapu National Park.

What is the Government doing? On the one hand they pay lip service to the Animal Welfare Act and on the other issue crop permits to farmers like confetti, instead of working with farmers to say, 'If you have a problem with browsing animals here are some strategies', or 'We will give you the support of the Primary Industries agency or the Parks and Wildlife Service if it relates to threatened species to find better ways of dealing with the competition between native animals and your primary production imperatives'. But no, they hand out crop protection permits like confetti. That has led to the unnecessary deaths of thousands of swans and wombats and heaven knows how many other native animals.

We also raised the question this week of the fate of a horse that died at the Brighton training track on Friday 31 May and an episode in Tasmanian politics which brings no glory at all to the Minister for Racing, who came into this House and knowingly withheld relevant information about where that horse was buried. It was buried at Zoodoo and, as the Greens had stated, we believed it had been taken to Zoodoo after it had died, and indeed it was.

We also have the terrible situation in Tasmania of the greyhound racing industry and the fact that despite the findings of the parliamentary inquiry that the Greens initiated into greyhound racing in Tasmania, it is still a cruel industry, it is still killing animals that are past their use-by date, and this House definitely needs to pass the Greens' Animal Welfare Amendment Bill when we bring it on for debate.

Time expired.

[11.23 a.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Madam Deputy Speaker, I note right upfront how important animal welfare is to this Government. We take animal welfare and compliance with our state's animal welfare laws very seriously. I said that earlier in the week; I say it again today. I also note that our legislation is very robust and was significantly strengthened under our Government. We strengthened the laws, we increased the penalties, and specifically with respect to aggravated cruelty to animals, we strengthened the monetary penalties for most other offences as well to send a strong message and to increase deterrents against acts of animal cruelty. For example, in terms of the current penalty units of 168 it is a \$168 000 fine for a corporation and a \$33 000 fine, or five years in jail or both for a natural person. We have also improved the powers of animal welfare officers, while also increasing their accountability and professional standards.

I want to address one thing in particular from the member for Clark, Leader of the Greens, when she said Biosecurity Tasmania was under-resourced and captured by industry. I want to refute that on the record to say how wrong she is. First of all, it is not under-resourced. In fact, in this

Budget we have increased the funding support of \$2.6 million. The member may have missed that point during the Budget debate, but I made it very clear publicly. There is nothing more important than our support for biosecurity in this state. It is part of the Tasmanian brand and it is important to all of our industries: agriculture, fruit growing, seafood and tourism as well.

Second, it is not captured by industry. That is an offensive remark and I reject it wholeheartedly. On behalf of Biosecurity Tasmania and all the hardworking members of Biosecurity Tasmania and those in the department, I say thank you and well done for your service led by Lloyd Klumpp. It is greatly appreciated.

I am particularly disappointed in the allegations of animal cruelty. To make it clear, I have said that they are treated seriously. We have a system where those matters should be treated seriously and the Greens unfortunately this week have breached those protocols. That breach, quite clearly, is not notifying the authorities immediately they received the claim.

Ms O'CONNOR - Point of order, Madam Deputy Speaker. Mr Barnett has just accused us of breaching some authority or protocol. That is a slur.

Mr BARNETT - Broken protocols.

Ms O'Connor - Rubbish. We provided the name of the whistleblower to Biosecurity Tasmania and the contact details.

Mr BARNETT - I am making the point that if you have a concern and you want to raise it, you raise it immediately with the relevant authorities. If you do not know who they are, they are the RSPCA and Biosecurity Tasmania you report your concern to.

Ms O'Connor - The RSPCA has no jurisdiction.

Mr BARNETT - The consistent interjections from the Leader of the Greens are very unparliamentary. It is very disappointing and baffling why the Greens would use this as a political stunt rather than report those concerns directly to the relevant authorities. I will give you the 1300 number.

Ms O'Connor - We wouldn't have got those concerns unless we had asked you the question.

Madam DEPUTY SPEAKER - Order, Ms O'Connor. I remind you that the Speaker has indicated that you are on three warnings.

Ms O'CONNOR - Can I just get some clarification, and perhaps, Madam Deputy Speaker, you could get some advice -

Mr BARNETT - You are just using up my time.

Ms O'CONNOR - No, I really need to understand this. Could you get some clarification, please, Madam Deputy Speaker, about whether those three warnings stand all day or if they are for question time or what the story is? We all need to understand if warnings are issued whether they hang around our neck all day?

Madam DEPUTY SPEAKER - Thank you for that.

Mr BARNETT - Madam Deputy Speaker, the Greens member is clearly trying to delay my efforts to put on the record the facts in terms of the protocols and procedures. If there is a concern expressed you should report it immediately to the authorities. That is not just for you as a member, it is for every member of parliament and every member of the public. The number is 1300 139 947; please call that number if you have a concern.

In terms of those concerns that were raised in this parliament, I acted immediately. I immediately spoke to Biosecurity Tasmania and requested an investigation into those claims. I am advised that they have commenced and it would be inappropriate for me to comment on any active investigation. There was also a point raised by the member for the Greens with respect to Zoodoo and the incident there, claiming through budget Estimates that a racing horse had died at the Brighton training track and had been subsequently taken to Zoodoo and fed to the lions. Well, seriously -

Ms O'Connor - I restated an allegation; read my question. It was taken to Zoodoo and dumped.

Mr BARNETT - Madam Deputy Speaker, there should be an apology and it has not been forthcoming from the member for Clark in respect of that matter.

Ms O'CONNOR - Point of order, Madam Deputy Speaker. The minister -

Mr Barnett - It is a debating point; you are wasting my time.

Ms O'CONNOR - No, you have demanded that I apologise. I want to know to whom and why?

Madam DEPUTY SPEAKER - It is not a point of order. The minister can continue.

Mr BARNETT - Thank you. As I said, the RSPCA is an inspectorate. They have the support of the Government and Biosecurity Tasmania is independent and is not beholden to industry. In 2017-18, we supported the increase in funding for the RSPCA inspectorate service to \$550 000 per annum. We also included an additional \$235 000 a year for additional livestock officers with Biosecurity Tasmania so it just puts a lie to the Greens' allegations, which are completely false. I am advised that a vast majority of the investigations are resolved within 90 days of a complaint being received.

I have met with Mark Sayer and members of the Animal Welfare Advisory Committee. They do good work; they have an important role in providing advice to the minister and to the Government and they work in collaboration with other key stakeholders, specifically the Government. Members include the TFGA, the RSPCA, Local Government Association, Australian Veterinary Association and Animals Australia. We have renewed their membership.

Time expired

[11.31 a.m.]

Dr BROAD (Braddon) - Madam Deputy Speaker, there is no doubt that animal welfare is a very important issue and I point out that Tasmanian Labor has a proud record relating to reducing animal cruelty and taking steps to improve legislation. It is widely recognised with Australia's animal welfare groups that Tasmania leads the nation in animal welfare reforms. In government,

Tasmania led a review into the Animal Welfare Act of 1993 which, according to Voiceless, the animal protection institute, said and I quote:

... led the nation, widening the gap between ethical animal laws and the rest of the nation.

In stark contrast, the Liberal Hodgman Government has unashamedly reversed some of Labor's key reforms in the area of animal welfare. Labor knows that whilst there are strong regulations in place, the Government must ensure that there are appropriate resources provided to enforce them and that includes unannounced visits to police various operations et cetera.

Labor supports world-leading animal welfare standards in food production, including restrictions on sow stalls and caged egg production and if we manage to get back into government, we will continue to assist the industry to adapt to changing consumer preferences in this area.

There is no doubt that the community's attitudes have changed over time and we see that in a number of issues across various industries. I speak particularly as the shadow minister for primary industries. We have seen massive debates about issues like mulesing. Mulesing was a standard practice for reducing fly strike, and I would add that if anybody has seen a fly struck sheep it is not a very pleasant thing. Mulesing was the solution. However, the market has made a decision that it would like to see mulesing abandoned and the use of other processes, or if mulesing is to be applied that there is pain relief.

We have seen similar issues with tail docking of dogs. That is simply not acceptable in today's community so we have seen that tail docking has stopped. There are other issues such as the use of caged eggs and sow stalls. There are issues on the horizon too, such as inductions, which was talked about indirectly by the Greens, and also live exports. The attitude to live exports and certainly the way those animals are treated during that live export process has changed. Once we had boats show up in Tasmania when we were part of the live export market for sheep. That has not happened for a number of years.

The community's attitudes have changed and I know that when the whole issue of live exports came to the fore due to some very poor slaughtering practices in Indonesia the impact and the outrage from the community led to massive changes, especially in the northern cattle industry. Agriculture has to take these issues very seriously and the law has to be taken very seriously.

There have been a number of charges for animal cruelty and there are charges pending for animal cruelty as we speak. Way back in, I think it was about 2014, a dairy farmer, Roderic Neil Mitchell, was convicted of nearly 200 charges of animal abuse as part of a dairying operation in Smithton and yet it took years and years for this case to be brought before the courts. That is something that definitely needs improvement.

Animal cruelty is about and the community's attitude is that it is unacceptable.

Growing up on a farm, there was one particular instance of animal cruelty that highlights some of the issues in the industry. My father got a call from the stock agent offering 30 dairy cattle from a failed north-east Tasmanian dairy development. When that cattle truck showed up those cows were in very poor condition. We found out later that the share farmer had literally walked off the farm and left the cattle to fend for themselves and as a result they were basically starving. In that truck, from memory, there were 30 cattle. There were probably seven or eight that were dead in

the truck from the transport. On getting the cattle out of the truck, another three or four died within hours of arriving on our farm. All the cows were at the point of calving and a number of calves were stillborn. It was an horrendous thing to see and horrendous to think that someone would walk off a farm and leave those animals to themselves, ending up in such a poor condition. It was outrageous.

There are other things that are outrageous and we have seen photos circulating in the Tasmanian media recently of bow hunting, where people are shooting animals with bows and arrows and leaving them to die a painful death. That is not acceptable. We need to prevent these things; we need to take the appropriate steps to bring these people before the courts and we need to have the ability for the courts to deal with those issues very swiftly and bring justice.

Animal cruelty is something we need to be continually working on. We need people to highlight where there are instances of animal cruelty. We also have to be aware that sometimes people's understanding of practices on farms and farm life is limited. They may think that something is going on and it is not. Where I grew up, we were one of the first farms just out of town. There was a lot of town development that grew up around the farm as I grew up. When I was born there were no houses across the road, then suddenly over a period of time there were houses and people would ring up the RSPCA and say, 'We think that the horse across the road is dead'. The RSPCA would show up and the horse was up and walking about; it was simply having a lay down.

We have to make sure that there are not frivolous claims. However, if there are issues with animal cruelty, such as the issues that have been raised by the Greens in this place, they do need to be investigated. Places like Woolnorth need to be held accountable. We know way back there have been a series of charges of animal cruelty of the years for operations at Woolnorth. This is not a new thing and that is why I believe that Woolnorth is a difficult place to have dairy cows. There is no doubt and as a result we need to be ever-vigilant.

Time expired.

[11.38 a.m.]

Ms STANDEN (Franklin) - Madam Deputy Speaker, as shadow minister for environment and as a local member and an interested member of the community, I have had a longstanding interest in animal welfare issues. As my colleague, Dr Broad has said, clearly the expectations are changing in relation to live exports and a range of issues that have been challenging the Tasmania community in recent times.

It is timely to reflect upon whether the Tasmanian Government could be doing more to protect animals and to ensure there are adequate safeguards to protect animals. My view, and that of the community generally, is that animal cruelty is intolerable and there should never be an instance where there is pain and suffering, such as has been reported recently around swan culling, even in the instance of goose culling in the New Norfolk area. I am not sure whether it was found that -

Dr Woodruff - Ms Standen, the correct term is not culling, it is killing, because they are not at gross population levels. They're not being euthanased.

Ms Archer - You can have your contribution.

Dr Woodruff - I'm correcting the member because it's a term that has crept in by the Government.

Ms Archer - That is disorderly.

Ms O'Connor - You are not the Speaker any more.

Ms Archer - I know, but I can say whatever I want. You do.

Ms O'Connor - That's pretty disorderly too.

Ms STANDEN - Thank you, member for Franklin. Culling, killing - I am not sure in the instance of New Norfolk where there were 14 geese and two ducks -

Ms Archer - Goodness me. Just because I was Speaker doesn't mean I can't have a say.

Ms O'Connor - Exactly, and the same applies to Dr Woodruff.

Madam DEPUTY SPEAKER - Order, Ms O'Connor.

Ms STANDEN - killed by the council and whether or not the methods were legal. It was a case in point where clearly the community backlash was significant in relation to that incident. It highlighted that the expectations in the community are changing in relation to this. It is important for us to explore these grey areas - the use of bows and arrows, instances of animals being significantly damaged, hurt, in pain and suffering. There is no question in my mind that where there are instances of criminal behaviour the full weight of the law should come down on those perpetrators. It is also important to look at our regulatory frameworks to ensure we are doing our very best to uphold the standards the community expects in this regard.

With some of these high-profile instances recently there should be thorough investigations. I have noted with interest some of the discussion about VDL on the north-west coast, for instance, this week. I heard the calls for unannounced visits and so on. I am unsure whether the Government in this instance was able to provide an assurance to the House and to the community that investigations are being thoroughly managed.

Mr Barnett - They are. I said so on the record just then.

Ms STANDEN - I apologise, minister, for not picking that up in your contribution. I simply make the point that community standards and expectations are strong in this regard and that in particular Labor is keen to see that there is proper resourcing for Biosecurity and other welfare agencies in order to uphold those strong standards. I note with concern the budget cuts of some \$450 million in the state Budget this year and that money has to come from somewhere. There has been a lot of talk about frontline and backline services and the like, but the fact is that nearly half a billion dollars is a lot of money. In my experience in public health, for instance, it is the less acute services within the community that tend to suffer cuts in this kind of budgetary environment. I would be very concerned indeed if Biosecurity Tasmania was one of the targets for cuts in this current environment.

The culling - or killing, if you like, member for Franklin - of deer and all of these things are very concerning. As my colleague has indicated, Tasmanian Labor has a proud record in relation

to animal cruelty and in government led a review of the Animal Welfare Act 1993 and have been upheld by various stakeholders as leading the nation. We are very keen on supporting world-leading animal welfare standards in the areas of food production, restrictions on sow stalls and caged egg production and assisting the industry to adapt to changing consumer preferences in this area.

I note that federally, too, Labor took a strong stand in relation to animal exports and animal cruelty in general, looking to create an independent office overseeing livestock welfare and pursuing a nationally consistent welfare strategy; looking to re-establish state and territory cooperation on animal welfare matters, as was the case under the former Labor government, in order to ensure a consistent national approach; and that Labor would collaborate with state and territory governments, industry and animal welfare groups to update and renew the Australian animal welfare strategy which had been in mothballs since September 2013.

The community expectations are clear in relation to live exports, a challenging area, in particular off the back of the ABC *Four Corners* program exposing horrific scenes around cruelty in Indonesian abattoirs. It is clear that we -

Time expired.

Madam DEPUTY SPEAKER - The member for Franklin, Ms Woodruff.

Mr BARNETT - Point of order, Madam Deputy Speaker. I saw John Tucker stand very promptly and we have now had four from the other side and just one speaker from the Government.

Madam DEPUTY SPEAKER - With MPIs it is the people who get the attention of the Chair. I was watching both at the same time and Dr Woodruff was definitely the loudest and quickest.

Dr WOODRUFF - Thank you, Madam Deputy Speaker.

Mr TUCKER - Madam Deputy Speaker, I would like to make a point. I find it disappointing that I am the only true farmer in this room and I am not allowed to have a say.

[11.46 a.m.]

Dr WOODRUFF (Franklin) - Madam Deputy Speaker, let us talk about the situation of animal welfare in Tasmania under the Liberals. No wonder they would like to get up and spin the situation, because it is going very badly for them.

Yesterday in this House we asked questions about the slaughter of over 8000 native black swans in Tasmania, legally authorised by this Government, the minister and his department that is also responsible for protecting native black swans. The same department has provided permits to legally slaughter or shoot 8000 swans in the last three years. The level of passion I have seen on my personal Facebook page is amazing. Many thousands of people have looked at that story and every single person has been aghast, dismayed and cannot believe that the Government is handing out permits to shoot beautiful native swans in places like the Tamar River islands wetlands area, right next to adjacent properties. This is an outrage, and it is no surprise that Government members and backbenchers will be trying to run cover from what is happening.

We know that we cannot get information about what this Government is doing to animals under its watch. We get hints of awful atrocities that are happening. Last year -

Mr BARNETT - Point of order, Madam Deputy Speaker. The member is making an observation that is offensive to the Government. It is insulting and I ask her to carefully consider her words before she speaks so appallingly about the Government's record.

Dr WOODRUFF - Madam Deputy Speaker, I will not resile from referring to appalling atrocities which are coming to light. It is the role of the Greens in this place to ask questions and hold the Government to account. We heard from the ABC about the investigation as a result of the Right to Information Act that gave the information that 8700 bullets had been fired at Tasmanian fur seals since 2013 by fish farm company employees, 39 000 explosives were let off at seals in 2016 by fish farm employees, and 28 700 in 2017. People were so concerned that this could happen to animals, especially when there was evidence presented of seals being blinded and deafened by these actions.

Since then the Greens have asked for a briefing from the minister responsible for animal welfare and the minister responsible for aquaculture in this state. We have written letters about this to those ministers. We have made requests under right to information for further information about these attacks on seals. We asked questions of this minister, the minister responsible for the aquaculture industry, to provide us with updated information following the 2017 report from the ABC. The minister did not provide the correct answer in Estimates. We will be following this up with you, minister, because it is an abuse of parliament. We asked a direct question and the answer we received from the department is a rehash of the previous year.

Mr BARNETT - Point of order, Madam Deputy Speaker.

Dr WOODRUFF - Madam Deputy Speaker, the minister has constantly interrupted -

Mr BARNETT - The point of order is that the member referred to me, as minister for Primary Industries during the budget Estimates, of abusing the parliament. That is totally inappropriate, unethical, unparliamentary, and I reject it wholeheartedly.

Dr WOODRUFF - Thank you for putting that on the record because it is an abuse of parliament not to answer questions that were recorded and written down. I will be following this up with the minister so we can have it chapter and verse. I look forward to attending a briefing regarding the situation with seals and all the information the Greens have asked for on this subject the last two years. We have been stonewalled. The problem is that Tasmanians have no idea what this Government is doing, which permits are being handed out to farmers like lollies, or what actions forestry is taking regarding our native animals because -

Mr Tucker - Point of order, Madam Deputy Speaker.

Dr WOODRUFF - Can I raise a point of order with you, Madam Deputy Speaker? This is a total abuse. This is the fourth time a member has interrupted.

Madam DEPUTY SPEAKER - I remember that points of order were also called during the minister's contribution.

Ms O'Connor - What is the standing order?

Mr TUCKER - It is 45.

Mr Barnett - Taking offence. He is taking personal offence.

Ms O'Connor - No, it is not. That is relevance. For future reference, it is 144.

Mr TUCKER - Okay, 144. I take offence to the comment that farmers are given crop protection permits like confetti. That is not true.

Time expired.

Matter noted.

GOVERNMENT PROCUREMENT REVIEW (INTERNATIONAL FREE TRADE AGREEMENTS) BILL 2019 (No. 23)

Second Reading

Resumed from 31 July 2019 (page 47)

Ms ARCHER (Clark - Minister for Justice - 2R) - Madam Deputy Speaker, I was reading the final paragraph when we adjourned.

The bill demonstrates the Government's commitment towards its obligations under free trade agreements. The bill also supports the Government's commitment to transparent and competitive procurement. It complements internationally agreed standards for the independent review of government procurements. Equally, it ensures that Tasmanian businesses have the opportunity to participate in procurements in nations participating in TPP-11.

I commend the bill to the House.

[11.54 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, I rise to make a contribution on the Government Procurement Review (International Free Trade Agreements) Bill 2019. I acknowledge that this legislation is part of model national law, if you like, that reflects that Australia has signed up to the Trans-Pacific Partnership which, as the Greens have long said, is highly problematic in our sovereignty and our capacity as a parliament to make decisions in the best interests of Tasmania and its people, and not be making decisions based on what corporations are entitled to demand under the Trans-Pacific Partnership. I also note that this legislation reflects that Australia has a signed free trade agreement with Singapore.

I have always taken the view that trade and good free trade agreements that do not prioritise corporate interests over the public interests are an important part of efforts toward global peace and cooperation. If we are trading with countries it means we are in dialogue with them, but it also means there is a somewhat symbiotic relationship between us and our trading partners. There is that level of needing each other, if you like, for trade, export and import imperatives.

This legislation establishes a domestic review mechanism through the Supreme Court of Tasmania. I am very interested to hear in the minister's response on the second reading what that means in practice. Australia is a signatory to the Trans-Pacific Partnership. How is that reflected in the procurement decisions government makes? What changes in our capacity as a sovereign state, on government's capacity, to procure based on the public interest, value for money, good policy? I read this legislation and it raises those pre-existing concerns about having an agreement,

which sits over the Parliament of Tasmania, the executive and every government agency, that is likely to impact on the government's capacity to procure on the foundation of good policy.

We have, for example, a local procurement policy on the part of government today that the Liberals like to talk about as a good thing. It is a good thing if its delivering value for money in addition to supporting local jobs and local industries. How will this legislation intersect with those procurement policies, particularly that procurement policy directing government agencies to procure locally where they can? Can the minister update the House on how many government contracts have been tendered to local companies in the past year? This arrangement we are entering into potentially impacts on the capacity of government to exercise its purchasing power to procure locally when there is a threat that a corporation can take governments to the Supreme Court and challenge their procurement decisions. This is trading away our sovereignty because we are establishing a mechanism for corporations to challenge government over its procurement decisions.

There is a question about what level of transparency there will be in relation to challenges, to government's procurement decisions and it will go through the Supreme Court. There is a range of mechanisms after it is taken to court by an agreed supplier that do not appear to have any measure of transparency related to them. The legislation provides that an agreed supplier must make a complaint to the accountable authority of a relevant government agency before it can make an application to the Supreme Court for a declaration. Where a complaint is received, the complaint must be investigated and the procurement suspended unless there is no public interest certificate in force. Could the minister explain the intersection between the public interest certificate -

Quorum formed.

