

Wednesday 20 March 2019

The President, **Mr Wilkinson**, took the Chair at 11 a.m. and read Prayers.

TABLED PAPERS

Inquiries - Tasmanian Irrigation Pty Ltd - Blueberry Rust in Tasmania - Government Responses to Committee Reports

Mrs Hiscutt tabled the Government's responses to reports of the following inquiries -

- Legislative Council Select Committee Inquiry into the future management of water rights and associated assets administered by Tasmanian Irrigation Pty Ltd.
- Legislative Council Government Administration Sub-Committee B Report on Blueberry Rust in Tasmania.

STATEMENT BY PRESIDENT

Senate Vacancy - Appointment - Wendy Anne Askew

Mr PRESIDENT - Honourable members, following the joint sitting of the Parliament at 9.30 a.m. this day, Wendy Anne Askew has been duly chosen to hold a place in the Senate of the Parliament of the Commonwealth of Australia rendered vacant by the resignation of Senator David Bushby. A copy of the minutes of the proceedings of the joint sitting will be tabled by the Clerk of the Council when printed.

GAS INDUSTRY BILL 2018 (No. 40)

Second Reading

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) - Mr President, I move -

That the bill be now read the second time.

This bill is mainly about administrative realignment and simplification of processes, rather than reflecting a major policy review.

Currently, the gas industry in Tasmania is regulated under the Gas Act 2000 and the Gas Pipelines Act 2000. These two acts provide a regulatory framework that includes activities such as licensing, customer protection, construction of infrastructure, and regulation of safety. The Gas Act applies to retailing and the operation of distribution networks, which are dendritic - meaning a branched form resembling a tree - while the Gas Pipelines Act applies to transmission pipelines, which are point to point.

When these two acts originally commenced, both were administered within one government agency and by one minister. Both acts commenced in advance of the development of the gas supply industry in Tasmania. This included the undersea gas transmission pipeline, the onshore

transmission backbone and the rollout of the dendritic distribution network in various cities and towns across the state.

Since that time, there have been changes in administrative arrangements that have resulted in parts of both acts being administered by the Department of State Growth, with other parts of both acts being administered by the Department of Justice. Further, a number of variations in provisions apply to either dendritic or point-to-point pipelines. These differences are not based on any current needs. At times they are cumbersome and inefficient to administer.

The bill currently before the House addresses these inefficiencies, and will reduce administrative costs and streamline licensing arrangements for the gas supply industry. It will be administered by the Department of State Growth.

The Gas Industry Bill's companion, the Gas Safety Bill, will provide for the safe operation of the gas supply industry, and broader gas safety matters. It will be administered by the Department of Justice.

This Gas Industry Bill covers licensing for gas retailing, and the building, operation and maintenance of gas infrastructure. Gas infrastructure includes gas distribution as well as transmission.

This bill provides clearer administrative and legislative responsibilities for the Minister for Energy, the Department of State Growth and the Regulator. In harmonising the provisions in the current acts, we will eliminate some longstanding duplication and inconsistencies, and modernise the legislative arrangements.

An example of the way this bill harmonises and streamlines arrangements for the gas supply industry is in the area of gas supply emergency management. Currently, only the Gas Act provides express powers to manage gas supply in the event of a supply shortage or major disruption.

In the bill before the House, there are now provisions that provide for a safe and efficient response to gas supply emergencies affecting customers, irrespective of whether they are supplied directly from a transmission pipeline or from the distribution system. These provisions have been developed in consultation with the gas supply industry, and in response to several gas supply emergency exercises over a number of years. These exercises, and industry feedback, identified the need to be able to manage gas supply across the entire network to ensure safe and equitable access to gas, especially for critical services. Harmonisation of the provisions will allow the Minister for Energy to assist the market in the event of a supply disruption.

The Gas Industry Bill provides for one significant new provision, which I will now outline.

This new provision is the creation of a head of power to enable the Minister for Energy to provide for an obligation to offer supply - which is not the same as an obligation to supply.

So what is the problem that we are seeking to solve?

There have previously been cases where some customers with high levels of debt, who were tenants of Housing Tasmania properties provided with gas hot water systems, were not able to get a supply contract with either Tas Gas or Aurora due to pre-existing debt or ongoing credit risk.

The Department of State Growth has discussed this with Housing Tasmania and with both gas retailers. Aurora Energy has responded positively and has extended its hardship policy to its gas customers, which we all welcome.

As long as the industry is demonstrating a willingness to consider and account for the needs of vulnerable customers, there may be no need to impose a legal obligation on a retailer. However, in the event that this problem re-emerges, then the Government will have the power to take prompt action. This ensures that we can look after the interests of vulnerable customers without the matter needing to be brought back to parliament. This issue is being actively monitored in collaboration with the Tasmanian Council of Social Service to ensure that any future problems can be identified and addressed promptly should they arise.

So how would the obligation to offer supply work?

The 'obligation to offer supply' concept is fundamental in electricity retailing across the national market, and also in gas retailing in some jurisdictions.

What it means is that, for every small customer, there is a retailer who must offer a contract to supply energy, on standard terms and conditions. This is not an obligation to supply, but an offer to enter into the contract. The way the obligation is imposed on retailers has a little bit of variation across the national market, but it is generally imposed on either the retailer who last supplied energy to the premises, or, for new customers, a designated 'local area retailer'. Once the contract has been entered into, the usual supply contract provisions apply.

A key feature of this bill is that it represents a light-handed regulatory approach. This was, and remains, consistent with the concept that gas is, for the most part, a product of choice. As a relatively new energy source for Tasmania, this means that the regulatory burden on the gas supply industry is kept low. The cost of compliance with a regulatory burden is eventually, and inevitably, passed on to customers. This means that it is important to ensure that the cost of compliance is commensurate with the benefits that the customer receives. The Government will continue to keep compliance costs commensurate with the benefits.

I will now take the time to address some issues that may be raised that are not included in this legislation.

First, the bill does not regulate gas prices for Tasmanian customers. We recognise that the price of gas is an issue nationally. However, as Tasmania does not have a gas resource of its own, we are not able to artificially constrain prices to customers. National issues need national solutions, and this has been recognised. Both the Australian Energy Market Commission and the Australian Competition and Consumer Commission have undertaken reviews into the gas supply industry. There is ongoing reform in this area; some of the measures have already been implemented and have worked well for Tasmanian customers. One such element is the introduction of the compulsory arbitration framework, which ensured that a fair and reasonable outcome was achieved earlier this year for gas customers in relation to gas transportation costs across the Tasmanian Gas Pipeline.

Second, the bill does not directly expand the gas industry in Tasmania. It does, however, continue to provide an appropriately light-handed regulatory regime which will allow for organic growth in the distribution network as it becomes financially viable for this to occur.

In conclusion, I would like to highlight that this bill represents a streamlining of administration, and a harmonisation and simplification of licensing arrangements. This will reduce costs to the industry and to the community.

I am confident that this bill will contemporise the legislative arrangements for the gas industry in Tasmania.

Mr President, I commend the bill to the House.

[11.14 a.m.]

Mr VALENTINE (Hobart) - Mr President, from reading the bill I can see it offers a more streamlined administrative process. It started off under one minister then morphed into two, which meant duplications and inconsistencies arose. It is good to see that this bill is intending to rectify some of that through streamlining. It is interesting how things change over time and how governments appoint ministers in various roles, and it behoves any government to consider this when it is looking at ministries and the like. I am not pointing at any one particular government - it could be any government.

Ms Forrest - Departmental structures.

Mr VALENTINE - Yes. They do complicate things over time and sometimes things need to be brought back into line, and this is one example of that.

Bill read the second time.

GAS INDUSTRY BILL 2018 (No. 40)

In Committee

Clauses 1 to 21 agreed to.

Clause 22 -
(Grant of Licence)

Mr VALENTINE - Proposed section 22(5) talks about the Regulator may not grant a licence that authorises the carrying out of both the selling of gas and so on. I touched on the 'adequately separate' issue which came to my attention; is this sufficiently clear? Adequately separate can mean a lot of things to a lot of people, but I am informed it has to do with the Regulator's *Ring-fencing Guideline*. It does not require a legal separation, but does require accounting separation. Could the Leader place an answer to this question on the record?

Mrs HISCUTT - The Regulator has to consult with retailers and distribution networks to make sure everybody is happy. If the Regulator is not satisfied everyone is happy, it can seek further information or take other actions. There are guidelines on the Enwave website.

Clause 22 agreed to.

Clauses 23 to 33 agreed to.

Clauses 34 to 38 agreed to.

Clause 39 -

Suspension and cancellation of licences

Mr VALENTINE - Clause 39 relates to suspension and cancellation of licences. Reading clause 39(9), I do not see mention of how the customer is notified prior to a licence being cancelled. Is it somebody else's responsibility to inform the customer in a timely manner? If their gas supply is to be terminated as a result of a licensee being cancelled, how are they notified of that? Is it through the *Gazette*, or are there some other process so that people are not left in the lurch?

Mrs HISCUTT - We are looking for further information but the Government has a step-in provision. If the licensee for some reason vacates their responsibilities, the Government can step in. That is in clause 87 of the bill.

Clause 39 agreed to.

Clauses 40 to 43 agreed to.

Clause 44 -

Right of entry on land

Mr DEAN - Clause 44 refers to right of entry on land. If we look at (2) -

The Regulator may authorise a person to whom this Division applies to, without the agreement of the owner of the land, enter and remain on land under this section on the conditions that the Regulator considers appropriate.

While it may occur, there is no onus on the Regulator to provide those conditions in writing to the licensee. That is appropriate in the circumstances because the licensee, before entering on the land of a person, must provide the circumstances in writing to the owner of that land. A person who is authorised under subsection (2) 'may use reasonable force to enter on land'. I refer in my question to -

45. Notice of proposed entry on land

(1) A licensee must give written notice to the owner or occupier of land

They must give written notice, but the Regulator could simply say to the licensee or to the appropriate person that they have the right to enter onto that land only between Monday to Friday between 9 a.m. and 12 noon and 2 p.m. to 5 p.m. There is nothing in writing to correspond with those directions. If I have missed it, I would appreciate it being pointed out to me.

Mrs HISCUTT - We cannot envisage why the Regulator would not make some contact because it is a serious issue he is going to look at. We have not put that in there mainly because if the Regulator has to look at a serious issue, he has to go. If it is a serious issue, you would imagine there would be prior correspondence. We did not feel the need to put it in there. However, if the member is of a mind to postpone the clause and have an amendment drawn up, it is up to him. We do not envisage any problems with this.

Mr DEAN - We can imagine many things. It ought to be a written direction from the Regulator. This is an important issue. This is the Regulator giving a direction to a licensee, a responsible person, to enter onto the land of another person. That also entails the use of force in certain circumstances. The licensee can use reasonable force to enter onto the land and the licensee must provide their situation in writing to the landowner. It is incumbent on the Regulator to do that. I seek - and I do not want to hold up the process - to postpone this clause for the purposes of inserting two words. I do not know whether it can be done from here, if the Leader is of that mind. The insertion of the two words in writing could be seen as a tabled amendment but the Clerk might see otherwise.

Mrs HISCUTT - We are happy to do that. I will ask my staff to forward an email to the Office of Parliamentary Counsel to insert that into that particular section.

Mr DEAN - Madam Chair, I move -

That the clause be postponed for the purposes of drawing up the amendment as referred to.

Clause 44 postponed.

Clauses 45 and 46 agreed to.

Clause 47 -

Power to carry out work on public land

Mr VALENTINE - I have a query with regard to clause 47 -

- (5) Agreement is not required under subsection (2) for work of a kind prescribed by the regulations for the purposes of this section.

I know they do not exist at the moment, but I am interested in hearing about the regulations. Is it intended that councils will be consulted when it comes to drawing up the regulations? In my former role as lord mayor of Hobart - and I know from when I was Chair of the Council of Capital City Lord Mayors that other capital cities around Australia have this issue - telcos sometimes come in and dig up a recently laid street or a footpath, which is an incursion into the asset and the asset degrades. I am quite keen to hear that councils will be consulted when the regulations are being put together.

Mrs HISCUTT - I have a firm answer: yes, they certainly will be.

Ms RATTRAY - I was sure the member for Hobart would ask about the regulations. Are they in draft form yet? What sort of time frame are we likely to see? The answer may well be 'How long is a piece of string?', but I think it is worth putting on the record.

Mrs HISCUTT - The same term came into my mind - 'How long is a piece of string?' No, they have not been done yet because of the amount of work the departments have to do, but they will be done in due course.

Clause 47 agreed to.

Clauses 48 to 72 agreed to.

Clause 73 -

Application and issue of warrants generally

Mr DEAN - Division 3 refers to warrants; clause 73 is about the application and issue of warrants generally. The issuing of warrants is not taken lightly. The issuing of warrants occurs where there is an emergency situation or where there has not been compliance or authorisation of a landowner or of another person for something to happen. These are normally some of the criteria for the issuing of warrants to enter properties.

I notice, under proposed section 66 of the Gas Safety Bill where warrants are issued for certain things to occur, that the person to whom the warrant is issued must be accompanied by a police officer. That is done, I suggest, for the very right reason that if you are entering any property with a warrant, there is a possibility that force might be necessary, or other actions might be necessary that a police officer is trained to assist and deal with and be involved in. In the safety legislation we will be dealing with shortly, that is covered with a warrant. I wonder why it is not here. It says here that they can use and gain other support to enter, but that other support might be simply another employee - it might be another person who does not have the wide experience necessary for the purposes of assisting in the execution of a warrant.

Why do we have that difference in these two bills? I would have thought that in this case, because a warrant is issued, it is known there is a problem, so there is plenty of time in which to make contact with police, as that would be identifiable in the Gas Safety Bill as well. It is not as though someone has to get the warrant now and act on it immediately. There is time to do that. The people required to undertake this action with a warrant ought to be protected. Why do we have these differences and why will there not be a police officer accompanying in those circumstances?

Mrs HISCUTT - This clause is a carryover from the other acts. No-one is aware of it being an issue before or that anything has happened before. Because it is a transplant from one act into this bill, it was not looked at. It was presumed it was working well. It was not an oversight; it just was not looked at.

If the member wants to move an amendment to do that clause, the department will be happy for that to happen. We could also postpone the clause if you wish.

Mr DEAN - I would opt to postpone this clause. It brings it in line with the Gas Safety Bill, so we have consistency. I would seek to postpone the clause and complete the amendment as identified - that is, that they are to be accompanied by a police officer.

