

DRAFT SECOND READING SPEECH
THE HON. NIC STREET MP

Stadiums Tasmania Amendment (Transfers) Bill 2022

* Check Hansard for delivery *

Mr Speaker, I move that the Bill now be read a second time.

It gives me great pleasure to bring a Bill before the House that progresses the Tasmanian Government's commitment to establish Stadiums Tasmania and commence its operations.

Our major stadiums are important for a range of reasons. They are spaces that bring people together to entertain them and make them feel part of something bigger than themselves.

They are home to sport of all levels, concerts, arts and culture events, ceremonies, performances and eisteddfods, and functions of all types.

A primary and significant use is elite professional sport.

Elite sport not only provides entertaining events for Tasmanians to enjoy, it provides inspiration for men, women, and children to be fit and healthy individually or as part of a team. It supports the wider effort of our sporting clubs and organisations to bring people together and strengthen our communities. It serves as a key preventative health measure and is an investment into reducing longer term costs and pressures on the health system. It also brings enormous economic benefits, business development and job opportunities, and will diversify and strengthen our visitor economy.

I am pleased to confirm the *Stadiums Tasmania Act 2022* commenced on 25 May 2022. This created a new statutory authority that can own, manage, and develop our major stadiums as a Crown entity, with a skills-based Board, and a statewide perspective.

It will enable each stadium to continue to operate effectively and efficiently, and meet the needs of their local communities, major sporting codes and competitions, other users, and their audiences now and into the future. It also positions us to better identify the local needs, and sporting and entertainment trends, to inform future development that will enhance the assets.

As Minister for Hospitality and Events, I am particularly conscious of the important role that major stadiums play in our cities and regions. They are assets that generate visitor interest that greatly contributes to and broadens the Tasmanian visitor economy.

If you are out and about on an event day at one of our major stadiums, you would know how much energy, local engagement, and intrastate, interstate, and international visitation they can generate.

It is important that our stadium infrastructure is contemporary, relevant, responsive, and competitive. We need to continue to strategically invest in our major stadium infrastructure, to ensure they remain current, contemporary and respond to the changing needs and expectations of sporting codes, competitions, audiences, and other users.

The *Stadiums Tasmania Act 2022* positions us to focus on these challenges and opportunities and will draw together a currently disaggregated set of important assets under the one umbrella. Both the Election commitment from 2021 and State of the State Address 2022 included several tasks that the Government is keen to have Stadiums Tasmania fulfil, drawing on the professional and technical expertise that will be available to it.

We will position Stadiums Tasmania to explore the feasibility of future potential developments, work in partnership with the Department of State Growth to progress major stadium capital developments, develop a 10-year strategic stadium plan, and fulfil other responsibilities assigned to it in its statement of expectations.

Each of these are important aspects of the role Stadiums Tasmania is being equipped to fulfil within Government, and they reinforce its mandate.

Mr Speaker, the Stadiums Tasmania Amendment (Transfers) Bill 2022 completes a two-stage legislative process.

The first stage established a statutory authority that can own, manage, and oversee the development of major stadiums and other related assets. As I noted earlier, I am pleased to confirm this is a task that has already been achieved.

The second stage of this reform process comes with the tabling of this Bill.

This is an amending Bill. It provides for the ongoing employment provisions for Stadiums Tasmania and the provisions that are needed to smoothly transfer stadiums and related assets, contracts, liabilities, and employees to and from Stadiums Tasmania. The Bill also includes some additional governance provisions, akin to similar state entities.

Mr Speaker, the Transfers Bill approaches its desired outcome in a tried and tested way, and draws on the practical experience of similar statutory bodies here in Tasmania.

The Bill has been crafted in a way that enables the smooth transfer of major stadiums and related assets to and from Stadiums Tasmania and provides on-going employment and governance provisions. The provisions in this Bill are commensurate with the functions, powers, and governance structure established for Stadiums Tasmania.

Mr Speaker, I will now turn my attention to providing the House a concise overview of the key provisions contained in the Transfers Bill before the House today.