Ms O'CONNOR - As I was saying before the quorum call, what is the intersection between the public interest certificate and this legislation? Could the minister flesh out what a public interest certificate is? Would you be able, in your second reading response, to provide more detail as to what a public interest certificate is for the purposes of this legislation and, following a determination where a public interest certificate is issued by an accountable authority, will that public interest certificate be made available in a public place? The question relates to what level of transparency there will be about what is contained in the public interest certificate and, once those certificates are issued, where they will be captured and available to the public? How, for example, does this legislation intersect with and potentially undermine Tasmania's moratorium on genetically modified organisms? It has always been a concern of ours in relation to the Trans-Pacific Partnership or any other trade agreement that a sovereign state can enact legislation, give effect to policy and then as a result of a free trade agreement, be undermined in its policy objective, which presumably a decent government is driving out of a desire to meet the public interest test.

We have a moratorium on genetically modified organisms in Tasmania which has long been criticised by the likes of Monsanto. We are seen as a hold-out on genetically modified organisms being able to be grown across the country and it is very important that we retain our moratorium on genetically modified organisms and in fact extend that moratorium and make it a ban. I understand that there are a range of organisms, if you like, that fall within a genetically modified framework and there are some advances in medicine and science as a result of genetic research that are positive. In the agricultural sector, however, having a moratorium or a ban on genetically modified crops or seeds gives Tasmania's producers a branding edge.

If nothing else, we would argue that it protects in many ways the integrity of the farming landscape in Tasmania, but we would like to have some clarity from the minister about her

understanding of how the free trade agreements that we are discussing here today could potentially in future undermine Tasmania's commitment to being GM-free and how an entity like Monsanto can then use the provisions in this legislation which we are debating today to take the Tasmanian Government to court and to seek a determination which says under Australia's obligations under the free trade agreement Monsanto should be allowed to market its products in Tasmania and, if not, there will be compensation awarded. Of course the compensation, Madam Deputy Speaker, would come from the public purse.

This is the problem specifically with the Trans-Pacific Partnership. The problem is that it will create circumstances where governments avoid enacting legislation, giving effect to policy that is in the public interest, or in the environmental interest, or the state's economic interest, because they are fearful of exactly this scenario being played out in the courts and corporations taking the state of Tasmania into the Supreme Court and undermining the sovereignty of Tasmania -

Ms HADDAD - Point of order, Madam Deputy Speaker. I call your attention to the state of the House.

Ms O'CONNOR - A quorum is not required. Does the House get to say whether a quorum is required?

Ms Archer - They are only because they're not prepared to work so they just want to waste time doing quorum calls. Seriously! They have one member here and she calls a quorum. We have four Government members here.

Ms O'Connor - Well, they have had a very bad week so you can understand why they're playing around.

Ms Archer - I agree with you there, Ms O'Connor.

Madam DEPUTY SPEAKER - Quorum required.

Quorum formed.

Ms O'CONNOR - Before I was needlessly interrupted by my colleague, the member for Clark, Ms Haddad, I was making the point that there is a concern here that we are set to enact legislation which will be the final nail in the coffin of the sovereignty of Tasmania's parliament to give effect to legislation that is in Tasmania's interest, and the most relevant example that comes to mind is the moratorium which we rightly have in place on GM products in the agricultural sector.

Madam Deputy Speaker, if the minister could go to the situation where Monsanto decides that they are going to take down our GM moratorium, take the state of Tasmania into the Supreme Court and either seek a determination that removes Tasmania's right to have a moratorium or awards compensation out of the public purse, then we have a very serious problem as it relates to our sovereignty as a state. We are going to see situations where governments around the country - because this is legislation which is being introduced around the country - are averse to making legislative and policy decisions that they believe will be challenged in court by corporations under free trade agreements and specifically the Trans-Pacific Partnership and the Singapore-Australia Free Trade Agreement.

In order to be consistent with our position on the Trans-Pacific Partnership and the enormous sovereignty questions that it raises for parliaments and democracy, we will not be supporting this legislation. We cannot in all conscience support legislation that will make it easier for corporations to take the state of Tasmania to court, to undermine this parliament's sovereign powers and to award compensation out of public funds to corporations that want to undermine our sovereign authority to make laws and to deliver and give effect to policy in the public interest.

My questions to the minister specifically relate to the public interest certificate. What will be in it? Will those public interest certificates be made public? Does this legislation, as it appears to us and it is almost a rhetorical question, but can the minister confirm that this legislation gives corporations the power to undermine legislation in Tasmania, policy, the procurement of services and products by government? Can the minister foresee a scenario where an unscrupulous corporate player, like Monsanto will take the state of Tasmania into the Supreme Court in order to do away forever with our moratorium on genetically modified organisms?

[12.11 p.m.]

Ms HADDAD (Clark) - Madam Deputy Speaker, while I agree with much of what the previous member contributed, Labor will be supporting this legislation. This is in recognition of the fact that it is a Commonwealth requirement for states and territories to provide a dispute resolution process in order for the Commonwealth to be able to comply with their obligations under the Trans-Pacific Partnership agreement 11. Notwithstanding that I would -

Quorum formed.

Ms HADDAD - Madam Deputy Speaker, as I said Labor recognises that it is Tasmania's responsibility to provide a dispute resolution mechanism for disputes that may arise under procurement decisions relating to the international free trade agreement, the TPP-11. It is necessary for Tasmania to provide that dispute resolution process in order for the Commonwealth to be able to meet their obligations on the TPP-11. For that reason, Labor will not be obstructing this legislation and we will support it.

Notwithstanding that, I want to put on the record some of the more global concerns that Labor has had in the past with free trade agreements and to ask some specific questions of the minister about her understanding of how the provisions of this bill may operate in practice. At the beginning of the negotiation of the TPP, prior to the United States pulling out, the parties to that negotiation were Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, Peru, New Zealand, Singapore and Vietnam. History tells us why the United States pulled out of the agreement but notwithstanding that, it is not really relevant to today's debate.

Many of the concerns that were raised about this partnership agreement is that it could have affect Australian jobs and potentially could see the loss of thousands of Tasmanian jobs. Those jobs that do remain could have their wages drastically reduced. The result of that would be a contribution to the rising inequality that we see in Australia. We talked a lot in question time today about the state of the Tasmanian economy and the state of employment statistics in Tasmania, particularly about workforce participation rates. You can read those statistics in a lot of different ways and interpret them to deliver your message no matter what that message may be. The fact is that there were quite real concerns in the broader Australian community about the likely effect of the TPP on the state of the Australian economy, Australian jobs and jobs going to Australian workers.

The argument at that time is that the agreement would possibly allow employers to overlook local workers who are ready and willing to work, particularly in areas of youth unemployment which is at crisis point across the country but particularly in Tasmania where, I believe, we have some of the highest rates of youth unemployment.

While I recognise that we operate in a global environment now and trade across borders is something that is much more frequent and more a part of the day-to-day life of countries, businesses and corporations across the world, it is extremely important that in making decisions like this, state and territory governments and our national parliament ensure that Australian jobs are protected and that Australian businesses are protected. For example, during the 2018 state election campaign Labor had a policy that we took to the election of requiring government agencies to purchase at least 2 per cent of their supplies and consumables from Australian Disability Enterprises, or ADEs. We were not successful in winning the election so that policy has not been implemented but I would be interested in the minister's views on whether that kind of a policy would be compliant in future or would be possible under the provisions of the TPP.

For example, if a whole-of-government approach to procuring supplies and consumables was pursued by a government of any colour in the future and an international corporation wanted to bid for that work, would it be possible for the Tasmanian Parliament or the Tasmanian government to ensure that a proportion of those supplies and consumables in that example could be purchased from Australian Disability Enterprises as the Labor policy was at the state election last year, or any alternative? Is Tasmania likely to lose any of its own sovereignty under the provisions of the TPP in being able to direct our own procurement decisions as a state?

Many of those who expressed concerns with the TPP raised specific concerns around the dispute resolution requirements of the TPP, which is precisely what this bill addresses. At that time, commentators were concerned that foreign investors who wanted to bid for the work that I have just described, as one example, would have the opportunity to sue governments for damages if they ended up in a dispute with a procurer, in other words, with the government. They could sue governments and seek damages as a result of an unsuccessful attempt at participating in a procurement. I wonder if the minister is able to provide to the parliament any modelling that might have been done on likely liability for the state in terms of likely claims for compensation if a dispute is not resolved in the favour of somebody bidding for that work in the future and also whether or not the minister is able to give the parliament some information specific to the certificates the Supreme Court is able to issue around the public interest test.

As the Attorney-General explained in her second reading speech, procurements can be suspended while an investigation is undertaken. I would like to know, if that occurs, how long a procurement could be suspended for while that investigation is undertaken and whether there is a time limit put onto the Supreme Court to complete that work, or if a procurement could be put on hold for a long period of time. Also, where the Supreme Court takes the step of not suspending that procurement but instead issues a certificate to say that the procurement is in the public interest or not in the public interest to pause that procurement, what happens then in real terms if the procurement continues and as a result a local supplier misses out?

I would also like to know from the Attorney-General -

Quorum formed.

Ms HADDAD - Madam Deputy Speaker, I cannot quite remember which questions I put on the record then so I might just reiterate them. I do apologise. I think I did have my question on the record -

Ms Archer - I can be of assistance if you like because I was taking notes.

Ms HADDAD - Thank you - around the length of time that a procurement could be paused under the provisions in the bill.

Ms Archer - You were asking what happens in real terms when as a result a local supplier misses out.

Ms HADDAD - If a local supplier misses out, yes. Thank you.

Ms Courtney - We are listening over here.

Ms HADDAD - That is quite flattering. What happens in real terms if a local supplier misses out on that work as a result of a procurement having continued because of that public interest test? In other words, how that public interest test might be applied by the court. I understand that that might be a bit of a hypothetical question, but were there any discussions with the Commonwealth around this? In our case it is the Supreme Court, but I understand other states have gone with other dispute resolution mechanisms. If the Supreme Court applies that public interest test, will part of the criteria of that test be any government policy at the time such as the Buy Local policy and that type of thing as we were discussing earlier? In other words, would they be able to apply that test if a local supplier is bidding for that work as well as an international corporation in order not to give that local supplier necessarily preferable treatment, but it would be totally unfair for that local supplier to miss out on the opportunity of that work as a result of the procurement continuing, so what would happen in real terms then for that Tasmanian business?

Free trade agreements in the past have also often led to the ability for Australian businesses and foreign-owned businesses operating in Australia to employ non-Australian workers, sometimes in great numbers. I am wondering also whether there has been any modelling done on whether or not the number of temporary workers might increase in Tasmania as a result of the provisions of this agreement, not so much this bill, but whether the free trade agreement itself, the TPP, is likely to lead to Tasmanian, Australian or international businesses operating in this state to be able to increase their numbers of temporary workers without necessarily having to go through those checks of ensuring that local workers are not missing out on work in Tasmanian businesses?

We talked a lot in question time this morning about the fact that the employment of Tasmanians is something I do not believe any member of this Chamber takes lightly. Everybody here wants to see our employment rate grow. There are some real concerns Labor holds around our current employment and under-employment rates in Tasmania, particularly for women. We were talking about that data earlier today and one of my big concerns is how those ABS statistics are used. Sometimes people who have just a few hours work per week might count towards those employed statistics. In fact they sometimes give the public a bit of an inflated sense of the real state of employment in this state, when in reality somebody may well be counted as employed for the purposes of the statistics but they might be working very few hours and not enough to make ends meet, to pay the household bills and to support their families.

In my electorate office we have people visiting us, calling our office or emailing very regularly who are in that situation. I am sure all members in this House hear from people in similar circumstances who are finding it really hard to pay for medical costs, for education for their children and sometimes even to pay for the essentials of life such as heating and food.

The Australian Council of Social Services released some work last week that went directly to the rate of Newstart in Australia and called on the federal government to urgently increase the rate of Newstart. There are people living on Newstart in Australia, which I think equates to about \$43 a day. I challenge anyone in this place to be able to meet their daily costs or their family's cost of living on \$43 a day. I do not shy away from saying I would not be able to meet my household costs on \$43 a day. I am a single mum with two kids, they are in school, et cetera, and I could not afford to live the life I live if I were on Newstart. It would be a furphy for any politician to claim they could.

The ACOSS data was extremely concerning because it gave some real-life examples of what people are going through. Some examples were given of people skipping meals, and not showering more than once a week to save on the costs of water and the cost of electricity or gas to heat that water. In Tasmania, many of us know the tragic stories of increasing rates of homeless and insecure housing and of people couch-surfing.

I recently met with some local schools in my electorate of Clark who know that they have tens of families, in some cases, who are homeless. Their children are arriving at school without breakfast and often without the fundamentals they need for the day. It is heartbreaking for those families. Nobody wants to be looking after their kids in those kinds of circumstances and having to go through that. Those schools are an amazing support to those families. They engage those families in the school community. They provide meals for those kids at school every day and often provide food for them to take to their families. That's heartbreaking.

I have gone off topic from the debate relating to this bill. I do so to highlight the importance of ensuring that Tasmanian businesses have an opportunity to bid for work in this state and that Tasmanian workers have an opportunity to find a safe and secure job that pays them a decent wage, enough to support themselves and their family in a dignified way and to live a dignified life in our beautiful state. It breaks my heart, as I am sure it does others, to know there are Tasmanians doing it as tough, as they are. Labor will be pursuing policies to ensure that people who are homeless or at risk of homelessness and who are doing it tough are able to share in the benefits of Tasmania's prosperous wave. Many families are missing out on what we heard the Treasurer describe last year as a golden age.

I touched on it at the beginning when I talked about Labor's policy at the last election to purchase 2 per cent of the Tasmanian government's supplies and consumables from Australian Disability Enterprises. My reason for raising that is to ask the minister the following questions. If a government of any colour had a policy to commit to buying a percentage of government consumables from a particular type of business, in this example it was Australian Disability Enterprises, would that kind of government policy still stand under the provisions of the TPP-11? Would they be considered uncompetitive? Would any businesses that sought to procure that work or compete in that field have a possible action in the Supreme Court if they felt it was unfair that they were unsuccessful in gaining that procurement?

Labor will not be standing in the way of this legislation because we understand it is a Commonwealth requirement that each state provides a dispute resolution mechanism. From the

briefing that I received from the Department of Justice, the Department of Treasury and the Attorney-General's office, I believe that choosing the Supreme Court is a very good way to go and probably provides a more secure and robust forum for dealing with disputes than, for example, establishing a new board or tribunal. We will be supporting the legislation on that basis.

One of the things I asked in the briefing was whether any modelling had been done on any likely increase in work in the Supreme Court and what possible resourcing impact that might have. Understandably, the anticipation was that that would be low but I am wondering in the meantime whether any thought has been put, as TPP implementation rolls on, into how many disputes we might see in the state occurring as a result of the TPP.

There was one technical question that we asked. The bill refers to the court, the words of the court, as to who is empowered to hear complaints. Does the court, as referred to in the bill, mean a single judge, a full bench, either or a combination? That is another question I would like to put on record for the Attorney-General.

Ms Archer - It is always a single judge because it is not an appeal.

Ms HADDAD - A single judge?

Ms Archer - Yes, because it is not an appeal. I will clarify.

Ms HADDAD - Thank you.

[12.36 p.m.]

Mr HODGMAN (Franklin - Premier) - Madam Deputy Speaker, the Attorney-General will respond directly to all matters raised in the questions and the scenarios proffered by Opposition members, which I have noted, and the practical application of this legislation in due course. I will defer to the Attorney-General to do so.

I wish to also acknowledge the significance of this legislation and the TPP. The agreement between our country and 10 others was ratified on 31 October 2018. Tasmania has willingly agreed to comply with its obligations under it and did so officially in October 2018, following the TPP coming into effect in that year.

It includes a government procurement chapter that explicitly outlines obligations and rules to be applied in the conduct of covered government procurements. When the TPP commenced, it triggered the requirement for a domestic review mechanism to be put in place, pursuant to the Singapore-Australia Free Trade Agreement. In order to comply with its commitment to the Australian Government, our government is required to establish that domestic review mechanism the Attorney-General outlined, which establishes the requirement to undertake appropriate steps for making complaints and attempting to resolve complaints. Through this bill, it gives jurisdiction to the Supreme Court. I note the shadow attorney-general's observation of that forum being an appropriate place to hear procurement complaints for relevant procurements. The bill also gives that power to the Supreme Court to issue a declaration or a grant of an interim or interlocutory injunction or order and the payment of compensation for the contravention of enforceable procurement provisions. This compensation is limited to those reasonable costs.

This legislation is being modelled on the Commonwealth and New South Wales legislation before us today. It ensures that we, along with other states and territories, comply with the TPP. It provides that process for agreed suppliers. Many FTAs include procurement chapters that aim to ensure the procurement process is fair and transparent. The Supreme Court is deemed appropriate as the forum for determination of its complaints and is able to make those necessary awards of compensation, to issue declarations or invoke injunctions. As a state that is very reliant on strong international trade in many sectors we are determined through our new trade strategy to support Tasmanian business and we want to ensure we have the strongest and fairest level playing field from which we can position Tasmania and its trade and exports. We strongly believe and acknowledge that FTAs promote strong trade and business ties between countries' jurisdictions participates within them and expand opportunities for our own exporters. They importantly apply also to services and investment that can assist our industries to expand their businesses into key markets or source investment from overseas.

They have proven to be advantageous to industry and business when they remove or reduce barriers in protected markets and they certainly allow for potential businesses a gain a foothold in new and expanding markets. A great example I have to hand is our very important cherry industry which is a high-value, high yielding industry in a strong industry sector more broadly in horticulture and agriculture. Our cherry industry has through the FTA with Korea saw our cherry exports jump significantly and gain one of those footholds into a market which has typically been largely dominated by New Zealand cherries. The FTA with China has also allowed our cherries to compete more competitively with other jurisdictions and southern hemisphere competitors producers such as Chile. There are a number of areas in which free trade agreements - and significantly those struck by the coalition governments past and present - have had a very pertinent impact here in Tasmania because often the sectors and the products that support improved markets access are those which are amongst our greatest assets and commodities which other jurisdictions have an increasing demand to source.

I will speak just a little about our trade strategies. It is essential that we remember that it is not only commodities but also the export of our services, whether it be education or indeed tourism, that are becoming increasingly sought after and it is important that free trade agreements and partnerships reflect the opportunities for our state. As a willing signatory I can assure the member for Clark and Leader of the Greens that the agreement to participate in the partnerships are always done through the lens of what will best serve Tasmania.

As a Government we acknowledge the efforts of our Commonwealth, which is the principal governing body that makes matters with respect to our trade and also its agreements a reality through protractive negotiations. There are often challenges that come with these agreements and there are also always potentially some areas where it may be feared we are exposed, but a standing principle of this Government and the Coalition Government is that our country and each of its states and territories are better served under free trade agreements.

It is of great credit to the former prime minister, Malcolm Turnbull, and the trade ministers at the time that they decided firmly to persist with the TPP notwithstanding with the United States' decision to withdraw. That was a matter of some considerable public debate. Indeed, I recall at the time it was predicted by then leader of the federal opposition, Bill Shorten, that it was a futile exercise to even seek to proceed with the TPP. They said it was dead in the water and a waste of time and, in fact, under Labor's policy the TPP could never happen because the Labor Party was not prepared to stand up to the union movement, the opportunities for Australian business or indeed foresee the success of a TPP passing.

I know it was a source of great pride to former prime minister Malcolm Turnbull and his trade ministers and also other jurisdictions, notably New Zealand, where former prime minister John Key similarly spoke about their resolute effort to proceed with the TPP, notwithstanding the United States' withdrawal, and deliver what was seen to be then as one the most comprehensive and ambitious trade agreements in recent history, which will support Australian business to grow and see the benefits of up to \$15.6 billion to our national economy by 2030. The Australian Government certainly had at the front of mind the opportunities for our farmers to gain greater access to markets; greater opportunities for our businesses, more jobs and more investment, and that is typically what occurs with agreements such as this. It was a great credit to the Australian Coalition Government, which had more foresight, more vision and more resolve to push ahead and deliver what is a most significant trade agreement, notwithstanding Labor's willingness to give up.

Ms Haddad - Labor voted for it.

Mr HODGMAN - They were very sceptical, to say the least, and Bill Shorten said at the time that it was dead in the water and a waste of time, so he was hardly strongly supportive of the Commonwealth. They did not believe that an agreement could be secured; I think they thought it was beyond Australia and the government to do so. It is, as the member has said, history, but thankfully they were able to progress to the resolution of this agreement, which now has practical implications for our state, and positive ones, we hope.

In conclusion, I want to briefly remark on our trade strategy which we have developed, and to acknowledge the significant investment and contribution by key stakeholders who were part of an extended process of consultation. It is an overarching framework but one which also has very real and practical application which is identified in our action plan, and future action plans will be very outcomes focused. It is an overarching framework developed in collaboration with our exports and producers that outlines a number of undertakings and actions we need to implement to ensure we can achieve our target, our vision of growing our state's exports up to \$15 billion a year by 2050. That is a long-term vision but it outlines how we will achieve that and also appropriately reflect the significance of our export economy now but also in the future. It gives us flexibility to respond.

I know there has been some legitimate questions as to how we might address challenges, whether it be through the practical implications of agreements, such as the one before us today and how we intersect with that, but also how we respond to changes in global situations and challenges that might arise and what opportunities there are to gain from a changing global market.

It is very much designed to be flexible and responsive. It has clear pillars to ensure we are globally competitive and can help expand our businesses that are already in markets abroad, but also increase the capability and capacity for other Tasmanian businesses to access those markets, attract more investment and create more local jobs. It is also really important that the Government and the state, through our trade missions, continues to keep our state's strong reputation and brand, and I will not talk about the brand work we have done but that is a really critical part of what we are doing and a point of interest in those export markets that we need to keep it very fresh, very relevant, very competitive and very much before our trade market. That is why trade missions, as well as supporting those outbound delegations, and welcoming inbound ones, are so important.

This week I was delighted to meet with the ambassador from Japan who is undertaking his first official visit to the state, and the consul-general, both of whom had important stakeholder engagements, principally with our Antarctic and maritime sectors. The Japanese have a strong interest in our products. Whether it be our fine seafoods or our very important forest products,

Japan has been a longstanding and critical export and trade partner as well as a cultural partner. Those relationships were enhanced following the visit of the Japanese ambassador just this week. I hope he found his visit with his delegation as productive as we did.