Mr VALENTINE - Would the organisation not be able to bring the police in if they thought there was going to be an issue? I am not sure whether the amendment is needed. I may have to wait until the amendment comes to the Floor before I can speak more fully to it. I do not support the postponement because I think the organisation could bring in the police if they thought there was a concern. I do not see the need for the change.

Mrs HISCUTT - We are not aware it could be used in the way the member for Hobart has said because that proposed section has never been used before. There is information if you wish to pursue that.

Clause 73 postponed.

Clauses 74 to 83 agreed to.

Clause 84 -

Powers of Minister on appeal

Mr VALENTINE - This clause gives the minister the opportunity to set aside a decision. I had an amendment drawn up so that the minister had to publish the reasons. It is unusual for a minister to disregard a decision and substitute their own. I am told that it is only for incidental matters. I would like explained the reasons the minister has the power to set aside the decision.

Mrs HISCUTT - It is a general power to review and is appropriate to have it there. It should be there, otherwise it would be an appeal straight to the Magistrates Court, which is not a simple matter. In the 19 years it has been there, it has never been used. It is appropriate the general power remains there.

Mr Valentine - Would a commercial-in-confidence situation be the reason publishing would not be acceptable?

Mrs HISCUTT - The answer is simply yes.

Mr Valentine - Thank you.

Clause 84 agreed to.

Clause 85 agreed to.

Clause 86 -

Reports by Regulator

Ms RATTRAY - In regard to the reports by the Regulator and in clause 86(2) -

The Minister may from time to time direct the Regulator to provide a report on gas supply.

What is the time frame envisaged? Clause 86(1) says -

The Regulator may provide a report to the Minister ... if so directed by the Minister ...

Are we going to see a plethora of reports or is it ad hoc? What is envisaged in that reporting process?

Mrs HISCUTT - Reports are given from time to time, but you are talking about specific reports about specific issues. Normally the minister would not direct a report be done unless there was an emerging problem and the minister wanted to be informed of a particular issue. It is not something used often and would be in regard to an emerging problem.

Clause 86 agreed to.

Clauses 87 to 90 agreed to.

Clause 91 -

Minister may require gas retailer to offer gas for sale

Ms RATTRAY - This area was discussed in the briefing process, and I asked a question on whether the minister was going to have a hands- on role here. Clause 91 certainly reads as if that will be the case. I was informed it would not be the case and the minister would receive a recommendation. I would like to have on the public record that the minister will not be dabbling in the day-to-day activities of the gas industry.

Mrs HISCUTT - Yes, that is correct. The minister takes advice from all around and he makes the decisions.

Ms Rattray - By experts?

Mrs HISCUTT - Yes.

Clause 91 agreed to.

Clauses 92 to 102 agreed to.

Clause 103 -

Service of notices, &c.

Ms RATTRAY - I notice we are still referring to a person's fax number. Who uses faxes in this day and age?

Mr Valentine - Doctors.

Ms RATTRAY - When we are dealing with new legislation, why would you have a reference to a fax? I am pleased to see the reference to email because at the rate Australia Post is going, unless it is delivering parcels for people who buy online, it will soon not be relevant because it takes so long to get a letter anywhere. Why do we still need to reference faxes?

Mrs HISCUTT - The answer is obvious. Most people do use emails and some people use texts; however, some people still do have faxes. It is not detracting from the bill; it is simply covering all bases. When faxes are finally booted out the door, we could look at this again.

Clause 103 agreed to.

Clause 104 -

Extension of time limits

Ms RATTRAY - This clause says -

- (1) The Regulator may extend a time limit fixed by or under this Act.
- (2) A time limit may be extended under this section even though it has, at the time of the extension, already expired.

What is envisaged as a time extension that would be given? Can you give a circumstance or an example? Is it a week, a month or a year? What time frame is envisaged?

Mrs HISCUTT - There is no particular fixed time limit. If the Regulator were to ring up someone and say, 'I need this particular piece of information' and the person says, 'I cannot provide it now but I can get it to you within five days, 10 days, 14 days', the Regulator would be satisfied because you cannot provide information if you cannot get it until a certain time. It is not a fixed time frame; it is a suitable time for everybody.

Ms Rattray - It is more about providing information on request?

Mrs HISCUTT - Yes, it is not instant. You have to be able to seek that information before you can provide it.

Ms Rattray - That will be useful for someone in the future.

Clause 104 agreed to.

Clauses 105 to 113 agreed to.

Postponed clause 44 -
Right of entry on land

Mr DEAN - Madam Deputy Chair, I move -

That clause 44(2), after 'may', be amended by inserting the words ', in writing,'.

I will not speak at length on this amendment to the clause because I have already spoken on it. It will ensure that what the Regulator is giving to the licensee or the appropriate person is clear. There can be no errors made, or they should not be made as easily, if the direction is in writing. The directions given by the Regulator in this instance can be quite significant and important in giving the authority to persons to enter onto the land and properties of others. The licensee has to give notice in writing to the landowner. Conditions could be mixed. There could be some errors made, and we do not want that to happen. This is a protection for the Regulator and a protection for the licensee. It protects all persons. I ask that members support the amendment.

Mrs HISCUTT - The Government supports this amendment. You are right, the Regulator may feel more secure with that extra person being there. We have no issue with that.

Ms FORREST - Madam Deputy Chair, I have real concerns about this because this proposed section is dealing with the right to enter land. Yes, most of the notifications should be in writing, and would be in writing, but the Regular may be in the circumstance where there is a major gas leak. Someone has hit a gas pipe and the Regulator needs to act quickly. With the emergency powers, I am concerned that they will have to wait for something to be delivered in writing before they can access the land when this is only dealing with the right of entry. Clause 44(1) has it that the person can be authorised with agreement. Most of the time, I am sure that would be the case, but where there is an emergency situation where there are lives at risk, having to wait for a written authorisation to enter the land could unnecessarily hold matters up. The Regulator would use discretion. It does not say they will enter without it in writing. If there is time available, I am sure they would notify the people involved, but where there is an emergency situation, you want people

and the Regulator to act immediately to ensure harm is not perpetuated. I am concerned about setting that requirement to be in writing.

Mrs HISCUTT - I am informed that what we are talking about is emergency entrance and that is dealt with in the Gas Safety Bill. That comes under the role of the Director of Gas Safety.

Mr VALENTINE - Yes, from my reading of the Gas Safety Bill, it seems correct. I do not have a particular problem with this, but the Regulator would be wise to do it in writing because if it ever ended up in a court where they have to defend what they did, it would be on their head if they did not have it in writing. I will support the amendment.

Amendment agreed to.

Clause 44, as amended, agreed to.

Postponed clause 73 -

Application and issue of warrants generally

Progress reported; Committee to sit again.

GAS SAFETY BILL 2018 (No. 41)

Second Reading

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) -
Mr President, I move -

That the bill be now read the second time.

The gas industry is a significant contributor to Tasmania's economy. Continued confidence by investors and consumers is paramount in ensuring ongoing project developments and a viable cost-effective energy source for industrial, commercial and domestic gas users.

This new bill is one part of a package of legislation resulting from the gas supply industry regulatory framework review, and will include the cognate Gas Industry Bill 2018.

This package is also part of the Government's energy strategy and comprehensive reform package to reduce red tape and excessive regulation. Besides this, the Gas Act 2000 and Gas Pipelines Act 2000 have regulated the Tasmanian gas industry for over 10 years. Both acts have undergone minor amendments, but there has not been a substantial review of the legislation during this time.

The Gas Safety Bill and the Gas Industry Bill, which this Parliament will be asked to examine during the debate, contain combined and consolidated provisions of the Gas Act 2000 and Gas Pipelines Act 2000. These bills, however, rectify current anomalies, reduce red tape where risks were not proportionate to regulatory burden, and reflect current regulatory and industry best practice.

For the downstream gas industry, that includes removal of certain industry and government obligations that were not conducive to efficient decision-making, and placed barriers to investment in projects. This includes removal of obligations for approval of certain types of gas installations. This effectively removes oppressive regulation where it appears the paperwork has become more important than the gas safety outcome.

The amalgamation of all gas safety provisions into a single bill also improves administrative efficiency within government. Responsibility for the current acts is currently split across both the Department of Justice and Department of State Growth. This creates considerable and unnecessary administrative inefficiency.

This review also provides alignment of similar functions relating to the design, construction, commissioning and operational integrity of gas distribution and transmission gas infrastructure, and the promotion of regulatory consistency with regard to the LP gas industry, the automotive gas fitting industry and other emerging fuel gases.

In addition, we propose mechanisms that allow simpler exemptions from aspects of requirements of prescribed standards. Standards may not always enable innovations derived from evolving technological advancements, including fuel efficiencies. So, this measure provides the flexibility to adopt industry leading and fuel-efficient equipment, provided the product does not result in additional risk or the cost of compliance is disproportionate to the risk reduction.

This bill includes provisions to give effect to automotive gas fitting and gas storage provisions already established in the Gas (Safety) Regulations 2014. We have talked to the industry, and have listened, and acted by capturing public safety commitments omitted from the repealed Dangerous Goods Act 1998.

The Gas Safety Bill provides for equitable distribution of costs for administration of the act across the broader gas supply industry. Currently, the natural gas industry unreasonably carries the total burden for administration costs associated with the gas acts. This is despite the fact the acts regulate the downstream LP gas industries. The Gas Safety Bill 2018 will subsequently create a fairer 'recovery of costs' model.

Australia as a whole is grappling with the issue of sufficient gas supplies to maintain economic growth. The risk of gas supply emergencies is evolving to be a real threat, and therefore this bill provides appropriate emergency powers and consultative mechanisms to ensure safety and security of gas infrastructure and installations before, during, and after emergency or gas rationing situations.

Emerging technology in the energy arena is outpacing safety regulation and Australian Standards. This bill therefore seeks to introduce enforceable codes of practice that allow for appropriate administration of emerging technologies in line with public and industry safety expectations.

This bill will introduce measures that allow the Director of Gas Safety to issue infringement notices for administrative, non safety-related breaches. The current acts inappropriately require court action in such instances, which subsequently restricts enforcement and broader safety outcomes. While these administrative nonconformances, such as not providing prescribed gas installation certifications, do not pose immediate public safety concerns, it is the collection of this important data that will become invaluable in instances such as a gas supply emergency or a national

gas appliance safety recall. These administrative functions will then be heavily relied upon to protect the broader public and gas consumers.

At the same time as introducing these enhancements to the gas safety program, this Government is also providing greater public protection through allowing flexibility to appropriately regulate the safety of emerging fuel gases, such as hydrogen, and fuel gas utilisation, in a contemporary manner.

We have consulted widely on the Gas Safety Bill 2018, and it is supported by industry stakeholders. Over two substantial periods of consultation, it has been subject to scrutiny by a very comprehensive inventory of identified industry stakeholders including, but not limited to, gas entities, gas suppliers, gasfitters, relevant industry bodies and associations and relevant government agencies and branches.

Mr President, I commend the bill to the House.

[12.03 p.m.]

Ms RATTRAY (McIntyre) - Mr President, this is a very important part of the Government's energy strategy and the reform we are in the process of dealing with from the previous bill and the one to come. I note, and am very pleased to see, that the Government has consulted widely. I have not had any of the plumbers or gasfitters whom I represent make any representation to me; they must be quite content with what is being put forward. Everybody in the gas industry would want to be perfectly clear that safety is the main focus, and I am pleased that is the case.

The second reading speech says emerging technology in the energy arena is outpacing safety regulations and Australian Standards. It talks about the bill seeking to introduce enforceable codes of practice that allow for appropriate administration of emerging technologies in line with public and industry safety expectations. Are there examples of Australian Standards in new technology that we need to share with the wider community regarding industry safety expectations? I am interested whether any examples come to mind from your advisers. As a small state, Tasmania grapples with complying with Australian Standards and how the industry and those working in the industry are keeping pace with them. Sometimes we are slow to react to some of those standards. I am interested in what is being done and whether there are any examples.

I support the intent of the Gas Safety Bill because it keeps the focus on safety. Gas is becoming more prevalent in our state. I only have a gas barbecue, but many people use gas as their primary source of energy, where it is available. You see the big cylinders outside homes more regularly than in the past. Not everyone is relying on electricity from TasNetworks. I support the bill.

[12.07 p.m.]

Mr VALENTINE - Mr President, this bill is important for the safety of the community. I have one query which I will ask in Committee in relation to safety issues when installing gas appliances purchased on Gumtree or however else. On reading the bill from cover to cover, I am happy to support it.

Ms Forrest - We are impressed with that.

[12.08 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, in answer to the member for McIntyre's question, there are now large installations in

Burnie for biogas and there are no Australian Standards that cover biogas installations. There are, however, American and Canadian standards. Introducing codes of practice will allow us to bring into account these international standards.

A couple of members talked about consultations. I will list some of the people we have consulted with so you can see we have comprehensively covered this. We have talked to Aurora on numerous occasions. We have been to BOC at Westbury and in Victoria. We have been to Origin in New South Wales and Launceston. We have been to Origin in New South Wales and Launceston, Palisade Asset Management in Melbourne and TasNetworks in Moonah and St Leonards - we have been to Moonah a couple of times. We have talked to Tasmanian Gas Pipeline in New South Wales, Zinfra in Youngstown, Elgas in Western Junction and Victoria, LNG Refuellers in Launceston, Supagas in Bridgewater, and United Petroleum in Victoria.

These are training organisations. We have been to Gastrain in South Australia; TasTAFE, of course; and the automotive section in Launceston of the Tasmanian Skills Institute. We have covered engines, automotive and marine crafts with Advanced Fuels Technology in Tullamarine and Victoria. We have been to the Tasmanian Automobile Chamber of Commerce in New Town, William Adams in Somerset, the RACT in Hobart and EGP Engines in New South Wales. The Tasmanian Transport Association was contacted by email -

Ms Rattray - Did you get a response?

Mrs HISCUTT - From which one in particular? I will seek some advice.

