PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 18 October 2022

REVISED EDITION

Contents

Tuesday 18 October 2022

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

ABSENCE OF MEMBER

Member for Franklin - Hon Nic Street

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I inform the House that Mr Street will be absent from question time today and tomorrow as he is unwell. For both days, I will be taking questions in his absence for the ministerial portfolios of Community Services and Development, Hospitality and Events, Local Government and Sport and Recreation. During this period the Deputy Premier will be acting as Leader of the House.

QUESTIONS

Proposed Stadium Development - Opposition

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.02 a.m.]

Over the weekend, Tasmania's longest serving Liberal premier, Robin Gray, and his son Ben Gray, savaged your reckless plan to build a $750 million stadium in Hobart. They joined a long list of Liberal Party detractors, including federal member for Bass, Bridget Archer, and party veteran, Brad Stansfield, as well as Cabinet ministers such as Felix Ellis, who pointedly refused to back your plan. How can you expect Tasmanians to support your $750 million stadium in Hobart when even the Liberal Party is not backing you?

ANSWER

Mr Speaker, I thank the member for her question. There are detractors, but we will not be distracted from investment in sporting infrastructure, and investment in infrastructure more broadly, with $1.5 billion in health infrastructure investment over the course of the next 10 years; $1.5 billion into housing infrastructure over the course of the next 10 years; and tens of millions of dollars into school infrastructure over the forward Estimates.

We can talk and chew gum at the same time and have a vision for Tasmania. We will not be distracted by low-rent, parochial politics.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - Our investment in Macquarie Point will be good for all Tasmanians. Our investment into AFL and having the 19th licence will be good for all Tasmanians. The AFL code is at the crossroads and the 19th licence will stabilise and strengthen the AFL code in Tasmania to the benefit of all Tasmanians and all local footy clubs. I can speak from

experience about the value of our local football clubs to their community. Young people, men and women, three or four times a week are getting out on the field, training and playing the games on the weekend. The health, the physical activity, the volunteers who go into creating and making a football club, will all be strengthened by the 19th AFL licence. This is a strong plan.

Those opposite can play politics all they like. We know we have our detractors but we will not be distracted from securing what we have been trying to do in this state for over three decades, which is our own AFL licence. As I said before, the only thing standing in the way, and that has stood in the way previously, is parochial politics and I will not let that happen again. This is too important an investment.

I know those opposite support it. I know your language is softening as well, Mr Winter.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - I have sent him out to do the biggest backflip in history and you are crab-walking to that now. You can smile about it all you like but there will be a day and I look forward to it -

Ms White - You wish.

Mr ROCKLIFF - Yes, I do wish, and it will come.

Opposition members interjecting.

Mr SPEAKER - Order. Could the House settle down? I could not hear what the Premier was saying so I presume neither could anyone else. Premier, if you could continue with silence from the Opposition, please.

Mr ROCKLIFF - Mr Speaker, this is a government that focuses on the key priority areas that Tasmanians expect us to: health, education, housing and community safety.

Ms White - You are not. Fail, fail, fail.

Mr SPEAKER - Leader of the Opposition, order.

Mr ROCKLIFF - As I look at our investments in health, particularly over the course of the last few years, it is very pleasing to see that our elective surgery waiting lists are below 9000 for the first time since 2018. They have dropped almost 16.5 per cent over the course of the last 12 months. Why is that? It is because we are continuing to invest more into a key priority of health. It is because we are working with our clinicians, our health professionals, on a clinician-led, patient-focused four-year elective surgery plan. Good governments can do both and we are a great government.

Opposition members interjecting.

Mr SPEAKER - Order. When the Chamber has settled down I will give the next question again to the Leader of the Opposition.

Proposed Stadium Development - Opposition

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.08 a.m.]

Robin Gray and his son, Ben Gray, are scathing about the economic damage your $750 million stadium will do to the state's north. They say that three-quarters of AFL matches will end up being played in Hobart, with Launceston left hosting all the dud games and that football in the north will die. They said that this will mean that the restaurants, bars, hotels, cafes and all the retailers in Launceston will be significantly negatively impacted by the AFL and the Government's choice of moving all good games to Hobart. Given that yesterday you confirmed your plan is to give Hobart seven AFL games and pretty much all other sporting content, are they not right?

ANSWER

Mr Speaker, first I would like to say that I wholeheartedly disagree with those comments, and should we secure our 19th licence that will be very evident for all to see. When it comes to infrastructure, of course infrastructure development means jobs. The Labor Party is on this anti-jobs agenda when it no longer supports new infrastructure and they have made that very clear. The member for Bass made that very clear on behalf of the Labor Party - no new infrastructure -

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - I will tell the House about some of the new sporting infrastructure we will be building in the north - $65 million towards the redevelopment of the UTAS Stadium. Matched funding is sought from the Commonwealth Government. There is $25 million into north-west sporting infrastructure. That is sporting infrastructure.

What is also more important is continuing to rebuild the infrastructure that was decimated as a result of 16 years of Labor government. We are still cleaning up your mess when it comes to our school infrastructure. I will never forget my time as Education minister, where I spent the first 12 months touring around Tasmania seeing how disgraceful you had left schools and infrastructure in this state.

Ms WHITE - Point of order, Mr Speaker, standing order 45, relevance. The question was about content for the north on the use of stadiums. I ask you to draw the Premier back to the relevance of his answer.

Mr SPEAKER - I will remind the Premier about standing order 45, relevance. I am sure he will connect it all together.

Mr ROCKLIFF - Thank you. I answered that question in my first second. Now I am going to continue answering the question and highlighting to Tasmanians that bad governments get it wrong all the time. Frankly, you were a bad government when it came to infrastructure investment, particularly key infrastructure in hospitals. You could not even lay a brick for the Royal Hobart Hospital. We had to spend the $700 million to rebuild the Royal Hobart Hospital.

That is how hopeless you are when it comes to poor infrastructure. We had schools falling apart, crumbling around students' ears. I have been to Hellyer and they value our $3 million investment into a new science lab. World class, thank you very much.

The Parklands High School - Dr Broad, have you been there and seen that $11 million development? There was $11 million into Devonport High School, Latrobe High School, $11 million investment, all done under our Government.

Mr WINTER - Point of order, Mr Speaker, standing order 45, relevance. This is completely irrelevant to the question that was asked. All we ask you to do is draw the Premier back to the question, which is about the stadium in Hobart, and not about education.

Mr SPEAKER - I take the point of order and its relevance. I cannot tell the Premier what or how he should be answering any questions. I remind the Premier again of relevance and standing order 45. As I said I am sure he will connect it all together.

Mr ROCKLIFF - I will continue on my merry way when it comes to school infrastructure around Tasmania. One of the worst examples was Tasman District School. I was appalled. We rebuilt that. Sorell High School, King's Meadows, and Riverside - all schools that were neglected under a Labor government.

Mr WINTER - Point of order, standing order 45, relevance. Mr Speaker, I draw you back to your ruling on 22 March, where you said:

> I also note the practice of the House of Representatives where, provided a minister is addressing the policy topic which is the subject of the question, the answer is deemed relevant. I ask the minister to stay relevant and, of course, continue or conclude your answer, please.

Government members interjecting.

Mr WINTER - Mr Speaker, because of your own ruling on 22 March, the Premier has not been at all relevant to the policy topic. I ask you to remain with the same rule that you made on 22 March.

Mr SPEAKER - Thank you. I take the point of order. On that point, as I have said, I cannot tell the Premier what to say or how to answer it. I am also not a mind reader and do not know how he is going continue his answer and connect that relevance. I can only allow the Premier the appropriate amount of time to answer the question.

Mr ROCKLIFF - Thank you, Mr Speaker. I am not going to get sucked into what is clearly an anti-jobs agenda from the Labor Party, an anti-infrastructure, anti-investment mantra from the Labor Party. What is important is that Tasmanians are reminded of the neglect of

essential infrastructure in schools and hospitals, under your government. We are a Government that has rebuilt our schools, our hospitals, and we will continue to do so.

COVID-19 - Effect on Vulnerable People of End of Mandatory Isolation Period

Ms O'CONNOR question to PREMIER, Mr ROCKLIFF

[10.15 a.m.]

The peak body for people with disability, Disability Voices Tasmania (DVT), is clear your crusade to end mandatory isolation for COVID-19 has placed the Tasmanian disability community and people who are immuncompromised at severe and unacceptable risk. DVT describes the move as premature and dangerous and states it has led to feelings of exclusion and isolation among disabled Tasmanians.

Premier, this is on you. You led the charge with the New South Wales Premier, Dominic Perrottet. In response to these grave concerns you suggested people with disability be mindful of COVID-19-safe behaviours.

How does a carer-dependent person with a physical disability do that when their carers are now able to come to work infectious? How does a person with a cognitive impairment who needs support with decision making take personal responsibility? How could you so gravely betray Tasmanians with a disability who are now more vulnerable to infection, long-term health consequences and death from COVID-19?

ANSWER

Mr Speaker, I thank the member for Clark for her very important question. I will restate again that the health and safety and wellbeing of all Tasmanians has been -

Ms O'Connor - Bullshit, that is bullshit.

Mr ROCKLIFF - our number one priority.

Mr Ferguson - Mr Speaker, that is unparliamentary. I seek that it be withdrawn.

Mr SPEAKER - Yes. I cannot tell who said what but whoever said it could you please withdraw it?

Ms O'Connor - I described the Premier's statement that the health and wellbeing of Tasmanians is his priority as bullshit.

Mr SPEAKER - Without qualification, could you please withdraw, thank you.

Ms O'Connor - I withdraw the word.

Ms Archer - It is unparliamentary.

Ms O'Connor - Do not care.

Mr SPEAKER - Order, any more comment and people will leave the Chamber. You have asked the question, and the Premier should be allowed to answer it.

Mr ROCKLIFF - The health, safety and wellbeing of Tasmanians has been our number one priority throughout the COVID-19 pandemic. The COVID-19 pandemic is ongoing. The response by governments demands national collaboration on health, social and economic fronts as we anticipate future waves of the virus. On 30 September this year, first ministers agreed to continue a nationally consistent approach to Australia's COVID-19 response and principles to guide this approach. At that time National Cabinet agreed to remove mandatory isolation requirements for people who test positive for COVID-19 -

Dr Woodruff - The AMA called it scientifically illiterate.

Mr SPEAKER - Member for Franklin, order.

Mr ROCKLIFF - from 14 October 2022. Management of COVID-19 is now increasingly targeted towards protecting those who are most at risk of severe disease. Changes to isolation reflect current lower rates of COVID-19 in the community. Our very high vaccination rates, of which Tasmania was a consistent leader, was always key and number one action of this Government and access to treatments that help protect those at risk of severe disease. The COVID-19 pandemic has been a challenge nationally and internationally but our extensive planning, also our considerable investment in hospital -

Ms O'CONNOR - Point of order, Mr Speaker, standing order 45, relevance. I have asked the Premier to address the question of how a person with a physical disability or a cognitive impairment takes personal responsibility.

Mr SPEAKER - I take the point of order. It is not an opportunity to restate the question. I remind the Premier of relevance and the question.

Mr ROCKLIFF - Our health system is well prepared for COVID-19 both now and into the future. I understand the pandemic has caused, and continues to cause, much anxiety for people within the community, for people with a disability, and the sector more broadly. I have always been very mindful of that.

Ms O'Connor - Rubbish, you do not care.

Mr SPEAKER - Order.

Mr ROCKLIFF - I was minister for Disability at the commencement of the pandemic and had strong engagement nationally with other state ministers and the national federal minister at the time.

Ms O'CONNOR - Point of order, Mr Speaker, relevance. People with disability are genuinely concerned and want an answer to this question. He is not answering the question.

Mr SPEAKER - As I stated earlier this question time, I do not know how the Premier is going to answer your question. I cannot tell him how to answer the question. We need to sit in silence and listen to the answer. If you are not happy with that answer, then you have an

opportunity for another question later on at question time. Please, silence in the Chamber while the Premier is answering the question.

Mr ROCKLIFF - We are continuing to work with the Australian Government, the National Disability Insurance Agency, the NDIS Quality and Safeguards Commission, the disability sector and advocates, to ensure people with disability and their families continue to receive the information and support they need.

Ms O'Connor - But no protection.

Mr SPEAKER - Order. Another interjection like that, Ms O'Connor, and I will ask you to leave.

Mr ROCKLIFF - People with disability may take extra precautions to protect their health, of course, like wearing a mask. It is important that anyone's choice to wear a mask is respected. There is a range of supports and information available to people with disability. NDIS participants can claim for rapid antigen tests through NDIS plans using core funding -

Ms O'Connor interjecting.

Mr SPEAKER - Ms O'Connor, if you are not prepared to listen to the answer, I will ask you to leave.

Ms O'Connor - Are you asking me to leave?

Mr SPEAKER - I am not at this point but if you say any more, you will be.

Ms O'Connor - I am listening carefully.

Member Suspended

Member for Clark - Ms O'Connor

Mr SPEAKER - Ms O'Connor, in that case, you can leave.

Ms O'Connor - How long?

Mr SPEAKER - Until after question time.

Ms O'Connor - Good. Thank you, Mr Speaker.

Ms O'Connor withdrew.

Mr ROCKLIFF - If a person with disability requires PPE, for example, N95 masks, they can access supplies through pharmacies or use other supports available such as NDIS funding or access through support providers. I reiterate that for NDIS participants, the National Disability Insurance Agency has put in place a range of measures to help participants who have been impacted by COVID-19 to ensure they continue to receive the essential disability supports they need.

Emergency Services - Incident Management Classification

Mr O'BYRNE question to PREMIER, Mr ROCKLIFF

[10.22 a.m.]

It is clear that your approach to responding to the needs of over 30 000 Tasmanian public sector workers is crumbling. Your so-called fast-track negotiations have been described as anything but, with many meetings but precious few negotiations. It is either incompetence or a deliberate strategy to frustrate and provoke workers. I am not sure which is worse.

Tasmanian public sector workers are the ones we rely on to not only deliver key services but to lead the response in the toughest of times - fires, floods, whale strandings, pandemics and community crisis moments. They are there to pick up the pieces and put them back together.

I understand that a reasonable proposal to adopt a nationally accepted incident management operations emergency services standard classification structure, to recognise the varied skills we require of our public sector workforce during these times, has been rejected by your Government in recent discussions with public sector unions. Is this not a little hypocritical and a slap in the face to those workers whom Tasmanians rely on in the toughest of times?

ANSWER

Mr Speaker, I thank Mr O'Byrne for his question. I have always said that our Government is committed to negotiating in good faith with all unions to deliver wage increases for our highly valued workforce - and it is.

If I reflect, particularly over the course of the last few years throughout the destruction of the pandemic, our public service stood up magnificently to support our Tasmanian community. It is obvious to many people that across all departments the work done above and beyond the call of duty was nothing short of extraordinary. This means we will always negotiate in good faith when it comes to delivering fair wage increases for our workforce.

On 15 September I held a round table, again in good faith, to listen to unions and to show that our Government is prepared to work collaboratively to resolve wage negotiations. I very much appreciated those frank and honest discussions. As committed to unions at that meeting, the Government put an offer to unions on Friday 23 September and they met with the head of the State Service on 29 and 30 September. A subsequent offer was provided to the unions on Monday 3 October. We have listened to the feedback from unions after the initial offer was made. That is why we made the subsequent offer. We will continue to work through these matters and negotiate in good faith.

That includes listening to our health workforce. As Minister for Mental Health and Wellbeing and Minister for Health, I meet, engage and have very good, often frank, discussions with our frontline health workforce. We acknowledge the important role our frontline health workers have played in the state's COVID-19 response and recovery, and the role they continue to play as we transition to living with COVID-19 in our community.

In recognition of this work, in August our Government proposed a frontline health agreement that would see a one-off $2000 payment paid pro rata to health service and

Ambulance Tasmania staff. This agreement has now been registered in the Tasmanian Industrial Commission. Frontline health workers in the Department of Health can expect to receive payments in two instalments, as requested, on 2 November and 16 November; and Ambulance Tasmania frontline workers on 3 November and 17 November, in line with their pay days.

It is expected this $2000 up-front frontline health COVID-19 allowance will be paid to around 9500 full-time-equivalent staff in the Tasmanian Health Service. This means over 11 500 workers will receive this payment. The payment is fairer because it extends to more frontline health staff as a one-off payment and it provides a greater certainty. The frontline health allowance was offered on the basis that the escalation allowance was retired -

Mr O'BYRNE - Point of order, Mr Speaker. I acknowledge that there was a preamble to my question. I remind the Premier that while I did preamble around the wage negotiations, there was a specific -

Mr SPEAKER -That is not the point of order. A reminder to the Premier, standing order 45 on relevance.

Mr O'BYRNE - Standing order 45, relevance - there was a specific question about the incident management operation classification. I ask the Premier to address that, if possible.

Mr SPEAKER - A point of order is not an opportunity to restate the question, as I have said many times in this Chamber. I remind the Premier of standing order 45 and allow him to continue to answer the question.

Mr ROCKLIFF - Mr Speaker, this new allowance also provides workers with a payment now, and is not reliant on future escalation periods that may or may not tip over that three-day period.

To have this registered in the Tasmanian Industrial Commission is very good news. I am most pleased with the outcome because this will support our nurses, midwives, doctors, pharmacists, allied health professionals, paramedics, orderlies, ward clerks, food services, laboratory staff, cleaners and COVID-19 vaccination and testing clinic workforce who have all worked very hard during this pandemic. Registration of this agreement in the TIC also means that we can immediately begin working on the additional measures proposed that seek to address recruitment and retention of nurses and midwives.

Mr SPEAKER - If you could wind up please, Premier.

Mr ROCKLIFF - I will provide further information later on.

Bowel Cancer Screening Program - Lowering Age of Testing

Ms JOHNSTON question to MINISTER for HEALTH, Mr ROCKLIFF

[10.29 a.m.]

As you would be aware, sadly, Tasmania has the highest incidence of bowel cancer in Australia. Bowel cancer is also the second most common cancer and the second leading cause

of cancer-related deaths for men and women in Tasmania. Thankfully, over 90 per cent of bowel cancer cases can be successfully treated if detected early and many people recover to lead long and fulfilling lives.

The National Bowel Cancer Screening Program offers a free screening where a test is offered to those aged between 50 and 74 every two years. Pleasingly, Tasmania's participation in the program is the highest in the country at 49 per cent. My concerns are for those Tasmanians aged between 45 and 50. A 45-year-old today has the same bowel cancer risk a 50-year-old had 10 years ago. Bowel Cancer Australia recognises lowering screening guidelines is a step forward to address the rise in young onset bowel cancer.

Will you help save Tasmanians' lives and implement a free bowel cancer testing program for Tasmanians aged between 45 and 50?

ANSWER

Mr Speaker, I very much thank the member for Clark for her question and her advocacy and letter to me on 6 October. I am aware of requests to the Tasmanian Government to take up the cost of new free bowel cancer testing programs for Tasmanians aged between 45 and 50.

As the independent member would be aware, the Australian Government has the responsibility for population screening programs, including the National Bowel Cancer Screening Program. I am advised that the National Bowel Cancer Screening Program directly mails a bowel screening kit to all eligible Australians aged 50 to 74 and advises them to participate in the program every two years. The National Bowel Cancer Screening Program is based on the National Health and Medical Research Council's clinical guidelines for the prevention, early detection and management of colorectal cancer. These guidelines recommend that all Australians, even those without symptoms and no family history, begin to undertake regular bowel screening at age 50. As providers of primary health care, general practitioners play a key role in the ongoing medical management of their patients, including providing advice and organising diagnostic tests to respond to a patient's symptoms.

My understanding is that if a patient develops relevant symptoms of colorectal cancer prior to age 50, the general practitioner will guide them through the process to undertake a screening. However, in line with the National Health and Medical Research Council’s clinical guidelines, broad screening of the population who do not have relevant symptoms is not recommended until the age of 50. I respect these guidelines and encourage anyone under the age of 50 who is experiencing relevant symptoms to speak with a general practitioner.

I applaud the national screening program, which has made it easy for Australians to take up a simple test at home so they can detect the early signs of bowel cancer. Importantly, the program has been evaluated as effective in saving lives so I encourage all Tasmanians to take up the test when it is sent to them. I am pleased to report that based on the most recent published data for 2018-19, Tasmania has the equal highest participation at around 49 per cent of eligible people, along with South Australia, which is 5.4 per cent above the national average.

I am more than happy to take up your advocacy and your cause further and again highlight what I have just said in terms of the recommendations. While many Tasmanians have taken up that opportunity and while we are above the national average, we could all agree that we could encourage more Tasmanians to participate. I thank the member for the question.

Floods in Northern Tasmania - Government Action

Mr WOOD question to PREMIER, Mr ROCKLIFF

[10.33 a.m.]

Can you update the House on the measures the Tasmanian Government has taken to keep Tasmanians safe during the recent flood events and the measures put in place to help our communities to recover?

ANSWER

Mr Speaker, I thank the member, Mr Wood, for his question and interest in this matter. I reiterate our wholehearted support for Tasmanians who have found themselves again fighting Mother Nature's extremes over recent days; it has become an all too regular event. We had severe flooding in 2011 and 2016 and now, just six years later, properties have once again been damaged and farms have been decimated in some areas. This is a very difficult time for Tasmanians in the north and north-west. All our thoughts go to those who have been affected. Our message to everyone is that we stand by you, we support you; I know the future is uncertain but we will get through this, as we have done in the past.

I was able to visit flood-impacted communities on Saturday, Sunday and yesterday. I can say first-hand how humbled I was to see the community band together and the community response to support people who had been affected, and how I greatly admire the resilience of the number of people I met with as well.

One of those is Wings Wildlife Park, where I visited yesterday, which was completely devastated in 2011, impacted again in 2016 and was smashed over the course of the last few days with a significant event causing major infrastructure damage. It was an emotional visit and they were reflecting on the work that had been put in to create such an icon on the north-west coast of Tasmania. That business has been hugely affected. It employs some 27 people, so a big employer in the central coast and north-west of Tasmania. Reliving their lived experience of 2011 was also a traumatic conversation, but we will stand side by side with them and others as they work to recover their much-loved and our much-loved Tasmanian icon.

It was also shocking to see Latrobe and areas in the Mersey catchment inundated so soon after the last devastation in 2016. Our hearts go out to all those affected in all communities.

While the past few days have been very tough, there are tough times to come as we continue to look to support those whose livelihoods have been so sadly impacted. On Thursday the Minister for Primary Industries and Water and I will be heading back north to the regions impacted to talk with our farmers, families, individuals and businesses to hear firsthand how we can continue to support them.

I take this opportunity to thank the community and Emergency Services for their proactive, informed response to this emergency. I acknowledge my colleagues, the Deputy Premier Michael Ferguson, and the Minister for Police, Fire and Emergency Management, Mr Ellis, who spent some considerable time in their flood-affected communities providing support, visiting evacuation centres and promoting safety messages for all Tasmanians.

Mr Speaker, our emergency services and local governments have done an outstanding job with the flood that continued to escalate towards the end of last week and over the weekend. In the period from midnight last Wednesday 12 October to 6 a.m. yesterday, the SES received 839 requests for assistance. A total of 53 residences, 18 businesses and 21 community facilities have so far been damaged by floodwaters and many roads and bridges have been washed away. That was very evident as we were driving up Railton Road to see and be reminded once again of the power of water. What may not look to be a torrent of water can create much damage and lift sealings and destroy bridges and the like, which is heartbreaking so soon after we repaired those roads and bridges after the 2016 floods.

Tasmanians experiencing this devasting situation can be assured that all levels of government are acting swiftly to deliver financial and physical support over the time it takes to recover. Importantly, immediate support is available to help those affected. The Australian and Tasmanian governments are working together. I extend my thanks to the Australian Government for its invaluable assistance at this time, and I was able to discuss this with the Prime Minister yesterday. Jointly funded disaster assistance grants are available to 17 local government areas following the severe flooding across Tasmania. Assistance currently available under the disaster recovery funds includes the following for all 17 local government areas: emergency assistance grants of up to $1000, $250 per adult and $125 per dependent child; and emergency accommodation assistance.

To date, we have released 170 emergency grants to Tasmanian families. The turnaround of these grants has been exceptionally quick to ensure the money is in the pockets of those who need it and when they need it without delay.

In addition, for the Central Coast, Kentish, Meander Valley and Latrobe local government areas, lump sum assistance payments are available through the Australian Government Disaster Recovery Payment. This includes $1000 per adult and $400 per child.

We recognise that these floods are traumatic for those who are currently affected and all those who have lived through similar situations. Images on the news and social media can be confronting. Flood events can impact on individuals in different ways and may lead to people feeling overwhelmed by a range of emotions, including stress, sadness and anxiety. If you or anyone you know needs mental health support, support is available. Please reach out and make sure you are getting the help that you require, including through Tasmanian Lifeline, Rural Alive and Well, Beyond Blue or Kids Helpline. Farmers can also seek assistance from the FarmPoint hotline. The Business Tasmania hotline is also available to farmers and businesses impacted by the floods.

I reiterate that the recovery ahead will be tough but we will get through this together as a community.

Thank you to everyone who has worked so tirelessly to ensure the safety of all Tasmanians. It was paramount throughout this event.

Proposed Stadium Development - Escarpment Housing Project

Mr WINTER question to PREMIER, Mr ROCKLIFF

[10.41 a.m.]

The Lord Mayor of Hobart has said that she and the rest of Hobart City Council had expected the development application to be lodged for the escarpment development nearly a month ago before your $750 million stadium blew up that plan. The lord mayor also alleged that developers are potentially negotiating an exit package - something we have asked you about several times repeatedly. How much compensation are Tasmanians going to have to pay to the developers of the escarpment, Milieu, to not proceed with their housing development at Macquarie Point and instead build your $750 million stadium on the site?

ANSWER

Mr Speaker, I thank the member for his question. A sports, entertainment and arts precinct on the Hobart waterfront will become an economic engine and unlock millions of dollars of economic activity. It will support hundreds of jobs, open new industry and bring events to Tasmania on a scale that we have not seen before. The economic returns from an investment in a stadium precinct like this would boost Tasmania's ability to invest more in the areas of key essential services.

Ms White - How?

Mr ROCKLIFF - A growing economy is important. I know it is not important to you.

Members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - I know jobs are not important to you. I know new infrastructure is not important to you but it is important to us. It is important to many Tasmanians, if not most Tasmanians, as well as people who value jobs and value investment in infrastructure.

An economic impact study undertaken as part of the pre-feasibility work has indicated that during the construction phase alone a 23 000-seat stadium is anticipated to generate economic activity of around $300 million and support around 1400 jobs. Once operational, the stadium will open new industries and support around 950 FTE jobs annually - over $2 billion of economic activity over 25 years. As I have said before, $85 million a year.

While there are detractors and those who want to play politics, the tourism industry and other stakeholders welcome such an investment. The Tourism Industry Council of Tasmania's chief executive has said:

> Right across Australia, we've seen these types of stadium infrastructure investments transform cities by igniting a whole new way of economic activity that creates jobs, and stimulates investment.

The Hospitality Association says the benefits would flow on to hospitality businesses across the state, not only Hobart.

Mr WINTER - Mr Speaker, point of order, standing order 45, relevance. I enjoy doing this as little as you do, Mr Speaker. The question is about the escarpment and whether or not the Government is going to pay Milieu. I ask you to bring the Premier back to the question he was actually asked.

Mr SPEAKER - All I can do is indicate to the Premier that standing order 45 relates to relevance and to make a connection with how he is answering the question to the question. I am sure the Premier is about to do that.

Mr ROCKLIFF - When we announced Milieu as the preferred developer for the escarpment in November 2021, Labor criticised this development. You attacked it as being a development for rich people. Now you state that it provides hundreds of desperately new homes in Hobart.

My point, going back to the commencement of question time of the crab-walking, this is a case in point where Labor flip-flops the whole time.

Ms White - You have back-flipped on the particular deal you are talking about. You are the one back-flipping.

Mr SPEAKER - Order.

Mr ROCKLIFF - Do you actually expect that what you say back in November 2021 will never see light of day again when you attacked the development back then as being for rich people and now you are saying that it is about providing desperately needed homes. Suddenly you are on board. You criticised the development less than a year ago and you are on board with it now.

This is the flip-flopping to which we have become accustomed. This is why you have no credibility. The people of Tasmania might not always agree but they admire governments with a position and a strong position, unlike you lot that flip-flop all over the place with your tacky political games. You think that people do not notice how stupid you are. It is amazing.

Ms WHITE - Mr Speaker, point of order.

Mr SPEAKER - Premier, I will ask you withdraw that last comment.