Our strategy has an annual action plan, a whole-of-Government trade agenda that progresses the priorities under our strategy. It sets out initiatives planned for the next 12 months. The action plan has only recently been released and is the result of very close consultation. It is important we do this through annual action plans because it makes us accountable to achieving the target and delivering the initiatives they contain. It also allows us that flexibility to respond and tailor our approach to international engagement based on changing market conditions, a number of which include our participation at PACIFIC 2019. I will be attending that forum with our key maritime, naval and defence businesses and interests, the University of Tasmania being an obvious one and the AMC. It is a massive defence trade show that we will participate in. We are also looking into Tasmania's presence in our food and beverage sectors at Food&HotelAsia in Singapore in 2020 and to facilitate a delegation to China Mining Congress and Expo, which is the largest mining and resources conference and trade show in China.

This is a small sample of the things we are doing. Having recently been to Japan and further trade missions and activities that are all about supporting our business, one of the clear messages we received through the consultation was that our businesses value the support and assistance government can provide through our officials, government ministers and other members of parliament. It is a necessary investment and we fall way short, sadly, of what other jurisdictions do. We do punch above our weight and we try to amplify our presence through a number of strategies but Tasmania's engagement through trade missions is a lot less than other jurisdictions. That is due to a number of factors including budget constraints. The Trade Strategy has significant funding attached to it and a number of action-oriented, outcomes-based recommendations that will be implemented through this strategy alongside other programs and initiatives in place for some time that require some refinement as a matter of course. I announced one such program recently that will become more relevant to Tasmanian businesses and will provide the direct support they need to get into some important markets and increase their capacity to do so.

Our Government is doing a lot more, strategically and as a community. Passing the Government Procurement Review (International Free Trade Agreements) Bill 2019 is an important part of what we are doing. More broadly, with Tasmania's export growth also being so strong, we must ensure we position Tasmanian business and our state well. We need to work in collaboration with industry. I mentioned in passing the University of Tasmania and I point to our partnership agreement with them, which is an essential framework that will be subject to ongoing discussions and reshaping. That was a pivotal agreement that my Government struck with the University of Tasmania to sharpen our focus and our collaborations. We do that with the University of Tasmania now, which is a great exporter, a great trader of quality education. International students are critical but we have a teaching presence on the ground in many international jurisdictions. We have many world-leading researchers and students come to our state as well, which adds immense economic value but the benefit our state receives from having so many international students is a cultural benefit, too. This occurs through the university and a number of schools and is a fantastic thing. There is a true value to be applied to these things economically as well.

Tourism is not a domestic concern. It is something that benefits Tasmanian business and it amplifies the value of our brand and our product, our whole visitor economy and supports other sectors like agriculture, aquaculture and international education. It is a fantastic time for our state's exporters. There is always a lot more to do and will be better done through our comprehensive

Trade Strategy and through the practical application of important partnerships like the TPP and the associated benefits that come to our state.

I thank the Attorney-General and minister's officers, including the Treasurer's officers, and the departments for their work. I see what is happening broadly, and often in COAG discussions, what time frames and obligations are required of us. I am aware that most of the legwork is done within these departments and it is not uncomplicated and there will be some scenarios we need to contemplate. Whether we can ever be entirely sure is not something any government could say categorically, but this Government is strongly supportive of our Australian Government's efforts to secure the TPP, notwithstanding there are some doubters. We have every confidence it will deliver what it promises to our state. I support the bill.

[12.56 p.m.]

Mr TUCKER (Lyons) - Madam Deputy Speaker, Australian and Tasmanian businesses are leveraging the benefits of our export agreements. Ashgrove Cheese in Tasmania is one of Australia's largest family-owned and operated dairy processors. The Ashgrove processing facility is located at Elizabeth Town, surrounded by the Ashgrove dairy farms in the heart of the dairying and cropping region in northern Tasmania. This small family business recognises the benefits of free trade agreements to their business. Anne Bennett from Ashgrove has said that any movement towards free trade is an enormous benefit to them, but specifically pointed out that the TPP-11 provides advantages to win in new marketplaces. As a small family business they also recognise that competition is a win for consumers who can enjoy the lowest prices.

The Tasmanian Government is committed to supporting local business, to create jobs and stimulate the economy to deliver growth. The Buy Local Policy aims to enhance opportunities for local suppliers and small to medium enterprises to compete for government business. A key platform of the policy is the inclusion of local SME industry impact, a local benefits test evaluation criterion. This criterion is weighted on a minimum of 20 per cent of the total evaluation criteria for all procurements valued at \$50 000 or more.

Other requirements include ensuring appropriate consideration is given to local industry opportunities during the procurement planning process and the development of industry participation plans for large value procurements. The bill and the free trade agreements, more broadly, aim to eliminate barriers between participating countries to ensure all suppliers have the ability to participate or bid in procurement opportunities. The free trade agreements contain a carve-out for any form of preference to benefit SMEs, enabling the application of the SME industry impact local benefits test. Other Buy Local Policy requirements, such as those related to planning, disaggregation of procurement opportunities and industry participation plans, have been developed to ensure compliance with free trade requirements.

The latest data available shows things are better for Tasmanian businesses under this Government. The Hodgman Liberal Government set a target for 90 per cent of all government contracts to be awarded to Tasmanian-based businesses by 2022. The local benefit test is aimed at growing businesses and jobs by making sure local business has every chance of winning government tenders whilst ensuring value for money for taxpayers and our policy is working exactly towards that. In the fourth quarter of 2018-19, Tasmanian businesses secured 92 per cent of open procurements. The total value of open procurements contracts won by Tasmanians was 86 per cent, showing that local businesses are getting quality contracts as well as -

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

GOVERNMENT PROCUREMENT REVIEW (INTERNATIONAL FREE TRADE AGREEMENTS) BILL 2019 (No. 23)

Second Reading

Resumed from above.

Mr TUCKER (Lyons) - Madam Speaker, the total value of open procurements contracts won by Tasmanians was 86 per cent, showing that local businesses are getting quality contracts as well as increased numbers. Importantly the total value of procurements and contracts won by Tasmanians was 86 per cent, showing that local businesses are getting quality contracts as well as increased numbers. In contrast, when those opposite were in government only 63 per cent of open contracts went to Tasmanian businesses.

The Government continues to work hard to consistently meet our target in the years ahead. We are backing our small businesses and helping them to win government business through tendering, workshops, business mentoring, personal business advice and one stop shop support. Tasmanian businesses are participating in government tenders at a higher rate and they are winning more business.

The latest data for the fourth quarter of 2018-19 year shows that the percentage of open and selective procurements conducted that received at least one bid from Tasmanian business was 97 per cent. Of those open procurements where Tasmanian businesses are competing, 94 per cent of contracts were awarded to Tasmanian businesses. Of the total dollar value on offer in open procurements, 86 per cent was won by Tasmanian businesses. The simple fact is that things are much better now for local business participation under our buy local policy than they were under Labor.

The Government has implemented a procurement system that aims to give Tasmanian businesses the best possibility to win government tenders. It is now up to Tasmanian businesses to make the most of this opportunity and present competitive bids for government tenders. The Opposition may bring an example here or there of contracts being awarded to interstate firms. There will sometimes be circumstances where, taking account of all factors, the better choice for government is to accept a bid from outside Tasmania. In some cases, no Tasmanian businesses participated, but unlike the Labor Party we have taken action to implement sensible and practical measures to make sure Tasmanian businesses are better positioned to win more work with the public sector.

The bill introduces a domestic review mechanism for complaints relating to alleged breaches of the procurement obligations arising from international free trade agreements which Tasmania has agreed to be bound by. This bill means that the aggrieved supplier can bring an action in the Supreme Court of Tasmania in instances where they allege a Government procuring entity has, or is, or is proposing to breach a procurement rule derived from an international obligation.

Free trade agreements are between two or more countries which are binding at international law. Australia is a relevant party to a number of free trade agreements. The Department of Foreign Affairs and Trade conducts negotiations on behalf of the Australian Government with other

countries to seek agreement to trade matters. The power of the Australian Government to do this is specifically derived from the Constitution. Tasmania has agreed to be bound by a number of international free trade agreements at the request of the Australian Government. In practice, Tasmanian entities which must comply with the agreement are listed in the free trade agreement as sub central entities. Tasmania does not have to agree to be bound by free trade agreements. However, such a decision would be contrary to convention and the practice of all other states and territories. If Tasmania does not agree to be bound, the Australian Government has the ability to force Tasmania to comply by passing legislation pursuant to the extant external affairs power in the constitution.

Not all procurements are subject to the domestic review mechanism. Only covered procurements can be referred to the Supreme Court for complaint. This approach is consistent with that adopted by the Australian Government and the New South Wales Government. A covered procurement is procurement that meets a financial threshold and where there are no exceptions. The current threshold for goods and services is \$657 000 inclusive of GST and the current threshold for building construction of \$9.247 million inclusive of GST.

All states and territories have agreed to be bound by the provisions of the Trans-Pacific Partnership. Accordingly, the Australian Government and all states and territories must have compliant domestic review mechanisms in place. At this stage, the Australian and New South Wales governments are the only states to introduce legislation to give effect to the requirement. The Australian Government legislation came into effect on 19 April 2019. The New South Wales legislation has received royal assent but has not entered into force yet. The Tasmanian legislation has been modelled on the legislation from these two jurisdictions.

Other states and territories, including Queensland, South Australia, Western Australia and the Northern Territory have not yet determined an approach to implement a domestic review mechanism. To ensure compliance with the provisions of the Trans-Pacific Partnership, Victoria has amended its processes to rely on arbitration to give effect to the requirements. The Australian Capital Territory has determined that its existing practices are compliant and require no alteration.

The Tasmanian Government decided that the most appropriate forum for the determination of complaints in Tasmania was the Supreme Court because it has appropriate jurisdiction to award compensation, injunctions and declarations. Tasmania does not have the equivalent administration bodies to those that exist in Victoria. New South Wales has vested jurisdiction in its Supreme Court and the Australian Government has vested jurisdiction in the Federal Court of Australia.

The bill applies to all the entities that are listed in the free trade agreements which Tasmania has agreed to be bound by. This includes government departments and some state authorities and legislative entities. The requirement to comply with international free trade requirements is independent and separate from the requirement to comply with the Treasurer's instructions. Historically, the legislative entities have been listed by Tasmania as entities required to comply with the free trade agreement obligations.

The legislative entities are only required to comply with international procurement obligations for procurements not subject to an exception which exceed the free trade thresholds in practice. Very few procurements conducted by these entities are expected to exceed the thresholds based on the value of procurements normally undertaken by these entities. Officers from the Department of Foreign Affairs and Trade have explained that there is no precedent for Australia for removing a listed entity from the coverage of free trade agreements. Any attempt to remove an entity would be

a long-term project for the Department of Foreign Affairs and Trade. Officers advise that the best timing for any attempt to remove entities will be at the time each agreement is reviewed. If an entity is removed it would be necessary to offer an alternative entity in return.

The Department of Treasury and Finance, the Department of Justice and the Department of Premier and Cabinet have worked collaboratively to develop the bill. Consultation has taken place with the Crown Solicitor and the Solicitor-General. The Solicitor-General has given specific advice on constitutional matters. The Registrar and Chief Justice of the Supreme Court have also been consulted.

The Department of Premier and Cabinet has consulted with the legislative entities regarding compliance with the free trade agreement since the Trans-Pacific Partnership came into force in December 2018. They were provided a consultation draft of the bill as it was being developed. No public consultation has occurred, noting the requirements of the Trans-Pacific Partnership are already enforced and the bill was implementing free trade obligations.

The international procurement obligations of Tasmanian entities are described in the document titled, 'International Procurement Obligations'. This document is compiled and maintained by the Department of Treasury and Finance. The document captures all applicable international free trade procurement obligations that apply in Tasmania regarding procurements. The document is reviewed and updated each time new international obligations take effect in Australia and apply to Tasmania. The bill introduces the requirement of the Trans-Pacific Partnership for the implementation of the Tasmanian domestic review mechanism. Specifically, it provides access to an independent administration or judicial body that can receive complaints, take interim measures and award remedies. A supplier may make a complaint to the Supreme Court for an alleged breach of an international procurement obligation.

A public interest certificate may be issued by head of agency in respect of particular procurement process. A procurement must be suspended pending resolution of the complaint unless such a certificate is issued. The existence of a certificate is also a factor for the Supreme Court to consider in determining whether to grant an injunction. In instances where a contract has already been entered into, the only remedy available is compensation. All suppliers for all covered procurements may make a complaint for an alleged breach of an international procurement obligation. The bill does not discriminate against local suppliers and offers them the same opportunities as international suppliers. I commend the bill to the House.

[2.42 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Madam Speaker, I expected all these Labor members making quorum calls prior to lunch to be jumping to their feet because they were showing such an honest interest in this bill. They have not shown much interest in any bills all week. I thought this issue was a higher priority to whoever their trade spokesperson might be, or treasury spokesperson given that it is a Treasury bill. Be that as it may, I thank the members in the Chamber for their contributions on this bill and the questions put by the members for Clark, Ms Haddad and Ms O'Connor.

We will have oodles of time to address specific questions. I want to run through a little history because it is important information about the partnership agreement, its full name being the Comprehensive and Progressive Agreement for Trans-Pacific Partnership and requires the mechanism contained in this bill. I note that it goes by more than one name and I want to clarify that it is variously referred to as the TPP-11 as well, which I have been calling it. Unhelpfully, for

the purposes of clear communication, it was preceded by negotiations regarding an agreement referred to as the Trans-Pacific Partnership or TPP without the 11. For simplicity's sake I will refer to it as 'the agreement' because it has had fairly different iterations of name. In doing so I mean the Comprehensive and Progressive Agreement for Trans-Pacific Partnership.

I thank the Premier for his contribution on this bill. As the Minister for Trade, he is well aware of the issue of trade and the importance of this agreement to our state and the rest of the country, through COAG and regularly discussions with other state and territory counterparts, the federal minister and the Prime Minister.

I accept that the subject matter of this bill is somewhat dry, particularly the mechanism it deals with in relation to the Supreme Court. I am taking this bill through because it predominantly deals with that mechanism. The bill is important because it deals with the legal mechanisms involving government procurement disputes, which is what this bill is specifically about. Various questions were broader in range but it is specifically in relation to procurement disputes. I reflect on what brought us here to debate this bill and recognise the significance this has for Tasmanian business. Members have raised issues in relation to how will this impact on Tasmanian businesses and our Government's Buy Local policy. I will address all of those issues in the context of what I am about to say.

The idea of this agreement was envisioned more than 10 years ago, with the impetus being a 2005 trade agreement between a small group of Pacific Rim countries comprising Brunei, Chile, New Zealand and Singapore. Other countries entered into talks with that group and negotiations began for a broader agreement to the point we are at today. To their credit, parties to the agreement overcame a number of internal political hurdles, as well as the withdrawal of the United States from negotiations, to arrive at the agreement we have today.

Running to 580 papers, the agreement was described by the Asian Trade Centre, which is a think tank, as the most important trade agreement we have had in two decades. Importantly, the agreement is written to accommodate future expansion and the ability for other countries to join. To provide some context, the agreement was signed by the 11 countries on 8 March 2018 in Santiago, Chile. The CPTPP entered into force on 30 December 2018 for Australia, Canada, Japan, Mexico, New Zealand and Singapore and on 14 January 2019 for Vietnam. This agreement delivers major new opportunities for Australian exporters, investors and firms engaged in international business and will help Tasmanians grow our exports to the world.

In the Tasmanian context, the agreement will see better access for beef, lamb, dairy and horticultural producers, including the elimination of tariffs on sheep meat, seafood, horticulture, wine and manufacture of goods, meaning Tasmanian producers and exporters will gain for new export markets resulting in jobs growth and higher wages.

Importantly, for a smaller jurisdiction like Tasmania, the agreement recognises the challenges facing small and medium-sized enterprises, which we commonly refer to as SMEs, in establishing export markets and includes outcomes to help make this task easier in the jurisdictions that are parties to the agreement. This agreement will be the first regional trade agreement to contain a dedicated SME chapter, which encourages small and medium-sized enterprise participation in government procurement in countries that are parties to the agreement. This means there is a carve-out for any form of preference to benefit SMEs. This is really significant for Tasmania as it means that the small and medium business enterprise industry impact or local benefits test, as we

refer to and which is a key platform of the Government's Buy Local policy, can still apply, so it is consistent.

Ms O'Connor - By way of interjection, I am sure it can still apply, Attorney-General, but is it not the case that an agreed supplier could challenge it through the court, seek compensation and a determination?

Ms ARCHER - I want to provide some background context to this and then I will get to that specific question, I promise.

It is important to place on the record other Buy Local policy requirements, such as those relating to planning, disaggregation, procurement opportunities and industry participation that plans have been developed to ensure compliance with free trade agreements, so they comply with the agreements. This is pleasing because the aim of the Buy Local policy is to enhance opportunities for both local suppliers and small to medium business enterprises to compete for government business. That is the whole point of it.

Our Buy Local policy changed the procurement rules to be more supportive of local employers and set a target for 90 per cent of all government contracts to be awarded to Tasmanian-based businesses by 2022. As the Minister for Small Business announced this week, in the June 2019 quarter we exceeded our target well ahead of the schedule of 2022, three years ahead of target, with 92 per cent of Tasmanian businesses winning open government contracts which my colleague, the member for Lyons, Mr Tucker, has stated already. This is great news and proves the value of this different approach to the Buy Local policy.

Importantly, over the 2018-19 financial year, the total value of open tenders awarded to Tasmanian businesses reached 90 per cent. That equates to more than \$310 million injected into our local economy, stimulating our businesses and their viability and confidence in creating new jobs for Tasmanians.

Turning to the provisions of the bill itself, they are another recognition by the agreement of the challenges faced in small to medium business enterprises. To encourage their participation in government procurement opportunities in all countries party to the agreement, another outcome of the agreement is including the requirement for suppliers to have access to an independent review body when procurement processes do not comply with the rules. Such a requirement is increasingly common around the world in such agreements, so that is exactly the mechanism that this bill will introduce. All states and territories in Australia, as well as the Commonwealth Government, must have compliant domestic review mechanisms in place. This bill contains the requirements that are required to implement a compliance domestic review mechanism in Tasmania. At this stage, the Australian and New South Wales governments are the only states to introduce legislation to give effect to the requirement to date, so hopefully after passage through this parliament we will be the next state to comply.

The Australian Government's legislation came into effect on 19 April this year. The New South Wales legislation has received royal assent but has not come into force yet. The Tasmanian legislation has been modelled on the legislation from these two jurisdictions. Other states and territories, including Queensland, South Australia, Western Australia and the Northern Territory have not yet determined their approach to implementing the domestic review mechanism to ensure compliance with the provisions of the agreement. I know that Victoria has amended its processes

to rely on arbitration to give effect to the requirements while the ACT has determined that its existing practices are compliant already and require no alternation.

It is probably worth noting at this stage that if any state was to not agree to be bound by the requirements of the agreement, under our system of government the Australian Government could force that jurisdiction to comply by passing legislation pursuant to the external affairs power in the Constitution which sits under section 51(xi).

The process of the review mechanism itself is reasonably straightforward, as I outlined in my second reading speech, and was developed after consultation with the Supreme Court. It is not my practice to reveal discussions I have had with the Chief Justice but I do note that in drafting this, consideration was taken in relation to discussions, so this bill mirrors that. The Supreme Court was decided by our Government to be the most appropriate jurisdiction to award compensation, injunctions and declarations. I thank Ms Haddad for offering her support in relation to that aspect. It is the most appropriate jurisdiction rather than set up something completely new. The Supreme Court is best placed to deal with injunctions and declarations and any awards for compensation, in my view. I note that New South Wales also vested jurisdiction in its Supreme Court and our legislation has been modelled on what they have done. For completeness the Commonwealth Government also vested jurisdiction in the Federal Court being the equivalent counterpart, if you like, or the best equivalent counterpart.

In closing, in relation to the comments before I move to questions, for reference, for anyone who may have an interest in business or otherwise in this area, and with reference to the mechanism in this bill, the international procurement obligations of Tasmanian entities are described in a document titled 'International Procurement Obligations' and this document is compiled and maintained by the Department of Treasury and Finance. That document captures all applicable international free trade procurement obligations that apply in Tasmania to covered procurements. The document is reviewed and updated each time new international obligations take effect in Australia and apply to Tasmania, so it always means we are compliant with the procurement requirements.

I will move to questions. I think these are in the order in which they were asked, or as best they fit. This one deals with a question that Ms Haddad asked as well as Ms O'Connor first of all, and that was how the bill intersects with procurement policies, for example, to procure locally. I have largely covered that already, but for completeness, the bill does not affect any current procurement policies of the Government.

Ms O'Connor - By interjection, what the bill does, though, is provide the mechanism for a corporation to undermine the Government's procurement policy.

Ms ARCHER - No, it doesn't.

Ms O'Connor - How so?

Ms ARCHER - Because the example you gave was in relation to the procurement of GM-free.

Ms O'Connor - No, it wasn't about the procurement of GMs. Just in general, when the Government is procuring under a Buy Local policy you can get an aggrieved supplier who says you are favouring the locals and it is in contravention of your obligations under the TPP.

Ms ARCHER - I am saying our Buy Local policy is not inconsistent with any of the procurement obligations. I said that the Buy Local policy is fully compliant with the requirements of all free trade agreements that apply in Tasmania.

Ms O'Connor - It still provides a space for a supplier to be aggrieved.

Ms ARCHER - They cannot undermine something that is compliant.

Madam SPEAKER - Through the Chair, please.

Ms Haddad - By interjection, this is a genuine question. I wonder if they would be able to take action, considering it is a local domestic policy and it's an international agreement.

Ms ARCHER - They can take a dispute but it is ultimately for the Supreme Court, who is best placed, I might add, to make that decision, but I am sure the submission from the state would be that the Buy Local policy is fully compliant. We will leave that to the legal experts who will be arguing that one in court, but I am advising this House that our Buy Local policy is fully compliant with the requirements of all free trade agreements that apply in Tasmania.

There was another question about whether the minister could provide an update for the last year of locally owned companies being successful in government procurement processes, and I know that my colleague, Mr Tucker, touched on this. Our Buy Local policy changed the procurement rules to be more supportive of local employers and set a target for 90 per cent of all government contracts, as I have said previously, to be awarded to Tasmanian based businesses by 2022. In the last June quarter we exceeded that target with 92 per cent of government contracts being awarded to Tasmanian businesses. Importantly, over the 2018-19 financial year the total value of open tenders awarded to Tasmanian businesses reached 90 per cent and in terms of numbers this equates to a total of 152 contracts being awarded to Tasmanian businesses resulting from open procurement.