Other organisations we contacted include Cement Concrete and Aggregates Australia at Rose Bay, the Automotive Alternative Fuels Registration Board in Melbourne, and Marine and Safety Tasmania in Hobart. We went to Energy Safe in Victoria; the Department of State Growth had input as did the Department of Justice through Worksafe, and Consumer, Building and Occupational Services at Rosny. The Tasmania Fire Service was consulted, as was the Department of Economic Development in Hobart, the Office of the Tasmanian Economic Regulator, the Department of Treasury and Finance, the Department of Human and Health Services, and the Australian Building Codes Board in Canberra. Some of the larger gas consumers we consulted included Hydro Tasmania, Aurora Energy, the Tamar Valley Power Station, Launceston General Hospital, Fonterra at Wynyard and TasWater in Hobart.

Mr Armstrong - Plumbers and gasfitters? There is a plumbers and gasfitters association.

Mrs HISCUTT - I shall seek that information in a moment. Simplot Australia in my electorate of Montgomery in Ulverstone are big users of gas; Grange Resources in Burnie and Global-Mark Pty Ltd in New South Wales - that is a gas appliance certification body, so we might find it down here. SAI Global in New South Wales; the Australian Gas Association in Braeside, Victoria was consulted; as were IAPMO R&T, Oceana and Vipac Engineers and Scientists in Victoria. Miscellaneous was the Tasmanian licenced gasfitting practitioners and contractors. That is probably what the member for Huon was looking for. The Tasmanian Chamber of Commerce and Industry was consulted and would have consulted their membership; Tasmanian Farmers and Graziers likewise; the Insurance Council Australia, New South Wales; and Unions Tasmania. The Local Government Association of Tasmania and the Master Plumbers Association of Tasmania in Glenorchy were consulted, member for Huon, as were the Engineers Australia Tasmania Division in Hobart, the Master Builders Association, the Housing Industry Association, the Tasmanian Building and Construction Industry Training Board, the Air Conditioning and Mechanical

Contractors Association of Tasmania and the Property Council of Tasmania. The Gas Appliance Manufacturers Association of Australia in Melbourne was notified. The National Association of Food Equipment Suppliers Ltd in New South Wales, the Australian Refrigeration Council in Victoria, and the Civil Contractors Federation in Tasmania were also consulted.

I will seek that information about the Transport Association.

Recognition of Visitors

Mr PRESIDENT - Honourable members, Claremont High School grade 12 students have also been consulted. It seems like everybody has been.

I welcome Claremont High School grade 12 students. I understand it could be grades 11 and 12. The Legal Studies group are at the back of the Chamber to see how parliament progresses.

We are presently on the Gas Safety Bill. We welcome you here; we hope you have a good time and go away thinking, 'I am going to get involved in politics at a later stage'.

Members - Hear, hear.

Mrs HISCUTT - The Tasmanian Transport Association was consulted, but there was no feedback, member for McIntyre, so I presume they were happy with it.

There was no feedback from the Master Plumbers Association, but it was consulted. During the debate in the other place, it was confirmed by the honourable David O'Byrne that the Master Plumbers Association was contacted in 2016.

Bill read the second time.

GAS SAFETY BILL 2018 (No. 41)

In Committee

Clauses 1 to 15 agreed to.

Clause 16 -
Annual fee

Ms RATTRAY - Madam Chair, in regard to the annual fee in clause 16 -

A gas supplier must pay to the Director annually and in advance a fee determined by the Director that represents a reasonable contribution towards the costs of the administration of this Act having regard to the nature and scale of the operations of that gas supplier.

Can I have some idea of the quantum, who would be paying a considerably higher fee, and how many do we have on this sliding scale? There would probably be much variation in Tasmania, from

small to exceedingly large. How is that determined, and what sort of quantum is expected to be paid to the director in advance?

Mrs HISCUTT - It is an existing provision for gas entities, brought forward from both the Gas Act 2000 and the Gas Pipelines Act 2000. It has been extended to include all gas suppliers for fairness. This is a recovery of costs model so the director can only bill them for the time spent regulating them. Currently there are seven gas entities, which will increase to 10 when gas suppliers are included with the passing of these bills.

Ms RATTRAY - Thank you for that information, but it did not give me any idea of the quantum requested. Does it just cover the Director of Gas Safety or does it also cover the cost of the gas safety officers? They are part of the implementation. It says 'reasonable contribution towards the costs of the administration of this Act'. Is it just the administrative part or is it the mechanics of doing gas safety inspections?

Mrs HISCUTT - It is for the administration of the act, so you are not paying for chairs, buildings and things.

Ms Rattray - We still do not have a quantum of what is expected to be paid.

Mrs HISCUTT - Divided by 10.

Ms Rattray - What figure is divided by 10?

Mrs HISCUTT - We are not in a position at the moment to break that down for you, not having the full information at hand. You might want to put a question without notice.

I am going to give you an end figure, a total. Would this be satisfactory? The total figure we do have is \$236 000, but it is not divided by 10 because sometimes the job is longer than other jobs.

Ms RATTRAY - It says \$230 000 per annum to administer this act. Obviously some of the gas suppliers will pay considerably more. What is the quantum if they do not pay? There is a 10 per cent fee on top of what they do not pay. A director can impose a limit up to 10 penalty units, or 10 per cent of the outstanding fee. If it something like \$20 000 and you have to pay a 10 per cent outstanding fee on top of that, that is fairly substantial. In passing legislation saying this money will be recovered, if there are only 10 customers, that sort of recovery is significant. They are probably fairly big businesses, but I restate the situation: Tasmania also has small operators. We do not always have big business in our state. We are made up predominantly of small businesses.

I will not be opposing this, but I will ask a question later in regard to being more specific about what gas suppliers in this state pay to administer this, because if we start charging to administer every act, we will not have too much business in our state.

Mrs HISCUTT - You just wanted to clarify that we understand this applies to gas entities, not gas customers?

Ms Rattray - 'Gas suppliers' it says - 'a gas supplier must pay'.

Mrs HISCUTT - It has been a longstanding practice with all the entities, and there has been nothing unforeseen.

Clause 16 agreed to.

Clauses 17 to 46 agreed to.

Clause 47 -

Sale of gas appliances and components

Mr VALENTINE - Clause 47(2)(b) deals with the sale of second-hand goods. Does this mean that if somebody buys a gas heater or gas appliance on eBay or Gumtree or at a garage sale, there is no way it can be installed if it does not comply with current standards? I want to understand what is being enforced here.

Mrs HISCUTT - A certified gasfitter will not install something that is not correct and up to standards. I know the honourable member is concerned about purchases on eBay, garage sales and someone thinking they are getting a cheap gas item. It has to be up to standard before a gasfitter will install it. It could just be bad luck for the purchaser of the cheap item.

Mr Valentine - A purchaser cannot install it themselves?

Mrs HISCUTT - You are not allowed to, but then there are many things people are not allowed to do. If it is not up to standards, it cannot be installed.

Clause 47 agreed to.

Clauses 48 to 96 agreed to.

Clause 97 -

Impersonation, obstruction of officials

Mr DEAN - I refer to clause 97, which deals with the impersonation or obstruction of officials, and clause 98, which deals with giving of false or misleading information. There is nothing in the bill that gives an authorised officer the right to seek the name of the person who may be offending. If it is in there, I have missed it and I would appreciate it being pointed out.

If it is not in there, I would like an explanation. It is all very well for these things to occur but there has to be the lawful right to obtain an identification from the person. If we look at the Police Offences Act, the Criminal Code and all the acts that police work with day-to-day, officers have the authority to require a person to provide and state their name and address. To state a false name is another offence.

Could I be given an explanation for why it is not there? If it is, please point it out to me.

Mrs HISCUTT - Under clause 75, authorised officers may gather information in regards to a suspected offence under the act. This would involve seeking the individual's identification details. Under the same clause, authorised officers can also gather information about a personal injury or damage.

Proposed section 80 relates to the power to acquire information about, for example, anything in a person's possession, plus they may require a person to answer questions reasonably asked.

Mr DEAN - Clause 75 says -

An investigation by an authorised officer is an authorised investigation if the purpose of the investigation is -

- (a) to monitor compliance with this Act; or
- (b) to gather information about a suspected offence against this Act, or
- (c) to gather information about a personal injury, or damage to, or loss of, property, relating to a regulated activity.

The other one was clause 80 -

- (1) An authorised officer may require a person to provide information in the person's possession relevant to the enforcement of this Act.
- (2) An authorised officer may require a person to produce, for inspection by the authorised officer, documents or records in the person's possession that may be relevant to the enforcement of this Act.

Madam CHAIR - Are you thinking of asking a question? It is a little bit hard for Hansard to hear you.

Mr DEAN - I have just had these clauses referred to me. I would think I have the right to at least look at them to see whether I am satisfied -

Madam CHAIR - It may be hard for Hansard to hear you unless you speak up.

Mr DEAN - Having looked at those, I do not see that either of those areas covers the right of a person to require the name and address of a person. There is nothing there to say, or that I can read or understand from that, that the failure to do so is also the creation of an offence. Normally, with these - and you cannot have it here unless they are accompanied by a police officer - there is the power of arrest where it is believed a false name has been given. I thought that would be covered specifically. If the department responsible is satisfied it is provided for in this bill, I am prepared to accept that, if it is included in *Hansard*. I do not think it is, but I am happy to accept officers have the right, in circumstances where offences might have been committed or they have been threatened, to demand the name and address of an alleged offender.

If that is specifically covered here, I have no problem and I will accept that. I just wanted to ensure we have it right.

Mrs HISCUTT - I will just cut across to clauses 80(3) and 80(4). Clause 80(3) says -

An authorised officer may require a person to answer any questions that the authorised officer reasonably asks that may be relevant to the enforcement of this Act.

Clause 80(4) says -

A person must not, without reasonable excuse, contravene a requirement under this section.

If that person does refuse and is found to be wanting, there is a fine not exceeding 100 penalty units. I hope that covers it.

Mr Dean - I am satisfied with that.

Mrs HISCUTT - We feel that will cover the situation you are discussing.

Mr ARMSTRONG - I just want some clarification on clause 97(2), which says -

A person must not, without reasonable excuse, obstruct an authorised officer, a gas safety officer, or any other person, acting in administration of this Act or exercising powers under it.

What would a 'reasonable excuse' be?

Mrs HISCUTT - Member for Huon, a reasonable excuse, if it were challenged, would be up to a court to decide. 'Reasonable' is a word that is used quite often, but if one party decided that their actions were reasonable and the other believed they were not reasonable, it would end up in court. That is the only decider.

Clause 97 agreed to.

Clauses 98 to 105 agreed to.

Clause 106 -

Application and issue of warrants generally

Mr DEAN - This is an interesting area. I need to read through it so I can get my question and position clear -

- (1) An authorised officer or a gas safety officer may apply to a justice of the peace for a warrant to enter a place specified in the application for the purposes of enabling the officer to perform the officer's functions, or exercise the officer's powers, under this Act.
- (2) A justice of the peace may, on the application of an authorised officer or a gas safety officer under subsection (1), issue a warrant to the officer to enter a place for the purposes of performing the officer's functions, or exercising the officer's powers, under this Act.
- (3) A warrant authorises the authorised officer or gas safety officer, to whom it was issued, with any assistants and by any force reasonably necessary -
 - (a) to enter the place specified in the warrant; and
 - (b) to do, at any time, or within any period, specified in the warrant, anything that the officer is authorised to do by this Act.

- (4) A warrant is to specify the date on which, and the time at which, the warrant ceases to have effect.

It says when that warrant is issued by a justice of the peace, they can enter and action that warrant with any assistance they require. If we go back to clause 66(8) -

A gas safety officer must be accompanied by a police officer -

- (a) when entering a place with the authority of a warrant; and
- (b) if it is practicable to do so, when entering a place by force in an emergency or need for protective works.

Clause 66 says where a warrant is issued to a gas safety officer, they must be accompanied by a police officer, but clause 106 does not specify that a police officer must be present. There might be a good explanation for this, but it looks to me to be an oversight. I am interested in hearing the Leader's explanation.

Clause 66 says there must be a police officer, clause 106 says there does not have to be a police officer - they can do it with any assistance that they want to get.

Mrs HISCUTT - It is not contradictory, because clause 106 provides additional details to the requirements in clause 66. Clause 66 talks about warrants and police officers. Clause 106 talks about the assistance. Yes, a police officer would be in attendance in accordance with clause 66.

I know this provision has never been used before, but you need to read the whole together. Do you want me to go through this again while you think about it? It is not contradictory because clause 106 provides additional details to the requirements of clause 66. Clause 66 stands and clause 106 details more fully what can happen.

Mr DEAN - I hear what the Leader has said, but with the greatest respect, I have difficulty accepting it. Nowhere in clause 106 does it say this is additional, nor does it refer to clause 66. As it is currently written, clause 106 stands alone. If there had been some reference to clause 66, I would accept the statement, but nowhere does it indicate it is extra information for this further detail or assistance a gas safety officer can use. It does not say that; it simply says that authorised officers and gas safety officer may apply to the justice for a warrant to enter a place and perform the functions. Then it says a justice of the peace may issue a warrant providing the authority to enter a place. It goes on to say the gas safety officer or authorised officer to whom it was issued may, 'with any assistants and by any force reasonably necessary' - we are looking at assistants; we need to read that right - enter the place.

Clause 66 specifically refers to a gas safety officer; there is no mention in it of an authorised officer. In my opinion, you cannot have it written in the way it is without further clarification and reference to clause 66 and the gas safety officer. We have now brought the two of them into it in the clause I am talking about. I ask other members to look at that. To me, it does not fit at all and is contradictory. I cannot see where it is picked up anywhere else in the bill, but it might be.

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

QUESTIONS

Hospitals - Critical Incident Events

[2.33 p.m.]

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

Mr President, the question is to the Leader. With regards to critical incident events that occur and are reported throughout the Tasmanian Health Service -

- (1) How many critical incident events have been reported over the last five years, reported separately by -
- (a) Hospital - North West Regional Hospital, Mersey Community Hospital, Launceston General Hospital and Royal Hobart Hospital?
 - (b) Area within hospital - for example, emergency department, medical ward and psychiatric ward and ICU?