Ms White - Thank you, Mr Speaker.

Mr ROCKLIFF - I withdraw, Mr Speaker. The corporation has been working closely with Milieu since 2021 and continues to work with them, having been in close discussions with them since our recent announcement. While the feasibility work is underway, including the development of a business case, it is too early to be confirming exactly what impact this may have on this development. I will not be doing that here today. The corporation continues to have constructive conversations with them. Similarly, the Hobart Brewing Company is the important stakeholder also -

Mr SPEAKER - If you could wind up please, Premier.

Mr ROCKLIFF - and the corporation continues to work with them.

Proposed Stadium Development - Hosting of Events

Ms FINLAY question to PREMIER, Mr ROCKLIFF

[10.48 a.m.]

The Examiner revealed last night that the plan for your new $750 million stadium in Hobart includes hosting NRL, A-League and Big Bash matches. It is clear your plan is for the new stadium in Hobart to get all the blockbuster AFL games. In question time today, member for Clark, Elise Archer, was heard to say, 'Could have sworn Hobart was the capital city'.

Given UTAS Stadium currently hosts Big Bash and A-League matches, will all of these events now move to your new stadium in Hobart at the expense of northern Tasmania?

ANSWER

Mr Speaker, I thank the member for her question. This is the document titled 'Hobart Stadium: Estimating the economic impacts of a new arts, entertainment and sports precinct in Hobart', which was released in September 2022. I point the member to that document that has been publicly available for some time.

Ms Finlay - There is specifically what in the document?

Mr SPEAKER - Order.

Mr ROCKLIFF - A 19th AFL licence is an opportunity for all Tasmanians. I remind the member that $65 million is being invested into UTAS Stadium, a commitment we have made already as a state government, and $25 million into Dial Range at Penguin, another commitment we have already made as a government.

Ms Finlay - What about your commitment to events in the north?

Mr SPEAKER - Member for Bass, order.

Mr ROCKLIFF - I am not going to get involved in your petty politics. We will continue to invest in important infrastructure in health, education, housing and sporting infrastructure, and we will continue to invest across the state. The north and north-west will have more content when it come to the AFL team and ensure -

Ms Finlay - How about blockbuster matches?

Mr SPEAKER - Member for Bass, order.

Mr ROCKLIFF - the sustainability and the strengthening of the AFL code. I know you are desperately trying to cover up your mistake of saying you did not like any new infrastructure but no question that you can possibly ask in this place, Ms Finlay, will do that.

Energy Saver Loan Scheme

Mr TUCKER question to MINISTER for ENERGY and RENEWABLES, Mr BARNETT

[10.52 a.m.]

Can you update the House on the boosted and expanded Energy Saver Loan Scheme and the draft renewable energy guidelines for community engagement? How are these initiatives helping put downward pressure on electricity costs? Are you aware of any alternatives?

ANSWER

Mr Speaker, I thank the member for Lyons for his question and his interest in this important matter. The cost of living is a top priority for the people of Tasmania and not just for residential customers but for small, medium and large businesses alike, and is a priority for our Government. That is why our Energy Assistance Package was released and the winter bill buster payment of $180 for more than 90 000 concession card holders has delivered that support.

Mr Winter - It is still going.

Mr BARNETT - It is still going and we are very grateful for that initiative, so I take that interjection. The aurora+ cost is also now removed.

I am very pleased to update the House on the Energy Saver Loan Scheme, a $50 million scheme that is delivering. Yesterday it was so good to be with Brian and Susan Parsons at Geilston Bay and to hear about their plans for 6.6 kilowatt solar panels on their house to help reduce the cost of electricity for them in their later years. The reason they are proceeding with that initiative is because of the Energy Saver Loan Scheme. That was publicly made clear by Susan and it was great to catch up with them.

I was also there with Catherine McDonald, the CEO of Bright. The scheme is now operating. We are talking about interest-free loans up to three years, up to $10 000. This is a real boost to Tasmanian customers. This is not just for residential customers, not just for businesses large and small, but also for organisations and community groups, those out there doing the hard yards supporting us, and volunteer organisations as well. We are talking about eligible products, whether they be solar panels, batteries, heat pumps, double glazing insulation - energy-efficient appliances. This will benefit Tasmanians to manage the cost of living, manage their electricity prices and keep that cost down.

We already have 700 people who pre-registered and they are all ready to get involved in the scheme, so that is great news. This is a very significant $50 million scheme and is on the back of the independent Tasmanian Economic Regulator saying that Tasmania's electricity prices, compared to all the other states, is either the lowest or amongst the lowest in Australia.

Opposition members interjecting.

Mr BARNETT - This is good news, Mr Speaker, a good report which has not yet been acknowledged by the Labor Opposition, which of course had a 65 per cent increase when it was in government.

In addition to that, one of the best ways of keeping downward pressure on electricity prices is to ensure that we grow our renewable energy prowess and credentials in this state. That is why it needs to be done in the right way to ensure that the entire community is able to share in those benefits of renewable energy developments. We are proud that in this state we are 100 per cent and we are going to 200 per cent.

Today I am releasing the draft renewable energy development guidelines for community engagement, benefit sharing and local procurement. I put on the record my thanks to Andrew Dyer, the Australian Energy Infrastructure Commissioner. We have had very positive engagement. Mr Dyer has been to Tasmania on many occasions and has met with not just my department but renewable energy proponents and members of the community. We appreciate his input, which has been taken onboard with respect to these draft guidelines, and I look forward to feedback on that.

In conclusion, I was asked about alternatives. In terms of the Labor Opposition, there are no plans and no policies. We know they are in administration until 2025. My shadow has been caught out on a number of occasions scaremongering and fearmongering to vulnerable Tasmanians saying, for example, that there will be blackouts and brownouts and that electricity prices continue to rise, when he knows that they are fixed through until 30 June next year. They have been caught out, with a track record of a 65 per cent increase with no policies and no plans. This side of the House will get on with the job, putting downward pressure on prices, growing our economy and creating more jobs.

Proposed Stadium Development - Health Infrastructure

Ms DOW question to PREMIER, Mr ROCKLIFF

[10.58 a.m.]

Tasmania is in dire need of upgrades to our health infrastructure. Whether it is the Launceston General Hospital redevelopment, stage 3 of the Royal Hobart Hospital redevelopment, the Spencer Clinic redevelopment on the north-west coast, the construction of dedicated youth mental health beds in the north-west, or maternity services upgrades in the North West Regional Hospital, after nearly 10 years your Government has made next to no progress. Why is building a $750 million stadium in Hobart a higher priority than these critical, much-needed health infrastructure projects?

ANSWER

Mr Speaker, I thank the Deputy Leader of the Opposition for her question. You like new infrastructure now? You support it now? Okay, all right, fair enough, we will see what your position on new infrastructure is tomorrow. I cannot believe that question was asked. When you were in government you could not lay a single brick towards the new Royal Hobart Hospital, while we have spent in the order of $600 million-plus rebuilding the Royal Hobart Hospital.

It was only a few weeks ago that I opened the brand-new antenatal clinic at the North West Regional Hospital. At the Launceston General Hospital there has been some $580 million of investment where it comes to the masterplan over the course of the next 10 years. As I have said before, we have demonstrated that we are delivering when it comes to our new health

infrastructure. We have a plan that forecasts investment of some $1.5 billion over the next 10 years in critical health infrastructure, including digital health infrastructure, which will improve patient outcomes, increase efficiency and enhance access to care for people across the state. That is a $475 million investment over the next 10 years and $150 million over the next four years of the forward Estimates.

Notwithstanding the current construction market conditions, we have continued to deliver significant projects over the last financial year, completing refurbishment of the Royal Hobart Hospital ward 6A for the trauma and acute surgical unit, completed in July 2021; the New Norfolk Hospital Nurse Call and Body Protection, July 2021; Campbell Town nurses' accommodation refurbishment; refurbishment of the LGH ward 3D; refurbishment of the Royal Hobart Hospital ward 3A for a rapid assessment medical unit; New Norfolk Hospital hydraulic upgrade; Central Highlands Community Health Centre hydraulic upgrade; the digital dentures clinics upgrade in Launceston and Hobart; the Mersey Community Hospital critical infrastructure mechanical, electrical and hydraulic upgrades; the LGH negative pressure rooms in the acute medical unit. These are all things that have been completed: LGH fit-out for the 39 Franklin Street administration and education precinct; the LGH fit-out of the paediatric outpatient area on level 3 of women's and children's tower, as examples.

We also have a number of projects under construction: Royal Hobart Hospital ICU expansion scheduled for completion in January 2023; the A Block endoscopy suite scheduled for completion in March 2023; the J Block cardiology unit and medical ward scheduled for completion later this year; Stage 1 of the Emergency Department expansion, delivering 28 additional treatment points, scheduled for completion at the end of this year.

LGH fit-out of the women's outpatient clinic on level 5 of the LGH women's and children's tower, due for completion in November this year; Emergency Department ambulance bay improvements due for completion later this year. The Mersey Hospital outpatient clinics and operating theatres, due for completion in October 2024.

We have commenced a significant investment in new equipment for our hospitals - $5.3 million of new equipment purchased through the $20 million Hospital Equipment Fund and $900 000 through the $5 million rural equipment fund.

I am proud of our Government's achievements and a department that has delivered this in partnership with the construction sector in challenging times when it comes to access to the construction workforce.

Commission of Inquiry - Launceston General Hospital - Complaint reported to Tasmania Police

Dr WOODRUFF question to MINISTER for HEALTH, Mr ROCKLIFF

[11.03 a.m.]

Last sitting we asked you about senior managers who made admissions at the commission of inquiry yet remain in their roles. You cited provisions within the Commission of Inquiry Act as your reasons for not pursuing individuals for their behaviour that may have contributed to the abuse of children or its cover-up. One of those people was the Director of Medical Services at the Launceston General Hospital.

We understand your secretary has received a complaint from Tasmania Police about Dr Renshaw's behaviour that was not within the remit of the commission of inquiry but reflected similar conduct. Will you advise the House what action has been taken on this matter? Will you acknowledge cultural change cannot occur if intentional misconduct in relation to child sex abuse is dismissed as a mistake of the past, without any real and strong consequences?

ANSWER

Mr Speaker, I thank the member for her question. Our Government knows that nothing is more important than safeguarding our children. We have made very clear, both in the lead-up to and throughout the hearings, that we are committed to accepting and implementing the recommendations of the commission of inquiry.

The evidence heard during the commission of inquiry hearings was distressing and highlighted the need for significant structural and cultural change to better protect the safety of children and young people, especially at the Launceston General Hospital. I understand that it has been very challenging for our Tasmanian community to hear the evidence presented at the commission of inquiry and challenging for all Tasmanians, including all of us within this Chamber.

After the initial hearings in early July, we acted immediately to announce the Child Safe Governance Review into the LGH and human resources with a specific focus on the handling of serious misconduct such as institutional child sexual abuse. The review is driving immediate change and, through its regular meetings, the Governance Advisory Panel has determined that a dedicated focus on reforming the senior executive leadership structure of the LGH is urgently needed to drive the implementation of critical child safety reforms.

On behalf of the Governance Advisory Panel, the panel co-chairs Adjunct Professor Debora Picone, AO, and Adjunct Professor Karen Crawshaw, PSM, have made interim recommendations to the Department of Health secretary which have been accepted and are being actioned as a priority.

On 30 September, the department announced that the immediate changes to the LGH governance structure will include: establishing a new chief executive Hospitals North position, together with a new chief executive Hospitals North-West position, to replace the existing joint chief executive position; changing the title of the executive director of nursing to the executive director nursing and midwifery to properly reflect the professional accountabilities of the role; moving the director of allied health -

Dr WOODRUFF - Point of order, Mr Speaker, I am listening very carefully to the Premier's response. It goes no way to the question I asked. It is specifically about a complaint received by the secretary. We want to know whether the matter is being acted on or what he is doing.

Mr SPEAKER - The Premier heard the question. Your point of order is relevance. Again, I can only remind of standing order 45 and to be relevant to the question. I am sure he will make those connections without intervention or interjections by members.

Mr ROCKLIFF - changing the title of the executive director of nursing to the executive director nursing and midwifery to properly reflect the professional accountabilities of the role;

moving the director of allied health to the second tier of the LGH executive structure; and establishing a new permanent deputy executive director of medical services position at the LGH, with an expression of interest process underway for an acting opportunity while a recruitment process is completed.

Further, as a result of the recommendations, a number of practical actions will be implemented to establish a dedicated LGH child safety unit to support education and referral processes for mandatory reporting; clarify which key LGH executive management position will have ongoing responsibility for child safeguarding; and develop a simple flow chart outlining the process for LGH to report child safety concerns.

Additionally, based on the recommendations, we will establish new child safety officer positions in each of the four major public hospitals across the state to support implementation of the department's child safety and wellbeing framework.

We are acting now and working to immediately implement the recommendations made on behalf of the Governance Advisory Panel by its two co-chairs. It is important that we act with sensitivity and with regard to due process, recognising the need to comply with the Commissions of Inquiry Act 1995 and the need to maintain confidentiality. It is not appropriate for me to comment on specific cases, allegations or positions.

Child Safety - Out-of-Home Care Case Workers

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.09 a.m.]

Child Safety Services have started to notify foster carers, and children and young people in out-of-home care that, due to inadequate staffing, children on 18-year orders will no longer be allocated a case worker. Instead, they will be allocated to a team for any case management or support required. They have been given an email address and a phone number with no guarantee of who they will reach at the other end. Child safety workers have advised young people that they do not believe they will receive any proactive calls or visits and that they will have to email or phone the number provided for anything they need.

This decision means that over 300 children and young people, and the foster carers who care for them will be managed by only two teams. I understand that currently there are only 11 child safety officers across those two teams.

How can you guarantee that all children in out-of-home care can be kept safe under this new arrangement?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for the question. The Government recognises the critical role played by our Child Safety staff in meeting the needs of some of the most vulnerable members of our community. We do not underestimate the challenges involved in responding to families who need help and children and young people who are at risk. To meet these challenges, our Government will work to ensure that Child Safety Service is appropriately resourced and supported.

Since 2014, we have increased Child Safety staffing by about 40 per cent. As part of over 2022-23 state Budget we committed a further $5.4 million for an additional 10 full-time equivalents to be added to the Child Safety workforce around the state.

While Child Safety is better resourced than ever before, recruitment and retention remain a challenge. Vacancies are impacted by a range of factors, including the significant market demand across all sectors for allied health professionals both in Tasmania and nationally. Intensive recruitment activity in recent months has resulted in the appointment of new staff members to all regions.

We are also undergoing a number of initiatives to continue to support that investment. We are improving recruitment of additional relief positions above the current full staff complement to act as back-fill when there are vacancies -

Ms White - Explain why children on 18-year orders are being left like this?

Mr SPEAKER - Order.

Mr ROCKLIFF - or when staff need to take leave. I am advised that the situation has eased considerably and the vacancy rate is now around 13 per cent and planned and unplanned leave is returning to normal levels. The services are now approaching full staffing against permanently funded child safety officers

Ms White - Why have you changed the model of care?

Mr SPEAKER - Order, Leader of the Opposition.

Mr ROCKLIFF - Our resources have increased by 40 per cent. Our Strong Families, Safe Kids redesign of the child safety system also contributed to a range of new liaison specialist roles which support child safety officers in their crucial role. These include intensive family engagement and restoration specialists, early years specialists, youth liaison officers, family violence liaison officers, Aboriginal liaison officers, administrative unit coordinators, court coordinators and transition to independent specialists among other roles.

We acknowledge that moving to a new department while also continuing to deliver services has been challenging within the department. They will have the resources to do their job: for example, a $2 million investment in a very practical resource for child safety officers as part of the move to the new department of Education, Children and Young People. This includes a number of matters and resources. We are very mindful that we have no more important investment than when it comes to child safety. I commend our child safety officers for the work that they do, often under very confronting circumstances.

I valued the conversation I had with their industrial representatives and those working on the front line. They were able to give me a first-hand understanding of the challenges they are under.

Infrastructure Investment

Mr YOUNG question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[11.14 a.m.]

Can you inform the House how the Government's approach to infrastructure investment, including support for TasWater's infrastructure pipeline program, will strengthen the economy and create jobs? Are you aware of any alternative policies?

ANSWER

Mr Speaker, this Liberal Government believes that now is the time to invest in new infrastructure for Tasmania, in this case, in water and sewerage infrastructure. We took a plan to the Tasmanian people that we would take over TasWater so we could directly intervene and invest in those important, overdue asset upgrades. We were opposed by members opposite. Instead, we found different ways to partner with TasWater to invest in infrastructure in water and sewerage assets that are massively overdue.

I am very pleased that we now have an ambitious $5.6 billion infrastructure program that we are delivering in partnership with industry around Tasmania. We are doing that because we are dealing with legacy problems. We are creating jobs during construction. They are assets that will be with us for generations. Those assets will allow our businesses and our people and our families to have ongoing jobs and economic success. That is why you need to have a belief in new infrastructure. To do that, you need to be prepared to invest in it.

Opposition members interjecting.

Mr FERGUSON - Ms Finlay, I see your eyes light up. That is important. That is why it is part of our plan to create these jobs now. Our roads and bridges program is $2.7 billion over the next four years. This financial year will see a step change in our investment in roads and bridges of $746 million.

I have said that our infrastructure in road and bridges program is two-and-a-half times bigger than Labor's last year in office. This year it will be six times bigger. As we approach decision time on a Tasmanian AFL team, three decades overdue, we are doing the work to prove the feasibility of a game-changing arts, entertainment and sporting precinct in Macquarie Point.

Labor Prime Minister, Anthony Albanese, agrees with our Government's approach. He was quoted recently in my newspaper, *The Examiner*: 'Good infrastructure investment creates jobs and economic growth and productivity'. I could not agree more on that point with the new Prime Minister. He is not under the command of Nick and Dougie; he is able to run his own party up there in Canberra.

This is in contrast to members opposite, and in particular, the Labor member for Bass, Ms Finlay, who infamously declared, 'This is not the right time for significant investment in new infrastructure in Tasmania'. What is embarrassing is that Labor, depending on the day, wants to go against new infrastructure and jobs and for new infrastructure and jobs. That was awkward from the member, made more awkward when we heard the shadow minister,

Mr Winter, not so much on the Dougie Train, more on the Nick Train, complain about 'a lack of progress with TasWater sewerage and storm water infrastructure upgrades'. Welcome back, Mr Winter.

This is the same Mr Winter who, on 8 March this year, wrote to the Office of the Tasmanian Economic Regulator trying to stop infrastructure investment, the modest price increases that were in the draft report, which is necessary to fund those improvements to those assets. Could Mr Winter be anymore hypocritical on this point? He would deny TasWater the money it would require to complete this upgrade and, in the same breath, complain about what is in his view a lack of progress as he continues to attack TasWater. While the Tasmanian Government does not own TasWater, as we would have wished to do, instead through our partnership and the extra money that we are putting in there, we are helping TasWater with those necessary upgrades.

Labor opposes a $1.7 billion infrastructure program, of which $1.1 billion will be invested over the next four years.

Opposition members interjecting.

Mr FERGUSON - The shadow Treasurer has found his voice. Welcome to the shadow Treasurer. That includes Bryn Estyn, Tasmania's largest infrastructure project for TasWater at $243 million. I wonder if Mr Broad or Mr Winter would care to say where that money is coming from? They are all over the place. We have committed $100 million to the Macquarie Point sewage plant relocation and, separately, an additional $200 million into TasWater under the MOU which Mr Winter opposes.

In closing, I was asked if there are any alternative views. There are certainly not policies, because the Labor Party does not have any policies, only their hypocrisy which is on display. We are getting on with the job, making sensible investments into new water and sewerage infrastructure in Tasmania to deal with the legacy left behind by the Labor-Greens government.

Child Safety Officers - Allocated Case Workers

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.21 a.m.]

Child safety officers are telling us that the decision to no longer allocate individual case workers to children on 18-year orders was made with no consultation with them, foster carers or with children and young people. They are saying this decision is not safe for many of those children. Will you listen to child safety officers who are calling for every child in care to have their own allocated case worker?

ANSWER

Mr Speaker, I thank the member for her question. I concluded my previous answer by saying how much I valued the discussion I had with industrial advocates, the union representing child safety workers, just a few weeks ago. There was a number of people at the table with work and lived experience when it comes to frontline extremely important work, often under

very confronting circumstances. I listened intently and with me in the room was the secretary of the department with respect to the new responsibility, Mr Bullard.

We will always listen to people on the ground doing the work, just as I have listened to HACSU and the ANMF regarding COVID allowances and recruitment, and I am very pleased with the announcement we made today. That was about listening, understanding and taking action. Of course we will always listen to people on the front line. I have done so and will continue to do so when it comes to our Child Safety Service.

Floods in Northern Tasmania

Mrs ALEXANDER question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr ELLIS

[11.23 a.m.]

In recent days we have seen the devastation in the north and north-west communities due to the weather events we have had. It has been extremely stressful for those communities and really heartbreaking. Could you update the House on these floods, what is happening, the progress, and how our emergency services have supported our communities through these devastating events?

ANSWER

Mr Speaker, I thank the member for Bass for her question and her outstanding support of her communities during this time, and so many colleagues in this place for being there for people when they really needed them.

The floods of the last week have devastated our communities in the north and north-west of Tasmania. I have spent days in our flood-impacted communities across the north and north-west, as people evacuated their homes, their businesses and their communities. I witnessed firsthand the power of the floodwaters as it swept through the townships of Meander Valley, Deloraine, Latrobe, Burnie and Launceston destroying infrastructure, bridges and homes.

Many Tasmanians over the last week have put their lives on hold to help others in need and in doing so have demonstrated the finest examples of the Tasmanian spirit. On Saturday morning volunteers from the Central Coast SES unit had been up all night in shifts every two hours monitoring local river conditions and responding to nearby road crash rescues. They were then preparing to upload their rapid impact assessments of flood-affected properties in Railton to the State Operations Centre to further inform local response. They were led by 30-year-old Rosie, who is a really tough cookie. Everyone on that team has jobs, families and regular lives waiting elsewhere. Along with crews from Wynyard, they have been supporting the Mersey and Kentish units, which had already spent days and nights relocating their communities to higher ground.

Our emergency services workers are some of the best of us. In tough times they rise above and they are there for us. They are surf lifesavers, trading the beach for a flooded road in the Meander Valley, risking dangerous swift water to rescue people in floating cars. They are police, from junior constables to a high-ranking inspector, doorknocking in the pouring rain to evacuate families at 3 a.m. for fears that the Isandula dam might burst upstream.

They are volunteer firefighters at Latrobe who opened their station 24 hours a day as a staging post for emergency responders and the regional command. They are the rapid relief team, quickly standing up support stations to keep frontline emergency services fed and watered throughout the crisis. They are the state operations team, rapidly coordinating intelligence to ensure that our people on the ground can respond quickly and that our community has the best information available, and they are local government employees, using their networks in community to urgently rehome families who had nowhere else to go. These are just some of the examples of the professional, dedicated, mission-focused and driven people who exceeded expectations over the last week to serve their families, their neighbours and their communities.

As floodwaters recede, our minds now turn to recovery, with families needing support after record-breaking flood levels in some parts of our state, but like the Hobby family from Deloraine said as they showed the Deputy Premier and I their recently flooded second storey of their home, 'property can be replaced but lives cannot'.

While there is still much work ahead of us, I would like to take this opportunity to praise those who contributed so much to keep Tasmanians safe. We are so lucky to have you. I want to stress that we have seen the worst flooding in parts of Tasmania since records began and we have been able to handle it. Through significant investment by this Government, the community has noticed that our emergency services preparation and response has been significantly improved. As the chief officer described the collaboration amongst emergency services, particularly in the new emergency management centre, this has been a quantum leap compared to previous disasters. This important investment and, more importantly, the hard work of our emergency services, has saved lives.

Time expired.

TABLED PAPER

Public Works Committee - Report

[11.29 a.m.]

Mr WOOD (Bass) - Mr Speaker, I have the honour to bring up the report of the Public Works Committee on the following reference - Major Redevelopment of Cosgrove High School, together with the evidence received and the transcript of evidence.

I move -

That the said report be received.

Motion agreed to.

ENVIRONMENTAL MANAGEMENT AND POLLUTION CONTROL AMENDMENT BILL 2022 (No. 46)

First Reading

Bill presented by Mr Jaensch and read for the first time.

MATTER OF PUBLIC IMPORTANCE

Health

[11.32 a.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, I move -

That the House take note of the following matter: health.

I will begin my contribution by turning to the front page of today's *Advocate.* It clearly shows how wrong this Government has its priorities across Tasmania right now. You have Tasmanians coming forward talking about their lived experience of the health system, waiting too long for elective surgery, waiting too long to see a specialist, and waiting too long to get access to dental care they desperately need.

While this Government and this Premier are focused on building a $750 million stadium in Hobart - the second in Hobart - these Tasmanians continue to live in mental anguish and considerable pain and discomfort. They are not getting access to the services they so desperately need. As I said, this Government has its priorities all wrong.

A couple of weeks ago we marked a significant passing of time in Tasmania where we had a part-time health minister for up to six months. During this time, things are only getting worse for Tasmanians across the health system. In fact, we are breaking records for all the wrong reasons when it comes to the health system. It is a clear indication that this Government is continuing to not get the basics right for Tasmanians right across the healthcare system

Today, we heard the Premier reel off a list of infrastructure projects he says his Government has delivered but there is just as long a list of those his Government has not delivered on. Those date back to the last state election and the state election before that.

Only now are we seeing the Burnie ambulance station being built. That is a project that has been significantly delayed since 2018. There are examples of delays to critical health infrastructure everywhere. You cannot argue against the desperate need for an upgrade at the Spencer Clinic in Burnie. There are beds shut right now at that unit; there are people who need those services in our community. We have no dedicated youth mental health beds in the north-west. The community is crying out for this infrastructure.

Why should priority be given to a $750 million stadium in Hobart over these vital infrastructure investments, particularly across regional Tasmania, that have not been delivered by this Government?

I spoke before about the records that have been broken by this Government for all the wrong reasons when it comes to our healthcare system. They include the fact that just 40 per cent of emergency department patients at the LGH and Royal Hobart Hospital are seen within four hours. That beggars belief. We still have the worst bed block in the country at the LGH. This is a symptom of that.

What we need, Premier, is more beds plus your commitment to upgrade the Launceston General Hospital and stage 3 of the Royal Hobart Hospital. Each of these projects will provide more bed infrastructure across the state, which we desperately need, alongside investment in staff recruitment and the wellbeing of our staff to make sure that they want to continue working across our healthcare system.

Some other interesting statistics, which are about the lives of Tasmanians, released in the most recent health data include the fact that under this Government specialist waiting lists have increased by 145 per cent at the North West Regional Hospital and a shocking 170 per cent at the Launceston General Hospital. I hear from these Tasmanians every day as I am sure you do, Premier, about their long waits for access to these specialist services.

When I recently raised the experience of one of my constituents, I was shocked by the response from the acting health minister at that time, Roger Jaensch. He said that it was all okay because this Government was being transparent about data and that previous Labor governments had not been transparent about data. I find that insulting for those Tasmanians who have shared their lived experience of what the health system is not providing for them right now. That is a more than 12-month wait for a respiratory appointment in the north-west for an urgent case of sleep apnoea. They still cannot get access to the specialist service and the specialist equipment they require. They have to have the specialist appointment before they can access that. I find it shocking that the acting health minister would say that about that person's lived experience.

Tasmanians do not care about whether there is data available. Tasmanians care about getting access to the care and services they require, when and where they need them, close to where they live. That has been a commitment of this Government that you failed to deliver time and time again. I do not buy that line about being transparent about data. That means nothing to people who are waiting in pain, and who have been waiting for over 12 months.

You only have to look at *The Advocate* today to see the plight of a constituent from our electorate, Premier, how long they have been waiting for a hip replacement and the devastating impact that is having on their life and ability to work. There are economic implications of people being on elective surgery wait lists and specialist wait lists. They cannot go to work and provide for their families, and that has economic and social implications for people.

This Government continually talks about the reductions in the elective surgery wait list. Yes, they have reduced it but the specialist wait lists are far too long - over 55 000 Tasmanians. Those people will go on to require surgery so the elective surgery wait list is not a clear indication of how many people are actually waiting for surgery across Tasmania. That number could be up to 55 000 if those people go on to require surgery. It is not elective surgery; it is necessary surgery. The simple fact is people are not on the elective surgery wait list because they cannot get access to the specialist appointments they require to be on elective surgery wait list.

Time expired.