As to the other question about whether the public interest certificate will be publicly available and what is contained in it, the bill sets out that a public interest certificate may be issued by an accountable authority in response to a particular procurement process. The public interest certificate is to state that it is not in the public interest for a procurement specified in the certificate to be suspended in accordance with consideration of an application for a declaration or investigation of a complaint in clause 15 of the bill.

I have an example of a Commonwealth public interest certificate I am very happy to show to Ms O'Connor. It is already in the public domain so I am very happy to show that to you. There is nothing to stop a public interest certificate being made public. It will be a matter for agencies issuing the certificate. To my knowledge at this stage there is no current policy on this point but I note that the Commonwealth Government, upon whose bill ours is modelled, adopted a policy that the relevant entity is to cause the certificate to be promptly published on their website. I expect this approach will be considered in the formulation of any Tasmanian policy on this point. It is a public interest certificate so it stands to reason that if it is subject to RTI it is going to be RTI-able.

In line with my comments this week - and not to reflect on a previous debate but it is relevant generally to RTI matters - we are always looking to push out information and this is likely to be exactly one of those things that should be in the public domain. Having said that, our system is based on that of the Commonwealth Government so I am sure agencies will take that note on point.

I have that certificate here which I am happy to show Ms O'Connor and, as I said, it is publicly available so I am not releasing anything I should not.

Ms O'Connor also asked whether free trade agreements would potentially undermine Tasmania's commitment to be GM-free and possibly take the government to court. The enforceable procurement provisions the bill relates to refer to processes and procedures. It is about ensuring procurement processes are open, transparent and fair. Examples of enforceable procurement provisions include ensuring there are not unfair conditions for participation, technical specifications are not unduly narrow, notices of intended procurements are given to ensure adequate notice is given to the market of opportunities, tender documentation is accessible to all interested suppliers and minimum time periods for which tenders must be open to ensure suppliers have opportunity to respond. It does not impact on what the Government is trying to procure and there are no current obligations that would affect or impact on GM-free status. The process is only for a breach of procurement rules. It does not change the rules in place and the mechanisms for an open and transparent process. They cannot force us to procure anything not GM-free.

Ms O'Connor - Well, not in the Supreme Court. If Monsanto was going to take Tasmania to task over its GM moratorium, would it be in the international trade court, or where does that sort of thing happen? We are susceptible.

Ms ARCHER - That is more of a legal opinion that I cannot answer on the Floor of this parliament, because it is not to do with this bill. My comments are confined to what this bill can do and the procurement obligations there.

Ms Haddad also asked if policies that support Australian disability enterprises will be affected by this bill. The simple answer is no. In fact, the provisions of the Government procurement chapters do not prevent the adoption or maintenance of measures relating to the goods or services of any persons with disabilities or of philanthropic or not-for-profit institutions.

Ms Haddad - By way of interjection, it was not so much about a disability enterprise being the recipient of the procurement, but rather the Government's intention to purchase a proportion of something - anything - from any particular provider and whether that would lead to anything actionable by an international or national company.

Ms ARCHER - Just bear with me.

Ms Haddad - Your last answer probably does go to that.

Ms ARCHER - Treasurer's Instructions 1127 and 1231 specifically provide flexibility for agencies to directly procure from businesses that predominantly exist to provide for services of persons with a disability without the need to undertake a full quotation or tender process. These arrangements do not prevent agencies from following normal procurement processes should they choose to do so, but it just gives that flexibility. Is there anything else I can provide you in relation to that?

Ms Haddad - Your previous answer probably answered it about Buy Local policies generally. My understanding from your previous answer is that the TPP does not prevent the Government from pursuing Buy Local policies, but it also would not be impossible for someone to take action under the TPP and these dispute resolution processes we are putting in place today, if they were aggrieved by that.

Ms ARCHER - Sometimes you get so dug into the details. It is not about people being disappointed with the process. There has to be a reason why you seek this avenue, if you like, to the Supreme Court. As I went through in my previous answer, it is about enforceable procurement provisions. You need to be able to demonstrate that there are unfair conditions for participation, the exact opposite to what I just read. I will read that a different way: the enforceable procurement provisions include ensuring there are not unfair conditions for participation, technical specifications are not unduly narrow, notices of intent of procurements are given to ensure adequate notice is given to market opportunities. It is for those reasons if they have been breached that you would take this action, rather than just mere disappointment at missing out on a contract.

Ms Haddad - But it would not be impossible - and I am sorry if I am being pedantic - that someone could find a Buy Local policy or a policy like the one I described, which would commit the government to buying 2 per cent less things from a particular kind of provider as being anti-competitive.

Ms ARCHER - I would have thought if you have an anti-competitive argument that is more going under the Trade Practices Act, is it not?

Ms Haddad - Possibly that or the first element that you read out in that list of possible grievances - I thought the word was 'uncompetitive' but I may have heard you wrong.

Ms ARCHER - This is as a result of the free trade agreement so I think we need to relate it back to the free trade issue. We need to read it back in relation to the procurement rules that exist whether or not we are consistent with that and the Buy Local policy is consistent with that.

Then you have the Treasurer's Instructions that I just read out in relation to Australian Disability Enterprises and with the policies that support that, that is the Treasurer's Instructions be affected by this bill. My answer was 'no' because, in fact, the provisions of Government procurement chapters do not prevent the adoption or maintenance of measures relating to goods and services and people with disabilities or philanthropic or not-for-profit institutions.

Ms Haddad - Buying from those institutions?

Ms ARCHER - Yes, walk through that. Then Ms Haddad asked, has modelling been done on likely claims for compensation? The Department of Foreign Affairs and Trade has looked at the experiences in Canada, the USA and Hong Kong. Their experiences are that procurement complaints are relatively rare with few being successful. Jurisdictions around Australia with mechanisms in place, particularly the Commonwealth, have reported no complaints have yet been made. That is what we know.

Another question from Ms Haddad was, if a procurement is suspended how long could the procurement be on hold? The bill provides for circumstances where that can be used to determine periods of suspensions, specifically the 'relevant time' that an accountable authority is to suspend the procurement until determinations based on the earliest of the following times. First, the time, if any, when the supplier informs the accountable authority that the supplier considers the complaint in relation to the conduct to be resolved. Second, the time when the supplier withdraws the complaint, if at all. Third, the time, if any, when the accountable authority issues a Public Interest Certificate in relation to the procurement or fourth, the time, if any, when the Supreme Court in proceedings under this proposed bill in relation to the conduct makes either of the two findings, first, that the conduct was a contravention; or that the conduct was not a contravention.

Ms Haddad then asked what happens if the process is not suspended by the court. The process will continue concurrently with any court proceedings and this is consistent with civil law proceedings generally where interlocutory relief is not granted, so it does not hold up.

Ms Haddad - If I can ask by interjection, the question around what happens if it is not suspended and in other words the procurement goes ahead. What happens to any potential local providers who were hoping to participate in the procurement who maybe now cannot participate in the procurement because it is continued afoot? It might be the other way around actually.

Ms ARCHER - If they are not involved in the procurement or they did not enter the procurement then they cannot participate.

Are you talking about businesses that have made an application for interlocutory relief with the Supreme Court and they do not get that relief? It is the court's decision. They do not get the interlocutory relief so therefore things progress.

Ms Haddad - Thank you.

Ms ARCHER - That is in the proceedings.

Another question from Ms Haddad: has any modelling been done on whether there will be an increase in the number of temporary workers as a result of the agreement? We are not aware of any modelling to this effect. However, the TPP-11 does not change the skills and experience requirements that need to be met by those applying for temporary skilled visa work in Australia. That means workers from participant countries to the agreement remain subject to and must satisfy any skills assessment required by the usual visa process, so unchanged.

Another question from Ms Haddad: would the bill add to the workload of the Supreme Court? It is expected that Tasmania will see very few complaints and I think it was acknowledged that you did ask that in the briefing as well and that was the answer given. Experience shows that very few complaints are made in Tasmania under current arrangements and this bill is not expected to see an increase in complaints. We believe it is likely to have negligible impact on the workload of the Supreme Court.

To put this in context, in relation to looking at the court's backlog with the tabling of the Magistrates Court reform package - as I will refer to it loosely which I tabled yesterday - takes on some matter in the Magistrates Court. We will constantly be looking at things to relieve the Supreme Court with some of the preliminary proceedings to reduce their workload. As members will know, there have been additional resources to the Magistrates Court for a full-time magistrate taking over from a part-time and a full additional magistrate from next year as well.

There are resources there to take on any load and there will also be an additional judge two years away. So, even if there was, we are dealing with that backlog pressure issue in the context of a number of different forms, not only legislative but budgetary in giving extra resources for those things and the IT technological side I have referred to in Justice Connect.

There is also the last question from Ms Haddad: will matters under this bill be heard by a single judge or the Full Court? Procedure and practice will be in the manner provided for by the Supreme Court Civil Procedure Act 1932 and the rules of the court also. In this case matters under this bill will go before a single judge in the first instance, which is what I said by interjection.

Ms Haddad - Thank you.

Ms ARCHER - I said that I would check that and I am referencing the act and rules of court, so sections 6 and 16 of the Supreme Court Civil Procedure Act 1932 apply there. As it is not an appeal process but an actual application, it is to a single judge for any interlocutory or compensatory relief. I believe I have covered those questions.

I take this opportunity to thank officers from my Department of Justice and also Treasury for their work on this bill. I do not get to deal with Treasury as often, although I was acting Treasurer recently for a few weeks, but thank you to officers from that department for their considerable amount of work on this bill.

As always, thanks to the hardworking drafters in the Office of Parliamentary Counsel. I know that I refer a lot to them and with all the law reform we have proceeding at the moment it is deeply appreciated. With those comments, I thank all members for their considered contributions in relation to this bill. I commend the bill to the House.

Bill read the second time

Bill read the third time

SENTENCING AMENDMENT (ASSAULT OF CERTAIN FRONTLINE WORKERS) BILL 2019 (No. 18)

Second Reading

Resumed from 2 May 2019 (page 83)

Quorum formed.

[3.22 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, the Greens understand that assaults on frontline workers are serious crimes in the community. They are harmful for the people who are victims of those assaults. These sorts of assaults have always occurred but, in certain instances, in certain places, in certain workplaces, there are definitely increases in the occurrence and possibly the severity of assaults on a number of people who are working in the community. Sadly, there are so many reasons for this occurring. Communities under stress behave badly and people act in an aggressive manner for so many reasons. We have not and would never support assaults against people working in our frontline areas in the public service, in the service of Tasmanians or in any public service position, frontline or not.

That comes to one of the issues we have with this bill. It creates two classes of public sector workers; those in so-called frontline positions and other people who are not defined under this bill as being in frontline positions. I can hear the minister -

Ms Archer - I am allowed to have a discussion with my colleague, surely.

Dr WOODRUFF - Yes, but I can hear your questioning of me using the term 'so-called'. I want to pick up on that because I am pushing back at this idea, this euphemistic language being used in this bill to create -

Ms Archer - So, you don't believe there are frontline workers.

Madam SPEAKER - Order, please. We are a new parliament as of today.

Dr WOODRUFF - two classes of people who are paid to work in the service of Tasmanians.

Defined in this bill are people who are working as ambulance officers, child safety officers, correctional service officers and medical or social service officers. It begs the question: what about all the other people who are positions in which they are exposed to violence and assault through their work? Every day in Tasmania there would be a number of teachers in our schools who face the risk and the reality of assaults, violence, physical and mental harm. These kinds of harm can be inflicted on teachers all too often.

I am thinking of people who work in all manner of areas of our hospitals, housing officers, people who are required to go out to people living in desperate housing situations and who need to be involved in negotiating difficult decisions about a person's living circumstances. Some of those people are required by this Government to evict people from public housing, which has happened. We have asked questions about the number of times this has happened under the current Government and we are very concerned to think about the people who must have to carry out that task in the face of the risk of verbal or sometimes physical abuse that happens. We have concerns that this bill, in part, is creating two classes of public sector workers.

The fundamental reason we cannot support this bill is because it imposes a mandatory imprisonment for offences under section 16A. We will never support mandatory sentences. We will never support the interference of parliament in the decision-making of the justice system, specifically the decision-making of judges and magistrates about the appropriate sentence a person should receive. It is a fundamental tenet of the Westminster system, the system in Tasmania, that we have always valued. The Greens will continue to uphold that separation of powers because now, more than ever, is not the time to be jettisoning the separation of powers. The fundamental respect our society places in an independent judiciary is not to be directed by populist governments and we will not have their wise counsel and decision-making interfered with by parliaments who make decisions because they are running a particular agenda.

This Liberal Government ought to be ashamed, but they are unashamed of their so-called tough on crime agenda. Being tough on crime should not mean being tough on the system of democracy we have, which is part of creating a society that is just and fair and which is an important part of making a difference between us and other societies, which can trend towards authoritarian dictatorship-like regimes. There are so many stresses on us as a planet. We are seeing around the world societies drifting into an increasingly divided position. Unfortunately we are seeing countries like the United States where they are throwing aside the democratic processes. The hallmarks of democratic societies are increasingly using mechanisms to subvert the democratic decision-making of parliaments to bring in the power of the executive, the power in the United States of the president, and try to sideline the processes of democracy in government.

We cannot and will not support this bill on the basis of the mandatory sentencing element of it. We also are deeply concerned that, for probably important reasons, it creates these two classes

of people in the public sector. We think every public sector worker in Tasmania ought to be supported as much as every other. If there is an assault which happens while they are at work, they ought to be protected by the Government, their employer. We do not support creating two classes of workers and interfering in the judiciary and their decision making, which this bill would seek to do.

[3.32 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Madam Speaker, I affirm my support for the bill, because I was the minister with carriage of this matter and it happened during a week when it was busy and I had a few things going on personally as well. I thank the former minister for health, Mr Ferguson, who took carriage of this originally for me, and now Ms Courtney for taking it on. That decision was made because the bill is about frontline workers and there are many in Health so it seems very fitting that the Minister for Health takes it through. I still want to make a contribution to the bill, given that I am available throughout this afternoon.

This bill sends a strong message to the general public, and that message is to keep your hands off our frontline workers. Much has been said about the ideology and philosophy of not supporting mandatory sentences. I will say at the outset that it is disappointing there seems to be this misunderstanding about the separation of powers. The legislature, being the parliament, has the ability to legislate on sentencing. There is the Sentencing Act 1997 and a number of penalties contained in various and multiple pieces of legislation which set minimum and maximum penalties. There are mandatory sentences all throughout our statutes and we do that for certainty. There is a certain level that is imposed as a minimum mandatory sentence or penalty, if you like, in other statutes of lesser impact; in other words, not a crime.

This is something we are dealing with to show the severity of the impact of assaulting our frontline workers. They go to work every day and carry out an important community service through our public service, and we are saying keep your hands off our frontline workers. It is unacceptable to seriously assault them during the course of their duties.

Ms Haddad - So make their workplaces safer.

Ms ARCHER - There are always safeguards that we build into -

Ms Haddad - Put more resourcing into frontline workers.

Ms ARCHER - I sat here in silence, Madam Speaker.

Madam SPEAKER - Ms Haddad, warning number one.

Ms ARCHER - There was a lot I disagreed with in Dr Woodruff's contribution so I am attempting to provide my counter argument to those issues that were raised. We can all respectfully have a different opinion on these matters. I am coming from the perspective in my role as Attorney-General, providing this House with the reasoning behind this bill and other bills that we have presented to this House on mandatory sentencing. It does not only send that clear message. It sets certainty of a community expectation that there is a minimum level of penalty or sentence that is expected in a certain type of assault. That is what this bill does.

This bill not only recognises and protects these workers' individual welfare and safety but it also recognises and protects their service to our community and also the vulnerable and at-risk

people in it. These workers are quite often in situations where they are dealing with vulnerable and at-risk people and they are exposed to situations they find themselves in when there is a serious assault. I will run through a few examples of the types of cases I am talking about later in my contribution, but quite often it is in a hospital emergency department where there are many vulnerable people around where this type of behaviour is occurring.

Frontline workers provide essential services to the Tasmanian community, and the community as a whole has an interest in ensuring their safety. I take this opportunity to thank them all for their service to our community. Threatening frontline workers with violence, being aggressive, or resorting to violence is totally unacceptable. As the body that is representative of the community as a whole, it is appropriate that the parliament enacts laws to protect frontline workers.

Ms O'Connor - Why aren't we looking after housing tenancy officers, for example, who turn up at houses where people are really distressed?

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

Ms ARCHER - It is appropriate that the parliament enacts laws to protect frontline workers and reflect the community's view on offences resulting in serious bodily harm. We are dealing with serious bodily harm cases. We are not just talking verbal threats. We are talking about serious bodily harm to frontline workers and we are saying this is entirely unacceptable.

Ms O'Connor - Why aren't you treating housing tenancy officers as frontline workers, then?

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

Ms ARCHER - Madam Speaker, frontline workers provide essential services to our community, and the community as a whole has an interest in ensuring their safety. Offences resulting in serious bodily harm to frontline workers is unacceptable. Ambulance officers, police officers, child safety officers, nurses and midwives, orderlies, correctional service members - for whom I am responsible - and others perform vital functions and roles in our community.

I urge this parliament to support our Government as the employer of our frontline workers. We have a duty of care and obligation to them and we want to take every opportunity to reduce the risk of injuries to those who work on behalf of all Tasmanians.

Other parliaments across Australia have mandatory sentencing provisions that apply for offences committed against various categories of frontline workers. For example, Western Australia has mandatory sentencing provisions for offences committed against, amongst others, ambulance officers, police officers and prison officers; Victoria has mandatory sentences for offences committed against emergency workers; and the Northern Territory has mandatory minimum sentences for offences committed against police officers, correctional services officers, and other emergency service workers. What we are proposing is not unique. Other jurisdictions -

Ms O'Connor - But it is not good law.

Madam SPEAKER - Order, Ms O'Connor. Please proceed, minister.

Ms ARCHER - There has been a rule imposed for some today, so it would be really nice to -

Ms O'Connor - Are you reflecting on the Chair?

Ms ARCHER - No, I am not at all. I am embracing -

Madam SPEAKER - I am not taking it as a reflection. We will all remember that we are here to be really good, thank you.

Ms ARCHER - I was embracing the concept, to make it through my contribution in silence with a bit of luck.

We will continue to review and take note of these provisions if it is passed with the view to possibly extending them to further categories and frontline workers in future. However, I strongly believe it is in the interests of the entire community that the important functions carried out by our frontline workers continue. It is for this reason I urge members to support the bill in the House today.

In doing so I note the position those opposite have taken, Labor and the Greens, in relation to mandatory sentences. I note their federal counterparts recognised this week that they do not always have to follow their ideological and principled position of opposing mandatory sentencing. This week, federal Labor broke away from the previous policy to support the Morrison Government's minimum mandatory sentences for crimes related to child sexual abuse.

Opposition members interjecting.

Madam SPEAKER - Order, please.

Ms ARCHER - They did this week. Madam Speaker, I thought that might raise some ire in the House but it is factual. Members can check that. If federal Labor can recognise the need for minimum mandatory sentences in cases of serious crimes, I call on the state Labor Party to do the same. The separation of powers does not stop the legislature from setting minimum sentences. It is commonplace and I am not saying that to incite comments. I am stating it because I am drawing the observation that -

Ms Butler - It is not a true reflection of what happened.

Ms ARCHER - That is what happened this week. For the record federal Labor supported mandatory minimum sentences.

I will provide the House with some examples of serious assaults on frontline workers to date. They are real examples but I am not disclosing names, places or anything like that because I do not want to identify the individuals involved. It is a reminder of how -

Ms O'CONNOR - Point of order, through you, Madam Speaker, to prevent me from interjecting. If the Attorney-General is going to do that, perhaps she could also explain to the House how the current provisions against assault on any worker would not cover those cases.

Madam SPEAKER - I am not able to instruct the minister to do anything. Perhaps she would like to consider it.

Ms ARCHER - Madam Speaker, it is not question time. In this instance, I am a member of this House making a contribution to the bill. I have full faith in Ms Courtney's ability to take this bill through this House. I want to make -

Ms O'Connor - Massive buck pass. If you are going to detail that sort of stuff -

Ms ARCHER - If I could get a sentence out, I can make a general observation. Yes, I am the Minister for Justice and the Attorney-General. I am not saying that current crimes do not currently deal with this situation. This bill deals with imposing a sentence. It is not dealing with the crime. We are dealing with an amendment to the Sentencing Act - and I am sure Ms Courtney will draw the same observation - regarding a mechanism to set a minimum sentence that will be required to be imposed. That is what this bill does. With the greatest respect, Ms O'Connor's question is irrelevant to this bill.

Ms O'Connor - It is not irrelevant.

Ms ARCHER - It is.

Madam SPEAKER - Order.

Ms O'Connor - Do you have advice from the Chief Justice?

Ms ARCHER - It is appalling that our frontline workers continue to face the reality of being assaulted while performing their important work. We need tougher penalties to protect them from harm and injury in their workplace. Disappointingly, assaults on frontline workers happen far too often and it is my and the Government's view that one assault is too many.

To turn to an example involving a paramedic in 2015, a magistrate found that a violent, injured drunk person acted in lawful self-defence when he punched and swore at a policeman who was helping to restrain him. This was as a result of him being at the Launceston General Hospital. He was injected with a sedative three times after he exercised his right to refuse treatment. While Magistrate Brett, as he then was because he has just become a judge, dismissed the charges of assaulting a policeman and using abusive language toward him, he did find the man guilty of earlier conduct on the night being assaulting a paramedic with a 'full-blooded kick' - that is how the magistrate described it - in the face and threatening the paramedic by saying he would kill him and his family. For this attack the man was sentenced to a fine of \$700. That is a situation in which only a fine was imposed.

An example for nursing staff in 2018: three Tasmanian nurses were punched and bitten in a violent attack in the Launceston General Hospital's emergency department. One nurse sustained facial injuries and significant bruising after receiving a punch to the face. The other two nurses were bitten and required stitching.

These are brutal and serious assaults and this bill deals with the cases of serious bodily harm. This is on the public record: the State of Tasmania and Michael Samuel Charlesworth, 12 April 2019, is a very recent case in which a correctional officer suffered a depressed and displaced fracture to the cheekbone as a result of a serious assault by an inmate. Justice Brett, the same judicial officer but in a different role in the Supreme Court this time, regarded this as a serious example of assault. The judge's observation was that correctional officers perform a difficult and

important task on behalf of the community and they are entitled to the protection and vindication of the courts.

It is also consistent with the Government's policy position. We strongly believe that frontline workers are entitled to protection and should be free from the risk of harm in their line of duty. It is a legitimate and appropriate role for parliament to ensure that frontline workers are protected and supported by our sentencing laws and I call on members of this House to support these important reforms. Madam Speaker, I wholeheartedly support the bill in the House today.