ANSWER

Mr President, I thank the member for Murchison for her question. We will start with hospital area -

Hospital/Area	2014	2015	2016	2017	2018	Total
Launceston General Hospital	7	2	7	4	2	22
Acute Medical Unit	1	1				2
Angiography NCCU Cardio Neuro	2		1		1	4
Emergency Department	1		2	1		4
Intensive Care Unit	2			1	1	4
Medical Imaging			1			1
Operating Room Suite	1			1		2
Ward 4D			1			1
Ward 5A			1			1
Ward 5D				1		1
Northside Ward		1	1			2
Mersey Community Hospital	1			4	1	6
Emergency Department				2		2
Medical Ward				2	1	3
Surgical Ward	1					1
North West Regional Hospital	1	1	3	1	7	13
Emergency Department			1	1		2
Maternity (NWPH)					1	1
Medical Ward					1	1
Obstetrics & Gynaecology					2	2
Surgical Ward	1		1			2
Theatre		1			1	2
Spencer Clinic			1		2	3

Royal Hobart Hospital	11	9	13	16	10	59
2D Cardiac					1	1
2J Medical Ward	1		1			2
7A Medical Ward	1				1	2
Assessment Planning Unit			1	2		3
Cardiac Catheterisation Suite					1	1
Department of Critical Care Medicine	1		1		2	4
Emergency Department	1	3	6	8		18
Medical Imaging	3			1		4
Paediatrics		1				1
Perioperative Services	1	2	2	3	3	11
Surgical Services	1				1	2
Department of Psychiatry	1	2	2	2	1	8
Inpatient and Extended Treatment	1	1				2
Total	20	12	23	25	20	100

Murchison Highway - Road Surface Deterioration

Ms FORREST question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.37 p.m.]

My question follows two previous questions regarding the deterioration and condition of a recently upgraded section of the Murchison Highway, which I noticed when driving down there recently has again been resealed. The Leader indicated that the cause of the rapid deterioration of the surface had not been determined and was being actively investigated by the department and the construction contractor.

The Leader also stated initial indications are that the deterioration could be due to either material quality or workmanship issues by the contractor. These questions were first raised in October 2018. I now ask -

- (1) Has the cause now been identified?
- (2) (a) If so, what is the cause?
(b) If not, when is this information expected to be provided?
- (3) Has the departmental review of its construction specifications and quality assurance processes being completed?
(a) If so, what were the findings and the outcomes of the review?
(b) If not, what is the expected date of finalisation, and why is this review taking such an extended period to complete?

ANSWER

Mr President, I thank the member for Murchison for her question.

- (1) Yes, the cause of the seal failures has been identified.
- (2) The road surface failures occurred because of an inadequate primer seal. This section of the Murchison Highway, which is between Pieman Road and Farm Creek Bridge and 3.5 kilometres north of Pieman Road, received its first seal - primer seal - approximately one year ago. This primer seal is intended to only be an interim measure until the final seal can be applied. This is the normal sealing practice used by the Department of State Growth to ensure proper adhesion of the final seal. As the application of the primer seal was not suitable for this specific site's conditions, the road surface failures have been fixed by the contractor, VEC Civil Engineering Pty Ltd, at its expense.
- (3) (a) and (b)

The construction specifications have been reviewed, including external peer review, to understand the cause of the recent failures, and no fault has been found with those specifications.

In relation to the Murchison Highway, the review considered whether its construction methodology complied with the specifications. In some aspects the seal design was not consistent with the relevant Austroads guidelines and the local conditions expected.

To address these issues, the department has applied additional contractual provisions to ensure the contractor is fully responsible for the works and that local conditions are adequately considered at the time of the works. Future contracts will make it the responsibility of the contractor to complete both initial and final seals rather than the department engaging a separate contractor for the final sealing, as has been past practice.

Future works will be planned so that a final seal will be placed within the one construction season rather than the previous practice of placing an initial seal during one season and placing a subsequent seal in the following season.

Mr Dean - Thank you.

Payment of Pensions by RBF to Spouses of Deceased Partners

[2.41 p.m.]

Mr DEAN question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

My question relates to the payment of pensions by RBF to spouses of deceased partners.

On 18 August 2018, following questions I asked relative to any changes to arrangements for the payment of pensions to surviving partners on behalf of the Superannuation Commission, I was advised that the Office of the Superannuation Commission had already made improvements in this

area. I was also advised that the Department of Treasury and Finance had identified a number of changes to the way in which the interim pension arrangements operate.

Will the Leader please advise -

- (1) What improvements have been made and implemented relative to surviving partner payments?
- (2) What changes have been made, if any, to the way in which the interim pension arrangements operate?
- (3) How far advanced is Treasury and Finance in the broader package of reforms currently being reviewed?
- (4) When will consultation with stakeholders commence?
- (5) This matter has been brought forward in many respects due to the work of the Retired Police Association Tasmania. It is noted that the Tasmanian Association of State Superannuants - TASS - has been asked to nominate suitable members to join a committee to review the proposed legislation. Will RPAT also be asked to nominate suitable members to the committee? If not, why not?
- (6) In February 2018 the Treasurer said the Government would develop regulations within the first 12 months of its tenure to address the position of providing for spouses to receive a part-pension from the time of death of the contributor. What stage is this change at, and when will the regulations be tabled?

ANSWER

Mr President, I thank the member for Windermere for his question.

The answers are:

- (1) The Office of the Superannuation Commission, which administers the arrangements for the payment of pensions to surviving partners on behalf of the Superannuation Commission, has recently reviewed the current administrative approaches to the application process for surviving partner pensions in consultation with the Retired Police Association and the Tasmanian Association of State Superannuants.

This review was undertaken to improve the process from the perspective of members and their partners under the existing framework set out in the Public Sector Superannuation Reform Regulations 2017.

- (2) Specifically -
 - (a) working with RPAT and TASS, the development of new fact sheets and documentation to make the process of surviving partner pensions clearer, and to assist members prepare for the process ahead of the passing of a member

- (b) changing the way in which the deaths of pension members are monitored to more proactively identify the need to commence surviving partner pension processes
- (c) changing administrative practices to reduce the risk of overpayments on the passing of a member where there is prima facie evidence of there being a surviving spouse
- (d) modifying the management of new cases to increase the level of phone contact from the administrator to the surviving partner
- (e) implementing new correspondence for the surviving partner pension process to accompany the new administrative processes.

The Office of the Superannuation Commission is committed to ensuring that the documentation requirements used to substantiate the claims of a surviving partner are appropriate and not overly burdensome for members.

- (3) The proposal to introduce a new interim surviving partner pension to allow a surviving partner of a pensioner to be paid an interim pension immediately following the death of a member-partner where the member-partner had a reversionary life pension is included in the broader package of reforms and is supported by the Government.
- (4) and (5)

Consultation will take place shortly with key stakeholders, including RPAT and TASS. The initial consultation is expected to inform the drafting of legislative amendments, with further consultation proposed with stakeholders on the draft legislation.

- (6) It is intended that amendments to the regulations, including amendments to implement the new interim surviving partner pension arrangements, will be prepared in consultation with stakeholders over the coming months. These regulations are expected to be considered by the Government later this year.

Flinders Island - Pricing of Unleaded Fuel

Ms RATTRAY question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2:45 p.m.]

In early December 2018, following an inquiry from a resident on Flinders Island, I contacted TasPorts in regard to fuel prices, to which a response still had not been received when I sent this question in. I have received a response provided in January, but it was not provided to me.

At the time, the cost of unleaded fuel per litre on the island was \$2.13.5, and, for a small business owner to be told the current price in Launceston per litre was \$1.46, could the Leader please advise -

- (1) Why is there such a huge increase in the price per litre?
- (2) What is the current price of fuel per litre to the island?

- (3) Given that TasPorts sets the wharfage fees and also supplies the fuel to the island, does the Government consider that TasPorts has a conflict of interest?

ANSWER

Mr President, I thank the member for McIntyre for her question. The answers are as follows -

(1) to (3)

The supply chain costs for the acquisition and delivery of fuel to the island are more complex and expensive than on mainland Tasmania due to the additional transport and storage costs. TasPorts' customers include fuel retailers as well as agricultural and commercial users. TasPorts has no control over the retail margin applied by the retailers.

The Flinders Island fuel supply chain has many elements, only some of which are managed by TasPorts. The supply chain includes -

- wholesale price of fuel TasPorts pays to fuel distributors sourced within Tasmania
- land delivery charges paid to transport operators to deliver fuel from the distributor to the shipping company at Bridport
- freight charges paid to the shipping operator to transport the fuel to Flinders Island and load and unload the fuel at Bridport and Lady Barron
- fuel storage infrastructure on Flinders Island to store fuel
- fuel distribution infrastructure to deliver fuel to customers
- fuel delivery charges on Flinders Island
- retail mark-up applied by the retailer.

TasPorts is continually reviewing the supply chain costs, including alternative fuel acquisition and delivery options, and is committed to passing any savings on to its customers. Wharfage charges are applied to all TasPorts facilities as part of business operations. Revenue is allocated to associated costs of managing and maintaining infrastructure at the port for all users and customers.

Newstead College - Decrease in Enrolments

**Mr DEAN question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT**

[2:49 p.m.]

In 2018 enrolment at Newstead College decreased by about 100 to near 570 students. This year I am advised there has been a similar decrease, from 570 down to near 470.

- (1) How many students moved to Newstead College from Queechy High in 2017, 2018 and 2019?

- (2) How many students moved from the feeder schools - Port Dalrymple, Lilydale, Brooks and Kings Meadows - to Newstead College in those same years - 2017, 2018 and 2019?
- (3) When will Queechy, Brooks and Kings Meadows - and Kings Meadows at this time provides one VET subject - come online offering year 11 and 12 subjects?
- (4) When online, and an array of subjects are offered from the above high schools, what is the likely impact on student numbers at Newstead College?
- (5) What is the long-term future for Newstead College? I understand Newstead College is a school that will take approximately 800 students, but it is now down to almost half that.

ANSWER

Mr President, I thank the member for Windermere for his question.

- (1) Newstead College enrolments -

2017 - headcount 704, FTE 637.3

2018 - headcount 639, FTE 563.3

2019 (figures still to be finalised through the annual census) - headcount 513

Queechy students moving to Newstead College -

2016 - 55

2017 - 52

2018 - 83

- (2)

Year	School	Total Year 10 Students	No. Enrolled at Newstead for Year 11
2016	Brooks High School	129	23
	Kings Meadows High School	120	28
	Lilydale District School	21	5
	Port Dalrymple School	53	21
	Queechy High School	166	55
2017	Brooks High School	100	26
	Kings Meadows High School	137	25
	Lilydale District School	20	8
	Port Dalrymple School	43	12
	Queechy High School	162	52
			ESTIMATE
2018	Brooks High School	139	22

	Kings Meadows High School	127	16
	Lilydale District School	19	8
	Port Dalrymple School	67	13
	Queechy High School	162	83

- (3) To meet the Government's commitment to increase the number of Tasmanian students who complete year 12, and to extend all Tasmanian government secondary and combined schools to year 12, Queechy, Kings Meadows and Brooks High Schools will be required to have capacity for provision of year 11 in 2021 and year 12 by 2022.

Kings Meadows extended this year to year 12.

- (4) The changes to school leaving requirements, beginning in 2020 due to the implementation of the Education Act 2016, will see an increase in students staying at college and extension schools.

All schools yet to extend are encouraged to work closely or collaborate with their local college to ensure programs meet the aims defined by year 11 and 12 leaders to improve access to personalised learning pathways to support learners' needs and increase retention to year 12.

- (5) The Tasmanian Government's policy is not aimed at dismantling colleges. Colleges are vital in providing a broad curriculum, which is required to provide senior secondary students with diverse and engaging offerings.

Colleges remain critical to the ongoing delivery of years 11 and 12 in Tasmania as our education system strives to increase Tasmania's retention and attainment levels.

Providing choice and access to years 11 and 12 has become even more vital for parents and students due to the changes to the Education Act 2016, which from 2020 raises the leaving age requirements for all Tasmanian students.

GAS SAFETY BILL 2018 (No. 41)

In Committee

Resumed from above.

Clause 106 -

Application and issue of warrants generally

Mrs HISCUTT - It is important for members to know that warrants are only issued as a last resort. Over the 17 years the current gas legislation has been in force a warrant has not been sought. If a warrant is sought under these provisions, the authorised officer or gas safety officer will conduct a risk assessment in consultation with Tasmania Police in circumstances where situations are likely to escalate. This ensures the appropriate use of police resourcing. For these reasons we see no reason this requirement cannot be put into the bill under clause 106.

Because of that reason, we are happy to postpone this clause while an amendment is drawn up to have that inserted. We are having that amendment drawn up as we speak. Would the member like to postpone the clause?

Madam CHAIR - He has already used two calls. The Leader might like to postpone the clause herself.

Mrs HISCUTT - Madam Chair, I move -

That clause 106 be postponed.

Clause 106 postponed.

Clauses 107 to 118 agreed to.

Progress reported; Committee to sit again.

GAS (CONSEQUENTIAL AMENDMENTS) BILL 2018 (No. 42)

Second Reading

[3.02 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) - Mr President, I move -

That the bill be now read the second time.

This bill is relatively straightforward in all respects. It will update a number of acts and regulations to ensure they reflect the changes in references from the Gas Act 2000 and the Gas Pipelines Act 2000 to the realigned Gas Industry Bill 2018 and the Gas Safety Bill 2018.

Where there are continuing requirements or obligations in a range of other legislation, these processes or responsibilities will continue unchanged.

Where a reference in the Gas Act or the Gas Pipelines Act is related to safety provisions, that reference has been replaced with a reference to the Gas Safety Act 2018.

Further, where the reference in the Gas Act or the Gas Pipelines Act is related to licensing, integration with land access or other non-safety regulatory matters, the reference has been replaced with a reference to the Gas Industry Act 2018.

This bill is not seeking to revoke any of the obligations or requirements under the legislation being amended.

Mr President, I commend the bill to the House.

[3.03 p.m.]

Mr DEAN (Windermere) - Mr President, is it not presumptuous to move this bill at this time? Neither of the previous bills has been supported through this place, and neither of those bills has been signed off. We have postponed clauses in both those previous bills and are putting the horse

in the wrong place - behind the cart. I simply raise this, Mr President, as a matter of having the right procedure.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, we can consider this bill on the basis of the merits we have. There is always a third reading speech, if there is any problem. We would not read this one a third time until the other two had been ticked off.

Is the member for Windermere happy with that?

Mr Dean - Yes. I like to have the procedures right.

Bill read the second time.

GAS (CONSEQUENTIAL AMENDMENTS) BILL 2018 (No. 42)

In Committee

Clauses 1 to 29 agreed to.