Mr ROCKLIFF (Braddon - Minister for Health) - Mr Speaker, I appreciate the opportunity to have another discussion on a matter of public importance. There have been many Matters of Public Importance on health raised by the member and I welcome them. However, there have been more Matters of Public Importance than solutions when it comes to those opposite. There has been a lot of politicking and a lot of highlighting the challenges but no solutions. It gives me another opportunity to say that I am proud of our investment in health and our $11.2 billion over the next four years that will see us spend an average of $7.3 million in our health system every day to deliver health services to the community.

My focus on ensuring that Tasmanians receive elective surgery procedures within clinically recommended time frames is an example of where we are seeing improvement. In elective surgery more broadly, to reduce the waiting list we are investing $196.4 million over the next four years to deliver about 30 000 elective surgeries and endoscopies through the state-wide elective surgery plan to ensure Tasmanians can get the care that they need and get it sooner.

We are starting to see those positive results from our investment, with a first-year progress report showing the Tasmanian Health Service delivered more elective surgery activity in the 2021-22 financial year than ever before. That is a record number of patients: 20 314 Tasmanians received an elective surgery procedure during that 2021-22 year. The data shows that delivery of our plan is working, with a 15 per cent reduction in the waiting lists in the 12 months to the end of June 2022.

There are now fewer people on the wait list who are waiting longer than clinically recommended. The most up-to-date data for August confirmed the elective surgery wait list has dropped to 8935, which is the first time it has dropped below 9000 since 2018. There is more to do.

The member mentioned infrastructure. I have detailed a number of areas where we have completed very important infrastructure and a number of areas that we continue to invest near completion. The member raised the mental health precinct in her contribution. This was a commitment made in May 2021, the first stage of a $40 million commitment to a new mental health precinct adjacent to the North West Regional Hospital to replace the aging Spencer Clinic.

It is expected that stage one of the new inpatient mental health facility will be completed by the end of 2025. We will also provide space for future expansion. Concurrently, an updated master plan for the north-west region will be completed, which will inform the requirements for the second stage. It is anticipated to provide for the co-location of community mental health services similar to the Peacock Centre and St Johns Park integration hubs in the south. Clinical services planning has begun for both the new mental health precincts. I am talking about the mental health precinct at the Launceston General Hospital which will guide the functional requirements and model of care of how services will be delivered at both sites. Both mental health precincts will be aligned at the concept design phase to ensure efficiency of governance and design. Both will be co-designed with consumers and staff with design features to enhance privacy and dignity to enable provision of safe and therapeutic recovery-oriented care.

I recognise also that the outpatient list is of concern. There have been inroads into the outpatient wait lists, from 59 000 down to 55 000. There is a long way to go, but at least our investments and our work in this area is showing some improvement. We are being guided by our outpatient plan which will guide our efforts to transform the delivery of outpatient services over the next year with new models of care and a digital portal to improve patient communications, implement electronic referrals and ensure an efficient and effective service to improve access and reduce wait times for patients.

We are also working on our health care future reforms and co-designing a new long-term plan for health care in Tasmania that considers community care and digital health, critical infrastructure, and ensuring our health system has a sustainable workforce and supports better health outcomes for all Tasmanians.

We are continuing to support increased capacity in our health system. We have opened 105 new public beds and enabled access to 41 new public-private partnership beds since May last year. We have also recruited more than 1500 additional full-time equivalent health staff since July 2020. A majority of these positions are in frontline service delivery, including nurses, doctors, paramedics and allied health professionals. We are continuing to recruit.

We also understand the value of innovation in future health services and to attract and retain highly valued and skilled staff. I have mentioned a number of the innovations before: our COVID@home, COVID@homeplus, and Hospital in the Home, both for acute care and mental health. I also speak about the PACER initiative.

Time expired.

[11.46 a.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, the Greens have been following the decisions of the Health minister very closely. We have to flag that we have some real concerns with how we see the decisions of the Premier and Health minister unfolding when it comes to looking after the most vulnerable people in this state. It seems, with respect, that the Premier is being very weak on the things that matter the most.

Where we expected strength, we certainly have a Premier with heart but that is not enough. It is not enough when you have vested, powerful interests. It is not enough when you want to hold back the tide so that people who are vulnerable and at high risk of COVID-19 infection, for example, are properly protected.

The Premier gave a pathetic and very disappointing response to the question this morning about the ending of COVID-19 isolation periods and the impacts for people with disabilities. He has been called out by Disability Voices Tasmania. DVT is very upset and has described the move as premature and dangerous. Let us not forget this Premier was one of two Premiers who were pushing for this. The AMA and the rest of the medical community around Australia have called it out for what it is: it is scientifically illiterate. It is medical nonsense to imagine that if you let infectious people back into the community, it is going to somehow benefit the health of Tasmanians.

The Premier is not putting the health of Tasmanians first. He is doing what the business community wants. That is why we are concerned about his actions, or inactions, around changing the culture in Tasmania's hospitals that have led to us having a commission of inquiry

because of decades of coverup that has led to child sex abuse occurring across Tasmanian institutions.

Let us not pretend to ourselves that this is going to be an easy ship to turn around. It is not because culture sets and becomes toxic in places and it is very hard to shift. You need a Premier who is strong, and who understands how power works.

I want to acknowledge that today is a difficult day for some people. It is a day when justice was denied. I am going to speak in generalities about a couple of matters that were raised in the commission of inquiry. One of the things I wanted to speak about was work presented to the commission by one of the heroic staff members who bravely battled indifference and denial and was demonised as they attempted to speak up about the culture and the inactions that were happening in reporting mandatory notifications, harassment and abuse in the LGH many years ago.

It is clear that the unique factors that created the culture which has made the LGH a focus for predatory attention by those seeking child sex abuse persist today, and that is the problem.

When the Premier was asked a question this morning about what action was being taken in regard to a complaint made recently about Dr Renshaw from the LGH, who still remains as an employee of the hospital, we did not get a response. We got a general shopping list of things that the Government is doing around the commission of inquiry and actions that have been taken. They are good, but that is not the issue we have at hand. What are the consequences, real and significant, for people who have performed misconduct, have failed to notify, failed to take action, or actively covered up abuse? Where allegations persist and/or were before Tasmania Police, why is the Premier not coming forward and at least acknowledging that actions are being taken today by the department? He could simply have said in response to the question, 'Yes, there is a response, and yes, an own-investigation is underway'. The Health secretary has a capacity for an own-motion investigation.

I want to speak briefly about the culture of the LGH because it is certain that all Australian hospitals have a toxic culture and bullying, harassment and victimisation occur in all hospitals. That is a matter in the College of Surgeons' report in 2015 and a matter that needs to be dealt with everywhere, but there is something particular about the LGH. There are particular factors that have fuelled the situation in Launceston. One that was presented to the commission of inquiry is the reported propensity of professional politicians to act at the behest of malefactors within the senior echelons of the hospital fraternity. Local media personalities have also been accused of playing a role.

These are the sorts of things we have to get to the bottom of. We have to understand why it is, in their words, 'the informal power clique' that operates as the shadow administration in the LGH, invisible but highly influential; members who hold official positions within the conventional bureaucracy, patriarchal obviously, led by senior established iconic medicos; highly political, including connections with professional politicians; contemptuous of those considered undeserving; operating under a feudal system of allegiances and patronage; feared by official management and politicians; operating outside bureaucratic norms; self-interested and entitled, controlling key hospital appointments, for example, the CEO, the board, the Director of Surgery, the Director of Medical Services, et cetera; connected with local media identities; and accessing benefits and opportunities and especially the rights to private practice income.

Mr Speaker, these are all the factors that are described as being specific to the LGH. We want to know what the Premier is doing about them today, and specifically about people who are still in positions, who have through their own testimony made it clear that they have not acted or been involved in cover-ups of child sex abuse and yet still remain in positions today.

[11.53 a.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, many times I stand in this House and give an impassioned speech and a little bit of outrage - I see you smiling at me, Mr Deputy Speaker, which I am sure you do not mean to do right now - but that is something I do because I am passionate about the things that happen to Tasmanians and people in my community. However, I do not think I have that right now because I am desperately sad at what is going on right now. I am finding this an overwhelmingly difficult time. I am saddened because our health system is not meeting our needs. I am saddened because, by failing to meet our needs, there are real-life consequences.

The Government uses the following phrase, and it is a truism, that people need the right care, in the right place, at the right time. I absolutely agree; I used to say it as health minister as well. It is a phrase that many governments use but we are patently failing to do that. Access and affordability of access to general practitioners, which has been so neglected over years, is creating significant stress for families, who are now starting to decide if they can afford healthcare. This is the stuff from before Medicare. Families are having to decide if they can afford to go to the doctor, and if they do decide to go to the doctor, they have to decide which one of their family members can go and be able to afford the medicines that go with that.

People are not going to hospital. I have people telling me that they have not gone to hospital when they should because they are frightened of the wait, they are frightened of conditions in the waiting room, and they do not think they are going to get the care that they need. People are languishing on the list - they are certain to get on a long list to get treatment, so they are on a list to get on a list to get care. People are getting sicker, developing co-morbidities, which means they need a much more complex surgical procedure with much longer recuperation time if they receive that care at all or on time.

Ambulance Tasmania is dispatching taxis to collect patients who have been triaged to go to hospital urgently because they do not have the ambulances or the ambulances are ramped. We have had patients die while ramped. We have had Tasmanians die while waiting for surgery. People are not getting anything near the right care at the right time in the right place, and when we raise the issue the Government says, 'We are doing so much better', and, 'There is more demand', and 'We are spending more money'.

I want to address those issues because there is always increasing demand. There is not a health minister in history who would not have been able to stand up and say, 'I have had increasing demand upon my health system'. It is not an excuse; it is a reality of health care.

'We are spending more money', the Government says. Well, investment always rises, even during the GFC. Even with the global financial crisis when I was presented with way less money to do the job, we could argue that investment had increased. This Government, which cut 224 staff in the 2014 budget and some $200 million from health care, could still argue that health care revenue had increased, so the job is not rubbing your hands and saying, 'We are spending lots more money because we have so much more demand'. Your job is actually to

structurally reform and change the system to be able to meet the needs of Tasmanians and it is absolutely clear that we are not doing that.

This Government often blames Labor. During the global financial crisis, I was presented with substantially less money by my premier/treasurer, which is why I am generally sympathetic to health ministers because it is a hard thing, but this is not something that this Government has had to deal with. In fact, we regularly hear them trumpet about how much more money they have. There is some additional $3 billion in the budget overall. There is substantially more money going into health care. That is clearly not what the problem is because this Government talks about all the money they are spending and yet things are not getting any better.

I want to refer to some of that data. The December 2013 progress chart is not the best progress chart of my time as health minister. It is maybe not the worst, but I did not want to be accused of cherry-picking. I want to look at some of the things that are different now with all the additional money this Government has and all the additional things they say they have done.

Response times for ambulances had gone to 11.1 minutes at the end of 2013. In 2022 it is 14 minutes, so that is worse. When we look at the percentage of ED patients seen within recommended time frames in our emergency departments and the differences for each of the categories, in some of these I am not going to look that good, but let us be honest about how badly our system is doing. In 2013 and 2022 it was 100 per cent for category 1. That is what you would expect; they are supposed to be treated immediately. For category 2, in 2013 it was 88 per cent and in 2022 it is 44 per cent. For category 3, in 2013 it was 54.6 per cent and in 2022 it is 37 per cent. For category 4, in 2013 it was 61.5 per cent and in 2013 it is 58 per cent. For category 5, in 2013 it was 86.8 per cent and in 2022 it is 72 per cent. The percentage of patients being treated within the right time is not working. National emergency access data - 65.1 per cent were out within four hours in September 2013 and in August 2022 it is 48 per cent. We know how much worse ramping is. I cannot even begin to talk about how much worse ramping is.

I have a whole lot of other data which I might come back and put on the record during the adjournment tonight, because what I am saying is that if you are spending so much more money and you are saying it is simply a demand increase, every minister has had a demand increase. You have had the money to get the job done, we are seeing worse health outcomes for Tasmanians and you talk about that as if it does not matter.

The percentages sound bad, Mr Deputy Speaker. They sound really distressing, but when you start recognising it and you talk to the people who are behind those percentages - the individual lives who are affected, their pain, their distress, the impact on their ability to work, the impact on their families -

In question time today, the Premier and Health minister stood up and said, 'We are a great Government'. It really depends on how you measure it. While Tasmanians are not getting the right care at the right time in the right place, while Tasmanians are in pain, while Tasmanians die waiting for our health care, the Premier and Health minister is going to have to look in the mirror and make a judgment as to how well he is doing. I imagine Tasmanians know. Tasmanians do not believe that this great Government has their back when it comes to health care.

Time expired.

[12.00 p.m.]

Mrs ALEXANDER (Bass) - Mr Deputy Speaker, it is important that we keep the issue of health at the forefront of our attention. Without actually giving it due consideration as a community and as a state we cannot move forward through our economic recovery process. It is important that we keep talking about it, as uncomfortable and as difficult at times it can be. There is a broader discussion to be had around how we respond to our critical health issues.

We have heard the Premier outline what our Government is delivering in the Health portfolio. There are a number of plans that are outlined for the future to further improve our health system and achieve better health outcomes for Tasmanians.

There have been significant discussions about our investment in infrastructure, but that has to be done hand-in-hand with workforce recruitment as well as encouraging participation of more specialists and increasing the assistance from specific bills which are not required. In Tasmania, we have a significant percentage of people with co-morbidities, significant percentage of people affected by cardiovascular diseases. The national report, the State of the Health of the Nation, lists among the five major reasons for death: cardiovascular disease, stroke and cancer. Considering that and considering that Tasmania has a widespread regional and rural population, we need to make sure that information is well integrated. The 2022-23 state Budget includes investment in digital health worth $150 million over four years.

Last week I attended a meeting of the Pharmacy Guild of Australia, representing the Premier. One of the most talked about topics was how much pharmacists have been willing to participate in digital inclusions to ensure the delivery of correct medication, especially in view of the role they have played over the past two and a half years. Digital health is critical for us to move forward. Without that, we can shuffle papers left, right and centre, we can employ three times more people, but if we do not have continuity in how we deliver health information for patients who are unable to be in the city or in the more populated areas, we will not have an efficient delivery of health supports.

A digital health strategy is significantly important. It aims to improve patient outcomes right across the health system, including in primary and community care settings. This particular investment is a down payment on the anticipated investment of $475 million over the next 10 years as we consider further scoping and developing the digital health strategy. It is moving. You cannot say we are setting it now without scoping and developing this important part of the process.

It is hard and heartbreaking for those who are waiting or looking at the waiting times for ambulances or in the hospital setting, but everything has to be integrated, analysed and completely put together, otherwise we will fail to deliver. We cannot address health issues in the state by rushing at this topic or that topic; we need a concerted effort and to look at the big puzzle, not just at the different pieces.

We are continuing to invest in health infrastructure. The Budget includes $654 million to deliver health infrastructure projects over the next four years. It is part of delivering improved health outcomes for people in the state. Critical upgrades and new facilities at our four major hospitals and investment in rural hospitals and community health services ensure

that our health infrastructure is well positioned to meet the service capacity now and for future generations.

The new Burnie ambulance station commenced construction recently, which will benefit the local community. The north west is going to be impacted by significant economic development, so we are planning ahead for a significant increase in community numbers there. In my electorate of Bass, the Budget provides $50 million to stage 2 projects, progressing the $580 million commitment over the next 10 years for the Launceston General Hospital. There have been discussions around culture and the current issues that are happening but we need to ensure we have a proper workplace.

Time expired.

Matter noted.

ELECTRICITY SAFETY BILL 2022 (No. 11)

Second Reading

Continued from 29 September 2022 (page 88).

[12.08 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, previously in my address we were referring to penalty units and the discrepancy between penalty units across the country. In New South Wales a penalty unit is now $110, in Victoria $184.92, in South Australia the value of a penalty unit is prescribed by the Crimes Act 1914 and is currently $222 for offences committed on or after 1 July 2020, and in Queensland it is $143.75.

Minister, why are the penalties imposed in this bill sometimes half the penalties in other states' bills? For example, in the Queensland Electrical Safety Act, under section 67 Safety Management System, a prescribed electricity entity must have and must give effect to a safety management system for the entity. However, $57 500 is the maximum penalty for not having a safety management system for the entity. Under this bill, the same offence attracts a corporate penalty of 150 penalty units, at $181 per unit, totalling $27 150. That is a big difference if we are looking for a system that is compliant on a national level, when a similar offence taken under two different safety bills would attract a penalty double what it is in Tasmania.

If this bill is to nationalise and adopt other laws with other states and, potentially, New Zealand, we believe that those penalties should be compliant. Minister, would you consider introducing corresponding penalties to reflect the nationalism of this bill? In your response, could you can run through some of the rationale for the difference?

One of the main reasons we want to make sure that Tasmania is in line with penalties in other states is that we do not want to become attractive to organisations with poor safety records and compliance issues because penalties for breaching or our act are almost half the penalties in other states. We do not want to be that place.

Section 29 of the act is around safety and compliance audit. It states that the director 'may engage, direct or authorise a person to conduct an audit in respect of any electricity infrastructure, electrical installation, electrical equipment or a particular practice.'.

Section 100 of the bill is the audit of safety management systems and it states:

> (1) An electricity entity, owner or operator must have the operation of its safety management system audited as determined by the Director.

And, again:

> (3) The Director may audit an accepted safety management system.

There is no specification within our bill that those audits be conducted independently. The director, who is not required to be a qualified auditor, has the power to conduct audits themselves. This may promote potential bias, especially when the director is provided discretionary power in relation to the introduction of codes of practice, corresponding legislation, guides and standards. Electrical safety audits must be conducted independently, especially if the unintended consequences of the audits are severe injury or a penalty.

We would also like to talk about section 36, which is inspection of aerial wiring systems and supporting structures:

> (1) The owner of an aerial wiring system and any supporting structures must ensure that the system and structures are inspected by a competent person to ensure that the system and structures are safe to be, or remain, energised.
>
> (2) The Director may determine a periodic inspection schedule for aerial wiring systems and supporting structures.
>
> (5) The owner must maintain a record of the inspections carried out in accordance with subsection (2).

Master Electricians Australia is seeking clarity around homeowners who own aerial wiring systems and supports, for example, on rural properties. Are they required to do this? Does a home owner need to maintain a record of the inspections carried out under this section of the act?

I have another question regarding proposed section 44, inspection and maintenance of prescribed generation and storage systems:

> The owner or operator of an electrical installation with a prescribed generation and storage system, must ensure that the generation storage system is tested and maintained, as determined by the Director so as to ensure that the generation and storage system -
>
> (a) complies with -

(i) any relevant design standards; or

(ii) any other relevant standard or code of practice the Director determines; …

Master Electricians, in their consultations, stated that it is a positive obligation on all households to undertake regular inspections, especially where they have a solar PV system or generating equipment. Minister, can you clarify whether that is the intent of the bill in relation to that clause? If so, has that obligation been communicated to relevant home owners and other property owners for consultation?

It is in the opinion of Master Electricians Australia that this introduction will lead to significant changes to the industry and home owners' responsibilities and costs for maintenance of PV systems. Can the minister run through, in the response, what consultation was undertaken in relation to that?

Under this bill, Hydro and TasNetworks, the main groups that own and operate network assets in Tasmania, will be provided an opportunity to appoint an electricity safety officer. The bulk of this work is subcontracted out to contractors, especially in relation to the telcos. Proposed section 114 of the bill is Entry to inspect electrical installation:

(1) An electricity safety officer may, at any reasonable time, enter and remain on any land or premises -

(a) to inspect electrical installations on the land or premises to ensure that it is safe to connect, reconnect or remain connected to, the electricity supply; or

(b) to take action to prevent or minimise the risk of an incident occurring; or

(c) to investigate any suspected unsafe electrical installation.

(2) In an emergency, an electrical safety officer may exercise a power of entry under this section at any time and, if necessary in the circumstances, by the use of reasonable force.

We have stated before that we find this measure to be extreme and it is one measure we cannot agree with. We are aware that the gas bill has a reasonable force section. However, this is not acceptable or a direction our consultation deems necessary for this bill. We consider that the relevant safeguards around such a clause as reasonable force are not present.

In proposed section 117, Emergency powers of electricity safety officers, it states:

In an emergency, to protect persons or property, an electricity safety officer may -

(a) exercise the powers of entry under this Part at any time and without any prior notice if it is not practicable to give such notice; and

(b) make safe, if it is possible to do so, or isolate, the electricity supply to any land or premises without entering the land or premises; and

(c) use reasonable force if it is necessary in the circumstances.

Again, in proposed section 126, Powers of entry:

(3) An authorised officer may use reasonable force to enter any land or premises under this Part if -

(a) the entry is authorised by a warrant and the authorised officer is accompanied by a police officer; or

(b) the entry is necessary in an emergency.

My question to the minister is, why is there no requirement for the safety officers to be accompanied by a police officer if reasonable force is required in proposed sections 114 and 117? The legal definition of 'reasonable force' is:

> The response must be proportionate to the nature of the attack and takes into account all of the circumstances in which the force is used.

It is a term used in self-defence, not in entering an area in an emergency situation. Under this bill, there are no training requirements documented to safety officers to use reasonable force in this act. The law is vague, as we all know, around the word 'reasonable' as every situation is different. What is reasonable for one person may not be reasonable for another. We feel this is a terrible step to introduce the use of reasonable force to this bill and I implore the minister to reconsider the clauses. We have consulted with electricity safety officers in relation to this and they overwhelmingly consider reasonable force 'to be aggressive and counterproductive'. We will be seeking to amend this section of the bill during committee and we can talk more about it in committee.

The bill gives effect to the requirements of the Intergovernmental Agreement for the Electrical Equipment Safety System. The bill provides a national framework for the certification of electrical equipment, including marketing, supply and management of the scheme. As we have previously stated, the penalties are different. The bill does not regulate the carrying-out of electrical work by electricians licensed under the Occupational Licensing Act 2005, or safe work practices under the Work Health and Safety Act 2012. We believe that this bill represents many inconsistencies with the Work Health and Safety Act 2012.

I am running out of time, but Part 1, clause 3 refers to ‘serious electrical accident’ and it means an accident involving:

(a) electrocution; or

(b) electric shock serious enough to cause temporary or permanent disability or to require medical treatment; or

(c) electricity that produces a burn serious enough to cause temporary or permanent disability or to require medical treatment; or

(d) an electrical failure that causes significant damage to electrical equipment or property;

Minister, our understanding is that all electrical shocks should be considered serious as all have serious health consequences and all should require medical attention. We suggest that this definition is not adequate. We will move an amendment to bring the definition in line with other jurisdictions and best practice.

In proposed Schedule 1 - Consequential Amendments, paragraph 4, meaning of electrical work, industry advises that for paragraph 4(2), electrical safety management plan, an ESMP, all systems tend to consider coverage of networks and installations exclusively by single entities. TasNetworks, for example, is outsourced. There needs to be more control of ESMPs and this exemption allowed not more, which this bill allows. This applies to the telecommunications industry as well where a vast majority of the work is also subcontracted out. There should not be an exclusion for communication techs to do electrical work unlicensed and it certainly is not improving safety. It is compromising safety standards.

With paragraph 4(2)(d) under proposed Schedule 1 - Consequential Amendments, can the minister explain why appliance repair is not deemed electrical work? There are deadly risks associated with incorrect repair. Can the minister explain that policy direction? Can the minister explain why repair of extension leads is not deemed electrical work? Also, why in the meaning of electrical work under paragraph 4(2) - we will go into Committee and I will get some more answers. Thank you.

Time expired.

[12.22 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the Greens will be supporting the new Electricity Safety Bill 2022. It provides some very important changes to the way operations are done and the way decisions are taken that will make Tasmania a safer place and the people who work around electricity better protected. We support what this bill does to regulate safety and maintenance requirements and to regulate electrical installations and electrical equipment to conform them with national and international standards. We also support the regulation of safety requirements of activities that are near electrical infrastructure and electrical installations and the safety of electrical infrastructure and equipment in their design, maintenance and management so that the people and the properties contained within are not at risk.

We note that Labor has quite a number of amendments and we will discuss them in Committee and consider our position on a case-by-case basis. We look forward to that conversation. We do not have any amendments that we have prepared for this bill.

I want to make some points about it from a climate change point of view. What this bill flags for us is that there has not been enough discussion from the Government about electricity infrastructure and the increasing likelihood of a range of climate change heating events in the future. We are already seeing events - we are in the midst of one right at the moment - and we are seeing the devastation that has been wrought across northern Tasmania. It is pretty

confronting. People might have seen a video that was online showing some of the damage across the roads. I thought the boulders were the size of cars until I saw somebody walking between them and realised they were twice the size of the person. That is very challenging for the bridge and the road. Equally, what we saw in the Dunalley bushfires was tens of kilometres where all the powerlines were burnt down, as well as all the fences, the livestock, the trees and the houses that were there as well.

We have some big issues to confront as a society and it is not just Tasmania. All societies around the world are having to take a pretty serious stocktake, if you like, of how we invest in public and private infrastructure. Private companies are mostly getting on with the job of being future-looking but governments are very slow. We are concerned that, in Tasmania, the Liberals in the past eight years have not been on the front foot with this. They have not invested and have not required the sorts of planning and forward-looking decision-making of their GBEs such as Hydro and TasNetworks to name two in particular, but also TasRail, TasPorts: every single industry and every single GBE and public agency will be affected by each natural disaster.

Electricity safety and the supply of reliable continuous electricity is critical for a functioning society. It is about safety, because if we do not have a reliable grid and a reliable electricity supply, people's lives are at risk, and we are seeing that around the world and in Australia with outages in nursing homes and hospitals. That means that people cannot get the medical care or the support they need when they need it and people have died overseas. I hope and expect the institutions in Tasmania have multiple backup systems of generators and other sorts of electricity supply if there is an extreme event and an electricity outage, but there are many people in rural and regional Tasmania or in urban and suburban centres who have not got that organised.

We need to have a big conversation about where we put new electricity infrastructure, transmission and distribution lines. Where do the distribution poles go? Many countries are mandating that they go underground. Obviously if they go underground that immediately reduces the risk of them falling and collapsing during bushfires or extreme wind events or as a result of flooding and trees falling on the line. It takes an enormous amount of constant work out of TasNetworks and private property owners who, within this bill, are required to have continual maintenance scheduled because they live surrounded by vegetation and just to simply make sure that the poles and wires are fit and safe.

We need to have a conversation about how we invest because there is a lot of money spent on people going out, as they are at the moment, in the middle of the night, or voluntarily, not being paid and putting their lives at risk, to clear power lines that are on the road and rebuild poles and wires so that people can have electricity. There are other methods. We have to require our GBEs to undertake a process of talking about climate-proofing poles and wires, and electricity supply for the future. The Government has not taken this on. That means: each year that goes by and as the risk of extreme flooding will increase for every degree in temperature, there will be 7-10 per cent more water circulating in the atmosphere that will fall down as rain. What we are seeing now in northern Tasmania, and expecting to see again at the end of the week, these La Niña patterns stalling across inland Australia and now southern parts of Australia during an Indian Ocean Dipole and La Niña event, will continue.

Who knows what other changes will happen. It is changing all the time but we can be confident that every fraction of a degree brings with it a large increase in the amount of water

circulating in the atmosphere that is going to get dumped down, and not by an even measure, unfortunately. If only it were every single day averaged out across the year but it will not be. There might be some years where there will be no rain at all for years.

I would like to hear from the minister whether there was any consideration of the climate change impacts in terms of electricity safety-proofing. It is slightly sideways in this bill but unless we have a climate change lens across all of our legislation, we miss the opportunities to be as forward-thinking as we can with our planning; planning for changes like replacing poles and wires from being overground to being underground. It costs a lot of money and it takes time. We have to ask the question about how long we will be distributing electricity like that.

Maybe we are just going to skip that stage, get rid of poles and wires, and go to individual community solar renewable electricity supply? That will be the case for some communities. There is no doubt that remote islands around Tasmania are already taking that opportunity up. Remote communities are already stand-alone off the grid and we do have a fantastic battery in Tasmania. We have the luxury that other states do not of having one big battery in hydro. I do not think we should all be wanting to get off the grid. We should be making a contribution to renewable electricity generation but that does not mean all going separate. We can use hydro as the great big stabiliser that it is.

The other thing I wanted to talk about was section 35, the vegetation clearance spaces. The director will be determining minimum vegetation clearance spaces and codes of practice in respect to vegetation clearance spaces. Could the Attorney-General talk about whether it is your understanding that regulations will be updated or that standards are in place? Is there any change being expected in that? Who feeds into the standards that are made? Are they state-developed or are there national standards we apply when it comes to, for example, overhead power lines and vegetation clearance spaces? That would be useful to understand.