[3.49 p.m.]

Mrs PETRUSMA (Franklin) - Madam Speaker, I support my ministerial colleagues; all the ministers whose portfolios intersect with the workers to be protected under this bill. A whole body of work has been undertaken behind the scenes in regard to this bill. I acknowledge the presence of members from respective departments whose workers will be protected by this bill if passed by both this House and the upper House.

This bill fulfils the Government's election commitment and our mandate to reintroduce legislation to require courts to impose mandatory sentences of imprisonment for serious assaults of certain frontline workers. The Attorney-General has given some examples this afternoon that have shown that offending that results in serious bodily harm to frontline workers is unacceptable. I was a frontline worker myself. For many years I was a registered nurse. During that time I worked on a paediatric ward, in accident and emergency, in the psychiatric unit, in the surgical ward and in the medical ward. I was also a volunteer ambulance driver on King Island and during that time I sadly, especially in accident and emergency, witnessed on too many occasions the potential or the threat of serious assault. I want to place on the record my thanks especially to the police department and the medical orderlies and hospital attendants, who I note will also hopefully be protected under this legislation.

If you have never been in a situation where you have the threat or the potential threat I do not think any of us in this place can truly comprehend the terror, but it is the physical and mental health wellbeing of the worker especially that can be affected. However, it is not just the person who experiences or is at risk of the assault, it is also the other people who are potentially witnessing the assault. I have seen people go on workers compensation and sick leave for quite a long time because mentally as well as physically the situation they confronted at the time had long-lasting impacts.

That is why we are passionate as a Government that we want to see frontline workers protected because they provide an essential service to our community. It is important that all of us in this parliament send a strong message to these frontline workers who each and every day are doing such an important role that we want to see them protected but, just as importantly, we want to put in place a deterrent. What I see as the most important advantage of this bill is that it can make a person who may commit an offence pause and hopefully reflect and help to de-escalate the situation, because even seconds can be vital in being able to get security or a medical orderly or a hospital attendant, especially in health, or the police to be on site to de-escalate the situation. Frontline workers are routinely confronted with dangerous situations and when you are a registered nurse in that situation you cannot walk away. When you are seeing people affected by alcohol and drugs and heightened emotions, things get out of control so very, very fast.

I again thank the ministers for their passion and commitment to this because there are so many cases that have been well documented. As I have said before, psychologically, especially victims of violence are at increased risk of depression, anxiety, post-traumatic stress disorder, self-harm,

suicidal behaviour but they themselves are at risk of alcohol and drug abuse just through having to cope with the situation they have experienced. All of this also comes with great economic costs associated with the violence but it is also the personal and community costs and the consequences of this violence. This is why I and the Government want to denounce this violence and provide this protection.

I note that this bill extends the existing provisions of section 16A to cover the further categories of frontline workers including ambulance officers, both professional and volunteer. As I said before, I was a volunteer ambulance officer quite a few years ago but I place on the record my deep thanks and appreciation for the work they find themselves in. Correctional service officers and medical or social service officers are also covered. I especially note that the definition of 'medical or social service officers' now covers nurses, of which I was one. My mum was a midwife. Medical orderlies, hospital attendants and child safety officers are also covered. I place on the record today my deep thanks and appreciation for our child safety officers. Theirs is one of the hardest and most confronting workplaces any of us can imagine and at any time it can be quite a volatile situation they find themselves in. That is why previously having responsibility for this portfolio I place on the record my deep thanks and appreciation for all our child safety officers, as well as our other frontline workers, but just to say that this bill is to help give them that extra protection.

I also note that the existing provisions of section 16A will continue to mean that minimum mandatory sentences will only apply when an offence has resulted in serious bodily harm to a frontline worker. It is not going to apply when harm caused to a frontline worker by an offence is relatively minor. Also, it does not have any application if there are exceptional circumstances, which are out of the ordinary course, unusual, special or uncommon. Where such circumstances are found to exist, there will be no requirement to impose the mandatory minimum sentence of six months. We need to have a deterrent and I know that many have been calling for this bill.

I note that today Labor and the Greens have indicated that they will be voting against the bill, but like my colleagues I ask them to reconsider their stance. I suppose for myself as a frontline worker I find that stance unfathomable. I know that especially in the opposition side there are people who have been frontline workers and who I would guess have also experienced situations where they too have been confronted with some similar situations to what I have experienced. I call on them again to consider supporting this bill helping to protect the lives, the physical and mental health and wellbeing of our frontline workers.

I want to add on the topic of mandatory sentencing that it is now 801 days since Labor first voted against mandatory sentencing for child sex offenders. I note the Attorney-General's contribution where she said that this makes Labor even more out of step with their federal counterparts. The federal Labor Opposition has recently expressed their support for a Morrison Government bill that included minimum mandatory sentencing of four years jail for crimes relating to child abuse. We know that Labor federally supports minimum mandatory sentencing, so again I ask the Labor Opposition here to consider it because it is important that we send a strong message to our frontline workers that assaults against them are not tolerated or condoned and we want to see a deterrent put in place.

The Liberals' position on these bills is clear. We are the only party that supports mandatory sentencing and mandatory prison terms for people who violently and seriously assault police and frontline workers. I assure frontline workers and the wider community that this Government is always very concerned to hear about any incident of violence, threatening or intimidating behaviour towards our frontline health workers. Threatening frontline workers with violence, being

aggressive or resorting to violence is totally unacceptable. Our dedicated frontline workers ought to be admired and commended for the work that they do.

As the Attorney-General outlined some other cases, most people have heard about some of the behaviours our frontline workers have to encounter. That is why there has been such wide support for this bill at elections and why this party believes we have a mandate to see this bill passed today. It is in the interests of the entire community that our frontline workers want to continue on in these roles and we need to ensure that the law protects the frontline workers but at the same time reflects the community's view that offences resulting in serious bodily harm for frontline workers is entirely unacceptable.

I commend the ministers on these bills. The amendments contained in this bill are important steps in ensuring that frontline workers can carry out their duties with every protection that the law can offer them. I support the bill.

[4.00 p.m.]

Mrs RYLAH (Braddon) - Madam Speaker, the Hodgman Liberal Government takes a very strong position on protecting those who care for us and protect us. One of the key elements of this strategy is to ensure that sentences for serious offences match community expectation, an expectation that where serious assault is proven, there is certainty of a minimum sentence.

Not only did this Government take this policy to the 2018 election, it was one that was very strongly supported by the majority of Tasmanians. We have also taken a multifaceted approach to violence against frontline workers as we have also run a public education campaign. We have undertaken additional workplace training, which I just happened to hear of, which I will talk about later. As I understand it, we now have in place significant workplace strategies to protect our workers and to make it very clear that they are in the safest place that they can be.

However, violence is growing despite the very good campaign. What resonated for me, was the one on the back of our ambulances, that said, 'I can't fight for your mate's life if I am fighting for mine'. That resonated with the community and that is an important step. This is just another element, another facet of what we must do to curb violence in our community: education, deterrents, and penalties for serious assaults.

We continue in our determination to act to reduce the appalling incidence of assault on our frontline services personnel. We will stand by emergency services and all frontline workers and continue to do all we can, not only to protect them through training and public messaging, but also give very clear deterrents, messages and penalties to those who hurt them. This is not only for our workers, but it is also what our volunteers deserve.

Reintroducing this bill to amend section 16A of the principal act, and to extend the existing provisions of section 16A, to ensure minimum mandatory sentencing applies to make it absolutely clear that any person who commits a serious assault against our nurses, midwives, hospital attendants, ambulance officers, correctional services officers, child safety officers, as well as our police officers, will do time if convicted.

This is a serious issue. Assaults on frontline workers nationwide and in Tasmania are well documented. Assaults have increased in frequency and severity. In 2016, taking just one small section of our frontline services, 31 ambulance officers - those who I would think would be the least likely to be offensive or to create violence or a violent response - 31 ambulance officers and

volunteers were assaulted in Tasmania. I looked up some examples and picked up a couple. In 2015, an Ambulance Tasmania paramedic was punched in the face by a patient during an emergency call in Bridgewater. Another example I found, a north-west coast man was found guilty of assaulting a paramedic with a 'full-blooded kick to the face'. The man was intoxicated and also threatened to kill the paramedic and his family. These are traumatic events. A union leader recently said, 'Violence towards our members has been on the increase for some time.' Ambulance Tasmania stated recently, 'Ambulance Tasmania condemns in the strongest terms any act of threat, aggression or violence against any of its staff and volunteers while on duty.' Our messaging to the public is clear but the tide of violence is not abating.

We are not the only state that is impacted by this increased violence towards emergency and frontline workers. Recently, New South Wales Ambulance advised that the data on assaults is 'terribly under reported'. The data to hand is not reflective of the size of the issue. We must do more to change the paradigm. It must be one where the individual becomes responsible and must know that there are consequences for their actions.

One assault is one too many and is unacceptable. It is incidents such as these that cause not only physical harm but also psychological harm. As this House well knows post-traumatic stress injury is a mental health condition that is triggered by a terrifying event as a result of either experiencing or witnessing it. Symptoms can be debilitating and can interfere with day-to-day functioning. Most people who go through PTSI may have temporary difficulty adjusting and coping as well as very long-term negative impacts and the greater the frequency of these traumas the greater the physical and psychological damage to those workers.

A recent report put out by Sane Australia states that people who have experienced repeated deliberate harm such as physical abuse are more likely to develop PTSD than people who experience unintentional harm, such as a car accident. This is important. Our frontline workers are these people who face repeated deliberate harm. They include volunteers and that is quite sad.

Our frontline workers are the powerhouse of our emergency services and deserve to work in safety and free from the impact of a serious assault. They should be respected and appreciated for the often dangerous work they do.

To achieve real change in any area of our community there must be cultural change in attitudes: in this case, towards those men and women who often are putting their own lives in jeopardy to save another. I recently had a conversation at a public event with a senior, highly-trained mental health nurse from my region. In his role as an assessor - that may not be the correct term, so I am using lay terms here because I do not actually know all that detail - he told me of a recent episode and this is where I learned that there are workplace strategies in place and a whole lot of training that sits around trying to keep our workers safe.

He explained to me that the person he was to assess was in an assessment room when he entered. He explained how the current training provides that frontline workers must make a number of assessments as they enter this space. I am sure the gentlemen here know more about this than I do but I hope I get this right. The key criteria include being able to see and locate your closest exit and retaining a significant distance between your patient or client so that a punch or kick is much more difficult to have significant impact. He told me that having checked all this, this male nurse began his conversation and assessment. Apparently, his glasses moved forward on his face and he ducked his head, as you do to stop your glasses falling to the floor. The patient reacted violently and with lightning speed, he told me, delivered a king hit to this male nurse's head, knocking him

off his chair and sideways. He told me this resulted not only in a serious headache - I think it was more than that - pain and concussion, but also clearly trauma and a significant period of recovery from this injury. Serious assaults are occurring. Many are premeditated and/or opportunistic.

This legislation before us does give the protection for exceptional circumstances and I want to make that very clear. It gives the judiciary the opportunity to deal with exceptional circumstances, to apply this measure where they believe the event has occurred because of something beyond that person's immediate and considered control. This legislation is fair, just and it gives certainty. Every worker, at the very least, must feel secure in the knowledge that they and their colleagues are safe when they are at work. This bill is a vital part of changing violent behaviours against frontline workers. I am proud to be part of a Government that is taking real action to address this very serious issue. I support the bill.

[4.11 p.m.]

Mr JAENSCH (Braddon - Minister for Human Services) - Madam Speaker, I am speaking today as Minister for Human Services in particular and minister responsible for child safety within that portfolio. The bill we are debating today extends the existing provisions of section 16A, mandatory minimum sentences, to cover further categories of frontline workers, including medical or social services officers and which includes child safety officers within my portfolio.

Since becoming minister a little over a year ago I have been exposed to a lot more of the work these people do and the types of cases and situations they encounter and my respect and my concern for them has grown immensely in that time. They find themselves, by virtue of the work they do, in traumatic situations all the time. I was coming to grips with this when I first entered the portfolio, speaking with those staff and their managers about how people manage that, how they deal with it, given the personal crises, the emotion and the situations they encounter. They keep doing it day after day. Some of those who spent time talking with me about it said they were passionate about their work but not emotional, as much as they could attempt not to be. They woke up every morning driven by going back into the job and doing what they were there to do in keeping kids safe and keeping families together. They took great satisfaction in being able to see the changes they had made in people's lives. They were drawn back into those traumatic situations by their professional commitment to the kids they were primarily there to ensure the safety of. This gave them the focus that drew them through the other traumatic environments and risks they sometimes faced to pursue that part of their work.

I heard interjections from Ms O'Connor asking why some other categories of workers were not included in this extension of the provision section 16A. My rationale in looking at the list of professions - from police to ambulance officers, child safety, correctional services, nurses, midwives, medical orderlies and others; other workers who face risks and risks of injury and conflict with violent people, or risk of harm as part of their work - was that what the groups of workers included under these provisions we are proposing have in common is that they are there to help someone who is at greater risk than themselves. For example, it might be a patient in an accident, a child at risk of harm, abuse or neglect, or a person with complex disorders in a correctional facility.

Ms O'Connor - Housing tenancy officers would fit into that category. There would be children in homes -

Mr JAENSCH - I respect the work of housing tenancy officers who work in my portfolios. The distinction I see is that in the instance of the child safety officer, there is a kid in there that they are responsible for. I also have people in my portfolio who work in our youth justice system and

who deal with aggravated, sometimes physically violent people. I respect them and the risks and the concerns they face. However, the young people they are dealing with are predominantly sentenced under a different act to this, the Youth Justice Act. We are not proposing that these minimum mandatory sentences apply to young people and youth. In the situations my child safety officers encounter and are taken into as part of their work, sometimes it is the children themselves who are violent and present a danger to them. Again, they are not the focus of this bill.

It is more, in some cases, the families, carers or others surrounding those children who are the cause of the situation we are trying to manage and protect children from and who represent the threat to our child safety officers. It is not a one-off thing. I have heard in some arguments against mandatory minimum sentences that we are dealing with people in heightened circumstances who are not exercising normal judgment and, therefore, the deterrent factor of a mandatory minimum sentence might not be something they factor into their decision-making if they are lashing out.

I have officers who may have a relationship with a family that spans many years with many different children. There is a longitudinal relationship with a family who might be deeply resentful of the statutory intervention taken of a child being removed. They may harbour and allow resentment toward our workers to foment. There is evidence. We have case histories of people who have hunted down officers years after a child or children have been taken into care and protection. In one case in 2014, a person conspired to create an incendiary device, a homemade bomb, and attempted to activate it at the home of a person he thought was the child safety officer involved in the removal of his children. This is, to me, a situation in which there is very much a role for a deterrent. It is appropriate in the case of someone who may stalk, follow, plan to attack, express their anger or take revenge on a worker whose actions they have seen has had an impact on them. These are the situations our child safety staff, as well as the others are protected under this legislation, deserve. The deterrent factor says you need to, regardless of your angst or your heightened state, know the consequences of taking action against someone whose job it is to protect somebody else.

We owe it to our employees to ensure they feel safe in doing their job. We are doing that in lots of ways through our services with training, counselling and support and we are seeing a better culture of care for people, particularly those who have difficult and traumatic circumstances to deal with so that their time away and workers compensation and recovery time is not just part of what you expect in the role but we better equip them to manage dealing with the incidents they encounter and keep on in the job feeling supported and better equipped to manage their own responses to that.

The aspect of this is that in the field of child safety, as in many others, it is difficult in Tasmania sometimes to attract and retain staff and employees throughout their career and bring them in from elsewhere from other fields of work. We do get people who are deeply committed and passionate coming into our service, a lot of them from roles where they have been mandatory reporters in other areas of public service, as teachers, police officers and others who then want to deal with the cause and the source and the prevention of the issue that they sometimes see playing out at the other end. I really commend them for doing that. We have some very passionate people working for us and I want them to know that we have their back.

Ms O'Connor - Unless they're housing tenancy workers.

Mr JAENSCH - I have already put on the record my respect for them and the important work they do and I did draw a particular distinction.

Dr Woodruff - If you respect them so much why don't you stand up and argue for them?

Madam SPEAKER - Order.

Mr JAENSCH - We are asking them to do difficult and unglamorous work that is often controversial and always under great scrutiny. In courts, in parliaments and in the media as well the very least we can do is ensure that they know their employer - and on behalf of their broader community - has their back and expects them to be safe and feel safe and that we value the work they do which sometimes pushes them into unsafe situations to help someone else who is at greater risk than them.

I thank the minsters, the officers and the departments who have put this bill together. I support it 100 per cent and I support our frontline workers who it is designed to protect 100 per cent also.

[4.22 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, I will make a brief contribution on this bill and at the outset reiterate the Greens' strong support for every frontline worker in Tasmania, whether they are working in the public sector or the community sector. There are frontline workers in housing, in family support, in family violence prevention and in sexual assault support services in the community sector who are also at the front line of social distress.

We have just listened to a conga line of Liberal MPs point to stories of police officers or ambulance officers being assaulted on the job, and it is appalling that they are, but you cannot make laws on the basis of anecdotal stories, and you should not make laws that create two classes of public servants, and that is exactly what this legislation is doing.

The metric that is being applied to determine what makes a frontline worker for the purposes for this act is bewildering. For the purpose of this legislation it covers an ambulance officer, a child safety officer, a correctional services officer, a police officer and a medical or social services officer, and when you go to the social services that frontline worker is a child safety officer.

There is no mention of firefighters in this legislation. Is there a reason that Tasmania Fire Service officers are not covered by this legislation, given that there will be circumstances when they are responding to an emergency and they go into a situation that is potentially fraught where people are distressed and someone in that circumstance lashes out at a Tasmania Fire Service officer, but they are not covered by these mandatory minimum sentences? If the Liberals want to send this message to Tasmanian Fire Service officers, why are we not saying to housing tenancy officers, 'We recognise that there are times when your job is dangerous'? From time to time tenancy officers will have to go to a tenant's home. They may be dealing with a tenant in a state of poverty who is experiencing mental illness, addiction challenges, or maybe experiencing domestic and family violence. There is the risk in those circumstances that a housing tenancy officer will be assaulted or injured by the person they are interacting with on behalf of the Government.

This is bad law because it creates two separate classes of State Service officers. It says to one group, 'We support you more under the law and will apply stronger penalties and in fact make them mandatory minimums', and it says to another group which includes firefighters and housing tenancy officers, 'Actually we have applied some metric, which we are not going to tell you about' - Mr Jaensch tried to explain it and actually just made it worse - 'that has determined that you are at less risk of assault on the job and we are creating a law that does not include you'. Madam Speaker, it is bad law.

I am curious to know whether the Chief Justice was consulted about this legislation and whether the Tasmanian Law Society or the Bar Association was consulted about this bill. The bottom line is that this undermines judicial independence and will take away the discretion of judges and juries to apply a sentence that examines the individual's circumstances and the specific nature of the matter or the crime that has come before them.

I can foresee circumstances where someone in acute state of mental distress lashes out at an ambulance officer, for example, who is there to try to help them. It is by definition an assault and that matter will come before the judge. So you could have someone sitting in the dock who is experiencing psychotic episodes, paranoid schizophrenia, deep anxiety or depression and the judge will not be able to look at that person's individual circumstances and sentence them accordingly. There are circumstances where people experiencing psychotic episodes act in a way that is not their true nature but the result of their circumstances at the time and are sent to jail when they should be sent to support services.

This legislation, should it pass both Houses of the parliament, will guarantee that Tasmanians experiencing mental illness will go to jail for an act which no doubt they will be regretful of and have a sentence imposed at a time in their lives when what they need is the help of government not to be chucked in the slammer.

It is bad law and that is why the Greens consistently oppose mandatory minimum sentences. It cuts the powers and the independence of the judiciary out from underneath the judges. It demonises and marginalises a group of people who require support, medical help and assistance potentially with housing and says we are going to put you in jail no matter what your circumstance if you happen to assault one of this small selected group of state servants, who we have arbitrarily defined as frontline workers, even though that definition leaves out numerous frontline workers.

I believe this legislation is being brought on today because the strategic geniuses inside the Liberal Party decided that this week was going to be law and order week. They want to look like they are tough on crime and they are prepared to undermine one of the foundation tenets of an independent judiciary. I am really worried that if this legislation passes, people who we are elected to represent, people who live with mental illness, will be caught up in this legislation and they will be sent to Risdon Prison.

We know what is happening at Risdon Prison and in the correctional system across Tasmania since the Liberals came to office and puffed themselves up as the law and order party. Our prisons are bursting at the seams. Risdon Prison is at capacity. There is high tension at Risdon Prison and we know from the number of people who have been sentenced under the Liberals' policy, that it is a direct result of the policy which is based on no evidence, which taps into the gut reflex of human beings to punish and to seek retribution. It is a stain on our society.

In jurisdictions which understand that you need to break the cycle, they are actually closing down prisons. In jurisdictions that apply a human rights lens to the corrections portfolio, they are closing prisons, recidivism rates are going down, and the community is safer. This legislation will not make the Tasmanian community safer; it will not because punishment does not provide a deterrence. If it did, there would be no murders in the United States. So, a bad law, a weak effort on the part of the Liberals in government, and for a Government which has just created the portfolio of Mental Health and Wellbeing, to put forward this sort of legislation which will guarantee, should it pass, that people experiencing mental illness will go to jail, is absolute hypocrisy.

If you have a government that genuinely cares about the mental wellbeing of Tasmanians, then it should not be bringing in this sort of legislation which disproportionately will capture people with mental illness and people with an acquired brain injury. It is bad law; it is punitive. It should be rejected by this House and, should it pass this House, it should be rejected in the other place.

[4.33 p.m.]

Ms COURTNEY (Bass - Minister for Health) - Madam Speaker, I welcome the opportunity to make my first contribution on the bill. Even though I am summing up - the former minister, Mr Ferguson did start this - I would like to start with one observation about the level of contribution we have seen, particularly from the Labor Party this week, on really important legislation. They have denied the fact that they are playing politics on a whole range of things, yet once question time is finished, they seem to flee the Chamber. Members would be aware of the silly games that were being played before lunch with members coming in simply for a quorum call, and it shows that they do not take their work very seriously, they do not have any alternative agenda to offer the people of Tasmania -

Ms Haddad - You have run out of business every day this week.

Ms COURTNEY - Ms Haddad, through interjection, there has been no scrutiny from the other side and while they definitely -

Members interjecting.