Clause 30 -

Regulation 530 amended (This Chapter does not apply to certain facilities)

Ms RATTRAY - Madam Chair, a point of clarification on clause 30. It says 'Regulation 530 amended (This Chapter does not apply to certain facilities)', and then goes on, 'Regulation 530 of the Principal Regulations is amended as follows'. I do not have the principal regulations at hand. What does that actually mean? I am hoping to be given some advice about what that refers to.

I realise it is probably not easy to find. It is Part 13, Work Health and Safety Regulations 2012 Amended -

30. Regulation 530 amended (This chapter does not apply to certain facilities)

I do not have the principal regulations with me. I just want to know what those certain facilities are. I do not want to hold up the bill.

Madam CHAIR - It is related to the Work Health and Safety Regulations, not related to the gas bill. This is a consequential amendment.

Ms RATTRAY - I understand, but we are still making an amendment to work health and safety.

Madam CHAIR - In the titles of the relevant legislation only.

Ms RATTRAY - It appears it might be complex. I am happy to take that advice.

Mrs HISCUTT - We do not have the right departmental advisers here to answer that question. Are you happy to put that as a question without notice? Or can we seek the answer and table it for you later?

Ms Rattray - I could probably do some homework and look up Regulation 530.

Clause 30 agreed to.

Clauses 31 and 32 agreed to and bill taken through the remainder of the Committee stage.

ENERGY CO-ORDINATION AND PLANNING AMENDMENT BILL 2018 (No. 57)

Second Reading

[3.15 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) -
Mr President, I move -

That the bill be now read the second time.

During 2015-16, Tasmania experienced a significant energy security event resulting from a combination of the record low spring rainfall and an extended outage of the Basslink Interconnector.

Following this event, the Tasmanian Government established the Tasmanian Energy Security Taskforce to advise the Government how to prepare for, and mitigate against, the risk of such events in the future.

A key priority action the task force recommended, which has been accepted by Government, was the adoption of an energy security risk response framework. This framework sets the energy security risk reporting regime and the energy security oversight roles that will enable future energy security events to be mitigated and managed.

This bill is about providing the necessary legislative amendments to strengthen the Government's energy security risk response framework, as recommended by the task force.

These amendments to the Energy Co-ordination and Planning Act 1995 will give a statutory basis for the energy security risk response framework.

Central to the energy security risk response framework is the formal creation and legislative recognition of the oversight roles of the Monitor and Assessor for Energy Security and the Energy Security Coordinator.

I will now outline the key functions of these two roles.

First, the monitor and assessor role is to provide independent oversight and transparent public reporting of energy security (primarily electricity and gas) informed by primary level data provided by relevant energy supply providers.

Second, the Energy Security Coordinator's role is to coordinate responses across market participants to manage electricity supply risks when water storages are at or below an energy security reserve level.

Under the energy security framework, energy in storage levels are regularly assessed against predetermined thresholds. If these thresholds are passed, or are forecast to be passed, the Monitor and Assessor for Energy Security and/or the Energy Security Coordinator will initiate response actions in accordance with the framework.

The Tasmanian Economic Regulator is currently undertaking the role of monitor and assessor, and the Director of Energy Planning is undertaking the role of Energy Security Coordinator. These roles are being undertaken via administrative arrangements implemented to ensure the reporting framework was in place for the 2017-18 summer.

The first annual report was issued in November 2017, and has been followed by monthly dashboard reports on energy security status, as recommended by the task force. The monthly and annual reports are published on the Economic Regulator's website.

While the roles and functions are being fulfilled under administrative arrangements, it is appropriate for there to be a robust legislative basis. This is particularly the case in the event of any emerging energy security situation in the future, so there is no residual confusion over roles and responsibilities. In particular, the legislation has robust provisions for the protection of confidential, commercially sensitive information that may be required for the monitor and assessor to fulfil its responsibilities.

Consequently, the Government is now introducing the necessary amendments to the Energy Co-ordination and Planning Act to formalise the powers and functions of these two important energy security oversight roles.

In conclusion, I inform the House that in addition to these legislative amendments, the Department of State Growth has commenced work on a full-scale review of the Electricity Supply Industry Act 1995 and the Energy Co-ordination and Planning Act 1995, to be completed during 2019.

This will ensure Tasmania has an effective and contemporary legislative structure that continues to promote efficiency and competition in the electricity supply industry and provides for a safe and efficient system of electricity generation, transmission, distribution and supply.

Mr President, I commend the bill to the House.

Bill read the second time.

SUSPENSION OF SITTING

[3.20 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the sitting be suspended until the ringing of the division bells.

This is for the purpose of a briefing on the Energy Co-ordination and Planning Amendment Bill 2019.

Ms FORREST (Murchison) - Mr President, we have all agreed to the second reading; I am not sure there is a great need for a briefing. There would be if anyone had got up and asked questions, but no-one did, so I assume members are happy with this legislation. I do not think we need to go to a briefing when everyone has had the opportunity to speak - no-one spoke and no questions were raised.

[3.21 p.m.]

Mr VALENTINE (Hobart) - Mr President, I am of that opinion too. It is quite straightforward; it is uncomplicated and we can ask questions during the Committee stage.

Motion negatived.

ENERGY CO-ORDINATION AND PLANNING AMENDMENT BILL 2018 (No. 57)

In Committee

Clauses 1 to 4 agreed to.

Clause 5 -

Section 3A inserted

3A High reliability level and prudent storage level

Ms RATTRAY - Madam Chair, in regard to high reliability level and prudent storage level, this clause indicates -

The Minister may, by order, specify in respect of each month, a level of energy in storage to be -

- (a) the high reliability level; and
- (b) the prudent storage level.

Does that mean we will get two levels? It says 'may, by order, specify in respect of each month'. Can we have some more detail about that process? The integral part of this bill is the reliability level and the prudent storage level. We have not always been prudent with our levels.

Mrs HISCUTT - I have here the proposed energy security risk response framework which talks about the levels. It also talks about the month-to-month recommended levels. This is an exact extract from the Willis report endorsed by Mr Groom in 2017. It will be revised in the future if there are any significant changes to it. Madam Chair, I seek leave to table this document.

Leave granted.

Ms RATTRAY - The minister may by order specify in respect of each month. Does that mean the minister will be looking to specify each month? How long will the document the Leader just provided be relevant? Will it be on a monthly, a quarterly or six-monthly basis?

Mrs HISCUTT - It is expected at the moment that there will be one order to give two figures for each month, but this is being done administratively. Upon royal assent an order will be made to formally establish the levels and that will stay in place. A change could be triggered if a new significant generator entered the market or there was a second interconnector.

Clause 5 agreed to.

Clause 6 -

8B Assessor's functions and powers

Mr DEAN - Madam Chair, because there was no briefing on this matter, under 8B, if we can look at the functions of the assessors here -

- (b) to evaluate, on a monthly basis, whether there is sufficient energy in storage and associated generation capacity to meet forecast electricity demand in the Tasmanian region of the National Electricity Market;

In 2016 we had the drought that created all of this. If we look at the PAC and the other inquiries, there were many issues around this. If we have a similar situation to that, how will this operate? Is it likely to make a difference?

If we had had these reports in 2016 and we had had this in place then, what difference might we have seen in our electricity energy position at that time? If I could be given some explanation of that, I would appreciate it.

Mrs HISCUTT - The monitor and assessor provides a monthly report on the basis of very detailed information from Hydro Tasmania, which is published monthly. The report is titled 'Tasmanian Energy Security Monitor and Assessor Monthly Dashboard' and covers things such as the status, energy and storage above the prudent level, energy currently in storage and how it compares with the past 24 months, Tasmanian electricity generation during the month before - or something like that - and rainfall.

Madam Chair, I seek leave to table this document.

Leave granted.

Mr DEAN - The way I interpret this - and I could have it wrong - is that the assessor, who is the Economic Regulator, is required to do this evaluation on a monthly basis, whatever the situation. If the storage capacity in our lakes is at a maximum, the regulator is still required to do this on a monthly basis.

How is that to be done? Is it simply going to be done from the assessor's office? Or will it depend on information and evidence provided by Hydro Tasmania? I hope it is done independently because one of the concerns raised in the Public Accounts Committee inquiry report was that there needed to be this other person looking over the shoulders of Hydro Tasmania to ensure everything was being done right, to ensure we did not get ourselves into a similar position again. This was a checkpoint. Can I be given an explanation?

Mrs Hiscutt - To be clear, before the member sits down, you want to know who is monitoring the monitor or how the monitor is monitoring the levels?

Mr DEAN - What I want to know is how that is done, irrespective of the water levels. How is it done? Is the assessor, in this situation, required to go around and check all the water storage sites?

Madam CHAIR - Done remotely.

Mr DEAN - It could be done remotely. Where does that report go to? To the minister only?

Mrs HISCUTT - And to the Energy Security Coordinator; it is also published on the website.

Mr Dean - That is where all of the information goes?

Madam CHAIR - Does the member want to give the Leader a chance to answer his question?

Mr Dean - If you could answer the rest of my question.

Mrs HISCUTT - The question you are asking is: what are the logistics informing the report, not who is monitoring the person who is forming the report?

Mr DEAN - Yes. How far do you take that? Hydro is doing this and now we have another level in place from a paper report, and the other inquiry was done at the same time as that one. Also, it made similar comment on this area. How far do you take that? Do you have the assessor being monitored and then do you have that person? One has to be realistic - if we have an authority over and above that at the Hydro, we are moving in the right direction. Much of the evidence was around that when we looked at this.

Mrs HISCUTT - Hydro Tasmania gives the information to the regulator who will look at it; if there are anomalies, the regulator will be on to that. It is generally looking to see whether anything is wrong or whether what is happening is expected for the time of the year. Hydro does the report and gives to the regulator, who looks at it and says, 'Does this look like it should?', and if there is anything wrong, it can be picked up.

Mr DEAN - On that report coming back through the system from the assessor, if it is pointed out, for instance, that water storage levels are getting below a certain level, an action is necessary by Hydro which could be a rationing of energy in the state or controls of energy in the state, as we previously saw in 2016. What it is required to do is covered in the bill.

Mrs HISCUTT - Further in the bill, at 8E, it talks about the functions and powers of the coordinator and what the expectations would be.

Mr Dean - Yes.

Proposed subsection 8B agreed to.

Clause 6 -
8C Reports by Assessor

Ms RATTRAY - In regard to the reports by assessor, proposed section 8C(4) says that the assessor is to cause a copy of the report to be published on the assessor's website, yet the assessor provides a report to the minister. Is the assessor's website the right or only place to put the report?

I would have thought the minister's or the government's websites would have been appropriate places to also publish the report. Why the assessor's website and not a more -

Mr Valentine - A Hydro site.

Ms RATTRAY - Yes.

I think that would be useful. Not everyone would think to go to the assessor's website to find out the information. A link from the Hydro or the government website would be handy. It is not a die-in-the-ditch; I am just interested in why that website was chosen.

Mrs HISCUTT - The website is the independent assessor's, which is the most transparent and independent source of information.

Ms Rattray - I am talking about the link to there, so it would be easy to find the information. I am not suggesting it is not a good place to have it, but it would be useful to have a link from the Hydro website and the government's website.

Mrs HISCUTT - That it is probably a very good point. It has been noted. Whether it happens, I would not be able to tell you that. Your point has been noted.

Clause 6 -

8E Functions and powers of Co-ordinator

Mr VALENTINE - Where does the command for cloud seeding sit? Does it sit with this coordinator's position, or does it sit with some other position?

Mrs HISCUTT - Cloud seeding is a matter for Hydro Tasmania. It is not doing that at the moment. It was a government policy to cease cloud seeding and that sits with Hydro Tasmania

Clause 6 agreed to.

Clauses 7 and 8 agreed to and bill taken through the remainder of the Committee stage.

GAS INDUSTRY BILL 2018 (No. 40)

In Committee

Resumed from above.

Postponed Clause 73 -

Application and issue of warrants generally

Mr DEAN - Madam Chair, I move -

That clause 73(3) be amended by inserting the following subsection:

- (3A) An authorised officer, or a gas officer, must be accompanied by a police officer when entering a place with the authority of a warrant.

Entering anywhere by way of a warrant is a very serious matter, and it is made more serious in some situations than others because under clause 73(3) it says that they can do so with the assistance of any number of people and by any force reasonably necessary to do that. The use of force is something that has to be treated with the utmost care, understanding and knowledge. When people are empowered to use reasonable force, they have to understand the extremities of it and what can happen if they go beyond what is considered to be reasonable in the circumstances. You do and you become criminally responsible. If we look at the Gas Safety Bill under a similar situation with warrants and entry there, a police officer must accompany a gas safety officer or an officer in circumstances where a warrant has been issued.

I am saying that a similar situation should apply here because police officers understand very well what their powers are and how far they can go in exercising reasonable force; they do it every day. It has to be exercised with absolute care.

We also know the issuing of warrants is not normally done on the spur of the moment. It is very seldom that an officer or even police go to a justice for the issuing of a warrant having to take immediate action - sometimes they do have to take fairly quick action. I have done that many times myself. There is the knowledge of what is going on. In this instance the authorities here would only need to contact their police to say -

We are taking out a warrant to exercise a right under the Gas Industry Act to enter a property. We have already been refused access to the property by the owner, who said we are not going in at any cost; we are concerned about our safety, we believe this person has firearms and therefore we need to have protection, so we are asking for a police officer to be there.

The police would have time to get there. They then go and obtain the warrant. There is time to do this. This gives those people the protection and support they need in this situation. The fact it has never been used is not the point. It is not the issue. The fact is that it is there and it could be used and could be noted. This is a good amendment because it provides all the safety mechanisms, knowledge and regulations necessary in the circumstances. I ask members to support the amendment.

Mrs HISCUTT - We certainly agree. We thank the member for his attention to detail.

Mr VALENTINE - The police may not be needed to attend in every case. This actually says 'must be accompanied', which means every time they wish to go down the path of issuing a warrant, they are bound to get a police officer. If it were 'may', that might be a better approach. I appreciate the police are there to uphold the law, but is it an extra burden for the police department? I am not sure whether they are crossing out of their normal role. That would be one question in that regard.

Mrs HISCUTT - We have just had advice from the police minister the police would be more comfortable with 'may'. If the member were feeling inclined, he might change that.

Madam CHAIR - The member would need to withdraw this amendment to redraft it.

Mrs HISCUTT - Go through the process. Thank you.

Mr DEAN - My concern here is that under the Gas Safety Bill, it is must - not 'may'. 'A gas safety officer must be accompanied by a police officer'. They must - there is no if, but or anything else there.