I will not make any further comments now but I look forward to having a discussion in the committee stage of the bill about Labor's amendments.

[12.35 p.m.]

Mr YOUNG (Franklin) - As the Attorney-General has said, our Government is reintroducing the Electricity Safety Bill 2022 following the dissolution of the parliament for the state election, held on 1 May 2021.

When I was first reading the changes to the Electrical Safety Bill, a wise friend said to me, 'Just make sure you do not stick a fork in a power point'. While these are wise words, they do not reflect the importance of electrical safety and the need to keep our legislation up to date. The conversation then flowed onto many areas that electricity affects our daily lives.

There are two minor changes to the bill since its initial introduction in 2020, both of which relate to consequential amendments to the Occupational Licensing Regulations 2018. These changes refine a definition of electrical work relating to the repair of an electrical article or the affixing of a plug or socket supplied with 230 volts or less, and address a drafting error relating to the definition of prescribed electrical work. Both of these issues are minor in nature and do not impact on the purpose or intent of the bill.

Electricity provides us with many things we need to live comfortable lives. However, the importance of electricity safety cannot be overstated, as all Tasmanians use and are

surrounded by electricity all day, every day. Electrical safety should be ever-present in the minds of people, especially those working in the industry.

The electrical industry is a field which requires an extensive knowledge of engineering and technology as well as an understanding of safety standards. Workers in this industry may specialise in one area such as design, installation or maintenance. All the time, safety needs to be paramount.

Then there is the everyday Tasmanian like myself who might take use of electricity for granted. They may not think about the benefits that electricity safety laws and the active administrations provides to the Tasmanian community.

While Tasmanians enjoy a high level of electricity safety, new technology is introduced at an ever-increasing speed. The introduction of this new technology and systems could have consequences for safety levels in the future. It is important that our legislation is able to keep up with this speed of change. We need to keep Tasmanians safe.

Tasmanians have always been proud of their high level of electricity safety but with the introduction of new technology, equipment and storage systems, this is coming under threat. We need legislation that is able to keep up to date now but also be mindful of the changes that have not occurred yet. As more people continue to demand renewable energy sources such as solar panels, battery storage systems and electric cars, the risk posed by our current electricity infrastructure is only going to increase.

As the Attorney-General has said, this bill is a product of extensive consultation with numerous stakeholders. A 2019 review of the legislation and comments provided by electricity stakeholders revealed a number of issues with existing electricity safety in Tasmania. Some of the comments made included:

- the current electricity safety legislation framework is fragmented and administration is not conducive to an effective system for electricity safety.
- current laws have become outdated as technical requirements and the national electricity regulatory framework have evolved.
- laws are mostly focused on the performance of new electrical work and are inadequate to deal with premises where existing electrical installations have become unsafe and require immediate rectification.
- longstanding legal issues such as who has the responsibility for maintenance of private poles, lines and equipment, need to be clarified and resolved.
- a single safety regulator should be created to administer new electricity safety laws, similar to the position of the director of building control or the director of gas safety.

This bill addresses these issues and improves energy safety regulation. This is something we should all be aiming for. Tasmania needs robust and up-to-date electricity safety laws to effectively administer electricity safety in response to these new and emerging technologies and practices. This bill provides that. Master Electricians Australia, the National Electrical

and Communications Association and TasNetworks have all provided their support for the introduction of the bill.

New and emerging technology in the electricity industry is at times outpacing the ability of the current safety regulations to respond effectively.

The bill provides for enforceable determination and codes of practice in order to respond effectively to these changes and provide the appropriate level of assurance for electricity safety to the Tasmanian community.

The bill also provides for the electricity entities to appoint and manage an electricity safety officer who may undertake specific electricity safety functions in a similar context to that of the existing electricity officer under the Electricity Supply Industry Act 1995.

The bill will also give effect to the requirements of the Intergovernmental Agreement for the Electrical Equipment Safety System. This system provides a national framework for the certification of electrical equipment, including marking, supply and management of the scheme.

The bill does not regulate the carrying out of electrical work by electricians licensed under the Occupational Licensing Act 2005 or safe work practices under the Work Health and Safety Act 2012. In this bill, any electrical inspection, testing, maintenance or rectification of work required to ensure the infrastructure or installation meets the safety requirements of this bill, must comply with the electrical work provisions of the Occupational Licensing Act 2005.

The bill is in addition to and does not detract from the Work Health and Safety Act, Electricity Supply Industry Act or Occupational Licensing Act.

The rapid pace of technological changes has left many unprepared. Additionally, outdated laws can prevent the development of new technologies and innovations. Modernising the legislation is an important step in keeping up with the times.

The bill consolidates the existing safety requirements of the current act and modernises the regulation of electricity safety in Tasmania to provide greater public protection.

The last thing I would also like to reiterate is please do not put a fork in the power point.

[12.42 p.m.]

Ms ARCHER (Clark - Minister for Workplace Safety and Consumer Affairs) - Mr Deputy Speaker, wise words from the member for Franklin. You can tell he has children.

I thank members for their contributions. I thank the member for Franklin for some of those points that he clarified. This act does not duplicate what other acts provide. I will get to that in a moment in relation to some of the questions Ms Butler put, which did not make sense to me, given that she had a full briefing and things have been clarified. She nonetheless asked these questions. I am pleased Ms Butler came in here today with a more collegial attitude rather than the unnecessarily antagonistic style and personal attacks that have been part of many of her contributions in this place. I find it extremely -

Ms BUTLER - Point of order, Mr Deputy Speaker, I ask the member to withdraw that. That is an unprofessional and unparliamentary accusation to make without any basis.

Ms ARCHER - It is not unparliamentary at all.

Ms BUTLER - Mr Deputy Speaker?

Ms ARCHER - If you are personally offended by something I can withdraw.

Ms BUTLER - I think you need to sit down. I am offended by that. It was a terrible thing to say.

Ms ARCHER - It is not unparliamentary. It is only if you are personally offended.

Ms BUTLER - You cannot help yourself.

Mr DEPUTY SPEAKER - Minister, would you please withdraw that statement.

Ms ARCHER - If Ms Butler is personally offended, I have no problem withdrawing that. I was simply making an observation about the style of behaviour of the member when she was last before the House. I am not saying anything other than making an observation.

Ms Butler - It is still derogatory and unparliamentary and quite frankly, nasty and unnecessary. I would like this to be a professional, safe environment, thank you, minister.

Ms ARCHER - I will remember that, Mr Deputy Speaker, and I will have that *Hansard* transcript ready and waiting for Ms Butler's next contribution. I find it extremely disappointing in the context of this important bill, especially when Labor wholeheartedly supported the Gas Safety Bill 2018 which, similarly, amalgamated safety provisions into a single bill and included identical powers and functions that they now oppose in this bill. I am at a loss to understand that.

In fact, a number of functions in this bill are consistent with other legislation, including the 42 Tasmanian acts that include the ability to exercise reasonable force. I will get to those questions and I will specifically address the statements. I genuinely hope that those opposite listen to the answers and that they have a change of heart, and like the Greens vote in support of this bill.

I have a lot of questions from Ms Butler and in the 36 minutes left I probably will not get through them. I urge the member that it is difficult, particularly when she asks questions very quickly, for my advisers and my departmental people to get it all down. I am pleased we had a few weeks to work on these questions and answers, because otherwise it is impossible to take it all down.

Ms Butler also made statements that were not necessarily questions. I will kick off with the first one, 'This is the second time this bill is trying to be passed by the Government in the House of Assembly'. As I said in my second reading speech, the Government is re-introducing the Electricity Safety Bill following the dissolution of parliament for the state election, which was held on 1 May 2021. Ms Butler's characterisation of this as the second attempt to pass this bill in the House of Assembly is inaccurate.

Ms Butler said that, 'The typo in the meaning of electrical work, which was corrected in the most recent version of the bill, excluded most electrical work from the meaning of electrical work itself'. As I said in my second reading speech during 2021, two minor amendments were made to the bill. The two changes were solely to the consequential amendments to the occupational licensing electrical work regulations, 2018, made under the Occupational Licensing Act 2005 and were to:

> refine a definition of electrical work, relating to the repair to an electrical article or the affixing of a plug or socket supplied with 230 volts or less; and
>
> address a drafting error, relating to the definition of prescribed electrical work under the Occupational Licensing Act 2005.

These minor amendments were made in 2021 to ensure that the bill aligns with accepted standards within the electrical industry. As these changes were only to regulations, not to the substance of the bill, the changes could have been pursued after the passage of this bill. However, to ensure that the Electricity Safety Bill is fit for purpose and ready to commence, the changes have been incorporated within the bill.

Ms Butler said that, 'Not all stakeholders were re-engaged in the second round of consultation, a few were not consulted in the 2020 bill'. In August 2018, in the early stages of drafting the bill, a discussion paper was circulated to industry stakeholders seeking feedback on the proposed content of the bill and key issues to be addressed. These stakeholders included the relevant electrical industry associations, TasNetworks, Hydro Tasmania and electricity retailers. In August 2019, a guide regarding the bill's proposed content was again provided to those industry stakeholders for comment, as well as major industrial organisations, electricity generation entities and other relevant agencies, associations, and councils.

The bill was then drafted in light of this feedback and released for public consultation on 23 January 2020 for a period of six weeks. It was published on the Department of Justice website for public review and also sent directly to a wide range of stakeholders. Ten submissions were received at this time, from the National Electrical and Communications Association, referred to as NECA, Master Electricians Australia, Nyrstar, TasNetworks, Hydro Tasmania, Aurora Energy, Tasmanian Minerals Manufacturing and Energy Council, Tasmanian Farmers and Graziers Association, WorkSafe Tasmania and the Communication Electrical and Plumbing Union.

In March of this year, the Department of Justice received additional correspondence from Master Electricians Australia, NECA and TasNetworks all providing their support for the introduction of this bill. I am delighted to receive this support from key electricity stakeholders and believe that this is recognition of both the quality of the bill and the consultative approach the department has taken to develop it. I take this opportunity to thank my department for the extensive work they have done on this bill. The bill was not extensively consulted on for a second time in 2022 as there were no substantive amendments made in the intervening period and as I have just outlined, it was thoroughly consulted.

Ms Butler also stated provisions within the bill which require consultation in relation to safety and particularly in relation to employees, workers and their representatives - I think that was meant to be a question. The bill itself relates primarily to the responsibilities of owners in relation to the ongoing maintenance of electrical installations rather than the actual technical

standards applicable to performance of work by an electrical worker. Regardless, unions that represent electrical workers were included in the consultation process and provided valuable input in relation to the impact of the bill on the workers.

The bill requires the director to consult with the relevant organisations and stakeholders in developing a proposed code of practice. For example, a code of practice which relates to vegetation management in the context of electricity infrastructure will require consultation with electricity networks, contractors performing the work and other affected parties such as landowners and representative organisations including the Tasmanian Farmers and Graziers Association.

Another statement made by Ms Butler was that the bill does not improve safety or technical standards and does not cover not diminishing safety standards - I am not quite sure what that means. The bill does not cover -

Ms Butler - I can clarify -

Ms ARCHER - I am going straight from the *Hansard*. The bill does not cover technical requirements of work performed by electricians as that is already covered by the Occupational Licensing Act 2005 and it does not cover managing safety practices while performing electrical work as that is already covered by the Work Health and Safety Act 2012. Clause 7 of the bill specifies that the bill is in addition to and does not derogate from the Work Health and Safety Act 2012, the Occupational Licensing Act 2005 and the Electricity Supply Industry Act 1995.

Much time was spent by Ms Butler on expecting and asking questions about why was Work Health and Safety not covered. I have just mentioned we do not need to duplicate what is in other legislation that applies to this situation. Another statement by Ms Butler was that work safety is not covered in the bill - this is getting to that issue - and that the bill undermines the Work Health and Safety Act and does not provide an obligation to not diminish current safety standards. The member for Lyons' statement that this bill undermines the Work Health and Safety Act 2012 by not providing any obligation to not diminish current safety standards or consult is inaccurate and unfounded. Workplace health and safety is not regulated under the bill because it is already regulated under the Work Health and Safety Act 2012.

Ms Butler asked what is the long-term strategy of the bill? I personally had difficulty with that question because I do not know why there would be a strategy for a bill, but we will attempt to expand on that. The Electricity Supply Industry Act 1995 over time has tended to concentrate on the regulation associated with the electricity market operation with the introduction of the National Electricity Market, national electricity rules and the Australian Energy Regulator. This bill will instead provide a dedicated focus on electricity safety and its administration to maintain the standard of electricity safety the Tasmanian community has come to expect as normal, and rightly so.

Since the turn of the century, there has been significant change in the electricity industry. Some of the key changes have been an increase in small scale solar and wind generation, equipment innovation, the rise of electricity storage systems and advanced - sometimes called smart - electricity meters in people’s homes. Administration of electricity safety in Tasmania sits with both the Department of State Growth and the Department of Justice. The energy regulator is responsible for the electricity safety functions and powers under the Electricity Supply Industry Act 1995, and the secretary of the Department of Justice is responsible for the

Electricity Industry Safety and Administration Act 1997. This division of responsibility for safety is not desirable, as it can introduce uncertainty and confusion. The consolidation of electricity safety provisions into a single bill and separating them from the Electricity Supply Industry Act's licensing and industry operational activities will allow for a greater focus on the regulation of electricity in Tasmania.

It is important to highlight that the bill also introduces improvements through the modernisation and updating of key definitions to reflect current industry terminology, align with Australian standards and improve understanding by users and industry and clarification of ownership boundaries between infrastructure of the electricity entity owned and installation, the consumer owned, with the demarcation being the consumer's connection agreement point of supply.

It deals with clarification of ongoing responsibilities for maintenance of infrastructure or installations to ensure they are safe and do not pose a risk of electric shock or fire hazard. It also deals with the introduction of a nationally consistent mandatory electricity network safety management system applied to entity-owned network assets. It also deals with the ability of the director to make binding determinations in relation to electricity safety matters, including to quickly respond to safety issues, implement contemporary requirements for new emerging technologies, and require rectification of degraded or damaged electricity assets.

It also deals with the adoption of the nationally consistent electrical equipment safety system to replace outdated provisions for regulating electrical equipment. It modernises electricity safety management systems to reflect current industry practice and needs and it also deals with the introduction of electricity safety officers to undertake certain electricity safety functions on behalf of the electricity entities.

Mr Deputy Speaker, I will now move to another statement from Ms Butler. She said that:

> Not one mention of employee representative consultation in relation to safety. This is in direct contravention of the Work Health and Safety Act 2012, and, if not amended to complement the existing federal legislation - which I am sure the minister is aware supersedes this legislation - could leave the Government, in our opinion, open to future industrial action.

In response to that statement, I can say that the Electricity Safety Bill is concerned with electrical safety in Tasmania, which is regulated by the state Government. Managing safe practices while performing electrical work is not mentioned in the bill, as that is already covered by the Work Health and Safety Act 2012. Again, clause 7 of the bill specifies that the bill is in addition to and does not derogate from the Work Health and Safety Act 2012, the Occupational Licensing Act 2005 and the Electricity Supply Industry Act 1995.

There was a question about why the bill allows the minister to adopt corresponding laws, and what checks and balances apply to this. The bill provides for the minister at the time to adopt interstate or New Zealand laws to be a corresponding law relating to electrical equipment and the safety of electrical equipment. I would like to note that the bill includes safeguards for the use of this power. The power can only be used in relation to laws regarding the supply of electrical equipment and is consistent with Part 4 of the bill; that is, it only relates to electricity equipment safety and is consistent with interstate legislation. This electricity equipment safety system operates in all other -

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

ELECTRICITY SAFETY BILL 2022 (No. 11)

Second Reading

Resumed from above.

Ms ARCHER (Clark - Minister for Workplace Safety and Consumer Affairs) - Mr Speaker, continuing from where I left off for the lunch adjournment, I was dealing with a question of why does the bill allow the minister to adopt corresponding laws and what checks and balances apply to this? I was part-way through my answer so I will start where I left off.

This Electricity Equipment Safety System operates in all other jurisdictions except one, which is expected to adopt it in the near future. This will provide national consistency in the approval, use, sale and recall of electrical equipment, ensuring it meets the minimum safety requirements.

I will now turn to the concept of adopting another jurisdiction's statute. This is what is known as an applied law scheme. An applied law scheme is a common way in which consistency is achieved within Australia and, indeed, New Zealand, which has the same requirements for electrical equipment safety. It is important to note that most Australian standards are, in fact, joint Australian and New Zealand standards, and are applied in the same manner across two countries. It works by one jurisdiction establishing a model law which is then given effect in the law of another state by direct reference in statute.

There are many other examples of applied law schemes in Tasmanian legislation, including in the building and construction portfolio, which is this portfolio renamed, such as the Australian Consumer Law (Tasmania) Act 2010, which relies on schedule 2 of the Competition and Consumer Act 2010 of the Commonwealth, and also the Cooperatives National Law (Tasmania) Act 2015, which relies on the Cooperatives (Adoption of National Law) Act 2012.

It is important to note that without adopting the Electrical Equipment Safety System as applied law, the consistency in electrical equipment safety the scheme seeks to promote will be lost, leading to regulatory confusion and possibly excluding Tasmania from the protections applied in other states and territories. By not adopting the scheme as applied law, this may result in a product subject to recall from another jurisdiction not being included in the recall until subsequent regulatory or legislative action is undertaken in Tasmania. Such a delay would not only confuse industry, it may also put Tasmanian consumers at risk. For this reason alone, I find it inexplicable why Labor will not support this bill.

There was also a statement from Ms Butler that there is little opportunity for the director of Electricity Safety to be independent from the minister. The bill says the director carries out functions which the minister determines. The director of Electricity Safety under the bill is required to be a State Service officer who holds that office in conjunction with their employment. This is similar to the appointments of the director of Building Control under the Building Act 2016, administrative occupational licensing under the Occupational Licensing Act 2005 and the director of Gas Safety under the Gas Safety Act 2019. This State Service

officer is subject to the usual requirements of acting with honesty, integrity and without a conflict of interest as per the State Service Code of Conduct. They are obviously apolitical as well.

These requirements and the mechanisms for enforcing them are contained within other legislation. To duplicate them in the bill would cause unnecessary confusion. These requirements are not duplicated in any of the other legislation I have previously mentioned. Under the bill, the director's powers are limited to carrying out functions for the purposes of administering the act.

Turning to the question of who would be on an advisory committee, should the advisory committee be independent, will they be paid? - Section 12 of the bill provides the establishment of an advisory committee by the director. The role of the advisory committee is to advise the director on specified aspects of the administration of the act. The director may require specialist and technical input that is not immediately available within the State Service. These committees also allow the private sector to participate in electricity safety matters that need consideration in the application of the administration of the act.

The establishment of the committee and its membership is necessary to advise the director on specific matters for the administration of the act; that is, they are to support the director in performing their statutory functions. It is highly likely that the advisory committee will include members with technical or other special expertise that is not held by the director or within the Department of Justice.

The membership will be dependent on the matters at hand. For example, persons with expertise in high voltage, hazardous areas or audits are likely to be included when the director is considering an application for a safety management system. The bill is not prescriptive in specifying who may or may not be appointed to an advisory committee to ensure flexibility to appoint people who have the necessary expertise, depending on the circumstances at hand. This is similar to the process in other legislation such as the Occupational Licensing Act 2005, where the administrator of occupational licensing is able to appoint a disciplinary panel to consider matters such as whether a person's occupational licence should be cancelled. They may be remunerated for their time, if appropriate. This will be documented in the conditions determined by the director.

Another question: will you consider inserting a clause which allows for safety improvement in relation to a code of practice? Can the director of Electricity and Safety make determinations and adopt or issue codes of practice without consultation? Clause 15 of the bill provides for the making or adoption by the director of codes of practice in respect to specified matters. Matters to which a code of practice can be made or adopted are limited to the inspection, maintenance and testing of electricity infrastructure and electrical installations, and the metering of electricity consumption. The bill requires the director to consult with the relevant organisations and stakeholders, dependent on the content of the proposed code of practice. For example, a code of practice that relates to vegetation management in the context of electricity infrastructure will require a consultation with electricity networks, contractors performing the work and other affected parties, such as landowners and representative organisations, including the TFGA.

In many cases, the power to adopt a code of practice will be used to adopt or incorporate new or updated national Australian standards into the Tasmanian legislative framework to

bring consistency across the nation. In these cases, the content of the code of practice will often have already been the subject of wide and inclusive consultations utilised by Standards Australia. In these circumstances, the ability for the director to make or adopt a code ensures that Tasmania can make necessary changes when appropriate, following consultation, to ensure that we provide a safe and effective electricity safety framework.

The ability for a statutory officer to make or adopt a code of practice or standard is a common feature of other legislation across various portfolios in Tasmania. Examples include the Work Health and Safety Act 2012, Occupational Licensing Act 2005, the Cat Management Regulations 2012 and Wildlife (Exhibited Animals) Regulations 2010.

This process is also very similar to that provided within the Building Act 2016 for the director of Building Control to make determinations. This has been very successfully managed since the commencement of that act, with extensive and robust public and stakeholder consultation prior to the making of any determinations. The bill continues this process of consultation, which both the Department of Justice and myself take very seriously.

Another question is why is 'code of practice' not defined in the bill? Under clause 15 of the bill, the director may make a code of practice, as I have stated. This clause specifies the process for making a code of practice. It is not necessary to define the term 'code of practice' within legislation. It is a standard practice: where a term is not defined, a dictionary definition is relied upon. The definition in the Macquarie Dictionary is:

> a statement of rules and expectations, applying to an industry, profession, etc., usually agreed or approved in some formal way but without the legal force of legislation or regulations.

Therefore, it is unnecessary to define it elsewhere in the bill.

There is also a question that the bill states that the director may make codes of practice regarding prescribed matters. What does 'prescribed' mean? Where matters are to be prescribed under the bill, this is a reference to them being prescribed under the legislations, which are to be made under the bill. This is common practice in legislation and well understood.

Another question was, does the bill contain reference to a time frame for a code of practice to be valid? The director has the power to make codes of practice, as well as to amend or revoke them. This is provided for under section 22 of the Acts Interpretation Act 1931. Codes of practice remain in effect until such time as they are revoked. This ensures continuity of requirements and avoids unnecessary gaps in enforceability which could put consumers at risk. This is common practice in legislation, such as the Occupational Licensing Act 2005.

Another question was, does a regulation prevail if there is an inconsistency between a code of practice and a regulation? In accordance with standard legislative practice and statutory interpretation principles, if a provision in a code of practice is inconsistent with the act or the regulations, the act or regulations prevails to the extent of the inconsistency. This is a commonly understood principle in other acts which provide for the making of determinations and codes of practice, such as the Occupational Licensing Act 2005. I think that needed to read. This is a commonly understood principle and applies in other acts which provide for the making of determinations and codes of practice, such as the Occupational Licensing Act 2005.

Another question is in relation to installation and equipment safety. Why does the bill exclude Australian Standards in relation to electrical equipment? In response, the bill will give effect to the requirements of the intergovernmental agreement for the Electrical Equipment Safety System, or the EESS. This system provides a national framework for certification of electrical equipment, including marking, supply and management of the scheme. There will be no noticeable change to the current electrical equipment approvals, as the new provisions supersede the current electrical appliance requirements under the Electricity Industry Safety and Administration Act 1997. The EESS is a national, all states excluding New South Wales, system for the approval and management of electrical equipment, supply and sale. The EESS provides uniform and consistent requirements through setting the minimum requirements for the electrical safety of household electrical appliances through the equipment safety rules. This is achieved by requiring minimum levels of testing, approval, marking, supply and management of those appliances. All in scope electrical equipment must comply with the relevant standard.

There was also a statement by Ms Butler that electric cars are not in the bill and this is not modern. With the greatest of respect, Mr Speaker, the bill does not apply to electric vehicles. They are not within the definitions of electrical installations, equipment or infrastructure. They were deliberately excluded from the scope of the bill as they are regulated nationally through federal vehicle safety legislation, including the Road Vehicle Standards Act 2018 of the Commonwealth.

Another statement was, 'We will not be accepting the use of reasonable force except with supplementary aspects to make its use more defined'. Much time has been spent on this. The bill includes specific powers for electricity safety officers in the event of an electrical safety emergency. The purpose of these powers is to ensure that in the event of an electrical emergency, such as an imminent risk of electric shock, fire or explosion, electricity safety officers can take the necessary steps to mitigate the electrical safety risk. In order to protect persons and property, an electricity safety officer may need to use reasonable force in certain circumstances. This may include, for example, forcibly opening a gate to access a property to disconnect electricity supply if a private power line hazard is present. In emergency circumstances, if it is practicable to do so, the officer may also be accompanied by a police officer. Electricity safety officers currently have the power to exercise reasonable force under the Electricity Supply Industry Act 1995, so it is not unusual. These powers are consistent with other powers in building and construction legislation. For example, section 66(6)(c) of the Gas Safety Act 2019 allows for a gas safety officer in an emergency to use reasonable force, if necessary, in the circumstances. Reasonable force is also included within electricity safety legislation in other jurisdictions, including in South Australia and the Northern Territory.

The ability to exercise reasonable force is common in Tasmanian legislation across a wide range of contexts. It appears within 42 acts currently in effect.

For the benefit of *Hansard* and for the member for Lyons I would like to list the 42 pieces of Tasmanian legislation that includes the ability to exercise reasonable force as I believe it is important.

At this stage, I am going to run out of time to address all of the questions. Could we move additional time because I have not got to Dr Woodruff? I am going to need at least another 20 minutes on top of my time.

Ms BUTLER - Mr Speaker, I move -

> That the member be provided with additional 20 minutes time to answer the questions.

There are quite a lot of questions that are being asked of the minister and she is providing detailed answers.

Mr SPEAKER - This will prevent going into Committee hopefully.

Ms ARCHER - No, it will not. I have answered the question. We still need to go into Committee. This is because I am going to run out of time, Mr Speaker, and we need you to move that I get an additional 20 minutes.

Motion agreed to.

Ms ARCHER - Thank you, Mr Speaker. I will list the 42 pieces of Tasmanian legislation for the record:

1. Animal Health Act 1995
2. Australian Crime Commission Tasmania Act 2004
3. Biosecurity Act 2019
4. Burial and Cremation Act 2019
5. Child Care Act 2001
6. Community Protection (Offender Reporting) Act 2005
7. Coroners Act 1995
8. Corrections Act 1997
9. Court Security Act 2017
10. Crime (Confiscation of Profits) Act 1993
11. Criminal Code Act 1924
12. Dangerous Goods (Road and Rail Transport) Act 2010
13. Emergency Management Act 2006
14. Environmental Management and Pollution Control Act 1994
15. Firearms Act 1996
16. Forensic Procedures Act 2000
17. Gas Industry Act 2019
18. Gas Safety Act 2019
19. Genetically Modified Organisms Control Act 2004
20. Liquor Licensing Act 1990
21. Marine-Related Incidents (MARPOL Implementation) Act 2020
22. Mental Health Act 2013
23. Misuse of Drugs Act 2004
24. Monetary Penalties Enforcement Act 2005
25. Plant Quarantine Act 1997
26. Police Offences Act 1935
27. Police Powers (Public Safety) Act 2005
28. Police Powers (Vehicle Interception) Act 2000
29. Public Service Act 2003
30. Public Health Act 1997
31. Racing Regulation Act 2004

32. Removal of Fortifications Act 2017
33. Road Safety (Alcohol and Drugs) Act 1970
34. Security-sensitive Dangerous Substances Act 2005
35. Sex Industry Offences Act 2005
36. Traffic Act 1925
37. Urban Drainage Act 2013
38. Water and Sewerage Industry Act 2008
39. Water Management Act 1999
40. Weed Management Act 1999
41. Workplaces (Protection from Protesters) Act 2014
42. Youth Justice Act 1997.

That is just a sample of some of them.

Under the bill, if a person refuses an electricity safety officer access to a property, the officer can only then enter if they subsequently obtain their consent or a warrant. If entering under the authority of a warrant the electricity safety officer must be accompanied by a police officer. If any property damage is caused by their forcible entry, they must arrange for this to be rectified. The exercise of their powers is subject to the conditions and direction of the electricity entity.

The director is also provided with significant oversight over the exercise of powers by electricity safety officers. This includes the ability to audit the administration and management of electricity safety officers by electricity entities.

The bill only provides immunity from personal liability for electricity safety officers in circumstances where the officer has acted in good faith in the exercise or performance of any power under the bill. This protection would be negated where an electricity safety officer has not acted in good faith, including circumstances where force has been used which is deemed not to be reasonable.