Madam SPEAKER - I have a point of order that I cannot hear.

Ms BUTLER - Madam Speaker, I draw your attention to the state of the House.

Madam SPEAKER - We do actually have 10 in the House.

Ms COURTNEY - Thank you, Madam Speaker and in the most extraordinary case of leading with your chin, calling a quorum when indeed there are enough members in the House to avoid scrutiny by the Government on your poor performance. It really does show that the other side - and I am directly referring to the Labor Party in terms of their scrutiny - and it shows that they are just coming here to get their television grabs, their stunts out in the community. We know how well they do their stunts.

The fact is that these are really important bits of legislation for our community. It is what we are paid to do, to represent our constituencies. While we might not always agree on what that might be and we often disagree, and particularly with the Greens, at least they stand up and make a contribution on these important pieces of legislation. It is disappointing and the people of Tasmania who vote for you deserve better.

Ms Haddad - I had already made my contribution on this bill when it began debate in May this year.

Ms COURTNEY - I would also like to make an observation. There was an allegation -

Members interjecting.

Madam SPEAKER - Order, Ms Haddad and Mr Jaensch.

Ms Haddad - The minister said I did not make a contribution on the bill. I did. I made a 30-minute contribution in May.

Madam SPEAKER - I recognise that, thank you.

Ms COURTNEY - Madam Speaker, with regards to Ms O'Connor's allegation that this was brought on for political reasons, I would like to make it really clear that we are debating this legislation because a majority of Tasmanians voted for this at the last election. They also voted at the prior election. We have had a very firm commitment on this policy for a number of years now and the people of Tasmania have voted for us to carry this legislation and I am proud to be here today summing up on this important bill.

With regards to some of the comments that were made by others, Dr Woodruff voiced concerns about the people who were captured in this. That was also echoed by Ms O'Connor in terms of different tranches. I make it very clear that in the second reading speech, the second last paragraph is, 'The Government will continue to review and monitor these provisions if passed into law with a view to possibly extending them to further categories of frontline workers in the future'. If they genuinely had concern for the parts of the public service that they talked about - and as a Government we are always keen to look at ways that we can protect our hardworking public servants - they would have moved amendments to include them. We know that this can happen. I do not want to reflect on a debate in the previous government but we saw this happen in the Legislative Council - they made amendments to this bill in terms of increasing the cohort of people who were covered by it and the Government is supportive of exploring ways that will continue to support Tasmania's frontline workers.

It is completely disingenuous of both the Green members to come in here and try to be tricky about that fact, or suggesting that for some reason this Government cares more about some frontline workers than others. The bill is about certain frontline workers and the Government definitely has an appetite to explore further categories of frontline workers in the future, as we said in the second reading contribution by Mr Ferguson. It is very disingenuous that was the only argument. The only argument that I seemed to hear from the Greens was the fact that they were not supporting this because it did not go far enough. That is not a particularly well-rounded argument.

Ms O'Connor - We are just detailing what junk legislation it is.

Ms COURTNEY - Thank you, Ms O'Connor. There was also a question from you regarding consultation. There was extensive consultation with regards to the 2016 bill. No further consultation was required as the only amendments to this bill were based on the amendments inserted by the Legislative Council in 2016.

Ms O'Connor - Through you Madam Speaker, and by interjection, was the Chief Justice consulted?

Ms COURTNEY - The Chief Justice was consulted on the 2016 bill.

Ms O'Connor - What did the Chief Justice say?

Ms COURTNEY - Other organisations also were consulted, including the Law Society of Tasmania, the Legal Aid Commission of Tasmania, Community Legal Centres Tasmania, Health and Community Services Union, TasCOSS, Anthony Dixon, Murray Harper and Jamie Rosewell.

Draft copies of the bill were also released to public and stakeholders and consultation had 24 submissions.

Ms O'CONNOR - Point of order, Madam Speaker. It would be good if the House could avoid going into Committee on this junk legislation. I asked if the Chief Justice had been consulted and if so, what his feedback was. Perhaps the minister could address that and tell the House.

Madam SPEAKER - I would find that particularly interesting myself, but it is up to the minister as to whether she is going to provide that information.

Ms COURTNEY - Madam Speaker, it is not appropriate for me to be tabling or referring to correspondence between the Chief Justice and the Attorney-General of Tasmania. However, the question was asked whether they were consulted and we did consult.

Madam SPEAKER - But we do not know the result?

Ms COURTNEY - Madam Speaker, I am not going to go into correspondence between the Chief Justice and the Attorney-General.

Dr Woodruff - That is a rubbish response. That is disgraceful from a minister.

Ms O'Connor - It is so contemptuous of parliament.

Ms COURTNEY - They were consulted, as were the other parties.

Ms O'CONNOR - Point of order, Madam Speaker. Perhaps the minister could then confirm that the Chief Justice does not approve of this legislation?

Madam SPEAKER - I cannot ask the minister to do that so maybe you will have to go into Committee.

Ms O'Connor - By omission that is what the minister is confirming.

Mr Jaensch - You can't just make it up.

Ms O'Connor - If it's not the case, bring his advice in. You got up and didn't know what you were talking about.

Madam SPEAKER - Order.

Dr Woodruff - Have the confidence of your convictions. If you're prepared to go against the Chief Justice then have the confidence of telling Tasmanians that is what you're doing.

Ms COURTNEY - I am not going to be verbally. What I have said is I am not in a position to reveal or talk about correspondence that goes on between the Chief Justice and the Attorney-General.

With regard to Ms O'Connor's concerns about this applying to people with mental illnesses, where a person is found not guilty by reason of insanity or they are unfit to stand trial by reason of mental illness or other mental impairment section 16A will not apply. Offenders in those situations

are dealt with under a different set of sentencing principles contained in the Criminal Justice Mental Impairment Act 1999 and the Sentencing Act 1997.

Ms O'Connor - Can you confirm someone has to be deemed to be insane, then, to be exempt from these provisions?

Madam SPEAKER - Ms O'Connor, please save these comments for Committee.

Ms COURTNEY - These principles mean that the person is not liable to imprisonment, so that covers that part of the question.

Dr Woodruff also suggested that the legislation breaches the separation of powers and I understand the Attorney-General covered this, but I will as well. As she said, it is not accurate to say that mandatory sentencing laws breach the doctrine of separation of powers. In fact, the Sentencing Advisory Council in its report into assaults on emergency services workers said:

While many sentencing principles derive from case law, Parliament has the power to structure, restrict and guide judicial discretion. Parliament may restrict judicial discretion by enacting mandatory penalties.

The Tasmanian Supreme Court previously observed that 'it needs to be understood that it is up to the Parliament to set specific penalties for specific crimes should it wish to do so'.

I am glad I had the opportunity to clarify that.

With regard to the substance of the bill I make it very clear that this is what the people of Tasmania voted for. This is why we took a suite of policies to the election and as a government we are committed to delivering those, because that is what the people of Tasmania voted for. This is what we are doing every day. While the other side has very few policies and very fluid policies, we are not going to apologise for standing up for the things that Tasmanians voted for or for continuing to deliver on our policies. We know that the other side simply comes in here and criticises. It is disappointing. We want to make sure that Tasmanians know they can trust us to deliver the promises we have made to them.

Regarding the bill it is also disappointing that we have seen three question times this week that have been led by the Leader of the Opposition with what she said was concern for frontline workers, whether they be nurses or paramedics. That has been the topic of many of the questions in question time. I am really disappointed that when there is the opportunity to both publicly back our frontline workers as well as deliver meaningful legislation that will keep them safe when they go to work and send a clear message to the community -

Ms Haddad interjecting.

Madam SPEAKER - Order, Ms Haddad. I know you are very passionate about this but you are ruining my record of keeping control. Please do not interject again.

Ms COURTNEY - We want this parliament to send a clear message to our community that you cannot seriously assault our frontline workers. I would like the whole parliament to back that position. I call on the other side to join us in this legislation. It is important and we do care about

the welfare of our frontline workers, which is why our government continues to invest. I will reflect on that a bit further in a moment but it is legislation about people. We have heard from various members on this side some of the examples of horrific injuries - and I will not go into detail about a lot of them because I know we have already had a lot of examples - but these are horrific injuries that people are suffering when they have gone to work to serve their community - teeth being knocked out, kicking, traumatic brain injury, attempted strangulation. I have read of other examples of being bitten. This is not what we expect.

We want to make sure we are doing everything we can to protect these workers and send a strong message to the community that serious assaults on these workers is unacceptable. We also want to send a strong message to these workers that their Government backs them. We have seen that already in this term of parliament with our presumptive PTSD legislation, making sure that workers know that this Government cares about their welfare, wellbeing and safety, and we care about the fact that we want them to go home at the end of their shift, having served their community, safe and well. I call on the other side to help support these people.

I thank representatives from Ambulance Tasmania who are here today because we back our paramedics and they take care of us when we are at our most vulnerable and most at risk. We rely on them as a community for the peace of mind that they give us and we are grateful for the amazing efforts of the volunteers we have across our state. It is wonderful to hear Ms Petrusma talk about her time as a volunteer paramedic. We have many volunteers across our state and from speaking to them they do it because they love their community and they want to serve their community. We want to make sure that these people who are volunteering to serve their community along with our paid paramedics are supported and we are sending the message to the community that it is not okay to seriously assault them. It is not acceptable and I want them to know that we support them.

As a state government this is one part of how we can support paramedics. We have seen in five and a bit years now 92 more paramedics and dispatch officers employed. We are investing the money and we are also looking at the policy suite that we need to support them. I was fortunate to be the responsible minister for the PTSD legislation when it came through and having spoken to many paramedics and some who are suffering from PTSD, their jobs are very traumatic but they do them because they love their communities and really like caring for people. As a minister I want to do what I can to continue to support them and so PTSD legislation is part of that and making sure we are investing funds into the ambulance service to support them with resources is another way.

Another way of supporting them is making sure they feel safe when they are at work and one way we can do that is by making sure that we have mandatory sentences, so that we are sending a clear message to our community.

The 42 new paramedics in regional areas is very exciting. It is wonderful to visit some of those at Wynyard recently and hear from the existing paramedics what a difference it will make for them and their workload and how pleased they are that they will get to support their local community.

We will have new ambulance stations at Glenorchy and Burnie. We have more staff in the State Operations Centre to support their work and we are also rolling out the secondary triage, which is about having alternative pathways of care, which will see more patients receiving the care that they need and ensuring that we have more paramedics available for emergencies.

As a Government we have shown in many areas that we are supportive of frontline workers. We have had this policy for many years. We know that the community wants us to be able to support our frontline workers and this is one way we can do it.

Before I finish, I want to talk about the additional investment that has been made in this area. I thank Mr Ferguson for what he has done as minister for five years. One thousand additional staff and it gets repeated on this side a lot, but that is 1000 more people working within our system. It is an enormous contribution. I know that there are very real challenges and having had the opportunity to visit and speak to people in all different wards and lots of different facilities around the state I accept that there are very real and very significant challenges. I am working hard and I know that many others are working hard to address those. One thousand additional staff is part of that, as well as the 130 additional hospital beds, so that we can see patient flow continuing with our hospitals and making sure that we have the support that is needed in both funding, and also meetings such as the Access Solutions meeting that I updated the House on this morning.

We are acting to make real and meaningful changes to support our frontline workers every day that they go to work. If we look at just the quantum of funding that we spend with this important portfolio now, it is up to 32 per cent from 25 per cent a decade ago. I know that others in the Chamber would agree with me that as a Government it is our responsibility to manage a budget prudently. There are many competing demands on government funds. Also remember these are not government funds; this is taxpayer money that we are the stewards of. The fact that we have shown how much of a priority Health has been by increasing funding that is a clear indication of how much we back, not just our health system, but in particular these workers to be able to deliver it.

It is each day with the thousands of operations that we see, the babies that are born and the paramedics who save lives at incidents all around the state. This is a people-based system. It is people who are delivering this care. They are delivering it sometimes in really hard situations and sometimes in stressful situations. I want to make sure they know that this Government supports them. This Government supports them through funding, it supports them through legislation such as presumptive PTSD and it supports them through legislation, such as this, that will help deter people assaulting them. That is what we want, it is what they want and it is also what the community wants.

My thanks to a number of people who have been involved in this. Elise Archer, the Attorney-General, has contributed strongly to this and I know that her office and her staff and the staff from the department have contributed significantly. I also thank Mr Ferguson who started the carriage of this bill. He speaks and feels very passionately about this area and wants to make sure that frontline workers are protected.

Finally, I thank the frontline workers who we are talking about. We are in here and we are bringing in people's stories about their lives and things that have adversely changed their lives and in some of the examples that we have heard people have not returned to work. This has deeply impacted their lives, their families, their ability to work. The consequences of serious assault can be devastating and I thank the people for how they serve. I want to make sure that they know that when we are sharing their stories today we do so with great respect, knowing that these are real examples of horrendous things that have happened to them in their lives. I want to see that minimised and as a member of parliament I want to do what I can and our side of the Chamber wants to do what we can to further minimise the numbers of those types of events happening in the future, and this is one way.

It will not stop all assaults. It will not fix everything but through this and through other forms of legislation through funding, through support for PTSD and other initiatives I know are being rolled out through the police department with regards to mental wellbeing this Government does take their wellbeing very seriously. We will continue to fight for you and we will continue to back you.

The House divided -

AYES 11

Ms Archer
Mr Barnett
Ms Courtney
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mrs Rylah (Teller)
Mr Shelton
Mr Tucker

NOES 11

Mr Bacon
Dr Broad
Ms Butler
Ms Dow
Ms Haddad (Teller)
Ms Houston
Mr O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff

PAIR

Mr Ferguson

Ms O'Byrne

Madam SPEAKER - The result of the division is 11 Ayes and 11 Noes, so that calls on my vote.

I wish to put on the record that I am very strong supporter of our frontline workers who daily face dangerous situations. However, I am comforted by the legal fraternity's advice that the current laws are more appropriate to provide harm to individuals with redress.

It is important to remember that the AMA, HACSU, the Government's own Sentencing Advisory Committee, members of the legal community and the community legal centres all oppose minimum mandatory sentencing. The legal view is that mandatory sentencing is against the principles of the separation of powers of the judiciary and the state.

I believe sentencing should be left to the judges and the magistrates to consider as they have the appropriate information to make judgments on the information specific to each case. The risk is that persons may deliberately plead guilty to attract a lower minimum penalty than that determined by a magistrate or judge. Under current sentencing arrangements, the DPP can appeal sentences which he considers inadequate. Mandatory sentencing also causes juries not to convict the perpetrator, which could be an unintended consequence. I share the Greens' view that this legislation would create two classes of frontline public servants. I very strongly believe that we are obliged to make good law, not popular law.

One tool for the Speaker when the House is evenly split is to vote for the status quo, and in this case, this would mean voting down this bill because the case has not been made. I have to use my

casting vote in accordance with standing order 167 and for these reasons I will not be supporting this legislation and cast my vote with a negatives.

Question - That the Bill be read the second time - negatived.

ANSWER TO QUESTION

VDL Dairy - Allegations of Cruelty

[5.04 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Madam Speaker, I seek indulgence to add to an answer that I gave on Tuesday 30 July to a question from the member for Clark about animal welfare at the property owned by Van Dairy Group, referred to at the time as Van Diemen's Land Company. Both the question and my answer referred to information that was released under right to information by the Department of Primary Industries, Parks, Water and the Environment. Part of my answer was:

Between March 2016 and June 2019, there were four animal welfare complaints - two in 2016, one in 2017 and one in early March 2019.

I am informed that of the four animal welfare complaints that were followed up in relation to VDL between 2016 and 2019 -

I advise the House that during the lunchbreak today I was briefed by the secretary of my department of the following circumstances.

One, there was an error in the information released by the department under the right to information referred to in the question from the member.

Two, in fact, only three of the animal welfare complaints related to the Van Dairy Group. The fourth complaint related to a different property and was incorrectly included in the applicant's RTI and subsequently referred to in my answer. As a consequence, I will read a statement that will be released by the Department of Primary Industries, Parks, Water and Environment and it goes as follows:

The Department of Primary Industries, Parks, Water and Environment today was informed that some information released in a right to information decision may not have related to the Van Diemen's Land Company. The department has conducted an investigation and determined that some information was inadvertently released in the RTI decision that did not relate to the Van Dairy Group. The department has therefore issued an amended RTI decision in relation to this matter. The department apologises to Van Dairy Group and the RTI applicant for the error.

The department reiterates that all the complaints made in the original RTI as released by the department were followed up by experienced biosecurity inspectors and no evidence of breaches of the Animal Welfare Act were found.

Madam Speaker, I reiterate that I am advised that all the complaints made in the original RTI as released by the department were followed up by experienced biosecurity inspectors and no evidence of breaches of the Animal Welfare Act were found. I have expressed my concerns and instructed the secretary to review the circumstances which led to this error. I have asked that he take all necessary and appropriate action to ensure it does not happen again.

PERSONAL EXPLANATION

Ministerial Correspondence - Federal Group

[5.06 p.m.]

Mr GUTWEIN (Bass - Treasurer) - Madam Speaker, I was asked a question today about our election policy regarding gaming machines in pubs and clubs, in fact in far more colourful language than that, I might add, and whether I had corresponded with Federal Group since the election regarding this policy. I have on two occasions written to the Federal Group regarding the cessation of the gaming deed and both letters have been publicly released.

Ms O'Connor - How could you forget that this morning? Two letters - one of your biggest corporate donors.

Madam SPEAKER - Order, Ms O'Connor.

LITTER AMENDMENT BILL 2018 (No. 60)

Second Reading

[5.07 p.m.]

Mr GUTWEIN (Bass - Environment, Parks and Heritage - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The purpose of this bill is to revise the current Litter Act to deal with illegal dumping of waste, with stricter penalties that reflect the seriousness of the dumping and subsequent costs to the community. Illegal dumping is a form of littering that is becoming all too common along our roadways and in quiet bush areas. It is a pervasive and unnecessary part of our modern world. It spoils the appearance of our natural environments, affects tourism and has adverse ecological effects on our waterways and marine wildlife.

Illegal dumping can range from a few bags of domestic rubbish thrown out on the side of the road through to large-scale illegal landfilling and dumping of hazardous waste, building waste or liquid effluent. It may also involve waste businesses and transporters operating without an appropriate permit or authorisation. Some people have a throwaway mentality that is at odds with the community's desire for sustainable use of our natural resources, but they are wrong in thinking it is a good idea to dump their litter and waste without disposing of it properly. It is now time to take action to improve and protect our environment, enhance our reputation as a natural state, and support the community's desire for a litter free environment.

This bill will strengthen the current laws that apply to littering, focusing on the larger-scale dumping that blights our environment. The measures in the bill were developed with reference to laws in other states where illegal dumping is also an issue.

The bill approaches illegal dumping in several ways. First, the bill introduces three new littering offences. These are:

- dumping litter with a volume of between 55 litres (approximately one large bag) and 2 cubic metres (approximately 1 large trailer load);
- dumping litter with a volume of between 2 and 10 cubic metres (approximately one large truckload); and
- dumping litter with a volume exceeding 10 cubic metres.

Second, the bill makes it an offence to destroy, damage, remove or interfere with a relevant surveillance camera that may be set up at popular dumping locations.

Third, the bill sets appropriate court penalties that reflect the seriousness of the offence, including:

- fines of up to 200 penalty units (\$33 600) for an individual and up to 500 penalty units (\$84 000) for a body corporate;
- potential forfeit of any vehicle used in illegal dumping; and
- a potential repayment of any monetary benefit obtained as a result of the offence.

We want to encourage compliance with this new legislation. However, if enforcement action is required I expect that the service of infringement notices for offences will be the first way the new act will be enforced. Infringement notice penalties will be set at 10 per cent of the court penalties. This bill is designed to commence upon proclamation to allow time for these appropriate infringement notice regulations to be developed.

There is no intention to target individuals or businesses who properly dispose of waste. Instead, compliance efforts will focus on those few who clearly seek to avoid their responsibilities and undermine the objectives of the Litter Act. Offences can also be prosecuted in court if necessary, although I see this as a last resort and only for serious breaches, or situations of serial non-compliance.

The bill's provisions are an important incentive to reduce large-scale littering and dumping in Tasmania. Together with this Government's other important initiatives such as the draft waste action plan, the announcement of a container refund scheme for the state and the litter reporting tool Report Rubbish, we are taking action to protect Tasmania's unique natural environment. The community rightly expects contemporary measures for reducing littering and dumping and this bill is an important step in meeting community expectations. Overall, it will make an important contribution towards the protection of Tasmania's lifestyle, environmental quality and its status as a progressive jurisdiction in terms of environmental management.

I commend the bill to the House.

[5.11 p.m.]

Ms STANDEN (Franklin) - Mr Deputy Speaker, I rise as shadow environment minister to make a brief contribution in relation to the Litter Amendment Bill. Labor will be supporting this bill.

It is some time since the bill was tabled, perhaps in October. It was introduced in rather a rush and the Local Government Association was given all of two weeks to consult with its stakeholder councils in order to provide some input on the bill. I am informed that some nine councils did respond and councils were generally supportive of the directions of the Litter Amendment Bill.

I worry about a line in the second reading speech about this being an incentive to reduce large-scale littering and dumping. I do not see it quite that way. Although not too many people would have a problem with the notion of tackling illegal dumping of waste, there is a current legislative regime in the Litter Act that deals with lower-level littering of things like food wrappers, cigarette butts and so on. The question is whether there needs to be a crackdown on larger-scale illegal dumping and this begins with as little as 55 litres. When I say little that is still a substantial volume of waste and I am not contesting for a minute that might not be hazardous waste, so I support the intent and the direction of the bill.

The question I have regards the consultation the minister has undertaken pertaining to the enforcement and compliance aspects. The EPA is probably positioned to have overall responsibility for enforcement and compliance of this bill but I imagine it would fall mainly to councils for day-to-day administration of the bill. In the case of larger-scale, perhaps over 10 cubic metres which is the third category of littering offences outlined within the bill, I imagine the EPA would take overall responsibility. I would appreciate the minister explaining how that might work.

I do note that the draft waste action plan has been introduced by the Government at long last after the local government sector has called for that action for two years or more. It has a provision for levies and so on. The risk with the likes of levies and the draft waste action plan and penalties, fines under the Litter Amendment Bill is that it sends a price signal to the market. The options are two, as I see it. One is that the market always adapts to that and the other is that it could provide a perverse incentive for increased illegal dumping. I am worried about how these two instruments at the government's disposal sit side by side. If we are really serious about waste management we need to ensure we are resourcing enforcement and compliance in an effective way. I note that the EPA did not receive any increase in funding in the last state Budget. Its funding was maintained.