The member for Hobart raises issues such as: why would these people obtain a warrant in the first place? They obtain a warrant in the first place because they have hit a hurdle, because it is common ground, in this instance, for them to have probably exercised their right to get on that property with the permission of the landowner. They have then exercised their right to obtain a warrant.

In 99 per cent of the cases, they would probably be given access to these properties by the landowners and so on. I do not think that would be a problem, but there will be the cases where that probably will arise.

The member also raises the issue of it being a burden on police. It is not a burden on police; if you look at their oath of office, it is to protect life and property - that is what their oath of office is. Of course, it is work for police. They are employed to try to protect people's safety.

The member for Hobart asks about the normal role of police. It is a police officer's normal role to protect people from harm. That is what they are employed for. Their oath of office identifies that. They have no option. It is the same when people are going to homes to collect property. Police are asked to accompany those people in almost every situation to ensure peace is maintained. One would say that is a burden on police. It is a duty they would not and do not want, but they have to do it, and they do it.

I believe it should be 'must'. The difference between the two bills - the Gas Industry Bill and the Gas Safety Bill - is you have 'may' in one and 'must' in another. I do not think that is good. If we are going to have 'may', we need 'may' in the Gas Safety Bill as well. That is my position on it.

Mr GAFFNEY - The member for Hobart likened it more to being a drain on resources rather than the police being able to do that. I am not sure this is part of the safety act; it is not, it is more part of the gas legislation. That is where it was coming from. It would be great to have a police person at every football or netball game where there is a chance of violence. The member was asking: are there times when a police officer will not have to be present when they were going in for a warrant? The police commissioner has a point when he said if it was 'may' - of course they are going to go if they think there is the possibility of harm occurring, but there will be occasions when a police officer may not need to be present because they know the situation. They just have to send somebody. It makes sense to have that flexibility.

The police would have the capacity to assess each situation and know whether they needed to have someone there. When we put things in legislation that are too prescriptive we can limit the capacity of a warrant to be presented.

I understand the police commissioner's point of view.

Mrs HISCUTT - The Government believes that with warrants, it does warrant a police officer if they are called. We are still happy with 'must' because if it is a warrant there is obviously a problem.

Mr DEAN - With the greatest respect for the member for Mersey, when we look at police and football matches and netball, we have thousands and thousands of those games with no issues and no problems. What we are talking about here are one-off situations where a warrant has been issued for an organisation to allow people to enter a property because they have met resistance.

If a football match gets out of hand, police will be there in a flick nine times out of 10. They patrol football matches. Here we are talking about a one-off situation of warrants being issued. It has probably never occurred, so to suggest that it is going to be a drag on police is a little over the top.

The member for Mersey mentioned police assessing each situation. I ask the member: how can police assess the situation where a warrant has been issued to a safety officer, for instance, who has been wanting to enter onto a property because of an issue that needs to be addressed there and then? Without the police properly assessing that, they would need to go to the property, talk to the person stopping the people going onto the property, or they would have to talk to all the neighbours around the place, or they would have to conduct an inquiry or investigation to properly assess the situation.

The police are not going to do that. That would be burdensome; that would take too much police time. In this instance, they would simply accompany them onto the site. That is all that is necessary in this circumstance. It is not a big issue at all. It has never occurred before under the old act, as I understand it. Is it likely to occur in the future? I suspect it could well do.

Mr Gaffney - If it is not a big issue, why have you just changed it to 'may'?

Mr DEAN - We have 'must' under the other bill. If we have 'must' under one and 'may' under another, it is not a good way to go. The police need to know where they stand. The police, in this instance, would have to ask -

Are we are dealing with the Gas Industry Act or the Gas Safety Act? What are we dealing with? Under the Gas Safety Act we have to attend and accompany these people. Under the other act we do not have to.

To me, that is a nonsense. It is really not a difficult area; it is fairly straightforward. It gives them the authority and the support they need to carry out these things. There is not much point in going back over the seriousness of the issuing of a warrant and why these people would want a warrant. It would be a fairly urgent situation they have met, where they would want that warrant to enter a property. Police would not have the time to go in and carry out an assessment. They would need to get in there and do the job. That is the way it should be done. I urge members to support the amendment.

Mr VALENTINE - The police officers may be happy to do it. I am not denying that. One might ask, though, would the ability to call on police be the same for process-servers if they felt frightened about entering property? Do they call on police to do that?

Mr Dean - They do. If they are concerned about an issue of violence, they call for police assistance.

Mr VALENTINE - That is exactly right; that is exactly what I am saying. If this body is concerned there is going to be an issue, they call police - hence the 'may' rather than 'must'. It was

just a query; I am not going to die in a ditch over it. I will support it. I just think that 'may' would have been more appropriate, especially given, as the member for Mersey pointed out, that it could be a backblocks circumstance where there is only one police officer, who is being taken off other duties.

Mr WILLIE - Leader, have you received advice from the Commissioner for Police? You started off by saying the police would prefer 'may', then you said you had taken more advice and now they are okay with 'must'. Could you clarify that comment, please?

Mrs HISCUTT - It seems Tasmania Police have contacted the minister's office, which then contacted us to say that although they have acknowledged it is 'must' in the original legislation, the comment that came through a moment ago is that they would prefer 'may'. However, they acknowledged 'must' was already there.

Amendment agreed to.

Postponed clause 73, as amended, agreed to and bill taken through the remainder of the Committee stage.

GAS SAFETY BILL 2018 (No. 41)

In Committee

Resumed from above.

Postponed clause 106 -
Application and issue of warrants generally

Mr DEAN - Madam Chair, I move the amendment in my name -

That clause 106 be amended by, after subclause (3), inserting the following subclause:

- (A) An authorised officer or gas safety officer must be accompanied by a police officer when entering a place with the authority of a warrant.

When comparing clause 66 with clause 106 there needs to be clarity. This amendment clarifies the situation so there can be no mistakes.

It is 'must' in clause 66, and that is what we have here as well. It currently says 'any assistants'. We have people being able to use reasonable force. I can assure you that reasonable force is not an easy matter to judge. Police are frequently questioned about the level of force used to gain entry to properties to effect arrests. That is something they are tested on by the courts and they know what levels they can go to.

I believe this amendment clarifies it. Clause 66 clearly says they must have a police officer to do this.

Mrs HISCUTT - My advice was the same as yours, member for Windermere, so I will not go through it all again, except to say we will support the amendment.

Amendment agreed to.

Postponed clause 106, as amended, agreed to and bill taken through the remainder of the Committee stage.

PREMIER'S ADDRESS

Suspension of Standing Order 10(2)(a)

[4.14 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) (by leave) - Mr President, I move that -

Standing Order 10(2)(a) be suspended to provide for the Premier's Address to be tabled without the requirement for the address to be read again in the Council.

Motion agreed to.

Mrs HISCUTT - Mr President, I lay on the Table of the Council a copy of the Premier's Address. I move -

That the Address be incorporated in the *Hansard*.

Motion agreed to.

Premier's Address incorporated.

It is an exciting time to be in Tasmania. Our state is growing like never before. For only the fifth time in a quarter of a century, Tasmania's economic growth for the last financial year was higher than the nation's, and per capita we are growing at our fastest rate in a decade, nearly double the national average.

In many key indicators, Tasmania is ranked number one, and it is not just in the economic indicators. Tasmania has captured the attention of the world with an envied reputation for our unrivalled natural environment, our premium-grade products, and excellence in education, science and research. We are now more culturally confident than ever before, with a thriving arts sector, captivating events and festivals.

Our population is growing, and last year interstate migration reached its highest level in nearly 15 years, with a net inflow of 2382 people from interstate, as more people choose to live in our great state. More people are wanting to visit here too, with international tourism growing at the fastest rate of any Australian state. The world also wants more of our produce and services, as our exports have grown at a faster rate than any Australian state.

This is Tasmania's time to shine. But with such strong growth, inevitably comes challenges. My Government will grasp the challenges, as we do the opportunities, as we plan for strategic growth so more Tasmanians, across every region, can share in our state's prosperity.

One of the most powerful opportunities before us now comes from the strength of our economy. Without it we simply could not invest more into health, education and the essential services Tasmanians need, or take action to keep cost of living pressures down, which we have done, or to build the infrastructure our growing state needs, which we are doing. It is only with a strong economy that our local businesses will remain confident, continue to invest and give more Tasmanians the opportunity of a job.

A strong economy is the key to more Tasmanians enjoying a better quality of life. Our plan has always been to build a strong economy, and it is working. It doesn't just happen by good luck. We opened the state for business from day one. We have created a more attractive business environment, and improved business conditions, which are ranked the most positive in the country, as is local business support for our policies.

We have the highest business success rate in the country and the highest rate of business investment in new capital - in buildings, machinery and equipment - as they gear up, confident of further growth.

This Government has taken action to reduce business costs. We have lowered payroll tax, so Tasmania now has the most competitive payroll tax regime in the country for small to medium enterprises with payrolls up to \$4 million.

We have capped power prices to protect our small businesses from the volatility in the national electricity grid and from the massive price hikes that have stung mainland states.

More Tasmanian business are winning tenders for more Tasmanian government work. We have backed our competitive strengths.

Our agriculture, seafood and food sectors are booming. Our irrigation investments are delivering a pipeline to prosperity for our farmers. We are committed to a sustainable industry growth plan for our world-class salmon industry. We are on track to double the value of our forest industry, and we are lifting the prospects for our mining sector, with new exploration incentives.

We are continuing to strongly back our tourism industry to ensure that our visitors stay longer, see more of our state, and spend more while they are here, supporting local businesses and jobs right across our state.

We have pump-primed our building and construction sector, with a layer of incentives for people to buy or build a home, creating many new jobs in this sector, and adding much-needed supply to our housing market.

In fact, respected economists have reported that for the first time in 27 years economic growth in Tasmania is now based broadly across all industry sectors. Importantly, we are investing more into vital social infrastructure - into schools, hospitals, housing, roads and rail - to improve the liveability and the productivity of our state.

We have developed the state's first 10-year infrastructure pipeline, which maps \$13.9 billion of infrastructure investments for government and the non-government sector. We have secured strong support from the federal Coalition Government for nation-leading and state-building projects, including the extension of the Tasmanian Freight Equalisation Scheme for our exporters; funding for our new irrigation schemes; to progress the Battery of the Nation project; and funding for the Midland Highway Action Plan and the Freight Rail Revitalisation Program.

Also we are the only state in the country to have snared not one but two City Deals. Combined with the Devonport Living City Project, it amounts to a forward investment schedule approaching \$2 billion to transform our cities right across the state. These deals will deliver a \$576 million Bridgewater bridge; a true Hobart international airport to support our tourism and export sectors; cement our status as Australia's gateway to the Antarctic; and pump more into the hearts of Launceston and Burnie in partnership with the University of Tasmania to build new education campuses in these cities.

Our state is growing, and with it comes immense opportunity. It is my Government's vision, and our mission, to grasp those opportunities with both hands. But with growth comes challenges, and we will take them on too. One of our biggest challenges for 2019 and beyond is ensuring this growth is shared across the state, delivering a better quality of life for all Tasmanians, regardless of where you live. We must find ways to ensure all Tasmanians are feeling the benefits of a strong economy, and that no-one is left behind.

We need to keep our regions strong and our regional communities growing. We must continue to break down the barriers to the greatest enabler of social inclusion - education, training and the opportunity of a good job.

Our plan for 2019 - across the whole of government, and by working with those outside of government - is to ensure Tasmanians are skilled up for the jobs of the future and they have the first opportunity to fill those jobs. This is why my Government is pursuing an agenda for strategic growth and developing policies and programs to achieve these objectives.

We will work in partnership with local communities, local industry and local government to find innovative local solutions to increase inclusion and participation in our growing economy. It will capture long-term demand projections, spatial mapping, demographic profiling and economic modelling to forecast jobs and social opportunity at a local government level.

We will work closely with key stakeholders including industry, local government, the TCCI, TasCOSS, and the University of Tasmania to deliver a strategy that will, as TasCOSS has aptly described, unlock the potential in our regional communities. This is strategic growth.

Our Jobs Action Plan partnership with the TCCI and TasCOSS that identifies barriers to participation and how to remove them through improved access to public transport, is an exciting example of this approach. Today I am pleased to announce we will invest an additional \$300 000 into another valued partnership with the Cradle Coast Authority to deliver a raft of strategic local economic projects to retain population share in the region, improve educational outcomes and unemployment rates, and leverage the strengths on the coast to create local investment and more jobs. This is a plan for local, strategic growth on the north-west coast.

As I have always said, no government has all the answers, so our vision is to work more closely with the all sectors of our communities to ensure more Tasmanians are participating in our strong economy and living a better life.

Always central to our plan is to manage the state's finances - our budget - well, and we have. This Government remains committed to strong, disciplined financial management, spending less than we earn, keeping the budget in surplus and achieving our fiscal strategy targets, all the while keeping our economy strong and investing in areas that matter to Tasmanians.

This year we will once again balance the budget, which will remain in surplus across the forward Estimates while at the same time responding to the needs of Tasmanians, for instance by investing more into health and human services, protecting our children and supporting our justice system, as well as delivering on the commitments we took to the 2018 election, which we certainly think is important.

On public sector wages, we have now indicated our willingness to revise the Government's policy, where we can agree appropriate offsets to pay for increased wage offers. I again invite union leaders to work with us to reach an agreement that is fair and, most importantly, affordable, so we can get on with delivering the services Tasmanians need and deserve, but the outcome must be affordable and sustainable, as we will not go into debt to fund wage increases.

My Government values our public sector workforce. We are making significant commitments to recruit more staff into essential public services and we will also provide improved conditions and entitlements for our state servants. Notably, this week we are tabling nation-leading legislation to provide a presumptive provision for State Service workers suffering post-traumatic stress disorder.

We are the first government in Australia to have taken this action. It definitively acknowledges the incredibly difficult situations that many of our emergency responders, in particular, face in the line of work and the impact it can have on their health. This groundbreaking reform will have a profound impact for our frontline workers who put their lives at risk to protect us, and importantly it will de-stigmatise mental health issues in our community.