Another question was, what is reasonably practicable in ensuring electrical safety and why is it not defined in the bill? The terms 'practicable' and 'reasonably practicable' are used in a number of clauses throughout the bill. The intent of these terms is to qualify obligations of owners and other parties which would otherwise be absolute. This ensures that owners and other parties are not penalised for non-compliance with requirements which were not possible for them to comply with due to the circumstances. For example, a property owner could not be penalised for failing to clear vegetation impacting an overhead conductor supplying their property if they could not access the neighbouring property to clear the vegetation due to threats made by their neighbour.

Providing a prescriptive definition of 'practicable' and 'reasonably practicable' may have the adverse impact of excluding some circumstances where it is necessary and appropriate for such judgment to be used. The term 'reasonably practicable' is a common objective standard of behaviour that applies in a range of contexts and in a range of different legislation. It is a well understood concept, particularly given its wide use in workplace health and safety legislation at both the state and Commonwealth level. In Tasmania alone, the term 'reasonably practicable' is used in 89 separate acts. This term has been defined by courts in case law to ensure that it is appropriate to the context and can adapt to new circumstances.

On offences and infringements, the last question, the penalties for non-compliance are lower than in other states. This was raised apparently by Master Electricians Australia. In response to that, the bill provides for monetary penalties for certain offences included in the act. These penalties include transgressions such as not letting vegetation clearance requirements around electricity infrastructure, or for the sale of unapproved electrical equipment.

In setting the monetary penalties, the maximum penalty is intended to provide an effective deterrent for committing the offence and should reflect the seriousness of the offence within the relevant legislative scheme. In developing the monetary penalties for the bill, the Department of Justice had regard to these general principles. The department also sought guidance from Office of Parliamentary Counsel on penalties for similar provisions in Tasmanian legislation and also had regard for similar penalties provided within examples in other jurisdictions.

The monetary penalties included in the bill reflect an increase from existing electricity safety legislative provisions and are consistent with other contemporary Tasmanian safety legislation such as the Gas Safety Act 2019. For example, some penalties provided within the bill include fines not exceeding 5000 penalty units for failing to comply with the act. We see this at clauses 32 and 118. Adding existing penalty unit values, which members know increases annually, this is an amount of $865 000, which is a substantial figure.

It is important to note that monetary penalties are one small part of the compliance and enforcement regime established in the bill. The bill creates a framework for electrical safety which prioritises proactive safety management by the owners of electricity safety and electrical installations. It has been deliberately and carefully designed to encourage voluntary compliance by regulated entities while providing for penalties in the event they are necessary.

In March 2022, Master Electricians Australia wrote to the department confirming their support for the introduction of this bill, as did other key electrical industry stakeholders including NECA, as referred to before, and TasNetworks.

Further questions have been put by Ms Butler. She says there should be independent audits of safety management systems due to the risk of bias by the director of Electrical Safety. In response to that, a safety management system is a system that provides an alternative method to achieve compliance with the provisions of the act and other electrical safety requirements. It relates to specific electricity infrastructure installations or electrical work. Safety management systems were previously regulated under the Electricity Industry Safety Administration Act 1997. These provisions have been updated and modernised in this bill and the terminology changed to 'safety management system to be consistent with other states and territories'.

There are two main types of safety management systems which must be accepted by the director before being implemented under the bill, namely, a mandatory electricity network safety management system that is applicable to electricity entities that own and operate an electricity network and an optional safety management system for a person who has an alternative and more appropriate mechanism to comply with the bill's electricity safety objectives.

A safety management system must be approved by the director prior to implementation. The director will only accept a submission for a safety management system if there is a valid need for one, such as unique infrastructure. The safety management system must achieve an equivalent or superior level of safety and compliance as what is required under the act and other related acts to be approved.

A safety management system is to be independently validated prior to submitting it to the director. This validation provides an impartial review by an appropriately competent person and ensures the system is of appropriate scope with adequate protection methods and systems. A safety management system is audited by the director to ensure it has been adequately implemented and meets the terms and conditions of the accepted system. Penalties apply for breaches of the safety management system.

Another question: do homeowners have to have aerial wiring systems inspected and keep records of this? The property owner is responsible for the aerial wiring system and underground supply lines for their farm or residence from the point of supply to the installation. The point of supply is the boundary of where the electricity entity's responsibilities end and the installation owner's responsibilities start. The electricity entity is responsible for the network, including any aerial wiring system and any underground supply lines up to the point of supply. Owners are required to ensure that a competent person periodically inspects their aerial wiring system and any associated support structures to verify they are safe to remain in service. They are required to keep records of this to ensure that these can be audited in the event of an inspection or incident involving a safety risk. The records could simply be an invoice or similar to that.

Another question was: does the bill create a positive obligation to inspect solar energy systems? CBOS, or Consumer Building and Occupational Services, has recently completed a proactive statewide awareness campaign about the importance of regularly maintaining solar energy systems to ensure they function safely and efficiently for their intended lifespan. This involved direct correspondence to more than 39 000 Tasmanian property owners with solar and broad advertising campaigns. This program has significantly increased the uptake of solar maintenance services in Tasmania. The longer-term outcomes of this program will be assessed and a risk assessment conducted to determine whether mandating of solar maintenance is necessary. If it is deemed necessary, maintenance of solar energy systems can be later mandated by the director of electrical safety through a code of practice made under the act. This would not be implemented without a regulatory impact assessment and extensive consultation with all relevant stakeholders.

Another question was: why are electricity safety officers not required to be accompanied by police officers in emergencies? The bill includes specific powers for electricity safety officers in the event of an electrical safety emergency. The purpose of these powers is to ensure that in the event of electrical emergencies, such as an imminent risk of electric shock, fire or explosion, electricity safety officers can take necessary steps to mitigate the electrical safety risk. In order to protect persons and property, an electrical safety officer may need to use reasonable force in certain circumstances and this may include, for example, forcibly opening a gate to access a property to disconnect electricity supply if a private powerline hazard is present. In emergency circumstances, if it if practicable to do so, the officer may also be accompanied by a police officer. I have already dealt with a similar response detailing the 42 acts where this is currently applicable. Also, that electricity safety officers currently have the power to exercise reasonable force under the Electricity Supply Industry Act 1995 and

similar provision in section 66(6)(c) of the Gas Safety Act 2019, which allows for a gas safety officer, in an emergency, to use reasonable force if necessary in the circumstances. Similar provisions exist in South Australia and the Northern Territory. I will not detail that or the list of legislation that I have previously because I am only repeating myself.

Another question: all accidents should be considered serious and require medical attention. I think that was just a statement. A serious electrical accident is an incident involving electricity where there has been a death, a shock or a burn that causes a temporary or permanent disability, or requiring medical treatment, or an electrical failure that causes significant damage to electrical equipment or property.

The bill strengthens existing reporting or requirements that apply to serious electrical accidents. If a serious electrical accident occurs, this must be reported to the director as soon as practicable. The responsible person must then provide an incident report to the director within 21 days. This allows the director to investigate and take action when appropriate in order to prevent a recurrence of the event. Reporting of any minor incident would be excessive and burdensome for the injury and the public.

The final question from Ms Butler was why are communication technicians in use of extension leads excluded from the definition of electrical work? This is consistent with existing requirements which have been in place since 2008 and are determined by the low level of electrical safety risk association with these activities. If the use of extension leads was included in the definition of electrical work, any person who used one would be required to hold an electrical practitioner's licence, which is an absurd outcome.

Moving to Dr Woodruff's questions: how does the bill address the risk of climate change to infrastructure? This bill does not regulate emissions nor future emission targets but, rather, focuses on electrical safety. The bill does not apply to the initial construction, installation or commissioning of solar or wind generation, which must comply with the technical electrical work requirements in the Occupational Licensing Act 2005. The bill does allow the director to implement ongoing servicing and maintenance obligations for owners of existing alternative generation systems.

Another question from Dr Woodruff: does the bill consider the location of infrastructure in light of natural disaster risks? The purpose of a safety management system is to minimise hazards and risk to life and property, including bushfire risk that could be associated with climate change. All design of electricity infrastructure and electrical installation would consider expected weather events. When preparing a safety management system, an electricity entity must have regard to the risks associated with the infrastructure or installation to which the safety management system relates.

In the context of poles and wires, this will include the risks associated with vegetation management and design standards that, if not appropriately mitigated, may result in a bush fire. A safety management system will outline the inspection, monitoring, maintenance and auditing regime that is required to meet the obligations under the bill and related acts.

Another question was with regard to vegetation clearance requirements: are there national standards for this? These requirements are currently specified in the Tasmanian Electricity Code. They are consistent with other states and territories, and are determined by

the risk posed by the voltage of the different installations and infrastructure, as well as the different vegetation types and species across the country.

Final question: does the bill address potential issues with a lack of back-up electricity supply in the event of a natural disaster such as a bushfire, particularly in regional areas? The bill regulates electricity safety as opposed to security of electricity supply. The bill does allow for the adoption of modern technologies such as renewable energy generation, battery systems and their safety, which allows both entities and consumers to adopt back-up generation technologies as they see fit.

With a few minutes to spare, that is a response to all the very detailed questions and statements. Again, I thank members for their contribution. We will be going into committee with some amendments proposed by the Opposition.

I commend the bill to the House.

Bill read the second time.

ELECTRICITY SAFETY BILL 2022 (No. 11)

In Committee

Clauses 1 and 2 agreed to.

Clause 3 -
Interpretation

Ms BUTLER - Madam Deputy Chair, I have provided all parties in the House with a copy of an amendment we would like to suggest to the House. It is clause 3, page 21, and it is a definition of 'responsible supplier': We would like to insert 'complies with the relevant Australian Standards' as part of that amendment.

I move the following amendment -

First amendment

Page 21, definition of "responsible supplier", paragraph (a), after "New Zealand, that".

Insert

"complies with the relevant Australian Standards and".

The minister addressed EESS and that was explained by the minister. However, we believe inserting the terms 'relevant Australian Standards' was also picked up by the Tasmanian Minerals Manufacturing and Energy Council. We are reliant on Australian Standards in relation to equipment to ensure that cheaper, less reliable and lower quality products from international standards are not utilised; specifications and procedures designed to ensure products, services and systems are safe and consistently perform as they are intended.

Material Safety Data Sheets (MSDS) cannot always be relied upon. We know that in some cases additional testing is not provided to some of those imported products. A good example of that would have been cladding that was coming into Australia. Sometimes it was ticked off as meeting Australian Standards where the MSDS and information that was required was not meeting our standards and it was actually quite a dangerous product.

By adding the words 'relevant Australian Standard', it provides greater clarity to the bill. We believe that is currently within the Queensland electrical act, which is considered best practice.

Ms ARCHER - Madam Deputy Chair, this amendment is opposed because it would exclude suppliers from the regulatory framework of the electrical equipment safety system under the bill. If the equipment they are manufacturing or supplying does not comply with the bill, this amendment would have the unfortunate consequence of creating a compliance loophole and defeat the purpose of the framework. That is the first amendment.

Ms BUTLER - The first amendment, we believe that the Australian Standard should be compliant nationally, so I ask the minister to further explain her response in relation to how having an Australian Standard within the legislation would potentially damage - is it imported items that you are referring to there? That did not seem to make any sense. I am just asking you to clarify whether or not imported goods -

Ms Archer - No, that is not how it works. If you have finished your contribution, I can answer. If you have not, I will wait until you have finished.

Ms BUTLER - I have finished - go for it.

Ms ARCHER - The Australian Standard applies. Everybody under those circumstances where Australian Standards apply must submit to the Australian Standards. I am not quite sure why you are persisting with defining it when I have explained how it restricts and the Australian Standard applies.

Ms BUTLER - I asked the minister to clarify why that might restrict equipment in Australia if Australian Standards did not apply. Why would having the definition of Australian Standards restrict it? I do not understand that.

Ms ARCHER - The Australian Standards apply generally and by including it in that definition you are ruling out anybody who is not classified within that definition. It is a perverse outcome by putting it in that clause rather than generally everybody being subject to the Australian Standards.

Ms BUTLER - Can I ask for some more clarification? I know from doing the building work we were talking about imported materials from other countries that may have been used by industry but may not have actually met Australian Standards when they were tested, for example. I do not understand why it would restrict products. They should not be used in Australia if they do not meet Australian Standards, surely, or New Zealand's as well, because this is a national system. All we are asking is for those responsible suppliers to come under the definition of an Australian Standard. It is well recognised as a high-quality standard. If the importance of adhering to Australian Standards was really clear in our state legislation, I do not understand how that can be a restriction.

Ms ARCHER - The relevant Australian Standards apply under the bill. This amendment you are moving is to the definition of 'responsible supplier', which excludes them from the bill if they do not comply with the standard. That is the perverse outcome of it.

Ms BUTLER - I go back to my argument in relation to this. A responsible supplier should always come under Australian Standards, should they not?

Ms Archer - They do.

Ms BUTLER - Why would we be concerned about quality then? Why would we be restricting a potential supplier if they did not meet the Australian Standard? Should not all suppliers meet the Australian Standard?

Ms ARCHER - Again, what you are doing with this amendment is to the definition of 'responsible supplier', so if they do not comply with the standard it excludes them from the operation of this bill, which we do not want. If you leave it alone, the Australian Standard applies to everybody. I cannot explain it in any other way, and the answer is going to be the same for every amendment, virtually.

Dr WOODRUFF - I am satisfied. I believe you are making an important point but I am satisfied that the way it is presented in the bill would have the effect of covering that.

Ms BUTLER - Does this infer that a responsible supplier can be from another country potentially, and may be importing products that we may be using in electrical safety for major products such as new electrical safety installations, and that responsible supplier may not be providing equipment that is to an Australian Standard? Is that what this clause will mean if we do not explore and define it better? I know there are major projects coming through the pipeline, which is fantastic to see, but we want to make sure that the electrical equipment that is used in those major projects is up to a really high standard. If that means excluding a responsible supplier because they do not meet Australian Standards, would that not be a quality benchmark for us to make sure that we have?

I am sure this Electricity Safety Act, which is meant to be about safety, will be utilised in a lot of these major projects that will be coming to Tasmania in the future. We encourage major projects but we need to make sure our responsible suppliers are working to an Australian Standard and using products that are of an Australian Standard. I understand the minister has clarified the reason to exclude the term 'Australian Standard'. However, I do not agree with that as a policy decision.

Ms ARCHER - In response, the definition of 'responsible supplier' already states:

> (a) manufactures in-scope electrical equipment in Australia or New Zealand, that is supplied or is offered for supply in Tasmania;

It is basically already detailed there in the definition, so the definition that is currently there does not need altering.

Madam DEPUTY CHAIR - The question is that the amendment be agreed to.

The Committee divided -

AYES 9	NOES 13
Ms Butler (Teller)	Ms Archer
Ms Dow	Mr Barnett
Ms Finlay	Mr Ellis
Ms Haddad	Mr Ferguson
Ms Johnston	Mr Jaensch
Mr O'Byrne	Ms O'Connor
Ms O'Byrne	Ms Ogilvie
Ms White	Mr Rockliff
Mr Winter	Mr Shelton
	Mr Tucker
	Mr Wood (Teller)
	Dr Woodruff
	Mr Young

PAIRS

Dr Broad	Mr Street

Amendment negatived.

Ms BUTLER - Madam Chair, I have a further amendment to this clause. I move -

Second amendment

Page 22, definition of "responsible supplier", paragraph (b), after "New Zealand, that".

Insert

"complies with the relevant Australian Standards and".

We consider that the use of the term 'Australian Standards' is important to the integrity of the bill. We made that point clear in our previous debate. It is important to have the best definition of Australian Standards we possibly can. TasMinerals Council and the CEPU raised this with us, so it is important for there to be an amendment that reflects Australian standards, especially around responsible supplier.

We have many projects that are coming through the infrastructure pipeline in Tasmania. There will be many projects to do with electrical safety, especially in relation to large-scale operations and projects which will potentially include many international workers and international firms being involved. It is important that Australian Standards are maintained.

Ms ARCHER - Australian Standards already apply. I have made that very clear. I say this with respect: the member has misunderstood the provision. The amendment would have the unfortunate consequence of creating a compliance loophole and defeat the purpose of the framework.

Dr WOODRUFF - Minister, sorry if I did not pick it up in what you said earlier. Where is the legislation that requires Australian Standards to apply?

Ms ARCHER - Commonwealth. It is under the Occupational Licensing Act. References to compliance with the standard in this act you can see at clause 147(3)(c) and clause 148(3)(c). Electrical equipment is already required to comply within that applicable Australian Standard under the bill in order to be certified and registered under the Electrical Equipment Safety System. The definition of 'responsible supplier' includes suppliers manufacturing, supplying or importing electrical equipment into Australia. Having a broad definition of responsible supplier ensures that all are subject to the equipment safety requirements in the bill.

Dr WOODRUFF - Okay, thank you. It is important for people to understand exactly how the bill covers it.

Ms ARCHER - And it is there. The Australian standards are there.

Amendment negatived.

Ms BUTLER - I move the following further amendment -

Third amendment

Page 23, definition of "serious electrical accident".

Leave out "an accident involving".

Insert instead "an accident that is a notifiable incident within the meaning of the *Work Health and Safety Act 2012* and that involves'.

We consider that the definition that is in the Work Health and Safety Act 2012 is completely appropriate. We believe that under that there are three types of notifiable incidents. Section 35 of the Work Health and Safety Act defines a notifiable incident as 'the death of a person, or the serious injury or illness of a person, or a dangerous incident'.

The object of the Work Health and Safety Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces.

The Work Health and Safety Act aims to protect workers against harm to their health, safety and welfare through the elimination and minimisation of risks arising from work, with a view to attaining the highest level of protection as is reasonably practicable.

People fought so hard for this definition and this act over the years to try to increase safety standards nationally, across the country. It really is such an important document, and the tool is already there.

What this Electricity Safety Bill 2022 is about, as we are reminded by the minister, is leading us towards nationally compliant electricity safety laws. It is my understanding that as the Work Health and Safety Act supersedes our act, why would we not just draw from the absolute 'Rolls-Royce' of definitions, or at least provide reference to that?

Since the change of federal government there has been a revise of Liberal governments which have potentially a different philosophy around serious accidents. I am not sure. Maybe it is a different philosophical view, but there is a push to go back to greater employee/employer negotiations or consultations - more relevance, which is a really huge highlight of the WHS Act. It is a really important part of that consultation, but with the importance of worker safety and the importance of that Work Health and Safety Act, in our opinion, we should be drawing from that to define a 'serious electrical accident'.

An important part of that framework is incident notification. Section 35 of the WHS Act defines a category of incidence called 'notifiable incidents'.

Section 38 requires a person who conducts a business or undertaking PCBU to ensure notification occurs immediately after becoming aware that a notifiable incident arising out of the conduct of that business or undertaking has occurred. The notification must be given by the fastest possible means. The PCBU is required to maintain certain records about notifiable incidents.

Proposed section 39 deals with the related topics; the preservation of incident sites. Proposed section 39 imposes a duty on the person with management or control of a workplace at which a notifiable incident has occurred. Subject to certain exceptions, that person must ensure so far that is reasonably practicable that the site where the incident occurred is not disturbed until an inspector arrives at the site or an earlier time that an inspector directs. By inserting that would be notifiable within our definition here, a serious electrical accident would provide a robust definition of a serious electrical incident and ensures consistency with the Work Health and Safety Act.

Ms ARCHER - This amendment is opposed. The Electricity Safety Bill regulates electrical infrastructure, installations and equipment in both workplaces and other settings. I almost do not want to answer this because including this additional wording would restrict the incident reporting requirements in the bill to apply to workplaces only, so it is opposed on that basis alone. What you are doing is restricting its applicability only to workplaces rather than broader electrical infrastructure, installations and equipment.

The reporting requirements in the bill as it stands apply regardless of whether the incident occurs in a workplace or other context. They are in place to ensure that the director of electrical safety can take appropriate action in relation to any non-compliance with the applicable electrical safety requirements and implement any measures necessary to prevent further incidents. I repeat, the amendment is opposed for very good reason. It restricts the bill to only apply to workplaces and that is not the purpose of the bill or that provision.

Dr WOODRUFF - What you are saying, minister, is it would then mean that a serious electrical accident within the bill would only apply to workplaces and would not apply to residential settings, it would not apply to a commercial setting which was self-owned and where you were not employing anybody else -

Ms Archer - Anything that is classified as workplace.

Dr WOODRUFF - It would not apply to anything that is not classified as a workplace, so everywhere this appears in the act would actually absent residential law.

Ms Archer - Because the wording is 'notifiable incident within the meaning of the Workplace Health and Safety Act', and that act only applies to workplaces.

Dr WOODRUFF - Yes, all right. Thanks.

Ms BUTLER - I will clarify on the minister's point. It is the definition from the Work Health and Safety Act around what is a notifiable incident, but that does not exclude all others from that definition, I would expect. That is a bit of a generalisation and you could challenge that. Say for instance if you take a definition from a particular act, does that mean it would always just refer to that particular act, minister? I think that is quite restrictive.

Ms ARCHER - Can I be really clear? What you are doing with this amendment is restricting this to only workplace settings. The Workplace Health and Safety Act in relation to workplaces will always apply. I have quoted twice now the relevant section, which says that all of those acts, including the Workplace Health and Safety Act, apply. This act does not replace it. What you are doing by leaving out 'an accident involving' and inserting the words 'an accident that is a notifiable incident within the meaning of the Workplace Health and Safety Act 2012 and that involves', is restricting this to only workplaces rather than other settings. The reporting requirements in the bill as it stands, without your amendment, apply regardless of whether the incident occurs in a workplace or other context. We do not want this to only apply to workplaces.

Amendment negatived.

Ms BUTLER - Okay, fourth amendment, page 23. I move -

Fourth amendment

Page 23, after the definition of "serious electrical accident".

Insert the following definition:

> "**take all reasonable steps**", in relation to a person ensuring the safe supply of electricity, or that electricity infrastructure or an electrical installation is safe and safely operated or maintained in a safe condition, means that which is, or was, at a particular time, reasonably able to be done to ensure such safety, taking into account and weighing up all relevant matters, including, but not limited to including -
>
> (a) the likelihood of a risk to safety occurring; and
>
> (b) the degree of harm that might result from the risk to safety occurring; and
>
> (c) what the person concerned knows, or ought reasonably to know, about the risk to safety occurring and ways of eliminating or minimising the risk; and
>
> (d) the availability and suitability of ways to eliminate or minimise the risk; and

(e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether that cost is grossly disproportionate to the risk.

We consider that even though this bill is called the Electricity Safety Act, there does not seem to be sufficient means within this bill around the concept - and I know that the minister questioned this in her response - around the diluting or the diminishing of existing safety standards. There is nothing in this bill which refers to trying to improve safety standards as part of the ethos behind the bill, which I know the Queensland electrical safety bill does.

The words 'take all reasonable steps' relate to what is reasonably practicable, and this is a really good precedent of a bill which is seeking to provide greater safety and improvement of safety systems. We would appreciate if the minister would consider defining 'take all reasonable steps'. It also helps legally. This is often a legal argument that can be used at later stages. I know there are many cases where 'reasonably practicable' is used and 'take all reasonable steps' is part of that and we believe that when you are dealing with the elimination or the minimisation of risk - which this bill does not address comprehensively - this would add to the safety aspect of the bill. Our main objective here is to make amendments that would provide a greater safety aspect or safety narrative for this bill.

Ms ARCHER - It is assumed that this amendment is proposed in relation to the operation of clause 41 of the bill regarding the carrying out of regulated activities with due care. Including this definition would limit the notion of 'reasonable steps' to the definition outlined. This constrains the operations of the requirements in a way that does not allow for vastly different scenarios to eventuate across a range of different types of electrical infrastructure and be regulated appropriately. It would potentially make the safety requirements applicable to electricity entities more lenient.

The member referred to 'reasonably practicable' and why that was not defined in the bill. I have responded to that and basically said that term is a common objective standard of behaviour that applies in a range of contexts, so the use of the word 'reasonable' is exactly that: a common objective standard. It is a well understood concept, particular given its wide use in workplace health and safety legislation at both the state and Commonwealth level. I also noted that in Tasmania alone, the term 'reasonably practicable' is used in 89 separate acts and that this term and the term 'reasonable steps', or the term 'reasonable', at least, has been defined by the courts in case law to ensure that it is appropriate to the context and can adapt to new circumstances. I have been clear with those responses and how they are defined, and where and why. The amendment is opposed.

Ms BUTLER - I am getting the impression that the minister is going to reject every amendment we put up. This fourth amendment would provide greater safety substance to the bill. In relation to a person ensuring the safe supply of electricity or that electricity infrastructure and an electrical installation is safe and safely operated - I do not understand how this could be restrictive. It is an electricity safety act.

The Queensland bill, which is the benchmark, is fantastic. I do not know if you have read it but I have spent a lot of time over the years doing research on this. It is defined in their bill because their bill is focused on not just safety today but improving safety and making sure

that there is not a diminishing of safety. Part of that Workplace Health and Safety Act is constantly improving safety.

This is about assessing risk, about eliminating or minimising risk. For something that is called 'electricity safety', this bill does not seem to reference that aspect. This was raised with us by the CEPU. They represent people working within this bill and those people deserve to have their work environment as robust and safe as possible.

I do not understand how 'to take all reasonable steps' as the definition could restrict the flow of the act. I seek more clarification because safety is given very little methodology throughout this bill. This is something that would help define, clarify and might even assist with the intent of the bill, which is to provide the most robust safety available in the use or operation of electricity in Tasmania.

Ms ARCHER - I was not going to make another contribution. I am not going to keep coming back tit-for-tat. I have responded. It was, in my view, the necessary response to explain to the member how these terms are defined, and by the courts, and that it is not unusual.

In reference to her comment that it looks like I am going to oppose every amendment, yes, I am. The member has had a full briefing, particularly on the issues she is now moving amendments on. It should come as no surprise because the position of the department and me has been well put. All these issues have been raised and responded to previously. It should not come as a surprise that the Government will be opposing all amendments.

Dr WOODRUFF - A question for Ms Butler: where did this definition come from? You mentioned Queensland and I wonder if this came from Queensland legislation. I support where you are coming from. The CEPU makes a really good point. I do not see a problem with adding in a definition for taking all reasonable steps. At least, I have not heard the minister present one that is persuasive enough. Yes, there are concerns but this seems like an important definition to put in here. Could you provide some context on where it has come from?

Ms BUTLER - It has come from the Queensland Electricity Safety Act 2002. That was provided to us as a benchmark of probably one of the best legislations in the country at the moment, with a really good focus on safety and on employee and employer consultation.

Ms ARCHER - If I can remind the member, our position is that in our legislation it would restrict. I will say what I said originally. I have been enjoying the support of the Greens and would like their support on this clause. Including this definition would limit the notion of reasonable steps to the definition outlined. It would constrain the operation of the requirements in a way that does not allow for vastly different scenarios. There is absolutely no flexibility by restricting it in the way Ms Butler has in their definition. I have to take on face value that Ms Butler has taken that word-for-word from Queensland. That is the Queensland act not the Tasmanian act being proposed here now. In relation to our bill, as I said, it would restrict and would not allow for vastly different scenarios to eventuate across a range of different types of electrical infrastructure and for that to be regulated appropriately. It would potentially make the safety requirements applicable to electricity entities more lenient. Again, that would be a perverse outcome.

Dr WOODRUFF - I understand your concern about having a limiting definition but I am wondering how it would be limited because the first paragraph ends with, 'but not limited to

including'. I have a question in my mind about this Queensland legislation, which was 2002, which is 20 years old now. I would have thought that there would have been a move around the country to head towards that if real gaps had been seen in other legislation. 'Take all reasonable steps' would give, if this is in a legal case, the opportunity for the court to look at the circumstances of the case without having to be constrained by anything and -

Ms Archer - This is overly prescriptive.

Dr WOODRUFF - I agree with where you are coming from. However, there is a potential in that first paragraph for a particular event to slip through or be argued that it slipped through and that all reasonable steps were taken. It limits the opportunity for the judiciary to make an assessment. It is already starting off in a narrower frame than they would normally have before them, which is an open field.

Mr CHAIR- The question is that the amendment be agreed to.

The Committee divided -

AYES 9	**NOES 13**
Dr Broad (Teller)	Mrs Alexander
Ms Butler	Ms Archer
Ms Dow	Mr Barnett
Ms Finlay	Mr Ellis
Ms Haddad	Mr Ferguson
Ms Johnston	Mr Jaensch
Mr O'Byrne	Ms O'Connor
Ms O'Byrne	Ms Ogilvie
Ms White	Mr Rockliff
	Mr Shelton
	Mr Wood (Teller)
	Dr Woodruff
	Mr Young

PAIRS

Mr Winter	Mr Street

Amendment negatived.