The Stadiums Tasmania Amendment (Transfers) Bill 2022 will:

- Update and expand the list of definitions used in the principal Act to ensure the list of terminology used in the Bill and transfer provisions is comprehensive. This includes recognising transfers may involve the Crown, the Authority and non-Crown entities, and ensuring the transfer processes are clear, flexible, and fit for purpose.
- The Bill amends the timeframes contained in the principal Act under which the Board is to prepare its first business plan, under Section 19, and its first Annual Report, under Section 32. These provisions recognise that Stadiums Tasmania only commenced on 25 May 2022

and the inaugural Chairperson and Board cannot be appointed prior to the start of the new financial year, on 1 July 2022. These provisions will give the new Board time to begin operating, develop its first business plan as soon as it is practicable in 2022-23 and prepare its first Annual Report to encompass its first full year of operation.

- The Bill also outlines the employment arrangements of the Chief Executive Officer and the staff of Stadiums Tasmania and enables their employment pursuant to the *Fair Work Act 2009*. This will replace the interim provisions built into the principal Act, making them the ongoing provisions, and enable Stadiums Tasmania to employ staff. This recognises the importance of positioning Stadiums Tasmania to be as commercially focused as possible, while still a Crown entity. These capabilities align with the employment provisions at most of the stadiums proposed for transfer, and better align with the variable staffing requirements and non-standard work hours associated with operating stadiums.
- The Bill confirms the process upon which employees who are proposed to transfer are to be made an offer of employment. This is a stand-alone Part, which reinforces the importance of current stadium employees and the knowledge, skills, and expertise they possess. Use of the term 'offer' is to consciously reinforce the fact that each employee proposed to transfer must agree to his or her transfer. The Bill confirms if they decline an offer they will remain with their current employer.
- Mr Speaker, importantly the Transfers Bill preserves specific agreed employment entitlements. While the transfer provisions for employees from the State to Federal system and Federal to Federal system are generally prescribed under the Fair Work provisions, the Bill reinforces these provisions and contains some additional provisions that are designed to ease the transition process for employees.
- These provisions include recognising: remuneration, entitlements and benefits; general leave and long service leave; continuous service; and preserving the defined benefit superannuation arrangements of eligible State Service employees. The provisions also allow for agreements to be formed to achieve the same outcome for non-Crown employees. They also provide State Servants who transfer with the ability to have their years of service with the State Service and Stadiums Tasmania recognised if they return to the State Service.
- The Bill also outlines two distinct processes in Part 4B that give the Minister the ability to transfer an agreed set of assets, liabilities, and contracts, to or from Stadiums Tasmania, via a Gazette notice or a transfer agreement. The notion of using a notice in the Gazette is consistent with the provisions in the *Rail Company Act 2009* and *Irrigation Company Act 2011*. Whereas the flexibility to use a transfer agreement is an option that gives the Minister the ability to develop more tailored transfer arrangements, should this be warranted. These transfer provisions will apply to the Crown, the Authority and non-Crown entities.

- The Bill introduces a provision that waives the need for Stadiums Tasmania to pay State taxes. It is a common practice built into the *Rail Company Act 2009*, *Irrigation Company Act 2011*, *Macquarie Point Development Corporation Act 2012*, and the *Water and Sewerage Corporation Act 2012*.
- The Bill also builds on the governance provisions contained in the principal Act by amending Part 6 to outline the duties, responsibilities and expectations of the Board, officers, and employees and former Board members, officers, and employees and make them more explicit. These provisions are consistent with governance provisions contained in the *Government Business Enterprise Act 1995* and *Corporations Act 2001*.

Mr Speaker, last summer Tasmania hosted an historic Ashes Test match for the very first time. In June 2021, the AFL blockbuster between Hawthorn and Essendon at UTAS Stadium was sold-out, as were two historic AFL finals matches played at UTAS Stadium in September – the very first time we have hosted AFL finals in the state. The support for and pride in our teams like the Tasmania Jack Jumpers and Hobart Hurricanes, across the state, has been nothing short of outstanding.

These are prime examples of the sorts of elite sporting opportunities Tasmania can and should aspire to, now and in the future. These types of events are of great appeal, they showcase Tasmania to visitors and prospective visitors and inspire people to strive to compete at the highest level of elite sport. Working together, this will help stimulate grassroots participation and help build a more active and healthier Tasmanian population.