As I have acknowledged, with a growing economy comes challenges. One of those is increased congestion on our roads. In greater Hobart we are progressing a range of initiatives to reduce congestion - more traffic lanes on major highways and priority for public transport; improved passenger interchanges; improved traffic management systems; and new public transport options, notably a River Derwent ferry service. We are now planning for the landside infrastructure for a Bellerive to Sullivan's Cove ferry, delivering a seven day a week service, supported by investments in park-and-ride facilities, linkages with bus services, cycleways and walking paths. The new City Deal we secured will also deliver the Kingston bus interchange, and the activation of the northern suburbs transport corridor.

There is no simple, single solution to reducing traffic congestion, so we must consider all sensible options. That is why we are bringing forward \$1 million in this year's Budget to allow investigations to commence on alternative traffic routes through Hobart. This work will consider all possible options, whether they be bypass roads, tunnels or a mix of both.

These are long-term intergenerational infrastructure projects which recognise that in the future Hobart's existing traffic network in the CBD will reach its practical limits. The signs of this are already being felt by Hobart commuters. That is why we will be starting the early work now to

ensure we are in a position to find the best possible solution, consult with the community and all stakeholders, and be ready to make a start as soon as practical.

We are also right now delivering a massive investment in state roads right across the state. The Bass Highway is our most important route through the north and to the north-west, so continued works to maintain and upgrade this road network are crucial. We have delivered important junction upgrades on the highway at Wynyard to make this crash hotspot safer, and our next focus is on the highway west of Wynyard, with a commitment of \$100 million which is the largest investment ever along this section of road. It will provide for more safe overtaking opportunities between Wynyard and Marawah, and the planning for these projects is underway.

We are five years into the 10-year, \$500 million Midland Highway upgrade project, with 13 projects now completed totalling well in excess of \$130 million. Work is now well advanced on the largest single project, the \$92.3 million Perth Link Roads project, which will sustain hundreds of local jobs and provide a massive economic boost to northern Tasmania. This important project will deliver the final link in a dual carriageway along the Midland Highway from Launceston to the south of Perth.

We continue to improve our road infrastructure to cater for the increasing number of tourists visiting our beautiful state. Improving our roads to make them safer and more efficient for all those who travel on them is important. It is a priority for this Government and vital to our strategic growth.

The Government has undertaken a massive program to building the infrastructure our growing state needs - not only our roads, but also into rail, schools, hospitals, housing and renewable energy. This investment is critical for delivering essential services, while creating jobs and leveraging private sector investment. We have developed the state's first infrastructure pipeline, laying out the state's priorities for the next 10 years. We are working alongside industry to ensure this massive rollout can be delivered by a Tasmanian workforce with the skills needed for the job.

This year we will also release the state's first-ever 30-year infrastructure strategy which will look beyond the horizon to predict what our state could look like based on current and expected future trends. This is planning for strategic growth.

Other issues that come with a surging economy are more demand for housing and housing affordability. Again, there is no single, simple solution. This is why my Government has acted swiftly to extend the First Home Builder Boost; provide stamp duty relief for first home purchasers and pensioners downsizing; remove red tape to make it easier and quicker to build homes; and rezone surplus government-owned land to enable more homes to be built faster.

Each day in Tasmania we provide subsidised social housing for around 12 000 households and each month, on average, over 200 additional households are assisted into the private rental market through the Private Rental Assistance Program. Our first Affordable Housing Action Plan is delivering new homes and support for even more households in need. Soon we will be releasing our second Affordable Housing Action Plan, with \$125 million in additional funding committed. That, combined with our first action plan, will bring this Government's total investment in affordable housing to almost \$200 million over eight years, an unprecedented level of investment in response to this major challenge.

The Greater Hobart City Deal we secured also delivered another \$30 million investment into affordable housing. I can inform the House that our second action plan will provide an additional

1500 new affordable homes and assist around 2000 householders, increasing the number of new affordable homes to 2400 over eight years.

Action plan 2 will also focus on better outcomes for young people. Young people at risk of homelessness is a horrifying thought and a particularly complex problem, so our new action plan will include a number of important initiatives to help support our young people in need of housing. It will include building a new purpose-built youth foyer on the north-west coast at Burnie. At a cost of around \$10 million, it will provide around 25 units for young people experiencing or at risk of homelessness, and give them the prospect of a much brighter future. A youth foyer is a safe environment which will give young people experiencing homelessness not only supported accommodation but also a pathway to education and the opportunity to participate with a job in our growing economy.

My Government is tackling the housing challenge head-on. To further speed up the supply of houses we will make it easier to build apartments and townhouses. This will provide greater choice for Tasmanians looking for an urban lifestyle whilst still retaining the character of existing neighbourhoods. We will, for the first time, develop new planning rules that focus on medium-rise developments and gentle infill projects that provide attractive options for people looking to live close to work and enjoy more of what city living has to offer. This can be achieved through good urban planning and design that addresses the need for more affordable housing whilst protecting and adding to the Tasmanian way of life.

The health care of Tasmanians has always been a top priority for the Government I lead. Since we were elected in 2014, we have opened more than 130 additional beds in our health system across the state. There are more than 800 additional full-time equivalent staff in our health system compared to when we came to government five years ago. Over the next five years we will recruit the staff we need to allow us to open almost 300 new hospital beds and offer a range of new services to provide better care for all Tasmanians.

An important new service we have delivered is Tasmania's first integrated aeromedical helicopter service connected to all our major hospitals to provide faster response times to get seriously ill patients treated sooner.

One of the major challenges we have undertaken as a government was to rescue the Royal Hobart Hospital project. Immediately following last year's election, we established a clinical planning taskforce to provide expert clinical advice on health planning in Tasmania, chaired by Professor Tony Lawler, Tasmania's Chief Medical Officer. A key priority for the task force has been to develop a new Royal Hobart Hospital master plan to update and replace the 2011 plan.

That plan, which is being released today, provides both a long-term vision to guide future development of the Royal Hobart Hospital at the city site and the Repatriation site over the next 30 years, and also to address more immediate demand pressures. The Government accepts all the recommendations made by the task force and I will now table the report of the task force.

The first stage of the master plan is the current Royal Hobart Hospital Redevelopment, K Block, which is approaching completion. The Government will now get on with delivery of stage 2 of the new master plan. This includes a range of improvements across the Royal to be delivered over the next three years, including:

- an immediate improvement to lift infrastructure with a new dedicated patient lift to connect the ED, medical imaging and J Block;
- an expansion of the Emergency Department to meet growing patient demand;
- a comprehensive refurbishment of A Block which will provide contemporary space for additional beds;
- expansion of the ICU in its current location, providing space for another 10 beds on the same floor by 2024, and retaining close physical linkage to medical imaging; and
- a refit of the soon to be vacated J Block to meet additional demand and provide for new clinical uses.

It is estimated that these works will cost approximately \$91 million. An amount of \$28 million is already included in the budget and the remaining funding will be included in the 2019-20 Budget across the forward Estimates.

While the master plan spans a 30-year horizon, following the stage 2 works we have committed to, stage 3 will be the redevelopment of the Repatriation Hospital as a dedicated subacute and mental health campus of the Royal Hobart Hospital, with the demolition and rebuilding of the Statton building following further clinical and community consultation. This provides the opportunity to build a best-practice dedicated mental health facility with more privacy and outdoor space.

This plan complements significant investments in our statewide health system. The Clinical Planning Taskforce is leading the development of a master plan for the LGH, which will help inform the \$87 million upgrade there. We will also progress assessment of the \$100 million proposed private hospital in the LGH health precinct. Having secured the future of the Mersey Community Hospital campus of the North West Regional Hospital, we have commenced a \$35 million redevelopment alongside improvements to facilities and services at the North West Regional Hospital such as new training facilities and improved antenatal care facilities. We are also delivering a range of upgrades to rural hospitals and ambulance stations across the state. Our track record is to prioritise Health. We will continue to do more as we face growing demand to ensure Tasmanians receive the care they need. It is only possible because we have managed the state's budget well.

The education of Tasmanians is also a priority for this Government. We want all Tasmanians to live their best life and that starts with a great education. Every student, no matter where they live or their financial circumstances, should have easy access to high-quality education from the early years through to senior secondary education. Under this Government, Tasmania will become the first state in the nation to offer free preschool with wraparound care for vulnerable three-year-olds. The Minister for Education announced 11 sites around the state that will pilot our Working Together for 3 Year Olds initiative to give an equitable start for all children and prepare them for a bright future. It will deliver state government funded places for children in early learning centres to provide holistic support for families, carers and service partners, with new approaches to best engage and support children with high needs. We will roll out this opportunity to all eligible three-year-olds from 2020.

At the other end of the school journey, in years 11 and 12, we are delivering another major reform to our education system that is changing lives. The latest data shows that more students are

staying at school and the attainment rate for the Tasmanian Certificate of Education has improved by nearly 10 per cent since we came to government. Forty-three schools have extended to years 11 and 12 and we are on track for all high schools to extend by 2022. This is giving young Tasmanians the skills they need to participate in a modern economy, wherever they live, to reach their potential and determine their own futures.

The education of young Tasmanians is the most significant and strategic investment we can make in the growth of our state. We are also undertaking major investment into our school buildings across the state to improve the learning environment. We are taking action to prevent the harmful impacts of cyberbullying, which pervades our classrooms, homes, and communities and often with devastatingly damaging impact. Combatting bullying requires a whole-of-government and a whole-of-community response.

We are delivering on that, including by partnering with the Alannah and Madeline Foundation, to: involve 121 schools in the eSmart Schools program; the development of the Department of Education Bullying Stops Here! website, which provides comprehensive resources to teachers and principals; and enact the Child and Student Wellbeing Strategy and a new Mental Wellbeing Action Plan. The Attorney-General is bringing legislation to this parliament to deal with the most serious cases of bullying, where a criminal response is warranted.

Tasmania is now the energised state. Renewable energy is one of our greatest advantages. When other states are struggling with double-digit price increases and blackouts, Tasmania has a ready supply of low-cost, reliable, clean energy. We have kept power prices down and Tasmania today has the lowest regulated prices of any Australian jurisdiction for business customers. Our regulated residential standing offer electricity prices are among the lowest in the country. Through our Tasmania First Energy Policy we also have energy security. We are on track to be 100 per cent self-sufficient in clean energy by 2022.

We have played a critical role in helping Victorians keep the lights on over a summer when more than 200,000 of their homes and businesses had their power cut or limited as their electricity supply buckled under extreme heat. We have the ability to supply mainland Australia with our low-cost, reliable, clean energy. This represents an enormous opportunity for our state, but we are currently constrained by the limited size of our single Bass Strait interconnector. Together with the Australian Government, we are investing up to \$86 million to progress the plans for a second interconnector and pumped hydro storage, which will unlock massive renewable energy development in Tasmania. Combined, these generational initiatives will deliver on Tasmania's potential to be the Battery of the Nation, boosting our economy with thousands of jobs and billions in investment in regional areas as we deliver our low-cost, reliable and clean energy to mainland Australia. It will also put downward pressure on power prices and improve energy security. It is, without doubt, one of the most powerful opportunities our state has and we are grabbing it with both hands.

Tasmania's brand is another of our state's greatest assets and we are taking strong action to better promote and protect it. Our new Brand Tasmania, to be chaired by esteemed industry leader Nick Haddow, is a national first. It is the first place-branding authority in Australia and one of few in the world. We are leading the way to ensure Tasmania continues to stand out from the pack. It complements another important reform we have undertaken in delivering Tasmania's first trade strategy. Our beautiful island has what the world wants. Last year, our exports were the highest on record and grew at the fastest rate of any state. Our strategy will build trade in key sectors, showcase

what we offer in priority markets, enhance trade logistics and market access and build the export capabilities of Tasmanian businesses.

As we have been number one with exports, so too have we been with inbound business. Tasmania has had the highest rate of growth in international tourists of any state. Our plan is to welcome more tourists here and for them to stay longer, see more of the state and spend more while they are here and it is working. New data released confirms our visitors spent a record \$2.46 billion in Tasmania last year, a 43.5 per cent increase from when we first came to government. The number of nights stayed is up and, increasingly, the nights spent out of Hobart and in all our regions.

We have more flights to our state and more passengers on our Spirits. Hotel room construction in Tasmania is now outstripping Sydney's. My Government will continue to strongly support our visitor economy because it supports business and jobs across the state. We do it as well as anyone else. Our yield and dispersal strategy is our plan for strategic growth, aimed to ensure our regions see more of the benefits of a booming visitor economy. We will be targeting new visitor segments - travellers more likely to travel further and spend more. We will be encouraging visitors to travel further around the state by growing the number of flights to Launceston and improving visitation through Burnie and Devonport airports. We are trialling flights between Hobart and Strahan and looking at ways to grow cruise visits to regional ports and develop onshore activities that take cruise passengers further afield.

We have launched the Western Wilds drive journey to encourage more people to explore between the Derwent Valley and the north-west. Following the recent bushfires, we are prioritising a southern drive journey and are now developing a route and concept theme. We are also committed to developing two new drive journeys in the north and north-west to build on the success of the Great Eastern Drive. Our new Events Attraction Fund is already successfully securing events around the state. We will soon be implementing a Reimagining Our Regions project in north-west Tasmania to identify opportunities for tourism development, infrastructure and investment in areas where visitor numbers are low. Renewing the visitor experience on offer in these areas will boost visitors and underpin local investment and new jobs. We are designing new marketing strategies to promote special interest experiences, like our world-class golf, fishing, walking, mountain biking and wine tasting, which will also encourage regional dispersal.

The Three Capes Track, together with the Overland Track, have helped put Tasmania on the trekking map and we will develop our next iconic multi-day, hut-based walk. We are delivering on our commitment to elevate Cradle Mountain to a world-class destination and sustainable ecotourism experience. This year, the proponent for the spectacular new gateway precinct will be selected, and stage 1 of the new \$30 million visitor centre will be completed early next year.

Tasmania has an unrivalled and spectacular natural environment, which people from all over the world, as well as many Tasmanians, want to experience and which we all deeply respect and want to preserve. We are able to do so while allowing for sensible, sustainable tourism experiences in our wilderness areas. We have done so for many years at Cradle Mountain, on the Overland Track, the Three Capes Track, Freycinet Lodge or at Pumphouse Point, which are world-class experiences provided by world-class Tasmanian tourism people who are as passionate as anyone about protecting and showcasing our environment. They keep our tourism industry as one of the best in the world, which supports many other local businesses and jobs across our state.