Ms BUTLER - I need to clarify to the House that with the previous amendment, we are of the understanding that that definition may not have come from the Queensland Electricity and Safety Act 2002. I will come back to the House and correct the record on which definition that was taken from. I wanted to make sure that was clear now.

The intent of that definition I stand by. It would have provided more of a safety standard to the bill. I will rectify that with the House at a later stage.

Clause 3 agreed to.

Clauses 4 to 8 agreed to.

Clause 9 -
Functions of Director

Ms BUTLER - Mr Chairman, I have an amendment to this clause. I move -

Page 27, paragraph (e), after "approved authorities".

Insert ", relevant employee and employer organisations".

This is in relation to the exclusion of employer and employer organisations in relation to developing regulations, code of practice which is not in keeping with the Work Health and Safety Act which is very much focused on consultation with employer groups. With the Electricity Safety Bill 2020, there was consultation with an employee group, the CEPU, but with this bill we have been advised by CEPU that there was not communication with them. That is a good example of how employer and employee groups can be excluded from consultation.

Without that input from employee groups, you are missing out on being able to create legislation, regulations and by-laws, which the director has the opportunity to implement in this bill, with that wealth of information, that practicality. What works in another state or another country or in an office may not work in a Tasmanian work place for a worker. You are missing out on a wealth of information. I do not know why you would not ensure that an employer or employer group, employee or employer organisation, when you are making decisions on corresponding legislation, be able to provide information to a minister or to a director of Electrical Safety.

There is a duty to consult workers in the Work Health and Safety Act 2012. It is in proposed section 47, Duty to consult workers:

> (1) The person conducting a business or undertaking must, so far as is reasonably practicable, consult, in accordance with this Division and the regulations, with workers who carry out work for the business or undertaking who are, or are likely to be, directly affected by a matter relating to work health or safety.

There are penalties and then it states:

> (2) If the person conducting the business or undertaking and the workers have agreed to procedures for consultation, the consultation must be in accordance with those procedures.
>
> (3) The agreed procedures must not be inconsistent with section 48 .

We see very little evidence of consultation with workers within this bill. I ask the minister why that is the case. Based on that evidence provided to us from the CEPU, who look after many workers in Tasmania and across Australia, we are interested to see whether the minister would, first, insert 'relevant employee and employer organisations' in clause 9,

page 27, or, as you have already indicated that you have no intention of accepting any of our amendments, if you could provide a reason why not.

Ms ARCHER - I have been providing reasons why we are opposing the amendments. Generally, as I pointed out to Ms Butler when she raised all these issues, my department responded at the time and said why her proposals would be opposed.

This amendment is opposed. The relevant clause already covers the conferral by the director of Electricity Safety with employee and employer organisations through its reference to:

> Any persons, bodies or organisations engaged in any relevant industry and other interested groups or bodies on matters relating to the administration of the act.

To list particular individuals or groups in this provision would be overly prescriptive and potentially limit its application to other relevant parties. I maintain the definition of allowing that broad interpretation to ensure that we can refer to any persons, bodies or organisations in a relevant industry. It is broad enough to capture all of them and we do not want to be overly prescriptive.

Ms BUTLER - We disagree. It is beneficial, for safety standards, especially, to understand and have it prescribed that employee and employer groups are included in that consultation.

Ms Archer - It is in there.

Ms BUTLER - It is in there but it is also 'the director may make a code of practice or adopt a code of practice in respect of the following matters'. They are not bound to speak to employer and employee groups. It is represented in other parts of this act as well, where the director has discretionary power to consult. It is up to the director whether they do consult with an employee or an employer group. Instead of it being part of a process that is best practice, it becomes a decision for the director or, potentially, minister whether or not they decide to consult with workers or employer organisations that represent those workers.

Would that not provide a robust communication with employee groups? Would that not be able to provide, potentially, a director or a government with a better relationship with employer groups? Lately, we have seen a frustration from employer groups that they are often not engaged on an equal footing when it comes to some of the decision-makers within government. This is something that is good enough to put into the Work Health and Safety Act and the federal act, so I do not understand why it cannot be placed into the Tasmanian Electricity Safety Bill.

Dr WOODRUFF - On this matter, I agree with Ms Butler. I do not think it constrains the functions of the director in any meaningful way. All it is saying is to seek advice. That is hardly a constraint. That is sensible. We should have an abundance of communication with employers and employee organisations on matters to do with this act. We support the amendment.

Amendment negatived.

Clause 9 agreed to.

Clause 10 to 14 agreed to.

Clause 15 -
Director may make or adopt codes of practice

Ms BUTLER - I move the following amendment -

Page 32, subclause (2), after "consult with".

Insert "relevant employee and employer organisations and".

This clause in particular -

(1) The Director may make a code of practice, or adopt a code of practice, in respect of the following matters:

(a) the inspection, testing and maintenance of electricity infrastructure and electrical installations and the metering of electricity consumption;

(b) such other matters as may be prescribed.

(2) Before making or adopting a code of practice under subsection (1), the Director is to consult with such organisations or stakeholders that the Director considers relevant to the content of the proposed code of practice.

(3) The Director is to ensure that a code of practice made, or adopted, under subsection (1) -

(a) is published before it comes into effect; and

(b) remains published while it remains in effect.

That states that a director can adopt a code of practice. It is up to the director, the consultation that they need to undertake is not even prescribed. It is what the director considers as relevant to adopt a code of practice. A code of practice can be in place for many years. Without an obligation for that director to consult with workers or employer groups, how is that director to ensure that they have genuinely consulted and have a genuine understanding of the implementation of a code of practice?

It is a big thing to implement, especially when you do not have to take it through parliament, in respect of inspection, testing and maintenance of electricity infrastructure and electrical installations, and the metering of electricity consumption. They are all not just very high-risk areas of electricity management; they are also areas that would call for expert opinion to be provided. I do not expect that the director would have the ability to understand what all those functions would look like in the same way as someone specialised within that particular role as an everyday occurrence or work event. Why would having relevant employee and

employer organisations being consulted as part of this process, especially with the adoption of a code of practice, not be best practice?

You can go to university and learn as much as you can that way. You may even be coming out with HDs; you may be an Honours student; you may go on to do a Masters and a PhD because you are so bright on an academic level. However, put you in the field and the practicalities of doing a job, especially in inspection, testing and maintenance of electricity infrastructure, you may be hopeless but you may be the person providing that information to a director.

It is important that we do not get too ahead of ourselves. We make sure that we stay respectful of the Workplace Health and Safety Act, the federal act, which talks about the importance of consulting workers throughout the whole act.

I would appreciate if the minister might be on this amendment, because it is also about the adoption of codes of practice without consulting an employer group, without consulting workers, and if the director thinks that is the best thing to do, I do not think that is good enough and it is not effective lawmaking on our end as members of parliament. We cannot assume that a person sitting in an office with high credentials has the working and practical knowledge to understand what this would look like in the real world. If you are talking about a director adopting codes of practice, there really should be an obligation to consult workers.

Ms ARCHER - This amendment is opposed for similar reasons as the last clause. The relevant clause already covers consultation by the director of electricity safety with employee and employer organisations through its references to the words 'such organisations or stakeholders that the director considers relevant'. Again, to list particular individuals or groups in this provision would be overly prescriptive and potentially limit its application to other relevant parties, so this is deliberately broad to allow the director to have the scope to consult with whoever he or she considers relevant.

Ms BUTLER - I protest strongly.

Ms Archer - It is silly going back and forth on this.

Ms BUTLER - I do not think it is silly at all, minister, and I am sorry if you think it is.

Ms Archer - No, I said it is silly tit-for-tatting.

Ms BUTLER - I do not see this as tit-for-tat. I see this as an important part of the Electricity Safety Act 2022. It is going to have an implication on people's lives and the way in which we conduct electricity safety in Tasmania. I have been working on this bill for many years. This particular section is on the adopting of a code of practice without prescribed consultation. A code of practice is a big thing to adopt, especially with semi-discretionary powers for a director.

Ms Archer - Why would you want to limit it?

Ms BUTLER - I do not think it would be limiting it to be able to include that if a director is to go to the extent of adopting a code of practice in respect of inspection, testing and maintenance of electricity infrastructure and electrical installations and metering of electricity

consumption, they are potentially really dangerous projects so it is important to make sure you consult workers and consult the employees. It is a respect to workers.

It is in the Work Health and Safety Act that workers need to be consulted and it is important that the record states that we strongly support our workers being consulted and that people with practical experience in this field and those representing those people with the practical experience in this field should be consulted. It should not be up to the director whether or not they feel like consulting them or up to their discretion. They should be consulted as a matter of process. It ensures that you have the best codes of practice in front of you. It means that people can work together and it means it is an inclusive workplace and an inclusive industry and that the Government is also prepared to listen to workers. I do not understand why this one in particular cannot be accepted. It would only provide a greater quality to your Electricity Safety Act.

Mr CHAIR- The question is that the amendment be agreed to.

The Committee divided -

AYES 11	**NOES 11**
Dr Broad	Mrs Alexander
Ms Butler	Ms Archer
Ms Finlay (Teller)	Mr Barnett
Ms Haddad	Mr Ellis
Ms Johnston	Mr Ferguson
Mr O'Byrne	Mr Jaensch
Ms O'Byrne	Ms Ogilvie
Ms O'Connor	Mr Rockliff
Ms White	Mr Shelton
Mr Winter	Mr Wood (Teller)
Dr Woodruff	Mr Young

PAIRS

Ms Dow	Mr Street

Mr CHAIR - The result of the division is 11 Ayes and 11 Noes. In accordance with standing order 257, I cast my vote with the noes.

Amendment negatived.

Clause 15 agreed to.

Clause 16 -
Director may make or adopt guidelines

Ms BUTLER - Mr Chairman, I have an amendment to this clause. I move -

Page 33, subclause (2), after "consult with".

Insert "relevant employee and employer organisations and".

Unlike the previous clause, where it is adopting codes of practice, this is about adopting guidelines. This again is almost a discretionary power, with the director able to consult with such organisations or stakeholders that the director considers relevant to the context of the proposed guideline. Again, that excludes workers, employees, and employer organisations who should be part of that consultation process. This is about the adoption of guidelines. If the director wanted to ensure that those guidelines were as robust as possible, would there not be an obligation to consult the people who actually use those guidelines?

Would it not be a practical and reasonable assumption that that would be your go-to? The obligation to consult with workers is part of the Work Health and Safety Act. That is why we have moved this amendment to clause 16.

Ms ARCHER - I feel repetitive because it is the same reason for opposing the amendment: a relevant clause already covers the consultation by the director with employee and employer organisations through its reference to such organisations or stakeholders that the director considers relevant. To list particular individuals or groups in this provision would be overly prescriptive and potentially limit its application to other relevant parties.

I do not understand why Labor wants it to be overly prescriptive. If I had made it prescriptive perhaps they would have wanted it not prescriptive. That is all I can say about that.

Ms BUTLER - Just to clarify for the minister, we do not see the consultation of workers, employees and employer groups as being overly prescriptive. We see that as proper consultation. We see that as an area which most other states are going to now. It is a philosophical approach. Federally, it is in the Work Health and Safety Act that you go to experts in the field, you go to people who work in those fields, or you go to the people who may have undertaken those roles for 50 years. It can be done, but it should be clarified that it will be done as due course. We do not believe that it is overly prescriptive ever to consult workers.

Amendment negatived.

Clause 16 agreed to.

Clauses 17 to 113 agreed to.

Clause 114 -
Entry to inspect electrical installations

Ms BUTLER - Mr Chairman, I have an amendment to this clause. I move -

Page 124, subclause (2).

Leave out all the words after "at any time".

We asked the CEPU to consult with some of their workers who are electrical safety workers to see how they felt about that expectation of 'reasonable force'. This was not in 2022

but in the previous Electricity Safety Bill 2020. Their consultation with those workers showed that most of them tried to avoid any situation where there could be conflict. If there was a potential conflict situation they would contact a police officer, but in nine times out of 10 there was no way that they would use reasonable force against another person.

Our problem with this is that a lot of the electricity safety officers, especially with some of the new projects I believe the Electricity Safety Act 2022 will benefit, will be contractors. They might not work for TasNetworks or one of the telcos. They might be subcontracted. We have no idea whether an electricity safety officer who is a contractor has any understanding of what the requirement around 'reasonable force' is. You could have, potentially, an electricity safety officer who perceives 'reasonable force' as hitting someone over the head with a fire extinguisher, for example. That could be seen as reasonable in a situation where a plant is about to explode. This was an example provided to me in the briefing - not the fire extinguisher but the plant exploding and the importance of the electricity safety officer in shutting down the plant. If someone was obstructing that, I understand.

The use of that 'reasonable force' is not defined in this bill and the liability of 'reasonable force' if an electricity safety officer chooses not to use 'reasonable force' and the plant explodes. They have an obligation on them under this act to use 'reasonable force' because it has been made to them. There is nothing in this bill to clarify that they should not have used 'reasonable force'. Are they at fault because they did not hit the person over the head with a fire extinguisher? That is probably a dramatic example, but on the flip side if that electricity safety officer does hit a person over the head with a fire extinguisher and that person is severely injured from being hit over the head with a fire extinguisher, because that is something that could happen and under this bill, who is liable for the injury to that person? Is the electricity safety officer therefore liable because they were working completely within the realms of what is expected of them according to this legislation, so that reasonable force they used against that person in that workforce was completely permittable under this legislation, or on the flip side, can they be found at fault because they did not use reasonable force against someone? It does not clarify that.

It also does not clarify any training that that person would require around the use of reasonable force because I think when this was written maybe there was an expectation that each safety electricity officer would probably be employed by a particular workplace, but in actual essence, most of these people will probably be contractors and so there will be no way of knowing whether or not they even understand what reasonable force is, whether they are trained in it and whether they even understand what their obligations are under the use of this reasonable force. That has always been the main issue we have with giving electricity safety officers the ability to use reasonable force.

For example, Tasmania Police officers are trained in reasonable force. They have discretionary powers and they are trained in that and it is important that they have those powers. However, there is a whole heap of training and obligations that go with that power. I think you are giving a lot of power to people who may not have any understanding, and even if they understand what reasonable force is, it does not explain who is liable for either not using it or using it in a hazardous situation. If the minister can clarify that, I would really appreciate it. I understand that regardless of what my arguments are, you will oppose, but I seek that. It has been a consistent issue of mine with this bill.

Ms ARCHER - I have detailed a lot already on the record in relation to this issue as we went through the second reading contributions. Ms Butler put a lot of questions to me and this was one of them that was fleshed out in quite a bit of detail. For the purpose of being in the Committee stage, I will go through the reasons for this clause again. The amendments are opposed for very good reason. The bill includes specific powers for electricity safety officers in the event of an electrical safety emergency. Ms Butler has glossed over the fact that this relates to an electrical safety emergency; I am not suggesting intentionally, I am just saying in Ms Butler's response -

Ms BUTLER - Chair, I am being verballed here. I actually used an electrical safety plant as my example, so I do not understand where the minister is coming from. Can I not be verballed? It was a question put in good faith.

Mr CHAIR - That is not a point of order. Thank you, Ms Butler.

Ms ARCHER - I am not suggesting it was intentional but Ms Butler's reasoning for moving this amendment, in my view, did not pay enough emphasis to the fact that this is dealing with an electrical safety emergency. The purpose of these powers is to ensure that in the event of an electrical emergency, such as an imminent risk of electric shock, fire or explosion, electricity safety officers can take necessary steps to mitigate the electrical safety risk. In order to protect persons and property, an electricity safety officer may need to use reasonable force in certain circumstances. This may include, for example, forcibly opening a gate to access a property to disconnect electricity supply if a private power line hazard is present. In emergency circumstances, if it is practicable to do so, the officer may also be accompanied by a police officer.

Electricity safety officers currently have the power to exercise reasonable force under the Electricity Supply Industry Act 1995. These powers are consistent with other powers in other legislation - for example, section 66(6)(c) of the Gas Safety Act 2019, which allows for a gas safety officer in an emergency to use reasonable force if necessary in the circumstances. Can I add, the reason I am perplexed about Labor's position on this bill is that they supported the Gas Safety Act 2019.

Reasonable force is also included within electricity safety legislation in other jurisdictions, including South Australia and the Northern Territory. As I have said previously today, in my summing up on the second reading speech, the ability to exercise reasonable force is common in Tasmanian legislation across a wide range of contexts, and it appears within 42 acts currently in effect. It is also common in other jurisdictions, but I am focusing on Tasmania for a reason.

As earlier, I am not going to go through 42 pieces of Tasmanian legislation. I have already gone through a sample of the types of legislation we have in Tasmania that include the ability to exercise reasonable force. I will add that the exercise of their powers is subject to the conditions and direction of the electricity entity. The director is also provided with significant oversight over the exercise of powers by electricity safety officers. This is there for a reason, because it includes the ability to audit the administration and management of electricity safety officers by electricity entities.

Importantly, the bill only provides immunity from personal liability for electricity safety officers in circumstances where the officer has acted in good faith in the exercise or

performance of any power under the bill. This protection would be negated where an electricity safety officer has not acted in good faith, including circumstances where force has been used which is deemed not to be reasonable. There are therefore sufficient protections in the bill, in these clauses. For this reason and for detailed reasons I have stated, the amendment is opposed.

Dr WOODRUFF - We have had a pretty serious think about this matter. We do not support this amendment, because the language in the clause makes it very clear that there is an extraordinary number of caveats around a decision about whether reasonable force has been used. For starters, it has to be an emergency - and it could be argued that it was in fact an emergency.

Let us run this through. If someone is taking TasNetworks or the police to court because of damage that was sustained to property or themselves, they would first have to argue that it was not an emergency, for example. Second, usually when these things are discussed in a bill, the use of 'reasonable' is the only language that caveats it, so that already gives the opportunity for an investigation into whether circumstances are reasonable.

This actually goes further and says, 'and if necessary in the circumstances'. It is not just, 'We kicked his door in because it was an emergency'. If the magistrate or the judge said, 'Did you ask them first; did you try to get them to open the door?' - then, I would throw that out. There are genuine circumstances where you cannot find the key and you have to use reasonable force. If you have to break the door down because something is going on the other side, it is not plausible that somebody would be hit over the head with a fire extinguisher. That seems implausible to me. However, someone could be attacked or hit -

Ms Archer - Nothing surprises me these days.

Dr WOODRUFF - Well, it could be that the person has a psychotic episode and something extreme is going on.

Ms Archer - Exactly.

Dr WOODRUFF - Yes, and someone has to be tackled or brought down, or some assault occurs. That would all be looked at because of this extra part of the sentence that says, 'if necessary in the circumstances and reasonable in an emergency', so I am persuaded that this caveat sits sufficiently.

I support where you are coming from, but I do not think it is necessary. In fact, I think it would be quite detrimental if that was removed.

Amendment negatived.

Clause 114 agreed to.

Clauses 115 and 116 agreed to.

Clause 117 -
Emergency powers of electricity safety officers

Ms BUTLER - Mr Chair, I moved the following amendment:

First amendment

Page 126, paragraph (b).

Leave out "premises; and".

Insert instead "premises.".

Second amendment

Page 126, paragraph (c).

Leave out the paragraph.

This goes to our previous discussion on clause 114 in relation to the use of reasonable force for the emergency powers of the electricity safety officer. I have made most of our arguments on this already known. I accept the argument provided to the clause by Dr Woodruff, which is reasonable.

However, I think when we are using reasonable force in workplaces, especially dangerous workplaces, that there be more provisions ensuring that people who are provided with power to use reasonable force are properly trained, and they have an understanding of what their legal rights are on the use of 'reasonable force'.

This one is in relation to:

> (b) in an emergency, to protect persons or property, an electricity safety officer may exercise the powers of entry under this part at any time and without prior notice if it is not practicable to give such notice, and make sure if it is possible to do so or isolate the electricity supply to and any land or premises without entering the land or premises; and
>
> (c) use reasonable force if it is necessary in the circumstances.

It is another potentially loose option to use 'reasonable force' - potentially against members of the public. I note on the record that I do not agree with the use of 'reasonable force'.

Ms ARCHER - For this clause, should I just repeat exactly what I said on clause 114? It is the same issue that we are dealing with. I have nothing further to add, other than to repeat what I said.

Dr WOODRUFF - I want to make the point to Ms Butler that this is not just about workplaces. This could be a residential building. It does not say anything about training. It does not mandate training. That is another matter under workplace health and safety for anyone being expected to undertake certain duties in their line of work. That is an issue for the Work Health and Safety Act. I would be concerned if this legislation did not have something like this in it. Otherwise, how else would a person decide to break down a door, which would be trespassing on private property under the current law without somebody's agreement?

Ms Butler - If it was a protester and an electricity safety officer used reasonable force against them and hurt them, would that be different than if it was just breaking down a door? That is the thing I am concerned about - the use of reasonable force against members of the public.

Dr WOODRUFF - How could that be justified in court as necessary in the circumstances when it is about checking the functioning of electrical equipment and to make something safe? I think you misunderstood.

Ms Butler - No, I understand.

Amendment negatived.

Clause 117 agreed to.

Clauses 118 to 182 agreed to.

Schedules 1 and 2 agreed to.

Title of bill as read agreed to.

Bill reported without amendment.

Mr DEPUTY SPEAKER - The question is that the bill be now read the third time.

The House divided -

AYES 13	**NOES 9**
Mrs Alexander	Dr Broad
Ms Archer	Ms Butler
Mr Barnett	Ms Dow
Mr Ellis	Ms Finlay (Teller)
Mr Ferguson	Ms Haddad
Mr Jaensch	Ms Johnston
Ms O'Connor	Mr O'Byrne
Ms Ogilvie	Ms O'Byrne
Mr Rockliff	Mr Winter
Mr Shelton	
Mr Tucker	
Dr Woodruff	
Mr Young (Teller)	

PAIRS

Mr Street	Ms White

Motion agreed to; bill read the third time.

TRAFFIC AMENDMENT (ELECTRONIC BILLBOARDS) BILL 2022 (No. 5)

Second Reading

[5.01 p.m.]

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

That the bill be now read the second time.

I present to the House today the Traffic Amendment (Electronic Billboards) Bill 2022. This bill amends the Traffic Act 1925 to enable the Transport Commission and those supporting the commission to regulate electronic billboards on public streets more effectively and efficiently. Approval to place an electronic billboard on a public street is granted by the Transport Commission. The Department of State Growth provides administration support to the commission, and authority to approve an electronic billboard is delegated to offices within the department.

This bill amends the act to simplify the provisions regarding electronic billboard approvals, improving the efficiency of the process and giving the commission greater flexibility when issuing approvals. The bill will also update the act in relation to the seizure and removal of unsafe or unauthorised billboards to ensure that the act reflects the realities of modern road management, where field-based contractors respond to issues on the road network at the direction of officers within the road authority.

In summary, this bill will provide the commission with the flexibility that it needs to efficiently administer approvals and will ensure the act continues to reflect the practical realities of how electronic billboards are enforced on our roads.

I commend the bill to the House.

[5.02 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, this bill we are supposed to believe represents this Government's bold legislative agenda. The media release that was put out yesterday was an example of gaslighting. Nothing more, nothing less. Propaganda.

Today we have had the Electricity Safety Bill come before the House. Now we have the Traffic Amendment (Electronic Billboards) Bill. These bits of legislation were tabled last year. They have sat on the books for months and yet we have the resources of the Government media office spitting out into the community that this Government has some kind of bold legislative agenda. Spare us. It is a lie to say that. It is not unparliamentary to use the word, Mr Deputy Speaker; it is unparliamentary to call someone that.

This bill amends Part 8 of the Traffic Act 1925 to allow approval to be given to multiple billboards, allow approvals to be given for any period, allow for approvals to be renewed, transferred, or modified, and to allow for contractors rather than officers under the act to remove billboards.

Part 8 of the Traffic Act 1925 was introduced by Jim Cox in 2007, before I was elected to this place, to limit the use of electronic billboards on public streets to road management and safety purposes. We have all seen them. We recognise what a distraction and potentially a danger they are on the roads. The amendment was triggered, as we understand it, following a raft of complaints to the then Department of Infrastructure, Energy, and Resources. The complaints were in relation to a billboard for the late member of the Legislative Council for Pembroke and Attorney-General, Vanessa Goodwin. Her electronic billboard was located on the western approach to the Tasman Bridge. This billboard was evidently in a location often used for traffic management billboards and it caused a significant slowing of traffic as drivers responded to what they thought was a traffic management sign.

At the time, the department had no authority to have billboards removed, leading to the introduction of the Traffic Amendment Bill 2007.

The amendments before us today appear to be reasonable, commonsense amendments. It is a pity they have sat around for so many months and not been part of the Government's bold legislative agenda to date. If anything, it is a surprise that it has taken 15 years to introduce some of these amendments.

While the Greens intend to support this bill, we have a couple of questions which hopefully can be addressed by the minister in his second reading response. We certainly have no intention of taking this bill into the Committee stage.

I note the fact sheet for this bill indicates the contemporary practice for billboard removals be done by field-based contractors. This is why the amendments in clauses 5 and 6 allowing for officers to authorise other persons are in this bill. We asked the minister, does this mean that field-based contractors have historically and are currently being asked to remove billboards without lawful authority?

Our second question is in relation to the removal of paragraph (a) from subsection (5) of section 79 of the principal act as well as the introduction of a new subsection (2) paragraph (c). This amendment allows for approvals to be amended, renewed, transferred or otherwise modified. While this all seems sensible, it is clear from the existence of the current section 79(5)(c) that the original intent was explicitly for this not to be allowed.

Minister, do you know why it was originally intended that an approval could not be amended, renewed or transferred? This matter was unfortunately not clarified in the debate in the 2007 amendments as far as we can ascertain. It is not in the *Hansard* record or in supporting material. We would like to understand why the Government has determined to reverse the position taken in 2007.

With those few comments, I will wind up. I find it so offensive, not that it matters, that yesterday, Tasmanians and the rest of us in here who had enough respect to come into this place masked this morning, are being told that legislation like this represents a bold legislative agenda when we are dealing with amendments that could have been dealt with years ago. We are dealing with a bill that could have been dealt with last year or early this year.

I recall clearly when Mr Rockliff became Premier him telling Tasmanians he wanted to lead a transparent and accountable government, a government of compassion. Every day in question time, since Mr Rockliff became Premier, has been the same day as every day in

question time when Mr Gutwein was the Premier, and every day in question time when Mr Hodgman, who is being brought back early from Singapore by the Foreign Minister, Penny Wong, because he was a political appointment, was Premier. They are all the same days.

The two questions the Greens asked in here this morning - I went back and had a look at the uncorrected proofs - we did not get an answer, again. It is déjà vu all over again: Groundhog Day in here. Same rubbish, different bin. Same ministers, could not lie straight in bed. To read that nauseating press release yesterday talking about a bold legislative agenda, I had to read it three times to try to find some hint of a bold legislative agenda. There is not one.

Today in here, we are dealing with the scraps, legislative scraps, because there has been no decent legislation tabled by this Government in recent weeks. We had a couple of bills this morning and we have legislation like this to deal with as part of a bold legislative agenda.

I have come to realise that it does not matter who the Liberal premier is - Hodgman, Gutwein, Rockliff - the default is to not be honest and that is the truth. We see it every day in here. We saw it in that rubbish press release yesterday. We will see it again tomorrow. All spin, no substance. All talk, no heart. You lot had your masks off in more ways than one this morning.

[5.11 p.m.]

Mr WINTER (Franklin) - Mr Deputy Speaker, we will be supporting the bill.

The bill, as described in a contribution by Ms O'Connor, is fairly straightforward. It is not particularly groundbreaking legislation but administrative in its nature. It is designed to improve the efficiency of the electronic billboard approval process administered by the Transport Commission under the Traffic Act 1927. It updates the act to reflect contemporary road management practices where field-based contractors respond to issues on the road network at the direction of the appropriately authorised officers within the road authority.

I listened to Ms O'Connor speak about the bill, in part, and I did hear the questions and some of the background she mentioned around the former attorney-general. I look forward to the minister's response to some of those statements.

I had the same reflection when I saw the blue this morning, reflecting back on the Deputy Premier's ambitious press release yesterday in relation to this week's parliamentary agenda. We have started the week with the Electrical Safety Bill and now we get to the Traffic Amendment (Electronic Billboards) Bill. As Ms O'Connor said, the Deputy Premier described this as 'the return to a legislative agenda that continues to strengthen our economy and create jobs for Tasmanians right across the state', as though we were looking forward to a week that might see some economic reform. That is something that this Government has not done in almost nine years of its existence, not a single economic reform.