That matters in areas like the Derwent Estuary Beach Watch program I have been following closely. The beach watch program monitors some 18 sites around the Derwent Estuary in the period of 3 December to the end of March. There can be some anomalies after a significant stormwater event but at least three sites that are regularly monitored have been persistent in poor quality or are failing water quality testing regimes. Despite the best efforts of the Derwent Estuary Program, the EPA and TasWater, together with the Kingborough Council in this instance, in Kingston and Blackmans Bay beaches at the southern end, the source of those issues still confounds those parties.

I know that broken stormwater, sewerage pipes, illegal connections and such have been explored and fixed but contamination from bird life has not been ruled out. It is hoped that a change to stormwater outflow and water treatment plant outflows may fix the problem in the long-term. It goes to show that it has been two years since poor water quality outcome was first registered and authorities are still scratching their heads.

I made the case in Budget Estimates this year to the then minister for the environment, Elise Archer, that it may be better in the short-term to direct additional resources to the EPA in order to fix this issue and, for that matter, to arm the EPA with the appropriate authority in enforcement and compliance in order to address this issue once and for all. I doubt Tasmanians would think it reasonable that this issue has been ongoing for more than two years. This time of year, very few people would be recreating within the water but there are still some hardy souls who continue to swim as well as recreational fishers and people recreating on the foreshore. It is an example of the broader context we need to be aware of.

The Litter Amendment Bill's intent seems to be nicely focused on land littering and dumping but there are significant issues with water. I have no idea how the Litter Amendment Bill might relate in that context. We have a significant issue of stormwater outlets and single-use plastics flowing into our waterways. We are looking at littering offences as small as 55 litres but I take the opportunity to place my concerns on the record.

The other issue of even more concern to many people in southern Tasmania right now is in relation to waste recycling. SKM Recycling is currently facing potential insolvency, putting a cloud of uncertainty, particularly over southern councils as to what will happen with waste recycling.

I know that the volumes that they are dealing with in southern Tasmania of some 20 000 tonnes per annum is relatively small - I think SKM Recycling deal with some 30 clients on the mainland, predominantly Victoria, of approximately 400 000 tonnes per annum. However, as an island state we have three regional material recycling facilities - or 'murfs' as they call them - and we have an obligation to ensure that we have the right mechanisms in place. There has been considerable community concern as to what to do about grace kerbside recycling at the household level.

I would be interested to hear from the minister if he is able to inform the House whether he has had any engagement with SKM Recycling regarding this and can he provide any assurances to the House that there has been positive engagement there and that potential solutions have been explored.

Finally, in relation to consultation, I would be pleased to hear from the minister if he is able to inform the House what consultation was undertaken in relation to this bill. I understand that consultation has occurred with the Local Government Association of Tasmania but I wonder, for instance, whether there is a role for police potentially in the enforcement and compliance around this, particularly as one element of the bill talks about surveillance cameras and damage to those. I imagine it predominantly falls upon councils, but it talked extensively about the Environment Protection Authority. I would be pleased if the minister could also inform the House whether police have been consulted on this, and whether he sees a role for police or any other bodies for that matter in the area of enforcement and compliance.

I will wrap it up there, Mr Deputy Speaker. Thank you for the opportunity to make a contribution.

[5.22 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the Greens are happy to support this litter amendment bill. It is part of a package that needs to occur in Tasmania, a package of legislation to send a clear message and to set a culture in Tasmania that supports a clean, green brand, which is the image of Tasmania that we want to signal to the rest of the world. It is not just for markets, and from a financial and export market point of view, but to encourage people to come and visit the

state as tourists, to come and live here as residents, and, fundamentally, for ourselves as an island community of people - as a statement for how we want to live on our island and what sort of culture we want to set for ourselves, as much as for anybody else in how we live and the behaviour we expect of people in the community. This is important.

I was a councillor on the Huon Valley Council before I became a member of parliament. Waste, as any councillor will attest, is core business for councils. It is also very expensive and very difficult to manage. There are many issues, and I support this legislation from the point of view of giving councils some tools to work with to strengthen their response to illegal dumping. It happens in local council areas. Sadly, illegal dumping in many parts of regional Tasmania occurs far too frequently. It has long been used as a way of stalling on introducing a waste levy in Tasmania, and Tasmania is one of the last states, if not the last state, to introduce a statewide waste levy. We have other states which already regularly put over \$100 per tonne for waste that goes to landfill as a mechanism for incentivising recycling, reuse and just the non-creation of waste in the first place. We are well behind the eight ball in that regard.

I note that the Government's draft waste action plan talks about introducing a statewide waste levy. The plan as proposed is far too weak in its ambition. There is no reason that we need to wait yet another two years to introduce a statewide waste levy. There was a Blue Environment report done and it was accepted by all councils in Tasmania that we have a statewide waste levy. That went to all parties before the 2014 state election and all parties were publicly very vocal in their support of a statewide waste levy, not the least the Liberals. When the Liberals won the state election in 2014 that waste levy that was supported by all councils and supported by the evidence of the value it would bring local councils in reducing kerbside waste and reducing waste to go to landfill being better for the environment and providing some finances for both the state Government and local councils to create capacity in the recycling/reuse waste sector, sat on the then environment minister, Mr Groom's desk and was never signed by the minister. It was sitting there waiting to be signed.

It has been sitting there waiting to be signed by successive environment ministers. One-by-one they come and they go in this Government and they never sign the waste levy. It is a phantom that is yet to appear.

Mr Gutwein - Here I am.

Dr WOODRUFF - Well, bring it on. Bring it forward.

Mr Gutwein - It is part of our waste action plan, you know that.

Dr WOODRUFF - I know, but it is too late. We cannot wait two more years.

Mr Gutwein - Of course you can. You have waited this long.

Dr WOODRUFF - No, the state has been waiting for five and a half years. It has been sitting on your desk. It must still be sitting on your desk. Look into the folder that is sitting in a filing cabinet -

Mr Gutwein - I've only been the minister for two weeks.

Dr WOODRUFF - Go and have a look in the filing cabinet. It will be catalogued under W for waste levy somewhere. You will find the hand of probably minister Groom somewhere on the outside of the file. Open it up, sign it, and off we go.

Mr Shelton - What about the five years before that? Why didn't it happen then?

Dr WOODRUFF - There is no reason to wait. It was not prepared, Mr Shelton. It is all very well to scoff about things that have not happened, but councils came together -

Mr Gutwein - It is exactly what you are doing.

Dr WOODRUFF - It did not exist. What a joke. You cannot talk about why something was not signed if it did not exist. A comprehensive study was done across Tasmania a number of times to make sure that it would not have any unintended consequences for local councils and everyone was in agreement. Bring it on.

I am saying that it is part of the package. It is often raised that the reason we cannot have a waste levy in Tasmania is that it might mean that there will be more illegal dumping. There is no evidence that that would be the case. Even if it was the case, that there might be some more illegal dumping, this Litter Amendment Bill provides the opportunity for people to be found and charged with some pretty reasonable levels of penalties.

I encourage the minister to look at the submissions to the draft waste action plan in relation to the waste levy. Many people have made a similar point that 2021 is too long to wait for a waste levy.

Perhaps we can do this now during the second reading debate to prevent us going into the Committee stage of the bill. I had some questions about the infringement notices that would be expected as the minister said in the second reading speech:

... if enforcement action is required I expect that the service of infringement notice for offences will be the first way the new act will be enforced. Infringement notice penalties will be set at 10 per cent of the court penalties.

Minister, I take it then that the 10 per cent of the court penalties, fines of up to 200 penalty units can be exacted for an individual and up to 500 penalty units for a body corporate and that there are lesser penalty units depending on the amount of waste that has been dumped. So, it would be 100 penalty units for litter that was between two and 10 cubic metres in volume, which is the equivalent roughly of one large truck load. This would mean about \$163 a penalty unit: \$1630. Could you help me out with the maths on the fly? I am just wondering what is 10 per cent. Perhaps you can do that in your response.

Mr Gutwein - As I said in the second reading speech, 10 per cent of what is prescribed, so 50 penalty units for a bag is the court offence, 10 per cent of that will be five so the penalty units is around \$860 - five times 163.

Dr WOODRUFF - Thank you. That sounds eminently reasonable. Perhaps you could also provide a bit of information about what is required for enforcement. This is a difficult area. Is it required to catch a person in the act? Is it like we were talking about putting in surveillance

cameras? This particular part of the amendment bill details offences if people damage surveillance cameras or remove them.

I presume registration numbers of cars might be seen or vehicles might be identified through surveillance cameras or through sightings or photographs from people. If rubbish is found and it has addresses or names in the rubbish, is that sufficient to provide a conviction or does a person or their vehicle have to be identified?

Mr Gutwein - If you have written to a constituent and they had screwed your letter up and put it into the bin?

Dr WOODRUFF - That is right. It is uncommonly difficult to find these things. People do - surveillance cameras are very useful in the digital era. It is a possibility that we will be able to have more convictions than we used to in the past. That is certainly the case. I hope that they get widely used by councils, particularly in areas where there is ubiquitous dumping and there are certain areas in the state where it happens more often than not.

Ms Standen - What if somebody dumps a trailer load full of asbestos, for instance?

Dr WOODRUFF - Yes, that is right. Asbestos and things that are expensive to tip. While the minister is getting a bit of information about that I will make a few more comments about waste.

As the member for Franklin, Ms Standen, has already mentioned we are at a precarious situation in Tasmania, as are many other countries with regard to recycling. We have countries increasingly particularly, set by the standard that China has made, refusing to take waste for recycling that is contaminated and is not clean recycling material. It is a fantastic move that countries like Cambodia, Malaysia, and China are pushing back against being used as the dumping ground by countries like Australia, Canada, the United States and European countries. Many countries around the world for too long have been simply outsourcing their land fill to poorer South-East Asian countries, typically who have established recycling units. People get paid a pittance to go through and separate, not only to recycle the waste but to have to separate it or deal with the land fill issue in their own country. Good on them.

On the back of that, it has made us all sit up and have to take account of the waste that we produce. Tasmania is fortunate, I understand, in having glass recycling ability on island although it still needs to be sorted. We are in a precarious situation potentially if the five southern councils that have contracts with SKM Recycling find themselves in a situation where SKM becomes insolvent, closes up shop and does not take that recycling material. I understand that councils are actively in conversation with other companies and we will have to wait and see where that lands.

However, this is not a situation which is going to get less precarious unless we take responsibility ourselves for developing an on-island recycling capacity for more than glass. There is great opportunity here for innovation in a future-thinking government. I am not sure that this one is, but a future-thinking government ought to be looking at creating industry in Tasmania around plastic recycling so that we can make use of materials and be able to generate building and construction materials which other countries are investigating, developing industries to do that, as well as the sort of products that are already being made - park benches, playground mats and stuff like that. That is the kind of small scale stuff but really thinking ahead for the future of the island to be able to take responsibility for our own rubbish and to make something of it is a win/win that we have to urgently investigate.

In the meantime, regarding the waste action plan which has been put up by the Government, I hope there is a tsunami of responses that the minister takes note of which will make the pretty obvious point that the targets that have been presented are too weak. We need to have much stronger targets to reflect the reality of the mountain of waste that we are producing and the amount of rubbish that is going into the waterways and is burdening us as an island with landfill that we are rapidly running out of space to be able to take.

It is also important that we do not lose consumer confidence in recycling. There is a momentum behind consumer confidence which has taken decades to build and we have to be very careful that we keep the confidence of people in the credibility of recycling. Unless we keep that confidence, once broken it is not easy to repair. It is like any relationship. A fracture never repairs as well as an unbroken bone. We need to keep up the viability of the recycling industry and everything that this Government can do to put downward pressure on the production of waste and to find opportunities for recycling and re-use will benefit consumer confidence and will increase the circular economy, which is what we need to be creating in waste, as in all things. This Litter Amendment Bill is part of sending that signal of putting downward pressure on waste as well as functionally reducing the amount of waste that can end up in waterways and in the marine environment.

That goes to another question I wanted to raise with the minister, and I see that Mr Ford from the EPA is here. Thank you for your attendance. You might be able to provide some guidance to the minister if he does not remember it. Perhaps the minister could remind us what the penalties are for marine debris. I know Ms Standen mentioned littering on the water but I do not believe this covers the marine environment.

Mr Gutwein - It does for state waters.

Dr WOODRUFF - Could you please make it clear how this intersects with the other legislation about marine debris and the penalties for salmon farm companies or other fishing companies? We have legislation that covers marine debris already, as I understand, and I am not sure how this Litter Amendment Bill would intersect with that legislation, so I would be interested to hear that.

Plastics in the marine environment that have been produced by aquaculture industries, many forms of fishing and industry, commercial and recreational, on Tasmanian marine waters, are very concerning. There is a huge amount of plastics building up that sink to the bottom that we have no record of and we cannot see, but it is breaking up on the bottom of the waterways and on the benthic layer. We do not know what the impact is on the fish but we hear from scientists that it is a fact that fish and every level of organism that swims and inhabits the waters now appears to have plastic in its system somewhere, from the smallest plankton to whales and everything in between, and also birds. We are only starting to understand the impact of plastics on sea life. Of course it has a flow-on effect on humans who eat that seafood as well as to the health of that sea life and the longevity and genetic implications for the progeny. It is very concerning.

If the minister could talk a bit about how the littering of companies that work on Tasmania's waterways is going to be enforced more fully than it has been, that would be good. I still have not heard that there has been any significant change in the amount of plastics that people in the boating community are reporting they see which they are concerned about from a boating hazard point of view, as well as the impact on marine life and the beauty of the coastal foreshores around Tasmania.

With that, I am happy to provide the Greens support for this Litter Amendment Bill and look forward to a much-strengthened statewide action plan on waste.

[5.44 p.m.]

Mr GUTWEIN (Bass - Minister for Environment, Parks and Heritage) - Mr Deputy Speaker, I thank members for their comments and support for this very important legislation. A range of matters has been touched on and I will try to deal with them. Some of them will cross over but if I miss a particular matter that is of major import to you, please let me know by interjection and we will try to pick it up.

In terms of consultation and whether or not police were consulted, as is the course with developing legislation, all agencies will have had an opportunity to make comments in regard to the bill and therefore obviously the police will have been consulted through this process.

Ms Standen - Did police raise concerns?

Mr GUTWEIN - No, I am advised they did not.

Dumping at sea was raised, SKM Recycling was raised, I have just touched on consultation in terms of police, and there was some broader commentary about the waste levy and other matters.

I will deal first with the Derwent Estuary matter. There has been a range of testing that has occurred and you might be aware that Kingborough Council along with TasWater have a project team and they have been investigating matters. It has been quite comprehensive, with water sampling, smoke and dye testing and CCTV inspections as well. That has initially identified some defects in the sewer network which have been repaired by TasWater. Additionally, a small number of cross-connections between stormwater and sewer have been found and rectified. Elevated results are still being detected so investigations are ongoing. At present although it appears probable that the stormwater network is the main means by which contamination is conveyed to recreational waters there is no indication as to the source of the contamination.

The EPA is monitoring the size and frequency of all sewage spills, as is their role, in the areas surrounding Blackmans Bay beach south. Recent small spills have resulted in some direct impact in water quality adjacent to the stormwater outfalls. DNA testing conducted by TasWater on *E. coli* samples from Blackmans Bay beach earlier this year indicated multiple faecal sources including birds, animals and humans. EPA Tasmania has offered the assistance of Analytical Services Tasmania to help identify and trace contamination in the area. The EPA is maintaining a dialogue with the Derwent Estuary program, TasWater and Kingborough Council regarding the ongoing sampling program and investigation. There is no definitive finding at this stage, but obviously -

Ms Standen - It is a problem that has been going on for a couple of years.

Mr GUTWEIN - It has, and one of the key issues is that there are many entry points to the stormwater system and it is only with ongoing testing, sampling and monitoring that we are going to be able to fully identify the source. I do not think there is anything further I can add.

Ms Standen - I might write to you separately on that. I think we need to be able to provide a guarantee that the beaches will be open by next summer.

Mr GUTWEIN - Write away but I suggest that any request is framed in a sensible manner. As I have said, in terms of the stormwater system there are many entry points.

Ms Standen - Your predecessor will attest to the fact that I have been entirely reasonable on this. I do understand the complexity of the matter.

Mr Gutwein - I will have a chat with my predecessor and get a sense of that, Ms Standen, but thank you.

In terms of SKM Recycling, I do not have any further update than I had a couple of days ago, and that was that the matter was being monitored but there were no immediate issues at this stage and it is business as usual.

Dr Woodruff - I think it is caught tomorrow - is that right?

Mr GUTWEIN - I thought by the end of the week there was the expectation that there might be some further clarity. I will check. The only update I have is that in terms of Tasmania it appears that it is still business as usual. I note that the local government division and with the new minister they have been engaged with LGAT which is obviously taking a lead role in this for councils. At this stage, I have no further advice in terms of anything other than it will be business as usual. We will continue to monitor that situation.

Ms Standen - Sorry, on that I did ask if you had met with them?

Mr GUTWEIN - I have not in my role as the Environment minister. I understand that the local government division has been well engaged with LGAT. This was first raised about a month ago. Would that be right? My office has been in contact with LGAT as well since I have taken on the role as the Environment minister. Contact is there.

Ms Standen - But not directly with SKM?

Mr GUTWEIN - I have not made contact directly with SKM, no.

The questions regarding EPA officers and council officers and who is responsible for prosecuting: I can make the point that EPA officers, council officers, police who would be, for obvious reasons, available, will work together to identify who is responsible for illegal dumping.

I want to come back to your point about some form of evidence or notification that might be involved. It might be left in some rubbish, that is a letter or an address or something like that. The normal rules of evidence would apply. That would be enough, I would think, for somebody to be interviewed. Whether a judgment can be made to prosecute is another matter entirely, depending on the circumstances. Certainly, if somebody's address was in a bag of rubbish and it was at the side of the road, that would be enough for somebody to be interviewed.

Other matters that have been raised, I think I dealt with this by interjection, the Litter Act does apply in state waters and can be used where the offender can be identified. The question was asked regarding the interaction between the Marine Farming Planning Act in terms of marine debris. I will get the penalties. If somebody is depositing rubbish in a marine farm lease area it is a maximum penalty of 200 penalty units. An infringement notice would be issued if it is gear from a marine

lease that is found outside of a marine farm lease area and that would be 4 penalty units under the Marine Farming Planning Act.

Dr Woodruff - For how much amount?

Mr GUTWEIN - That is for marine debris. What is the right term for it? It is something that is washed away from a marine farming lease. The issue is whether it is an accident or it is littering by intent. If it is littering by intent, then the penalties are as per the act we have been speaking about.

Dr Woodruff - Sorry, minister, I did not hear it. Did you say 4 penalty units?

Mr GUTWEIN - For marine debris washed away outside a marine farming lease, that is by way of infringement notice. There are higher penalties if they go to court.

Dr Woodruff - How much higher?

Mr GUTWEIN - As it is a different act to that which we are dealing with today, the best advice at the moment is that we think it is 200 penalty units again, but we would need to qualify that.

Dr Woodruff - So a company that wilfully lets marine debris go and goes to court, the maximum they could get is 200 units, which is the same as an individual for roadside littering?

Mr GUTWEIN - No.

Dr Woodruff - It sounds very out of kilter.

Mr GUTWEIN - I am not going to argue the merits of both acts. The one we are dealing with today - the one I am introducing - has a particular intent, which is the amendments to the Litter Act. *Hansard* will have noted your views on that other matter.

Dr Woodruff - It is about setting a culture.

Ms O'Connor - Have any infringement notices ever been issued against a salmon farm for debris?

Mr GUTWEIN - Again, we are dealing with the Litter Act at the moment.

Ms O'Connor - Well, this is in the Litter Act, isn't it?

Mr GUTWEIN - No. We are just talking about the Marine Farming Planning Act, which covers marine debris. This is about litter.

Ms Standen - Through you, Mr Deputy Chair, I thought you said the Litter Amendment Act would apply to waterways?

Mr GUTWEIN - Yes, and again it is a matter of intent or accident. If you are intentionally littering at sea in state waters -

Ms Standen - This act would apply.

Mr GUTWEIN - This act would apply. If it is something that has simply washed away, then the other act applies.

Ms Standen - Thank you.

Mr GUTWEIN - I think that covers the main matters that were raised.

I will finish with a couple of comments. I noted the member's comments regarding the draft waste action plan. I am very pleased as the new minister to have carriage of that. The waste levy, which is one of the two key initiatives in that plan, is one that I think the state does require and will send the right signal. There is a range of consultation we need to work through. A range of local government entities already have levies in place and that is ensuring we can put in place one single levy that will satisfy the requirements of those current locations and installations that provide for waste recovery at the moment. I will clarify one matter regarding penalty units before I finish.

I hope with goodwill in this place that we can end up with a final waste action plan. One, that is not only -

Dr Woodruff - You do not have to worry about the Greens when it comes to goodwill on waste legislation.

Mr GUTWEIN - Not only one that is welcomed by this place but also welcomed, understood and respected by the community.

In terms of the penalty matter - it is 50 penalty units, not 200, under the other act we were speaking about.

I thank members for their contributions and support of what is very important legislation.

Bill read the second time.

Bill read the third time.

ADJOURNMENT

VDL Dairy - Allegations of Cruelty - Response from Minister

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I rise in response to a statement the Minister for Primary Industries and Water made on indulgence in this House a short time ago. It is really important that I respond to the information the minister laid on the table. I also inform the House that I have spoken to the secretary of the Department of Primary Industries, Parks, Water and Environment about information contained in a right to information document we received on the Monday. I acknowledge that conversation with the head of the agency and a statement put out by the department that makes it clear that DPIPW has been informed that some information released in a right to information decision may not have related to the Van Diemen's Land Company. I now, for the purposes of *Hansard*, read from the statement -

The department has conducted an investigation and determined that some information was inadvertently released in the RTI decision that did not relate to

the Van Dairy Group. The department has therefore issued an amended RTI decision in relation to this matter.

The department apologises to Van Dairy Group and the RTI applicant for the error and the department reiterates that all the complaints made in the original RTI, as released by the department, were followed up by experienced biosecurity inspectors and no evidence of breaches of the Animal Welfare Act were found.

It was important to place that statement on the record and to make it clear the Greens do not hold any grudge against the right to information officer who made this decision and who, it would appear, has released information that contained allegations of animal cruelty that did not relate to the VDL Dairy Group.