When, on coming to government, we implemented our innovative policy to seek and rigorously assess proposals for appropriate tourism enterprises in our national parks, reserves and crown land

that involve or benefit local communities, it was to find best practice environmental tourism ideas that are compatible with the natural and cultural values of these areas. We stand by that policy and that process that has delivered successful mountain biking, walking, and eco-accommodation such as at the Blue Derby Pods Ride, the Narawntapu Adventures Precinct, the Moulting Lagoon Eco Tours, Maydena Mountain Bike Park and the Freycinet Lodge expansion. All of them are sensitive and appropriate to their locations and the surrounding environment.

Today, I reaffirm my Government's strong commitment to our EOI process. We understand not everybody agrees with every project but we should not allow opposition to any one particular project to lead to assaults on the very idea of nature-based tourism in Tasmania. Tasmania's world-class parks and reserves are protected by state and Commonwealth legislation, which together provide some of the strongest protections in the world. The EOI puts a new level of transparency on what existed as well as opening up these new opportunities for all Tasmanians. The latest project to gain approval under the EOI process is the Mt Roland Cableway and Adventure Precinct, a 13-cabin gondola system providing direct access to the summit of Mt Roland and an all-mountain circumnavigation descent to be designed, constructed and managed by Tasmania's internationally renowned and world-leading Dirt Art company. This is yet another tourism experience that fits perfectly with nature-based tourism, stimulating regional economies, encouraging visitors to stay longer and spend more, creating jobs and providing new and exciting ways for visitors to engage with our incredible environment.

All proposals put through the EOI process undergo a rigorous assessment and, if recommended to proceed, are required to go through the requisite Commonwealth, state and local council planning and approval processes.

Last year our national parks attracted more than 1.3 million visitors and support more than 200 nature-based tourism operators. They are a cornerstone of our tourism sector and a unique and treasured environmental asset of our state. That is why we have committed the biggest ever investment into our national parks to keep them protected for generations to come and ensure the visitor experience meets expectations of visitors and locals.

In 2018 my Government committed an additional \$31 million into our national parks and reserves. That included \$6.6 million to boost rangers and frontline staff, \$8 million for asset maintenance in Parks, and funding to fix key infrastructure on the Overland Track, Maria Island, Bruny Island, Freycinet National Park and at the Tasman National Park gateway.

I conclude by acknowledging the fantastic job Tasmanians have done in responding to the current fire season. In terms of fire area, these were the largest fires in Tasmania since 1967. The incredible efforts to fight these fires is well demonstrated by the ability to protect life, property and wilderness values in the face of very difficult and trying circumstances. Over the two months, we had a combined total of 3000 firefighters actively fighting fires on the ground. Tasmania has also been supported by an impressive contingent of fire agency personnel and aircraft from interstate and New Zealand.

There is no doubt that the Government's nation-leading \$55 million targeted fuel reduction program has significantly reduced the fire risk across our state. We have also invested \$4 million to improve bushfire management in wilderness areas, including innovative sprinkler systems that helped protect sensitive high value and iconic natural value areas.

This has been a challenging time for many residents of the Huon Valley, Central Highlands, the west coast and the Derwent Valley. That is why the Government established the Bushfire Recovery Taskforce led by Michael Stevens, which will continue to support fire-affected communities. We have provided support to affected individuals and businesses, with the support of the federal government under the joint disaster recovery funding arrangements, with over 9000 financial assistance grants being paid to date at an estimated cost of \$6.9 million.

We are also encouraging tourists and locals to visit these regions and support local businesses, including through a new Love Autumn in the South campaign. It is backed by a \$150 000 investment to hold a special 10 Days on the Island event in the Huon Valley during the festival in March.

The fire threat is not totally gone, so we will continue to ensure our communities are safe. There are always lessons to be learned after major fire events, and the best way for that to occur is through a robust, independent review, with input from experts. I can today announce that this will be undertaken by the Australasian Fire and Emergency Service Authorities Council, the peak body responsible for representing fire, emergency services and land management agencies.

The review will be led by Western Australian Mal Cronstedt AFSM, who has more than 40 years of experience in fire and emergency services, and will examine the causes, chronology and response of the 2018-19 bushfires in Tasmania with terms of reference to inquire into timeliness, impact and effectiveness of strategies, programs, resourcing and agencies. The Cronstedt review will provide a means for members of the public and other interested parties to make submissions. The terms of reference for the review will be released later this month, along with details of the consultation process, with the final review expected to be delivered to government by July this year.

On behalf of the Parliament and all Tasmanians, I formally thank our firefighting agencies - the Tasmania Fire Service, the Parks and Wildlife Service, Sustainable Timber Tasmania, our other emergency services, and all our volunteers - for their extraordinary and tireless efforts. I also thank those firefighters who joined us from interstate and New Zealand. The Government will host community functions in affected areas in the coming weeks to thank those involved in the response, and all Tasmanians are invited to attend those events.

This majority Liberal Government has a strong and clear plan that we are delivering for Tasmanians, and it is delivering results. Today I have outlined just some of the things we are doing to deliver on our promise to grow the economy, invest more into schools, hospitals, the essential services Tasmanians need and the infrastructure our growing state needs, and to protect the Tasmanian way of life.

I take the opportunity to table our work plan for the year ahead, our agenda for 2019. It is our commitment to the people of Tasmania that we will continue to invest record amounts into health, education and supporting Tasmanians in need. There are always challenges in politics, but our focus is on the people of Tasmania, not ourselves. Our focus is on delivering the plan we have promised, and our focus is firmly on seizing the enormous opportunities that are now before our state.

TABLED PAPERS

Second Year Agenda - Building *your* Future RHH Site Master Plan Review and Update 2020 to 2050

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) (by leave) - Mr President, I lay upon the Table of the Legislative Council the following documents -

- Second Year Agenda - Building *your* Future
- RHH Site Master Plan Review and Update 2020 to 2050 - Clinical Planning Taskforce Recommendations and Advice.

ADJOURNMENT

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That at its rising the Council adjourn until 2.30 p.m. on Thursday 21 March 2019.

Legislative Council Sitting Schedule

[4.15 p.m.]

Ms FORREST (Murchison) - Mr President, was there an updated schedule for tomorrow? We know one of them has moved up into this evening's briefings, which may have pushed others up and enable us to start a bit earlier

Mrs Hiscutt - It is still being confirmed. Today's schedule is confirmed, and we will send tomorrow's out as soon as that is confirmed.

Ms FORREST - One of them for yesterday was there for tomorrow; yesterday's has been moved into this evening's, and so -

Mrs Hiscutt - We will confirm the briefing schedule for tomorrow.

Ms FORREST - If we have had the briefings, we have the time and we could start the second reading of the debate we are referring to here. There is constant delay. Surely we can start at 11 a.m., ring the bells and go back out for briefings? That would give us the opportunity to start earlier if time permits. I suggest that we adjourn until 11 a.m. tomorrow. We can come in, do the procedural bit, go back out and continue the briefings, as we have done on other occasions. That way we are not tied to starting at 2.30 p.m. if the briefings finish earlier.

I oppose this motion and ask the Leader to consider a motion that we adjourn until 11 a.m. tomorrow.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, looking at tomorrow's schedule, there is still one more briefing to be confirmed, which will be at 12.15 p.m. I do not think we could start any earlier.

Ms Forrest - It does not alter the fact that we can go out and come back.

Mrs HISCUTT - I do not think we can start any earlier. We have briefings tonight at 4.30 p.m.
I move -

That the Council do now adjourn and members make their way to Committee Room 2.

Legislative Council Sitting Schedule

[4.17 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I also rise to voice some concerns. We have 15 minutes now where we could start a second reading speech on a bill. We could start at 11 o'clock tomorrow and adjourn for briefings, unless we are going to sit late tomorrow night. We guaranteed at the end of last year that we would be debating a particular bill in this first week and we are not going to get to that stage.

Mr PRESIDENT - The question before us now is that the Council at its rising adjourn until 2.30 p.m. tomorrow. I hear the debates have been around that point. I hear what the member for Mersey has said. Are there any other speakers in relation to that motion?

Legislative Council Sitting Schedule

[4.18 p.m.]

Mr DEAN (Windermere) - Mr President, I am currently attempting to arrange a briefing, for which I have been given a time of 11 a.m. It is an important briefing, and I am trying to lock that in right now. Because of my previous amendments, I have not been able to move that forward. I have been trying to arrange it all day, but I will get in contact. The time I have been given for that briefing is 11 o'clock. I am not sure how long it will go, or how much time I will be given for it, but it is very significant.

Legislative Council Sitting Schedule

[4.19 p.m.]

Mr VALENTINE (Hobart) - Mr President, I understand the intent of coming back early so that if something happens, such as one of the people briefing us does not turn up, or there is some other circumstance, we can come back to the Chamber and commence debate on the bill. I am here for the duration tomorrow to get through this bill. I do not care if it takes until 12 o'clock tomorrow night, but I think we need to deal with it.

Legislative Council Sitting Schedule

[4.20 p.m.]

Mr WILLIE (Elwick) - Mr President I share the concerns of the members for Murchison and Mersey. To put it in context, we often start at 11.00 a.m. on a Thursday when we have briefings scheduled and we adjourn and have those briefings, and it allows that flexibility. As the schedule

for tomorrow is not yet confirmed, that would be the sensible way forward; we may have a cancellation - you do not know, Leader, because it has not been confirmed. Starting at 11.00 a.m. would give us opportunity to get through some second reading speeches.

Legislative Council Sitting Schedule

[4.20 p.m.]

Mr FARRELL (Derwent) - Mr President, I understand it is the Government's call. It is a better look - we are all beating around the bush - but there is some pressure on us all one way or another to make a start with a piece of legislation we promised we would handle expediently or cautiously with haste, or whatever the terminology is, but properly. To the outside world, it must seem like we are playing some delay tactics. I would much prefer 10 o'clock and that would give you the flexibility. However, it is the Government's call. It will have to wear whatever criticism comes. We have to be cautious with this piece of legislation and I would much prefer on the last day starting that little bit earlier in the Chamber - it still gives us the flexibility to have briefings. I do not know to what point briefings are locked in, but we were told a lot of work would be done on this piece of legislation over the Christmas break. It seems like everything, again, has been left to the very last minute and there are briefings being organised - that is what it seems like.

I do not think it is the right move.

Mrs Hiscutt - While the member is on his feet, we have been approached by people to come and brief us again. It is not my position to say no to people who want to come and brief us. You will find, members, that it will be the same people, but do I say 'No' to these people? I cannot say no if they want to come to briefings, so we are going to do that.

If we start at any time tomorrow - 10, 11 or 12 - it will be the same thing: it will be in the Chamber, open, adjourned, back to briefings. If that is what you wish to do, I am happy with that because we have briefings booked up to about 12.30. Bear in mind Hansard and the Clerk have to be here. If you really want to have an 11 o'clock start, in/out, I am happy to do that.

Mr Gaffney - The member for Windermere said he was organised; he had a spot at 11 o'clock he had not confirmed. This takes the pressure off the member. If we start at 11.00 a.m. and he is confirmed, we go to that briefing. If he cannot lock that in, we can start, so it allows for the case in which the member cannot get his briefing organised for 11 o'clock.

Mr PRESIDENT - Honourable members, I hear what members are saying in the debate before the Chamber - it is always government members' business day. It has been argued before - for over six years now - but the answer is that it is government members' day. It becomes dangerous when you start endeavouring to tell governments how to run their business. It is listened to if the government is willing to abide by the wishes - well, certainly it is something the member just mentioned.

It is worthwhile remembering that it is a government day; members cannot normally and by convention play with government members' day as to when legislation is brought on and off.

As stated by the member for Derwent, odium can be suffered in another way by comments being made, but still the Leader has made her suggestion: if members really want it, she will acquiesce and allow the Chamber, as I understand it, to come back at 11 o'clock.

I mention this because I would hate to see, as I am leaving, members suddenly trying to say what is coming on and what is not each day because that is not right and it creates a very dangerous precedent.

Legislative Council Sitting Schedule

[4.24 p.m.]

Mr FINCH (Rosevears) - Mr President, thank you for that advice. It is right and good advice too, but I also know the Leader always tries to accommodate our wishes as best she can. She has made that suggestion, which I appreciate.

Mrs Hiscutt - While you are on your feet, I point out again the Government has bent over backwards with resources to members to get to this point. We are quibbling over whether it is 11 o'clock or 12 o'clock or 1 o'clock, which is irrelevant because we will not get into the serious stuff until all the break-ins are done, which will be around the 2.30 p.m. start.

Mr FINCH - Your office would be working to try to fit people in as best you can.

Mrs Hiscutt - And try to bring them forward to tonight.

Mr FINCH - I am sure it has not been an easy process. However, I share the view of a couple of members that it is not a good look for people who are waiting for this debate to commence in this Chamber. Putting it on hold when it was suggested in writing that we would be bringing this debate forward means we are getting further and further towards the end of the sitting week. It was supposed to be in this week.

I do not know whether we are going to continue through the afternoon into the evening, but I cannot see we are going, at the normal conclusion time of 6 p.m. or 7 p.m., to make as much progress as we and the participants in this debate would probably like to see. I am only expressing my disappointment. The suggestion was 2.30 p.m.; if we make it 11 a.m., that would give us a bit more flexibility to see how things turn out in the morning.

Mrs Hiscutt - Do you want to reiterate that the Government made the promise to bring this legislation on this week? I think it is going to take more than two or three days to get through this, looking at all the amendments. I am happy to say 11 a.m., but we will be in and out again straight away. That seems silly to me.

Mr FINCH - I was reflecting earlier today that circumstances have changed compared to the first years of my being in this Chamber. At that time we generally started at 11 a.m. and Michael Aird, who was then the leader, would adjourn for briefings after 11 a.m. Now, Wednesdays and Thursdays particularly are a 9 a.m. start. That was how the Leader at that stage ran business - we would start at 11 a.m. and then adjourn for briefings.

Mr PRESIDENT - As I have just advised, the Standing Orders say it is adjourned until 11 a.m. on a Wednesday and Thursday; it is then up to the Government when it brings its business forward and when it does not bring its business forward. I hear what the honourable Leader has said. I wonder whether we first have to take a vote on the original suggestion by the Leader or whether she is happy for the House to stand adjourned until 11 a.m. tomorrow? What is it to be?

Motion (by leave) withdrawn.

[4.28 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That at its rising the Council adjourn until 11 a.m. on 21 March 2019.

Motion agreed to.

The Council adjourned at 4.29 p.m.