Rather than the Treasurer of Tasmania bringing forward legislation that might improve the lives of Tasmanians, or create an economic reform he could be proud of, or that this Government might be able to claim, we see the legislative agenda of the Government, which is a Traffic Amendment (Electronic Billboards) Bill 2022. This is not in line with what the Deputy Premier said yesterday. Unusual.

The other point I will make briefly because I did not get to make it this morning is that we were supposed to be standing here at the moment not debating bills at all. This was going to be part of the Government's apology to victims/survivors. The House, on 29 September, decided that this part of the day would be for an apology to victims/survivors. Rather than us dealing with that this afternoon, the Government appears to have completely mucked up its consultation, to put it mildly, with victims/survivors. We are at the point where, rather than doing what the Government said it would do and what the Government told the House it would do on 29 September, we are dealing with a traffic bill.

There was an expectation created by the Government that there would be an apology today. I want to acknowledge that victims/survivors, bravely as they have done, have raised their concerns about the Government's agenda and the date of today and the date that was not properly consulted or consulted at all. Unfortunately for them, we have not been able to undertake the Government's commitment to that today. In fact, I understand that a second date of 25 October was floated which also happened to be a date that was inappropriate for victims/survivors. We stand here today with a new date announced by the Government in the press release issued this morning. It talked at the end about being open to consultation. I sincerely hope that this time they have that right because the last thing we want to do is get these things wrong. Tasmanian governments of both persuasions, Liberal and Labor governments over the years have failed too many victims/survivors and we cannot be getting these basic things wrong when it comes to this important matter.

This bill is fairly simple, it is administrative, and it changes the process for electronic billboards. Labor will support the bill but we note that this week is looking very different from what the Government said it would be only two weeks ago. It is looking very different from what the Deputy Premier announced in his press release only yesterday.

Mr FERGUSON (Bass - Minister for Infrastructure and Transport) - Mr Deputy Speaker, I am totally unfazed by the juvenile criticisms from Ms O'Connor and Mr Winter, bearing in mind that Mr Winter is not the shadow minister for this portfolio. His Leader is. She briefly appeared at the door, indicating that the Labor Party are having some difficulties managing their own arrangements and Mr Winter needed to say something.

As for Ms O'Connor's comments, I draw the attention of the House to the fact that while this legislation has been on the Notice Paper for some considerable time, it needs to be dealt with. It has not been anywhere near as pressing as other legislation that has been prioritised by this House and the Government. It was important to me to find an opportunity for it to be considered by the House, and today is the day for that. It surprises me that legislation like this would be a cause of division between members of this House. It is far from groundbreaking but, nonetheless, has its merits in reducing the regulatory burden on stakeholders and government agencies.

In respect of my press release yesterday, it said what it needed to say about the Government's intention for legislation this week, not least of which is the justice legislation, which would be next on the list if we could get to it today. There is also the legislation that Mr Jaensch, faithful to my press release, tabled this morning to provide for something that Ms O'Connor has been demanding for some time. That is legislative separation of the EPA from the Department of Natural Resources and Environment.

Some of the comments Ms O'Connor has made do not become her because they undermine the role of the House. We want to see some legislation that improves the quality of life for Tasmanians. That is what this legislation is intending to do; to make it easier for stakeholders and the government in managing regulatory red tape around billboards. It might not affect members of this House day-to-day at all and it might not even feel very relevant for you. However, it is important for me, as minister, to get this sorted out and to allow that regulatory burden to be a lighter touch. That is all I will say in respect of those political comments.

Ms O'Connor also asked me two very relevant questions. The first one, which I welcome and thank you for, Ms O'Connor, was: 'Are contractors unlawfully removing electronic billboards?' My advice is that that is not the case. However, the issue we are seeking to resolve here is that contractors are presently not empowered under the legislation to take that action. It would need to be the commissioner or an officer of the department, as authorised under the present act. We are seeking to widen that because, on the ground, our contractors are the main body of people who are providing the monitoring and inspection of our state road network around Tasmania.

Ms O'Connor, I took on board your second question. If I can put it this way, you asked why approvals were not previously able to be amended. I do not know the reason.

I note your comments on an earlier debate around the former member, Jim Cox - who, Mr Deputy Speaker, I do not mind saying is stepping away from Launceston City Council, and was a longstanding member of this House. When I was a federal member I enjoyed working with Jim - in particular, on the upgrade to the East Tamar Highway. I pay tribute to him. If it is the case that he brought through this legislation, and in that debate he was silent on that matter, I am not able to shed any further light on it.

It would seem apparent that at that time, the government of the day felt that a permit, once provided, should not be capable of being amended, renewed or transferred. This Government and my department are not aware of any reasons why that should continue to be the case. We are seeking to lift that requirement, and still ensure that all permits go through a good process. We want to grant greater flexibility for the Transport Commission, including freeing them up to allow changes to an existing approval in circumstances where that is appropriate and more efficient. Times have changed.

The advice that I have just had verbally provided to me from my officials is that stakeholders are keen to utilise electronic billboards. For example, if they are managing a marathon or the Launceston 10, or the Ross Marathon - or a public event where the electronic billboard signage is not intended to be advertising an event that is coming up, such as 'Come to the Launceston Show', or 'Come to the Taste of Summer'. It is more about saying, 'Agfest will be on in coming days, we want you to be aware of this traffic management', or, 'On the day of Agfest we would like you to be aware of these changes to traffic or road safety treatments'. It is really about protecting the role of electronic billboards as a means of communicating to motorists something that revolves around their road safety, or the effectiveness of the road network, to allow them to get from A to B.

I thank members for their support of the legislation. It disappoints me that we have had to quarrel over the fact that this bill is not the groundbreaking legislation that some would like,

but I would not have thought that is not a reason to do it. There are some things we can agree on without that puerile, quite nasty style that I have witnessed here today.

Bill read the second time.

Bill read the third time.

JUSTICE AND RELATED LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2022 (No. 43)

Second Reading

[5.23 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

This bill contains minor amendments that update and clarify a number of different acts in my Justice portfolio. The bill also includes an amendment to the Animal Welfare Act 1993, which I will refer to as the Animal Welfare Act.

Some of the amendments have been requested by various officers or agencies, including the Director of Public Prosecutions, the Director of Monetary Penalties Enforcement Services and the Magistrates Court of Tasmania. There is also an amendment that responds to a judgment handed down in the Supreme Court of Tasmania.

Mr Deputy Speaker, I will now address each of the proposed changes in each of the acts.

Amendment to the Animal Welfare Act 1993: currently, sections 43 and 43AA of the Animal Welfare Act 1993 provides the court with the power to disqualify a person from having custody of animals if convicted of an offence under that act. However, because the offence of bestiality is contained in the Criminal Code Act 1924 (the Criminal Code), not the Animal Welfare Act, a judicial officer does not have the power to make such an order upon convicting a person of bestiality.

Accordingly, this amendment amends section 43 so that the power is enlivened upon conviction of an offence under the Animal Welfare Act, or conviction of bestiality under the Criminal Code. The ability to disqualify a person from having custody of animals is discretionary, and may be used instead of, or in addition to, other penalties or orders. This is an important amendment designed to protect animals from those who pose a risk of harming them.

Amendments to the Criminal Code Act 1924: in 2020, a judgment of the Supreme Court of Tasmania ruled that the crime of bestiality in section 122 of the Criminal Code Act 1924 (the Criminal Code), as presently drafted, only criminalises penile penetration by, or of, an animal. This was because the absence of a definition of the term 'bestiality' led to a presumption that parliament intended the term to have its common law meaning, which does not extend to all sexual activity between a human and animal. This situation arose as an inadvertent consequence of previous amendments to the Criminal Code.

The bill firstly amends section 1 of the Criminal Code by providing a definition of bestiality. The definition is, and I quote:

> sexual activity of any kind between a human being and an animal.

This definition is consistent with that contained in the Classification (Publications, Films and Computer Games) Enforcement Act 1995.

To avoid any doubt, the section which creates the offence - namely, section 122 of the Criminal Code - is amended to clarify that acts engaged in for the purpose of genuine veterinary, agricultural and scientific research practices, provided those acts are reasonable for that purpose, do not fall within the scope of the offence. This wording is partly based on comparable exceptions contained in the Classification (Publications, Films and Computer Games) Enforcement Act 1995, and the Victorian Crimes Act 1958.

In conjunction with the amendment to the Animal Welfare Act, these amendments ensure that this crime reflects modern community standards and expectations in criminalising all sexual activity between a human and an animal.

Amendments to the Births, Deaths and Marriages Registration Act 1999: following amendment in 2019, section 24 of the Births, Deaths and Marriages Registration Act 1999 (the Births, Deaths and Marriages Act) requires a magistrate to be satisfied of a child's will and preference before the magistrate can approve a proposed change of name for a child.

Both the Magistrates Court and the Registrar of the Births, Deaths and Marriages Office have requested amendment to improve the operation of this provision, primarily to address the situation where a child is too young for a magistrate to be able to determine their will and preference. This appears to be an inadvertent limitation on what was previously the position for the court in relation to very young children. I am advised that there are a number of applications received each year which involve children within that category.

While retaining the option to approve the name change if the magistrate is satisfied it is consistent with the will and preference of the child, the amendment introduces an alternative option. A magistrate may now also approve the change of name if satisfied that the child is unable to understand the meaning and implications of the proposed change of name, but is still satisfied that the change is in the best interests of the child. This is consistent with other sections of the Births, Deaths and Marriages Act, such as section 28B, which relates to applications to approve the registration of a gender.

A second amendment to the Births, Deaths and Marriages Act arises from a recommendation made by the Tasmanian Law Reform Institute (TLRI) in the Legal Recognition of Sex and Gender Final Report No. 31, released in June 2020. The long title of the Act currently reads:

> An Act to provide for uniform legislation in relation to the registration of births, deaths and marriages and to provide for the rights of persons who have undergone sexual reassignment surgery.

Following changes made to the act in 2019, it is not accurate to describe the act as relating to 'the rights of people who have undergone sexual reassignment surgery'. The updated long

title is based on the recommended wording of the TLRI. Following amendment, the long title will read:

> An Act to provide for the registration of births, deaths and marriages and to provide legal recognition for trans and gender-diverse Tasmanians and those with intersex variations of sex characteristics.

The long title of an act can be a factor in determining legislative intent in judicial proceedings, so the bill includes this TLRI-recommended amendment.

Mr Deputy Speaker, I acknowledge previous discussion in this place that that significant work has been underway both in Tasmania and the Commonwealth on updating terminology in this area. I acknowledge the submissions which recommended the use of 'innate variations of sex characteristics'. The Tasmanian framework to give effect to the revised Commonwealth standards is being finalised, and I understand that is the terminology most likely to be adopted by both jurisdictions.

As 'intersex' is a term used in several acts, including the Anti-Discrimination Act, I believe it is appropriate to make the TLRI-recommended change now, given the other amendment to the Births, Deaths and Marriages Registration Act. With the framework to be finalised in the future, however, my department will develop a proposal in relation to consolidation of terminology across all relevant acts for final consultation.

The Coroners Act 1995 sets out the procedures for investigations and inquests by coroners, and in doing so allocates various rights to a person termed the 'senior next of kin'. The Coroners Act specifies that the senior next of kin is the first available person in a list contained in section 3A of the act, commencing with the deceased's current spouse.

The Coroners Act defines 'spouse' as including a person in a significant relationship under the Relationships Act 2003. The Relationships Act definition starts on the simple principle that a significant relationship is a relationship between two adult persons who have a relationship as a couple and who are not married or related by family. This captures the older term of de facto partners. Under this act there is a simple, affordable process to register a relationship.

However, the Relationships Act also provides for recognition of spouses who have not registered their relationships by reference to all the circumstances of the relationship. No particular item is essential but it includes the things you would expect as potentially relevant, such as the duration of the relationship, any common residence or property, any sexual relationship or mutual commitment to a shared life, and so on. The Relationships Act also provides the avenue for the Supreme Court to declare who is in a significant relationship. This is understandably a very rare necessity and I am only aware of two cited cases, both relating to deceased estate matters.

The bill's amendment responds to a case in 2015 where the deceased's spouse, as defined under the Relationships Act, was initially, incorrectly, not recognised as the spouse and thus as the respective senior next of kin. Although that was ultimately corrected by the Coroner, that initial decision was understandably very distressing for that surviving spouse.

I have previously expressed the Government's sincere sympathy and deep regret that this occurred. I would like to restate that regret here and now. The Tasmanian Government recognises that members of the community are often in a very vulnerable and distressed state when they come into contact with the coronial system, which is why we are committed to ensuring the process and avenues of complaint and review are well understood, so both the court and individuals can be confident the right decisions are made using the information available.

The coronial division of the Magistrates Court started important work by producing comprehensive supporting material for those interacting with this court. In 2016 the 'Tasmanian Coronial Practice Handbook' and 'The Coroner's Court: A Guide for Families and Friends' were developed. These resources can now be found on the coronial division's website, and are intended to assist members of the community who come into contact with the coronial system.

The amendment to the Coroners Act continues this work by legislating a positive duty on the court for the senior next of kin, along with others who have a sufficient interest in the death, to be provided with prescribed categories of information about the operation of the Coroners Act. The Coroners Act has several key processes available to persons with a sufficient interest, and consideration of who has a sufficient interest is a routine and straightforward part of the court's everyday work. This term does not place a burden on the individual or the Coroner, but ensures the focus of the duty to provide information is to those people who need it, such as family members and partners, and not simply any member of the public.

This amendment is modelled on a similar provision in the Victorian Coroners Act 2008. Regulations will also be developed in consultation with stakeholders specifying the type of information that needs to be provided under this section. It is anticipated that this will include information relating to the rights that exist in the Coroners Act, for example, regarding the viewing of a deceased person or objections to autopsies and the meaning of senior next of kin and what rights, including dispute resolution and appeal, flow on from that.

While the law is now clear, this positive duty supports and reinforces the court's commitment to providing plain English information on coronial processes to families and others involved. I expect the information will ensure there is now an explicit understanding that the current law provides that spouse includes a person in a significant relationship under the Relationships Act, whether registered under that act or not. It could also provide information on what information the court needs to resolve who is the spouse or next of kin, where there is any dispute between family members.

The Director of Public Prosecutions or the DPP under the Dangerous Criminals and High Risk Offenders Act 2021 is required to consider information about whether a prisoner poses an unacceptable risk of committing another serious offence, and accordingly whether an application for a high risk offender order should be made to the Supreme Court. The DPP needs access to relevant information and documents to undertake this important consideration.

The current Dangerous Criminals and High Risk Offenders Act is intended to ensure appropriate information sharing between relevant bodies in the decision-making process and already includes provisions to that effect by reference to agencies. It was identified that these provisions do not capture information exchanged between the DPP and the Parole Board.

Further, the provision of information about when a prisoner applies for parole and the reasons for parole decisions is critical to a fully informed decision by the DPP.

While reasons for granting parole are made public, other information is ordinarily considered confidential information and restricted from disclosure under section 8 of the Corrections Act 1997. Recognising that some deliberative and other material is appropriate to remain confidential to the Parole Board, this amendment is specific to the information that is to be provided which is, notice that a prisoner has made an application for parole. If a parole order is made, a copy of the order and the reasons for making it. If parole is refused or the making of an order is deferred, a copy of the relevant order and in the case of a refusal, the reasons for the decision.

This amendment is an important correction to the intended information provisions within the current Dangerous Criminals and High Risk Offenders Act ensuring decision-making processes are properly and fully informed for the protection of the community.

The bill also amends section 27(2)(a) of the Monetary Penalties Enforcement Act 2005 by allowing certain applications in relation to the payment of fines to be made in a manner approved by the director. The act currently requires such applications to be made in the approved form, which has been interpreted to mean applications need to be made in writing. The amendment will provide flexibility for the director to permit applications to be made via other avenues such as by telephone. This is a practical and more contemporary amendment that will increase efficiency within the Monetary Penalties Enforcement Service and reduce the burden on persons by requiring applications in writing.

In 2017, a legislative amendment was made to the definition of sexual intercourse in the Criminal Code. The definition was moved from section 1 to a newly created section 2B. Section 3(1) of the Sex Industry Offences Act 2005 still refers to the definition as being in section 1 of the Criminal Code. This amendment will simply correct section 3(1) of the Sex Industry Offenders Act to ensure it refers to the correct section of the Criminal Code.

The bill also amends section 32 of the Traffic Act 1925 to provide for a longer limitation period and the filing of complaints for the offences of negligent driving causing death and negligent driving causing grievous bodily harm. The amendment was sought by the DPP on the basis that his office has found that, in some cases, the current limitation period does not provide adequate time for proper investigation and review of such files.

Complaints for these offences are currently covered by the default period contained in the Justices Act 1959, being six months from the date of the alleged offence. The amendment to the Traffic Act allows for a complaint for those offences to be filed within 12 months after the time when the alleged offence occurred. It goes without saying that, despite being dealt with in the Magistrates Court, these offences are serious in nature. They often give rise to complex legal and evidentiary issues, particularly where crash investigations must occur. This is a sensible amendment that ensures there is sufficient time for these matters to be appropriately investigated and considered by the relevant authorities.

This bill ensures that our legislation removes doubt, remains contemporary and is fit for purpose. I commend the bill to the House.

[5.41 p.m.]

Ms HADDAD (Clark) - Madam Deputy Speaker, the Opposition will be supporting the Justice and Related Miscellaneous Amendments Bill 2002. As we have heard from the Attorney-General, the bill amends a number of pieces of legislation. The Justice and Related Miscellaneous Amendments Bill makes, in some cases, a series of administrative changes to update legislation and make sure that references to other legislation and so on are correct.

First of all, the bill amends the Animal Welfare Act to make it clear that the legislative intent of parliament is that the operation of the offence of bestiality, where that is in place, ensures that a person convicted of that offence cannot have custody of animals. This is a logical and commonsense change which would be expected by members of the public. Similarly, there is a change to the Criminal Code related to the definition of bestiality to ensure that common sense prevails and that the intent of the parliament is clear when it comes to charging people against that offence, and how that then plays out in terms of obligations under the Animal Welfare Act.

The bill amends the Births, Deaths and Marriages Act to amend the long title to reflect the world-leading changes this parliament made to legislation in 2019 to protect the rights of transgender people in Tasmania to have identity documents that reflect the gender they identify with and live as. I know it was before your time in this Chamber, Madam Deputy Speaker, but they were nation-leading and in many cases world-leading changes that this parliament should be very proud of. The changes have made life significantly more straightforward for many transgender Tasmanians. Despite a lot of opposition to those changes at the time, the world has not fallen in and I dare say there has been no harm caused as a result of those administrative changes. Those 2019 changes removed the requirement for transgender Tasmanians to undergo sexual reassignment surgery in order to have their identity documents changed. The long title is now being changed to reflect those changes.

The bill amends the Dangerous Criminals and High Risk Offenders Act to clarify that information-sharing between the Parole Board and the DPP needs to be clearer. That is an important change for the operation of that scheme. Scratching my memory on the debate on that bill, I know there are certain obligations the DPP has if they are going to apply to the court for a High Risk Offender Order to be extended. There are conditions the DPP needs to make out. Forgive me if I have remembered the debate on that wrongly but, in order for that to be conducted fairly to the offender, it is important that that information is able to be shared freely between the Parole Board and the DPP. That change, again, is a straightforward administrative change, which is supported.

Similarly, the change to the Monetary Penalty Enforcement Act is a very straightforward, practical and necessary change, allowing the director to take applications by phone and other means. It has sometimes probably been burdensome for members of the public to have to always make those applications in writing. That is the very nature of the Justice and Related Legislation Miscellaneous Amendments Bill, which is being able to make straightforward and uncontroversial changes such as that one.

Similarly, the Sex Industry Offences Act amendment simply updates an incorrect reference to a definition in the Criminal Code, which is to be supported as well.

I welcome the changes to the Traffic Act, which will extend from six months to 12 months the time in which a charge can be brought for the offences of negligent driving

causing death or negligent driving causing grievous bodily harm. It is important to recognise, as the Attorney-General did in her second-reading contribution, the serious nature of that offending and that those cases are often highly complex, with an enormous amount of work for the DPP's office to investigate the circumstances and determine what charges will be laid.

Currently, under the Justices Act, those charges need to be brought within six months, which the DPP has indicated to Government is too short a time in many of those very complex cases. I will take the opportunity to mention the case of Jari Wise and recognise the tireless work of his mother, Faith Tkalac, who has been very stoic and strong at a traumatic and heartbreaking time for their family, with the tragic death of her son.

It is on the public record that charges relating to Jari Wise's death only involved charges surrounding the negligent driving. It was believed at the time there was not enough evidence to support a charge relating to his death. The offender, Melissa Oates, was charged with dangerous driving, was convicted and did serve time in prison for that offence. If there had been more time for the DPP to build a case, the outcome could have been the same at the end of the day. However, it is not impossible to imagine that there could have been more consideration of other charges in that particular case.

I welcome those changes and note that the change in the Traffic Act will now operate as an exception to that six-month rule in the Justices Act.

Finally, the bill amends the Coroners Act. As we heard from the Attorney-General, I recognise the intent of this change and the work that has occurred since 2015 in the court, including the Criminal Practice Handbook and Coroners Court Guide for Families and Friends. The Attorney-General mentioned in her second-reading contribution her public apology to the families affected by previous incorrect decisions made in the Coroners Court around the determination of senior next of kin, specifically Ben Jago. We have spoken at Estimates about Ben Jago's case. I know the Attorney-General cares very deeply about that case and has met with Ben. The changes contained in this bill are intended to ensure that what happened to Ben cannot happen to somebody else in the future.

I have just circulated some amendments. I apologise that I was not able to do it earlier but it is another example of why I am very grateful that we now have access to the Office of Parliamentary Counsel, who assisted me to draft those amendments. They were highly complex and I will move them later, when we reach the Committee stage of this bill, in good faith, recognising that we are all trying to address the same issue that has occurred in the past with decisions around determination of who is a senior next of kin. My thanks to Robyn and her team in OPC, who have assisted me with those amendments. I know that the Greens have almost identical amendments so I apologise that I was not able to share mine earlier. I know that when we get to the Committee stage, we will go through the process of moving each of those amendments. Just for the record, I wanted to remind the House of why some of those changes are so important and remind people of what happened in Ben Jago's case in particular.

As members might recall, Ben Jago lost his partner of five years, Nathan Lunson in 2015. At that time, the Coroner did not recognise Ben as the senior next of kin despite it being clear in the Coroners Act that should have occurred.

The rights attached to same sex defacto partners should have been the same as the rights attached to same sex heterosexual couples, but that did not occur. That was an error and it is one that is being recognised and is being addressed with this bill.

Heartbreakingly, despite a five-year relationship and building a life together, Ben was not recognised as the senior next of kin of his deceased partner, who had died in tragic circumstances after taking his own life. That is heartbreaking but sadly the Coroner made a further error which was to suggest to Ben that he enter into a deed of relationship under the Relationships Act 2003.

In some ways the Coroner got it half right, recognising that a relationship under the Relationships Act is recognised and would qualify him to be recognised as the senior next of kin. In fact, there were two problems with that decision. One is that the act is already clear that a relationship did not need to be registered under the Relationships Act in order to be recognised as a significant relationship for the purposes of the Coroners Act. Second, you cannot enter into a deed of relationship with someone who is deceased. I can only imagine how much further traumatising that must have been for Ben.

I do not go into these details to be gratuitous because the Attorney-General was passionate about this change as well.

Ms O'Connor - It is an important part of a history and we have to acknowledge it.

Ms HADDAD - It is a very important part of history. Ben followed the instructions of the Coroner's office, tried to register a deed of relationship and was told that you cannot enter into a deed of relationship with someone who is deceased. Unfortunately, that meant Ben was not recognised as the senior next of kin and he was denied access to identify his partner's body. He was initially refused the ability to attend his partner's funeral. Instead, his deceased partner's mother and estranged family were recognised as the senior next of kin.

I want to share an article that was written at the time, prior to marriage equality. In some ways, marriage equality will assist with this kind of interpretation. This was written in 2015 by Tracey Spicer in *The Sydney Morning Herald*. The title of the article is 'It is an urban myth that same sex couples and married hetrosexual couples have equal legal rights'.

As I said earlier, those rights are intended to be applied equally already in the Coroners Act. The fact is, they have not been in Ben's case and in at least one other case. For that reason, these changes are important so that same sex couples who are in significant relationships which are not registered and who are not married have the same rights applied to their relationship and the same recognition of their relationship as hetrosexual couples.

It is my firm belief that had Ben Jago's deceased partner been a woman, the decision would not have been made in the same way. I do not say that to be overly critical of the Coroner or anybody working in the Coroners Court. It was a tragic and terrible mistake that the decision was made in a way that contravened the act. The work that has occurred since would be helping with regard to practice, procedure and culture and the handbook and so on and the information that is now shared with people who have an interest in a death that the Coroner is investigating.

Ms Archer - Coroners are different now, too.

Ms HADDAD - Yes, that is true. The Attorney-General's changes seek to address some of this. I am moving amendments and the Greens are as well. They are moved in good faith with the intention of trying to strengthen those protections to ensure that same sex relationships are at all times treated the same under law as opposite sex relationships.

Tracey Spicer wrote in 2015:

> Picture this. The love of your life ends their own life after struggling with mental illness. You have spent five years creating a future together, building a neat house in a new suburb, nurturing doted-upon dogs, sharing bank accounts and tax returns, laughter and tears. Next year you were going to New Zealand to get married.
>
> Suddenly the police arrive. At first, they are compassionate. Then something changes. Instead of partner, you are now housemate. A plea to see your beloved's body is denied. They say you are NOT next of kin. That is what happened to 29-year-old Ben Jago after his partner, 24-year-old Nathan Lunsen killed himself …
>
> Ben said, 'I wish I didn't have to tell my story because it is difficult for me but I would like to stop this from happening to everybody else,
>
> 'I haven't really been able to grieve,' he said. 'To be treated like I meant nothing to him left me feeling like part of my soul had been crushed to dust.'
>
> There is a misconception that same sex couples and married heterosexuals have equal legal rights. It is an urban myth.

This came as an awful shock to Ben who, following the death of his partner, called the Coroner's Office and of course was given that wrong advice. I will not go through the whole article, but what was clear at that time is that despite the Coroners Act intending that it would not matter what sexuality or relationship was in order for senior next of kin determination to be made, that it is not the case.

The message we learn from Ben's case is that equality under the law is very important. It is very important that as legislators we ensure that when legislative interpretation can vary or when the intent of the parliament might be able to be interpreted in different ways, that the parliament comes back to that legislation and amends it to make it abundantly clear what the intention of the parliament is. I believe that the Government's bill is trying to do that and the amendments that will be moved by us and by the Greens are intending to do exactly that as well.

I have circulated my amendments. Time for debate on this bill for today will expire shortly so I will only speak briefly about them now. I will go through them more clearly when we go into committee stage. The Coroners Act in section 3A defines what a senior next of kin means. It does not determine any process about how a decision might be made or who makes the decision, but a decision is made around who a senior next of kin is. A senior next of kin, once determined, then has certain rights when dealing with the Coroners Office and dealing with the affairs of a deceased person. The act lays out a hierarchy of senior next of kins.

The first person they will look for is a spouse. The act is quite clear about what happens if there might be more than one person who claims to be a spouse - competing spouses, if you like. The act accepts the possibility of a de facto relationship because sections 3A(a), 3A(b) and 3A(c) all deal with the possibility of there being a spouse or possibly more than one person who might claim to be the spouse of a deceased person. Those are the first three people the Coroner's Office would be looking for to attach the senior next of kin status to.

If that has been exhausted and nobody fits that definition, the Coroners Office will then look for a child of a deceased person to attach that senior next of kin status to. If that deceased person does not have somebody that fits that definition then they would look to whether there is a caring relationship under the Relationships Act. In this circumstance it does need to be a registered caring relationship, which the Relationships Act covers.

Then the hierarchy jumps to a parent of a deceased person. If that person is not available then a sibling and lastly an executor named in the will. It is my understanding that it is the intention of the Coroners Act that those relationships are looked at in a hierarchical sense. They are first going to look for a spouse. If a spouse is not available, a child. If the child is not available -

Time expired.

Debate adjourned.

ADJOURNMENT

National Carers Week
Mr Chris Harvey - Tribute

[6.00 p.m.]