As Members know, Stadiums Tasmania is initially expected to assume responsibility for the Crown-owned MyState Bank Arena in Hobart, and the Silverdome in Launceston. The potential inclusion of Blundstone Arena, Dial Park in Penguin, and UTas Stadium remains subject to negotiation with their respective owners. These negotiations can start to progress once we have greater certainty about the transfer process.

Each stadium has the potential to generate their own income by arranging and hosting events; through leases and licenses; hospitality; merchandise; sponsorship deals; pourage and naming rights and other similar mechanisms. This will continue to be encouraged. However, as is the case with similar stadium authorities elsewhere, the Government recognises that to succeed, Stadiums Tasmania will need ongoing financial support to maintain its Board and establishment and cover the operational deficits of these stadiums.

The 2021 and 2022 State Budgets included a total allocation of \$16 million in recurrent funding for Stadiums Tasmania over the forward estimates to help cover these expenses. A financial profile of each stadium and their specific financial needs will need to be considered by the Board once it is appointed.

While Stadiums Tasmania will have a role planning and facilitating new infrastructure, the primary responsibility of major stadium development projects remains with the Department of State Growth. This means Stadiums Tasmania will not have direct responsibility for facilitating major capital developments announced by Government involving Blundstone Arena, Dial Park, the Silverdome, UTAS Stadium, Wilkinson's Point or the proposed new arts, entertainment, and sports precinct in Hobart, however as the owning entity they will be a primary stakeholder.

I am conscious some Members have raised concerns about the risk that Stadiums Tasmania could become disproportionately influential in relation to publicly funded projects. Recognising that this concern might arise, the Principal Act includes the requirement for a Ministerial statement of expectations to be developed, introduced the capacity to issue a Ministerial Direction, and requires the Board to follow the Treasurer's Instructions and seek the Treasurer's endorsement to borrow funds. These checks and balances are important, contemporary governance provisions.

In addition to these checks and balances, Section 7(2) of the Principal Act requires the Board to obtain the Minister for Hospitality and Events, and the Treasurer's, approval, acting as Shareholder Ministers, if it intends to progress plans to acquire, dispose of, or demolish a stadium. Furthermore, as an added safeguard, Parliament would need to endorse the allocation of any additional funding required to implement such a plan as part of the State Budget. This makes them subject to scrutiny by Parliament and the Budget Estimates process.

I can also reassure Members that while the focus of Stadiums Tasmania is on major stadiums and related assets, this work does not in any way diminish the importance of other community-based assets. It does, however, direct and focus attention on the role major stadiums fulfil in maximising our ability to engage in elite national and international competitions and events.

The nature of major stadiums is that they are complex and resource intensive to own, operate, maintain, and upgrade. We also need to ensure they remain safe, competitive, and fit for purpose. Our stadium assets are vital components of our community's infrastructure. They play a critical role in bringing Tasmanians together and drawing people to our State, from across the country and, in fact, from around the world.

The Tasmanian Government's plans to prepare Stadiums Tasmania to begin operating, through the Transfers Bill, will position us to better meet these needs, and maximise the role and benefits these important assets fulfil in our local communities and our state.

I am sure all Members present, would join me in expressing our gratitude to all the staff, volunteers, sporting codes and competitions, community organisations and management of Tasmania's stadiums for the excellent work they do. I trust they will see the on-going establishment of Stadiums Tasmania as a reflection of our commitment to them.

I am pleased to be able to say the Government has delivered its commitment and Stadiums Tasmania has been created. We expect it will be able have its leadership appointed in coming months in order to commence operating over the spring and summer.

Mr Speaker, I am proud to introduce the Bill. While its focus is on drawing our major stadiums together, it also represents several important objectives that unite us. The opportunity to attend, or participate in, an event at one of our major stadiums not only creates the ability to showcase our talent on the sporting field, on stage or by hosting a memorable event, it also gives us the ability to build and enhance our community.

Finally, I would like to acknowledge the work of the staff within the Department of State Growth and the Office of Parliamentary Counsel in preparing this Bill. They have consulted with the appropriate parties for a long time, and I'm sure are now experts in the field of stadium management.

With that, Mr Speaker, I commend this Bill to the House.