What we now know, from the right to information material that has been reissued, is that there were three specific complaints that related to the VDL Dairy Group that were contained in the right to information documents we now have, as of only a short time ago. I want to be really clear that I am sure there is someone in the agency who feels bad now but it is not their fault. We are dealing with an under-resourced agency, an agency that has one right to information officer at the moment, who is dealing with a large volume of RTI requests. In some ways, it is one of the most controversial agencies in government.

I also want to make it clear that we stand by many of the concerns we have raised about allegations of animal cruelty at the Van Diemen's Land property, or the VDL Dairy property, and in the dairy industry, more broadly. While the complaint that alleges eye gouging, breaking of cows' tails, the illegal injection of substances to induce birth, a cow being killed by slitting its throat, shows cows being picked up by hay forks through their bodies, still kicking, et cetera, et cetera, in gruesome detail, and while that complaint does not relate specifically to the Van Dairy company, it certainly relates to a company that is operating as a dairy in north-west Tasmania. I understand from information provided to me by the secretary that that dairy has since changed hands but it raises a broader issue about the currently compromised capacity of our state to thoroughly investigate animal neglect and cruelty under the Animal Welfare Act of 1993.

We do not have an independent animal welfare inspectorate and we do not have an animal welfare commissioner, as we should, and we do not yet have, which we need, a dedicated animal welfare enforcement division within Tasmania Police. We have a sequence of complaints that have been made about the dairy industry and three of them relate to the Van Diemen's Land Group of dairies. One of them relates to another dairy, which is apparently close to Van Diemen's Land's dairy, but it points to problems within the dairy sector and how it deals with calves, calves born only to ensure the cow can continue to produce milk and what happens to those calves.

After we asked the original question of Mr Barnett, a person who had worked Van Diemen's Land dairy group of companies for the past three years got in touch with us - and I believe has also spoken to journalists - and made statements I asked about in our question of yesterday. They continue to raise concerns about the way animals are treated at dairies in the north-west and, in his case, at the Van Diemen's Land dairy. We did make sure that Biosecurity Tasmania had that whistleblower's name and contact details, as we should. We will continue to peruse concerns about animal welfare within the dairy industry. We remind the House that 20 senior staff at Van Diemen's Land dairy wrote to the dairy's owner on the 27 June this year to seek indemnity from prosecution under the Animal Welfare Act of 1993 because they are so concerned.

I thank Mr Whittington for providing us with the updated information. I also accept his apology on behalf of the agency. I encourage him not to be too cross with the right to information officer because that person is doing their job as best they can in difficult and under-resourced circumstances. We should not allow this mistaken right to information content to let us forget that serious allegations have been made about the practises of dairy farms on the north-west coast, that a whistleblower has come forward alleging animal cruelty at Van Diemen's Land dairy property and that 27 staff have written to the owner of the Van Diemen's Land dairy company, really concerned about the welfare of animals. I encourage the minister, who is also probably a bit grumpy about this week, not to seek retribution and to ensure the right to information section of his department is properly resourced.

Time expired

TEMCO - Interactions with Government

[6.08 p.m.]

Mr HODGMAN (Franklin - Premier) - Mr Deputy Speaker, in response to a question I was asked this morning, I seek to provide the further information to the House regarding my and the Government's interactions with TEMCO and South32. I can confirm for the House that since South32 announced their intention to undertake a strategic review on the 14 May this year, there has been ongoing engagement with the company at a ministerial and departmental level. The Treasurer and Minister for State Growth spoke with the VP of operations of the company on 16 May. The Department of State Growth engaged with the company's lead of corporate affairs on 17 May. The Treasurer, minister Courtney and I met with the company on 30 May.

At this meeting the company advised that they are establishing a review team. The review process would take a number of months and, importantly, they committed. It was the expectation expressed that they would continue to engage with Government throughout the process. It was expected that we be engaged with a view to any decisions they may make with respect to the company, as we have been. We have also ensured that lines of communications remain open while the review occurs. In addition, senior departmental officials and senior officials in my office have been in regular contact with the company representatives since then. I also have a meeting scheduled with the company on 7 August. The Government will continue to closely engage with the company and support all those who work there.

TEMCO - Interactions with Government

St Helens Hospital - Possible Repurposing

[6.09 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - On the matter of TEMCO the Premier updated the House about, it is appalling that the last time the Premier met with that company was 30 May. He has a meeting scheduled for 7 August, as do I, when they are in Hobart. When we were dealing through the global financial crisis with the risk to our major industrials potentially leaving the state, we met with them very frequently and at a ministerial level. The Government is relying on department officials to speak directly with TEMCO. How does the Premier understand what extra support that company might require in George Town to support the ongoing employment of 300 people if he has not spoken to them since 30 May? That was a damning update from the Premier and a complete letdown for the community of the East Tamar that the Premier has been

absent and completely hands-off when one of the major industrials is at risk of leaving the state with 300 employees' jobs under threat.

I want to speak about another issue tonight, which is the St Helens Hospital and the possible repurposing of the old hospital in St Helens. I wrote to the failed health minister, Michael Ferguson, on 23 May after I had met with the St Helens Carers and Friends Group to discuss a number of things, including the repurposing of the old St Helens Hospital. That group had a number of excellent ideas for how that building could be used because it is no longer being utilised as a hospital, given the completion of the new St Helens Hospital. I wrote to the minister to convey these ideas for his consideration. The group identified the lack of respite services in the community as a problem and suggested that respite could be offered from the old St Helens Hospital site.

In my discussion with them and other community members in St Helens it was also clear that there is strong support for a community gym to be made available to help people maintain their physical and mental health and it was suggested that the old St Helens Hospital could also be utilised to provide that service.

I wrote to the minister to also ask when community consultation would occur with respect to the future of the old St Helens Hospital and asked that consideration be given to the best time of day and week to facilitate the strongest attendance. Based on feedback I had from the community and the group, it was considered that a Thursday in the daytime would be the best. I recommended that to the minister to enable most people to turn out for community consultation around the future use of that old hospital site.

Unfortunately the minister is no longer in that portfolio, some might say fortunately, but nonetheless he passed on the responsibilities to Mr Jaensch, the minister for Community Development. On 12 June I received a response from the failed health minister saying that he was aware of the high level of community interest in the former hospital and that the property was in the process of transferring to the Department of Communities Tasmania. It continued:

I am advised the department has engaged a consultant to assist with planning assessment of the public consultation process. I will forward your letter to the Honourable Roger Jaensch, Minister for Housing, and draw his attention to the ideas and suggestions of the St Helens Carers and Friends Group.

That was appreciated, but I have not heard anything since. This was on 12 June and it is now 1 August. The member for Braddon, Mr Jaensch, has not provided any update on what the Department of Community Development plans to do regarding the consultation for the repurposing of the old St Helens Hospital site. This is a matter of important public interest for that community. There is a number of interest groups that would like to see that building repurposed, but at the very least they would like to be consulted about how it might be used.

I ask the minister tonight if he can provide an update on when consultation will occur with the St Helens community about the repurposing of the old St Helens Hospital site and whether he will factor into consideration the suggestions from the St Helens Carers and Friends Group to hold that consultation on a Thursday and do it during daytime hours, so that as many people as possible can participate.

I look forward to his timely response, given he has had six weeks so far to get back to me and to date I have heard nothing.

Newstart Allowance

[6.14 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, I want to talk a little bit about the Newstart allowance. I have been doing a fair bit of evidence-based research into the Newstart allowance and where it sits. There appears to be more of momentum now for an increase to Newstart, Australia's \$277.85 a week unemployment benefit, than there has been for quite some time. I am a supporter for reviewing the Newstart allowance. It is definitely something that we need to talk about and I have seen firsthand over many years how debilitating being on Newstart can be and how it simply does not meet the requirements.

We can handball the Newstart question to our federal colleagues as it is federally controlled and legislated, but as elected members, we as state representatives, have an obligation to speak up and represent our communities.

I have begun to look into how Newstart compares to the rest of the world and reading widely from an economic, community, social and political perspective. The findings and analysis of Newstart by the ANU's Professor Peter Whiteford states that for many unemployed people Australia not only does not have one of the best safety nets in the world, it has one of the worst. This is despite Scott Morrison's claim in May that Australia's safety net is a world-beater.

Whiteford's analysis used OECD data to compare Australia's unemployment benefit with other nations. Most other OECD countries have an insurance system in which people's benefits are paid as a percentage of their last wage, whilst Australia's payment is at a set rate. Whiteford took the replacement rate of each country and using an Australian who had lost his salary that was two-thirds of the average wage found that Newstart was the second-lowest payment in the OECD. When he included rent assistance, which about 40 per cent of people on Newstart get, compared to other nation's housing benefits, Newstart is by far the lowest payment in the OECD. They also measured eligibility based on past income, contributions or taxes paid during a person's working life.

In many overseas countries eligibility and rates of payment are determined by how much the individual has contributed to an insurance-based arrangement while working. The spokesperson said that in a number of instances these payments are also time limited. Australia's payments continue until an unemployed person finds a job, unlike a number of OECD countries where the assistance a person receives can reduce or stop even though they remain unemployed. Even taking someone who has been on Newstart for five years, Whiteford found that Australia was still below the OECD average and behind countries such as New Zealand, France, Germany and the United Kingdom.

In 1997 the Howard government effectively froze Newstart, tying it to inflation while the pension was peaked to wages. Even Howard has now said that Newstart needs to be increased. There have been increases such as the \$2.35 extra, which was really just an absolute laugh and was more insulting to people coping on Newstart than it was helpful. The ANU's Associate Professor Ben Phillips mapped out how Newstart has fallen behind the pension and average weekly earnings and he says Newstart should be peaked to wages. If Newstart had been tied to wages, recipients would currently get \$351.91 a week, which is in line with the \$75 a week increase advocated by the Australian Council of Social Services and which was also modelled by Deloitte.

We also need to start talking about the Henderson poverty line and where Tasmania fits within that. We know that we have 120 000 people in Tasmania who, according to that poverty line, are

living in poverty. A large percentage of those people are also reliant upon government benefits. We really need to start having this conversation with elected members about how we can best represent our community. We need to have those conversations about Newstart and I will keep reporting back to the House on a regular basis.

International Day of Friendship

International Wall of Friendship

[6.20 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, I wanted to inform members of the House that earlier this week the world celebrated the International Day of Friendship. It may have passed some of us by in this busy parliamentary week, which has been rich with conflict. The United Nations explains that international days are occasions to educate the public on issues of concern, to mobilise political will and resources, and to address global problems, as well as to celebrate and reinforce the achievements of humanity. The existence of international days predates the establishment of the United Nations but the UN has embraced them as a powerful advocacy tool.

It is not easy for a new international day to be declared. It is actually the General Assembly that makes that decision on what constitutes a new international day, and they make that decision by consensus when a member state suggests, or advocates for, a new international day to be declared.

The International Day of Friendship has been celebrated for a long time and on that specific day, the United Nations described the importance of that by outlining the fact that our world faces many challenges and crises and forces of division, such as poverty, violence and human rights abuses, amongst many others. These undermine peace, security, development and social harmony amongst the world's people. To confront those crises and challenges, their root causes must be addressed by promoting and defending a shared spirit of human solidarity that takes many forms, the simplest of which is friendship.

The reason I raise this, while it might not sound that cutting edge, is that what they say is that through friendship, by accumulating bonds of camaraderie and developing strong ties of trust, we can contribute to the fundamental shifts that are urgently needed to achieve lasting stability.

Members might now know that here, in my electorate of Clark, in the Hobart CBD, there is actually a very tangible tribute to friendship. It is called the International Wall of Friendship, and if anyone has not visited it, I recommend that you do. It is the basement of what was once known as the Commonwealth Government Centre. It is now a privately-owned building, but that is at 188 Collins Street, in Hobart, just up the road from my electorate office. It was established in 1992 and funded by the Commonwealth government at the time. It was designed by a Swiss artist and model maker, called Rene Rime, and it was actually the brainchild of somebody much earlier, the Tasmanian public figure and historian, Basil Rait, who thought about it first in 1966, so it took some decades before it was established.

The first stone was contributed by the Chinese Community Association of Tasmania, but since then it has gone on and there are now 62 plaques. I do not propose to read out every country, but as you can imagine, it now has representation through a plaque of the dozens of international communities that make up the Tasmanian population: Iranian, Croatian, Lithuanian, Slovenian, Cypriot, German, Ukrainian, Filipino, Serbian, United States, Polish, Hellenic, South Sudanese,

Turkey, and the list goes on. As I said, I will not try and read them all into the *Hansard*, but I encourage people to visit the International Wall of Friendship if they are ever in the Hobart CBD.

It was built as a symbol of goodwill and recognition of the contribution that multicultural groups have made to the development of Tasmania and it is now up to 62 plaques. No doubt it will continue to grow as Tasmania's population continues to grow and as we continue to welcome people of all races into our beautiful state.

River Derwent Catchment - Pollution

[6.24 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I rise tonight to draw attention to severe pollution that is being discharged into the pristine headwater streams of the River Derwent catchment.

This pollution is being spewed into the Derwent and Florentine rivers from two large salmon hatcheries that have been hidden away in the Tasmanian wilderness. Today, Environment Tasmania has released some documentary film footage which shows the difference between the upstream and downstream of these industrial farms. I have seen the footage and it is very stark. There is beautiful clear water that is prized for trout fishing upstream, and a slimy, stinking, green mess downstream.

Mr Deputy Speaker, clearly the visual imagery is not enough to have any weight. Environment Tasmania, in conjunction with Dr Christine Coughanowr who, until recently, was the CEO of the Derwent Estuary Program and who is an experienced water quality scientist undertook some monitoring of water quality in the two rivers on 24 March 2019 at sites upstream and downstream of the hatchery and smolt production facilities at Wayatinah and Florentine. She took samples from outfalls at the two facilities and at the point at which those outfalls entered the river. She tested for dissolved nutrients including ammonium plus ammonia nitrogen nitrate plus nitrite oxygen, and dissolved reactive phosphorous. She also looked for samples of coliform *E.coli* bacteria.

The results that she found were shocking. It indicates very high nutrient levels in both the outfalls and the downstream rivers, ranging from five to more than 128 times the upstream levels of the nutrients and bacteria that I have mentioned. She found significant levels of fouling on the rocks and riverbed downstream.

The results for Wayatinah Hatchery showed excellent water quality in the Derwent River directly above the hatchery and showed that nutrient levels below the hatchery ranged from 18 to more than 40 times the upstream levels for dissolved phosphorous and nitrogen.

The results for the Florentine Hatchery showed excellent water quality in the Florentine River above the hatchery and in the downstream river of the hatchery dissolved phosphorous and nitrogen levels were five to more than 128 times the upstream levels. Very concerningly, coliform and *E.coli* bacteria levels in the outfall were very high and there was a very strong odour and a visible slick in the area.

With regard to the *E.coli* count in that area, she recorded a count of 886 parts MPN per 100mls, which is astoundingly high. It is not clear why that is the case, because that is normally associated with warm-blooded animals. Alert levels for *E.coli* in recreational waters are in the range of 126 to 260.

What this indicates is disturbing because these waterways flow into the hydro lakes of Wayatinah and Catagunya and there is serious concern about the risk of nuisance or toxic algal blooms in the drinking water supplies and recreational waters that flow from those lakes.

She notes high nutrient levels also have been documented recently by the monitoring of the Derwent Estuary Program, so that is clearly an ongoing problem.

This is a dirty secret about our waterways being polluted. That has been happening for over two decades. We have heard numbers of observational comments about this, but this is hard evidence that we now have that salmon hatcheries located at the headwaters of the Florentine and Derwent rivers are pouring thousands of tonnes of fish effluent into the rivers every year.

This is an environmental crime that really cannot be tolerated in this current era. It is up to the fish farm companies to immediately have a zero-pollution plan for those factories. The Environment Protection Authority clearly is incapable of undertaking the work that needs to be done to detect these outrageous levels and to do something about it. Where is the action from the EPA? Why has there been such silence on this matter?

It would not be surprising that the fish farm industry in Tasmania gets constant cover from this Government and from the Labor Party as well, all in the name of bigger is better and let us just expand without any question about the environmental consequences.

Not only is this causing environmental damage downstream, it is impacting the water quality of the Derwent River Estuary and Hobart's drinking water supply. How is it acceptable for this to continue? Clearly, it is not. How much is it costing TasWater to clean this pollution out of the water? We want the Environment minister to launch an immediate action into these two stinky hatcheries to prevent the pollution reaching the water and the river below, to investigate why it has gone on for so long and why it was not picked up and acted on by the EPA. We call on the Environment minister to do that work. I strongly recommend that people who are interested in looking at the video to go to the Environment Tasmania website and see what has been allowed in the name of industry expansion in Tasmania.

Time expired.

Tasmanian Planning Scheme - Central Coast Council

[6.31 p.m.]

Ms DOW (Braddon) - Mr Deputy Speaker, I rise to make a very brief contribution tonight about a meeting I attended at the community centre last week. It was facilitated by the Central Coast Council and was in relation to changes to and introduction of the planning scheme in Tasmania and, importantly, the draft Central Coast local provision schedules. The meeting was attended by a vast cross-section of the Riana community. Their primary concern was in relation to the rural land zoning changes being proposed through this provision schedule. That change is from rural or agricultural land, so these landowners were very concerned about the implications of that would be to the value of their properties, to the existing dwellings on those properties, what they might be able to use their land for in the future and what types of business uses they would be able to undertake in future. I commend the Central Coast Council for holding this community information session.

I came away from the meeting that night thinking about it. A couple of my observations were the need for there to be much broader community consultation about the changes to the Tasmanian Planning Scheme. To date, there are only a small number of councils that have undertaken to do the wider consultation around their local provision schedules. There is a real need for the government or the TPC to provide more information to communities about the proposed changes.

Planning information is heavy going. Quite often people do not ever see a planning scheme or what is written in it until they want to make an addition to their home, build a house or something that is going to affect them personally. There is a real need for simple language and some information. Information sheets are available on the TPC website but there is nothing to direct people to that fact. It is important that people have access to information in the first instance to make representations.

I thank the council for their approach to providing support to those community members present, to help them with their representations and work through some of those issues. The other point was that councils could do with more resources to undertake this important work. They are doing this work off the side of their desk, as they do all their other planning assessment and development application work each and every day. I would like the Government to consider providing more information to communities about these changes to the planning scheme, what that might mean for those communities and to support them much better through that process.

Affordable Housing and Homelessness

[6.34 p.m.]

Ms STANDEN (Franklin) - Mr Deputy Speaker, I rise on adjournment this evening to make some comments in relation to affordable housing and homelessness and the Government's response through their emergency response to homelessness announced this week. By way of background, members would recall that on 14 June, after sustained pressure in parliament and through the media, the Minister for Housing promised a work plan to detail the Government's emergency support for homelessness.

On 20 June there was a meeting convened by the Hobart City Council bringing together southern councils, a range of stakeholders both in the private and community sectors and it was seen as a very positive step forward in terms of establishing an alliance to tackle homelessness, particularly through the local government sector.

On 21 June the minister then announced funding of some \$5 million to address homelessness without outlining the details of the work plan or the budget allocation. More than six weeks later, on 30 July, the minister announced his emergency accommodation package, and what did we see? We saw a package that was focused in Hobart alone, with two specialist homeless services providing emergency accommodation to receive measures to increase crisis accommodation through those centres. There were no assurances of what services and funding would be provided to those service providers to ensure that there was wraparound support.

People within the community sector understand that safety and security is paramount for providing support for homelessness as well as specialist support in areas of family violence, drug and alcohol support, mental health and trauma. There are children very often, some accompanied, some unaccompanied, and many people experiencing homelessness come from backgrounds of long-term trauma.

Equally, Mr Deputy Speaker, we have an increasing cohort of people like you and me, who if not for one single life event would find themselves in a very precarious situation whether it is loss of a job or loss of a long-term lease and so on. A very worrying situation has emerged in this state around homelessness, but there were no assurances around those services, there was no work plan, no deliverables, no time frame or a budget that has been called for by the sector. There was no response to people outside of Hobart and no response in relation to youth in particular, those under 18. A brokerage model that has been offered yet not costed or detailed in any way will not apply, as I understand, to unaccompanied minors because they are unable to sign leases and be legally responsible in that way for brokerage arrangements. There was no demand analysis of the scale of the situation we are confronting here and no safeguards around what assurances could be provided to people experiencing homelessness, or the service providers, or the general community for that matter.

I wish to outline the general state of the situation here. Right across Tasmania, but Hobart in particular, is experiencing a chronic shortage of affordable housing. When I came into this shadow portfolio my understanding was that in the past a government typically provided up to 800 or 900 new dwellings within a term. In the last term of the Labor government, through a combination of state and Commonwealth investment, that level of construction grew to just over 2200 new dwellings, the high tide mark, if you like. What did we see in the first term of this Liberal Government? A meagre 36 dwellings was the position that the new minister, Mr Jaensch, inherited as he assumed the portfolio. It is no wonder he has been scrambling over this past 12 months to try madly to keep up the promise of 900 new dwellings. He failed, as he was bound to do, and he has tried to argue that he has met targets, but the facts are that he has built less than 50 per cent of that target.

Hobart is Australia's least affordable capital city, with a 44 per cent increase in rent in the 10-year period which is double the national average. We have the significant situation of a public housing debt of \$15 million which disproportionately falls on the homeless and not the general ratepayers of this state because it is taking away just about half of the operational revenue from Housing to support those people. The Housing Register wait list is nearly 3500 and they are waiting on average for nearly a year to be housed. This is a failure of leadership.

I congratulate the local government sector for stepping up in this regard but it is well-meaning people who have been coming into my office offering accommodation of various types who do not offer the safeguards for the community. This minister needs to provide a lightning rod to direct that goodwill in a safe way that is constructive. It is a failure also to advise in that way what the community can do in order to assist, because there is a lot of goodwill.

In relation to a development in my electorate, Huntingfield, it is another demonstration. This is an opportunity for the minister to listen and the Premier to get out of his offices here in the CBD, get down to Kingborough to listen to the council and the community about their concerns because we need much more social and affordable housing. If he takes that opportunity to listen we could have a real exemplar for the community to bring them alongside the intentions of Government to build more social and affordable housing. We could send important signals to the private sector, too, around what can be achieved in building and construction.

We could be investing in our state training authority, TasTAFE, to provide new jobs for the future for our young people and we really could have a much brighter future in relation to social and affordable housing. I feel that this Premier and Housing minister are missing an important opportunity to make that contribution of leadership.

Time expired.

The House adjourned at 6.41 p.m.