Mr ROCKLIFF (Braddon - Minister for Health) - This week is National Carers Week. It is time for all Tasmanians to recognise and celebrate the contribution that over 80 000 unpaid Tasmanian carers make to their families and indeed our community. Our Government recognises and values our Tasmanian carers, and the vital work they do in supporting the health and wellbeing of others in our community.

National Carers Week is also an opportunity to raise awareness about the diversity of carers, and indeed, their caring roles. Anyone can become a carer, at any time in their life - as a child, as a young person, as an adult, retirement age or older. They may be carers for a few months, for several years or even decades.

Our Government has detailed a strategy - Supporting Tasmanian Carers: Tasmanian Carer Action Plan 2021-2024 - which we released in June last year. We have delivered a key commitment to Tasmanian carers via introducing carers recognition legislation later this year, and we expect to debate the bill next month.

It was terrific to meet this morning the CEO of Carers Tasmania, Mr David Brennan - who I had some engagement with when I proudly held the role of minister for community development - and with celebrated author and broadcaster Jean Kitson, who is the Tasmanian Carers Week Ambassador. We discussed the importance of this legislation, and the

Government's action plan also recognises the importance of Carers Week as an opportunity to reflect on carers and to celebrate them for who they are as carers, and as individuals.

Our Government has also provided support to carers groups across Tasmania for Carers Week activities, through the delivery of our Carers Small Grants Program - another element of our election commitment. This Carers Week, a number of small events and functions to recognise, thank and care for carers will be happening in communities across Tasmania, like quiz nights, afternoon teas, and a fantastic forest therapy and morning tea event at the Emu Valley Rhododendron Garden in the heart of the electorate of Braddon.

The Tasman Bridge across the Derwent River will be lit and signed blue each night this week in recognition of National Carers Week. It is a striking vision in the evening, and will serve to remind us that Tasmanian carers deserve support and recognition for the immense goodwill and great job they do in our communities.

The Tasmanian Government will continue to work closely with Carers Tasmania, and of course across our government agencies, to ensure that this support is provided. To all carers across Tasmania, we see you, recognise you and we put on the record the Government's acknowledgement and sincere gratitude and thanks for the vital work you continue to do.

I also pay tribute to a public servant of over 30 years, Mr Chris Harvey, who is retiring from the Tasmanian State Service. Over the years, Mr Harvey has provided a fantastic service, demonstrating skill and professionalism whilst behind the wheel as a ministerial driver. Many would know Mr Harvey, or Harv as he is affectionally known by many -

Ms O'Byrne - I have some stories I bet you are not putting on the record.

Mr ROCKLIFF - You are welcome to contribute. He has delivered high-quality services to a range of clients including Tasmanian premiers, ministers and members of parliament from across the country, as I understand, including former prime minister, Bob Hawke.

Chris has driven ambassadors, Consuls-General and High Commissioners from many countries around the world. We have always been impressed by Chris's dedication to the role - the early starts, the late nights and the long stretches on the road. Harv is a fantastic bloke to work with, I have to say. He provides much amusement, enjoyment and good company on those very long trips that we have had over the years.

Harv will be moving to Thailand with his wife, Hong, to commence the next chapter in his life. We wish him all the very best in his future endeavours. My message to Harv is, please do not keep Tassie in your rear-view mirror forever. You will always be welcome in Tassie, and I will always enjoy a catch-up and a laugh with a fantastic person who has given 30 years of public service.

Members - Hear, hear.

Mr Chris Harvey - Tribute
Emergency Services Workers - Tribute
Glenorchy Jobs Hub - First Anniversary
Lawn Bowls Clubs
Tenth Annual Open House Hobart Program

[6.05 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Speaker, I repeat what the Premier just said about Chris Harvey. It is a pleasure to have the delegated duty of assisting DPAC to manage all ministerial issues, so I have come to know Chris, and all the other drivers, very well. He certainly is a funny bloke with lots of stories, particularly about BMWs. We have talked at length about different types of vehicles he has had over his own journey. I wish he and his wife the very best as they move to Thailand. I know he has been looking forward to that for some years.

I also extend my sincere thanks and deep appreciation for the work of our Emergency Services at the moment, in the north and north-west of the state. Being a member for Clark, my constituents are not affected in the same way as many of my colleagues' constituents are. I nonetheless extend my deep appreciation for the work that has occurred and continues to occur in the north and north-west, and the big road ahead in terms of repair.

I want to talk about some of the fantastic things happening in my electorate of Clark as well. I was pleased to attend the first anniversary celebration for the Glenorchy Jobs Hub earlier this month. Supported by the state Government, it is part of our Jobs Hub Network election commitment. The hub is a strong collaboration between our Government, the Glenorchy City Council and STEPS Group Australia, that is dedicated to supporting jobseekers and employers to find the best matches of skills and interests.

Since opening, the Glenorchy Jobs Hub has had more than 850 local jobseekers register, 500 of whom subsequently found employment with over 50 employers who have worked with the hub, or indeed signed up to become a partner organisation or business. Not only does the jobs hub offer these core individualised services, it also offers a range of other opportunities for locals to get into work, such as the local Jobs Fair, which hosted over 1200 people connecting with local businesses. The hub's mission is to provide free services to jobseekers and employers in a collaborative way, and it has made a tremendous impact on the Glenorchy community.

As we know, employment not only has the benefit of a paid salary, but having a job improves a person's physical and mental health, their self-esteem, and their general wellbeing. During these last few turbulent years, such services are needed more than ever. Credit goes to the hardworking staff at the Jobs Hub. Their service is having a transformative impact on people's lives, and I could not be prouder to support their work in our northern suburbs.

Our Government continues to be dedicated to helping Tasmanians get into work and collaborating with employers, local government and not-for-profit organisations to ensure the best possible opportunities and outcomes for our communities.

Next, I want to speak about some of the fantastic bowls clubs across my electorate, which I am a very proud supporter and sponsor of. Members of this place will probably be well aware

of my love for lawn bowls, and many other sports, but I am particularly lucky in my electorate to have so many strong local lawn bowls clubs.

I do not get time to play - I am really just a fluke when I do get to bowl the first bowl -- but I first became involved in lawn bowls when I was asked to be patron of the parliamentary bowls competition when they held the national one for past and present MPs and staff, here in Tasmania. It was customary for the Speaker and the President, as presiding officers, to take that role. I actually said I would put my hand up and play, not knowing how serious the competition was. Thank you to Mike Gaffney, MLC, who is a great sportsman and who taught me how to do it. The technique has worked ever since and I really enjoy it.

The clubs in my community are much loved by the people in it. I am proud to have taught them. Last month alone, I attended several local bowls clubs for openings to mark the beginning of the bowls season and some celebrations also of new infrastructure funded by our Government.

In the last month, I have attended the St Johns Park Bowls Club, of which I am a patron; the North Hobart Bowls and Community Centre; Glenorchy Rodman and Community Bowls Club - they are all becoming community clubs as well now; the Sandy Bay Bowls and Community Club; Claremont Bowls and Community Club; Glenorchy City; and Buckingham Bowls Club. I have attended a lot.

I was pleased to open the new synthetic green at Glenorchy Rodman Club, which will replace the current natural green with an artificial lawn capable of use all year round, substantially reducing maintenance costs.

The warm welcome and vibrant membership of each of these clubs really drives home the importance of community sports for our great state.

I want to speak very briefly about the launch of the 10th annual Open House Hobart program, which began in 2013 as a free two-day event that took locals and visitors behind the scenes of Hobart's built environment, such as the Supreme Court with a tour by the Chief Justice. That is one of the things on offer. It still offers the public free tours, walks, talks and tours by architects, designers and historians of some of Tasmania's most iconic buildings. The program is all about fostering a better understanding and appreciation of architecture and how our city functions. It educates the public about the benefits of good design so they can plan active and informed roles in shaping Hobart's future.

Given the rapid growth of Hobart in recent years, questions about suitable design, urban living and affordable housing means that this program is an amazing opportunity for communities to learn and engage with these issues.

Public interest has grown enormously in the event since it was first held with about 1000 visitors back in 2013, culminating in 10 000 attendees in 2021. I think 2022 is set to even double that. That is why the Government has supported the event with a contribution of $25 000 again this year. I encourage people to get to the event on the 12 and 13 November. I encourage everyone to jump online to the Institute of Architects website and Facebook page.

Time expired.

Mr Chris Harvey - Tribute
ReDress Hub
Emergency Services Workers - Tribute

[6.12 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, I will quickly add my voice to those who are wishing Harv well. Chris Harvey has been omnipresent as a driver for many years. I am sure he is delighted that I do not have time today to tell some of the stories from those days but if I say the words, 'Jim Bacon, early morning pick up', Harv if you are watching you will know exactly what story I am talking about.

The reason that I want to rise today is to talk about the ReDress Hub which is keeping it circular in Launceston. Another member for Bass, Mrs Alexander, and I were both fortunate to visit ReDress Hub during the parliamentary break with Kirsty Mate who is their director and the fabulous Renee Allan who took us through the work that they do to really create a spoke in that wheel - the constant wheel of waste from clothing.

The clothing industry is the second biggest polluter after the oil industry in the world. It accounts for 10 per cent of global carbon emissions. Whether it is the harvesting of raw materials, refinement into fibres, threads, dying, knitting, weaving into fabrics, preparation and manufacturing into clothes, packaging, distribution into retail, the wear and laundering and discard and waste, at every stage of the cycle there is an impact on our community.

In Australia, close to 800 000 tonnes of clothing and textiles end up in landfill each year. On average, fast-fashion garments are worn less than five times and kept for around 35 days. That is a disturbing thought. It produces 400 000 more carbon emissions per items than garments worn 50 times and kept for a full year. Just holding on to your clothing for a little bit longer, wearing it a little bit more often can make a difference.

In Australia, the average person purchases 27 kilograms of clothing per year with almost 85 per cent of it going to landfill. As Mrs Alexander pointed out in the discussion, that puts us only one spot behind the United States as the highest consumer of textiles per person.

The City Mission north and north-west over five weeks can collect some 600 to 700 cubic metres of clothing waste. They do their very best to divert it but at least 10 per cent of that still ends up in waste.

While producing new sustainable clothing over the life cycle might be the ultimate solution, which is the solution our grandparents probably had - you bought something and you wore it for life - there are already in circulation a plethora of clothes and textiles that can be reused. By reusing clothing and textiles the impacts at the higher end of the production process are kept to a minimum or potentially negated altogether.

It is the principle of the circular economy to keep stuff in use for longer to eliminate waste and pollution and circulate products and materials. It has been fantastic that the ReDress program is up. Resale, Repair and Remaking is their mantra. They were originally funded through the fantastic work of the Great Regional City Challenge, which gave them seed funding.

They have had a little pop-up shop for six months just behind the Quadrant Mall in Launceston. Both Mrs Alexander and I made purchases that day. I have been wearing the outfits that I purchased and I am sure Mrs Alexander is as well. We were really impressed.

It is a hub space. It is both actual and virtual. It is for local clothing retailers, service providers, designers and consumers to collaborate in use, recycling, restyling, sharing and repair of clothing so that we work to disrupt that consumption behavior and reduce the amount of landfill that we are producing in clothes and textiles. It is a social enterprise. The profits stay within there. They are put towards local projects. They are running some amazing educational programs, teaching people the skills that our grandparents all learnt but many of us have forgotten.

I wish them well. If any members are in the north, pop in and have a chat to these amazing people who, while they recognise we need significant change globally, are doing their very best to make that change locally as well.

Before I resume my seat, I want to thank the minister for allowing me to meet with the Emergency Services team in the north, which led and supervised the campaign over the last week in response to the floods.

It is pleasing that the modelling worked. It is terrifying that the modelling needs to work. It is a one-in-100-year flood again, in less than the last 100 years. This might be our third in maybe 10 to 12 years. They have done a phenomenal job. They said their job was to get people out of the way of the flood waters. They did that. They did that well. There was no loss of life. The work is now in significant clean-up works. The footage of local communities in Latrobe, Deloraine, Railton and the road down from Poatina are terrifying. There is a lot of work to be done to mitigate this in the future.

I want to say two things tonight. We need to put more energy into how we are going to respond to these sorts of extreme weather events in the future. They are going to keep coming. National technical advisory bodies are saying that we need to do more work. We need to be better prepared because this is not going to be the last time we see one-in-100-year floods. At this rate we will see it in another couple of years.

My thanks to all those people who turned out in horrific weather conditions, because of the nature of what they were dealing with. They worked ridiculous numbers of hours. They leave their own families. They leave their own homes to make sure that we are as well protected and supported as we can be. I do not think we can offer them enough gratitude. Thanks is not enough. There is obviously more we can do for them.

I want to note the work that was undertaken by the agencies to ensure that fatigue was managed and that the stress that they were under was managed. It is really hard to get people to go home when they know their local community is threatened. Managing that has been a significant task for SES and fire services. They did that extremely well.

My thanks for that work that they did. We had no loss of life. I recognise the incredible amount of work we are going to require in coming days and weeks and months to respond to what has been such a significant flood event. It will not be our last. That is quite stressful for those SES and fire volunteers, because while they are still recovering from that flood event,

today they were launching the fire season. There is no time for them to rest and regroup. They have to keep going and we need to support them every step of the way.

Anthony Bullock - Greyhound Training Licence

[6.19 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, today the West Tamar Council voted to approve a retrospective development application for so-called leading greyhound trainer Anthony Bullock's kennel licence, which he has operated without for years. For those members not familiar with the name Anthony Bullock, he is Tasmania's largest greyhound trainer. Without Bullock and his industrial-scale greyhound misery operation I think the industry would just about fall over. Mr Bullock's business model revolves around entering enough dogs in every race to be almost guaranteed a number of wins and winnings every meet. He has almost a third of the racing greyhounds in Tasmania and his infamous history speaks for itself.

In 2017 he was fined for giving a greyhound arsenic. Between August 2019 and October 2020, Mr Bullock was issued with 20 steward penalties and fines by the Office of Racing Integrity, three of which related to presenting dogs to race with serious injuries or illness. In September 2020, Mr Bullock pleaded guilty to bullying another trainer and then of course, there is his involvement in the untimely death of greyhound, Tah Bernard.

We agree with the organisation GREY2K USA and their submission to West Tamar Council, where they said Mr Bullock does not possess the moral character necessary to be a responsible caretaker of dogs. In her submission to West Tamar Council, Mr Bullock's neighbour cited the noise of the 100 dogs at the property, saying:

> I have been and continue to be exposed to the excessive barking and whining. The excessive whining is most distressing and sounds like the dogs are seeking attention which is not forthcoming or experiencing anxiety which is not respected or alleviated.

As we understand it, the noise assessment that was carried out at Mr Bullock's property over four days, for three of those days Mr Bullock and many of his dogs were away. Mr Bullock's neighbour also noted the smell coming from his property, saying:

> I have and continue to suffer from the stench that emanates from the property arising from the applicant's practice of slaughtering horses and cattle to provide meat for the dogs and disposing of waste offal in a pit on a northern end of the property, along with dog faeces and dog mortalities.

Despite Mr Bullock's assurances in his development application the neighbour continues:

> From my experience and observations, I am not convinced that the practices have ceased. I believe they are and will continue.

We also found Mr Bullock's assertions about killing animals at his property in his discretionary DA made a number of admissions we found disturbing. As such, we referred it to the Office of Racing Integrity. We referred to the size of his kennels. I have some images

here. We referred his claims about not being a breeder and then his admission that he is a breeder. We referred to his admission of killing and burying animals on his property. We have pictures here of horse guts and a horse head, a horse strung up from a tree. They are very distressing images.

As the RSCPA say in their submission to the council, the application refers to the fact that the RSCPA and the Office of Racing Integrity have both inspected this facility. That is correct; however, the inference that inspection equates to an approval is certainly not correct.

Anthony Bullock is the celebrated face of this repugnant industry; an industry built on cruelty. He has been courted and applauded by successive Liberal and Labor ministers for racing. Perhaps that is why he has got away with not having a kennel licence for so long.

Mr Speaker, 13 519 people signed the petition to end the public subsidies to greyhound racing. They do not want to pay for animal abuse. The Greens stand with those Tasmanians, just as we stand with the RSCPA, Great, Let Greyhounds Run Free, the Coalition for the Protection of Greyhounds, GREY2K USA and the many compassionate individuals who put in submissions against Mr Bullock's application. The Liberal and Labor parties in government celebrate this industry and this so-called leading trainer but we do not and we never will. The majority parties might be happy to slap on a fascinator or their ministers might and mince around the track, sipping champagne or mindlessly putting a bet on, but we will not leave our compassion for these animals at the door.

The Greens will not stop fighting for the gentle greyhounds under Mr Bullock's control, the ones sleeping on wooden planks in tiny cages, with their gentle faces poking out between the bars. We will always be a voice in this place for those beautiful, sweet natured dogs who are amongst the most exploited animals in this country because they were born to run. In this country and in Tasmania, they are not born free. They are units of profit and loss for people like Anthony Bullock, a trainer, who the Greens agree is simply not fit to keep these dogs.

Regrettably, West Tamar councillors did not agree. Despite his application being a discretionary development application, they have given Mr Bullock the kennel licence he has operated without to date. It does not make it right, because it is not. Those of us who love and respect these dogs will fight on. In time, we will win, as animal welfare advocates campaigning have won in most places on earth, including in nearly every US state where the industry is rightly outlawed.

I condemn the decision of the West Tamar Council.

Floods in Northern Tasmania

[6.25 p.m.]

Mr BARNETT (Lyons - Minister for Energy and Renewables) - Mr Speaker, tonight, I will reflect on the recent flood emergency and pay tribute to those who have reached out to provide support and care for those in need. It devasted many communities, homes, families, and many people in the north and north-west of Tasmania. Many of those were affected in the 2016 floods, and some even in the 2011 floods and the power of the flood waters as they swept through Tasmanian townships and farms, damaging homes, businesses, properties, farms, infrastructure, bridges, and livestock. A particularly heartfelt plea of concern for our farming

communities. The farmers affected and their families have been hit hard. My heart goes out to those who have been affected and I express my deep and sincere gratitude for those who have also reached out and pitched in to help with the clean-up. It was quite amazing.

East of the Great Lake, I am advised there was 398 millimetres of rainfall. There were massive downpours in the Western Tiers, Mr Speaker, that you know very well like me, having been born and raised in the Meander Valley at Hagley on the Meander River. The Meander was one of those rivers that has flooded very heavily. The Mersey, the South Esk and many more, communities in Deloraine, Railton, Latrobe, along the Mersey - there are so many townships affected.

Regarding Deloraine, where I have an office, the show society, the pony club, the tennis club, the football club, squash courts were all inundated and damaged, with Timber World as well. At Meander and Deloraine, so many properties and businesses, small and large, were affected. I say to the community - we stand by you. The future for many is still uncertain and we will get through this. We have done it before and we can do it again. It is a Team Tasmania approach and we need to stand together, shoulder to shoulder, to help get the job done.

I pay a tribute in particular to the emergency service personnel, most of whom are volunteers. The amount of support from our volunteers, and what they did to demonstrate that support in a time of need, was extraordinary, whether it was knocking on doors with respect to dam safety and evacuation messages in the middle of the night, as was so eloquently put by our minister, Felix Ellis, this morning in question time, with respect to his role as Minister for Police, Fire and Emergency Management.

I pay tribute to Felix Ellis for his leadership and likewise, the acting Premier, Michael Ferguson, during that time last week. It was full on and they represented our community so well. I also acknowledge our Premier, Jeremy Rockliff for standing up for these communities, as well as Madeleine Ogilvie, for trying to help and support small business.

Mr Speaker, it is the volunteers I pay tribute to tonight, in particular, to say thank you for what you have done, for reaching out in a time of need when your services were required. The amount of time and effort is extraordinary. Their services are undervalued and underrated and we need to do more, not just as a Government and all three levels of government, but also as a community to say thank you to our volunteers.

As Minister for Energy and Renewables, I acknowledge the work of TasNetworks, for the Poatina Road. Mr Speaker, we have shared some photos of the damage on Poatina Road and the landslip that occurred and took out one of the transmission towers and damaged another. It took out that 220 kV line, the north-south line which is so important. We still have the 110-kV line still operating. I acknowledge and thank TasNetworks for their work, Mr Seán Mc Goldrick and his team, and those who have gone beyond the call. I was kept up to date by Seán, about the activities and efforts to restore the power outages, and the thousands of Tasmanians who were affected. My thanks to TasNetworks in that regard.

There are so many people affected. I have not been to the Wings Wildlife Park, but I know the Premier and various of our ministers and others have been there, and there is so much damage and destruction. There is financial and physical support available from different levels of government, and we want to stand with you. I understand that 17 local government areas have been impacted, and we certainly want to stand with you in all those communities affected.

It has been a tough time, and the bad weather has not gone away. We need that rain, particularly to fill our water storages, but in terms of that, we need to be vigilant. I thank all those involved in supporting Tasmanians in this time of need, but in particular our volunteers in our communities that have been so badly affected.

Emergency Service Workers - Tribute
Master Builders 2022 Awards for Excellence

[6.31 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, on the adjournment, I also pass on my thanks and gratitude to all the first responders in the floods that we have had over the last five or six days. We were expecting 200 millimetres, especially around the Meander River region; we ended up receiving nearly 400 millimetres. It has been absolutely devastating for many people with the flooding of properties and their farming areas, but a huge shout out to all the first respondents within those communities.

Mr Speaker, on Saturday 15 October at PW1, I was lucky enough to attend the Master Builders 2022 Awards for Excellence dinner. At that celebration, I caught up with Tony Streefland, who is the president of Master Builders, and was presenting awards at that ceremony as well as being able to work the room. He had just come off a 36-hour stint as a member of the SES around Meander. I could not believe he was standing and so, a big shout out to Tony Streefland and also his team that did an amazing job at responding to those floods.

I will read out some of the recipients of the awards from the Master Builders' Awards for Excellence awards. The winner of the Young Builder of the Year is Brad Goodwin, who works for CBC Custom Building. State Apprentice of the Year is Zac Smith, Vos Construction and Joinery. Hands-on Apprentice of the Year went to Mitchell Sulu, and he works for Stubbs Construction Pty Limited. Residential Builder of the Year went to Mead Con, and Commercial Builder of the Year was Fairbrother Construction. Unique Achievement in Construction went to Vos Construction and Joinery, and that was for their work on the MyState Bank Arena and the architect there was Philip Leighton Architects. Work Health and Safety Residential award went to Scott Flett Architecture Workshop for their roof safety initiative. Work Health and Safety Commercial went to Vos Construction and Joinery for the MyState Bank Arena.

The Soil and Water Management Commercial award went to Dillon Builders. Dillon Builders took out a lot of awards during the evening, for their work on the Spring Bay Mill redevelopment project but that particular award was for soil and water management.

Best Use of Australian- made Products for Residential went to Valley Workshop, and they are in Port Sorell. Best use of Australian made products, Commercial, went to Fairbrother Construction for the UTAS Cradle Coast campus; Energy Efficiency Residential went to JA Building and Construction Pty Ltd, and that was for Jinglers Drive. Energy Efficiency Commercial went to Fairbrother Construction for the UTAS Cradle Coast Campus, and they also received the education facility as well for the UTAS Cradle Campus.

Entertainment and Recreational facility actually went to the Scottsdale Pool, and that was Fairbrother Construction and health facility also went to Fairbrother Construction. That was for the LGH Paediatric Inpatient Unit. Heritage listed or period building renovation for residential went to Mick King Contracting, Hillier St; Heritage listed or period building

restoration/renovation for commercial went to Stubbs Constructions Pty Ltd for the Triabunna Barracks bed and breakfast.

Civil construction went to Oliver Kelly Group for the Henderson Dam. It was just fascinating looking at some of the project photographs from that, and TasWater were the designers of that. Best Display Home went to Wilson Homes for their Howrah display home and that was also designed by Wilson Homes. Dwelling construction under $200 000: Jamieson Edwards Builders and that was for Project Cambridge; Dwelling Construction $200 000 to $350 000 went to Eiszele Construction and that was for Strickland House.

Dwelling construction for $350 000 to $500 000 went to Faulkner Building and that was the leading light shack. Dwelling construction for $500 000 to $750 000 was awarded to the River Road residence, and that is Mead Con. Dwelling construction $750 000 to $1 million went to 3D Construction Developments for the Newstead Crescent. Dwelling construction $1 million to $2 million went to Delaney & Co, Clever Design and that is the Caladium Place. Dwelling Construction over $2 million went to Scott Flett Architecture Workshops, and that was for the Wattle Bird House.

Medium Density Construction 2-5 dwellings went to Hutchinson Builders for the Church St townhouses; and medium density construction over five dwellings went to Oliver Kelly Group, Marys Hope Road.

New construction under $1 million went to Beardwood Pty Ltd and that was for the Patrick Change Rooms; a new construction of $1 million to $2 million went to Mead Con for the beautiful Spreyton primary kindergarten. New construction $2 million to $5 million went to Dillon Building and that was for the Spring Bay Mill, which I raised before. New construction $5 million to $10 million went to Vos Construction and Joinery for the Longford Police Station - I thought you would like that, Mr Speaker.

New construction $10 million to $20 million Fairbrother Construction for the Ulverstone Cultural Precinct; new construction $20 million to $50 million went to Fairbrother for UTAS Cradle Coast campus; new construction over $50 million went to Vos Construction and Joinery for Parliament Square.

Renovation addition went to Burleigh & Dean Constructions for the High St residence. Renovation $400 000 to $650 000, Aspect Building Solutions Mt Rumney and specialist contractor of the year went to Fairbrother Joinery for the UTAS Cradle Coast campus. I congratulate all nominees and award recipients on this recognition.

Time expired.

Salmon Industry - Marine Operations of JBS and Cooke Canada

[6.39 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I rise to speak about the accelerating harmful marine operations of JBS, parent company of Huon Aquaculture, and Cooke Canada shortly to be the parent company of Tassal.

In 2017, Tassal CEO, Mark Ryan, trumpeted his companies claim to be setting the salmon industry on a sustainable trajectory by getting out of inshore waters and going 'oceanic'. Huon also made supportive noises to follow suit at the time, and those public spin comments were made just before the consultation process and assessment processes for the massive Storm Bay expansion. Luckily, we did not hold our breath because in August 2018, Huon opened a 'zombie' finfish lease in Norfolk Bay. They had pens of POM-V infected salmon that they needed to park somewhere, so their fish did not infect the rest of their asset. They chose Norfolk Bay, the shallow waters next to Lime Bay Reserve, to become a convenient hospital site for them for their diseased fish. That was a decision based entirely on profit to manage out of control biosecurity issues that were their fault, that derived from their rapid and unchecked expansion. Greed in other words. There was no public consultation process. The community were outraged and disgusted and there was no assessment of pollution and vehicle impacts on the sheltered and highly biodiverse Norfolk Bay and recreational fishers and people who love those waters were deeply offended. Even the endangered red handfish, the fragile seagrass meadows, the flathead and a nearby shark nursery, did not rate it for the EPA to intervene and they happily signed a temporary use of that area. Temporary went on for much longer than Huon Aquaculture first said.

Fast forward to 2022: Huon has not learned anything and they have just announced via a Facebook page that they will be setting up 12 hectares of industrial farming just on the other side of Garden Island Sands near Randalls Bay. Anyone who knows that area as I and the locals do, understand what a special and to date, a relatively unspoiled part of the Huon River those waters are. Huon's plan is to use that area during summer in preparation for warm water temperatures and their argument is that they will need to separate pens for fish that are being farmed in Storm Bay so that they can achieve, 'optimal growing conditions'. How does this happen without any public consultation process and without any development approval process? Mind you, there have been no pens in this farm lease, we are informed by locals who have lived there since 1972 at all in that period.

So, you have a new site. Yes, it is zombie lease and so it is staked out on a piece of paper somewhere that is 'owned by Huon Aquaculture'. Effectively it is a zombie lease that is being brought back to life for the convenience of an industry which has pretended to Tasmanians is moving out into Storm Bay and much further beyond but they have no intention of doing that at all so one would have thought with climate change, that dealing with the warm water issue is front and foremost of a company's planning but clearly they have no plans to do that. They are calling this 'an emergency use of the lease', so that is how it gets through all the loopholes that have been provided by the Liberals with the support of the Labor party and through the EPA to make sure that companies can keep doing whatever they want in Tasmania's waters if it suits their bottom line.

Cooke and Tassal are exactly the same. The marine lease licence that was held by Tassal at Graveson Point in Petcheys Bay on the Huon River is currently Mark Ryan, CEO, who promised they would be leaving that in 2017 but instead they have done a 180. They have gone back into that lease just as Tassal have gone back and increased the biomass in Tinderbox Reserve Lease since then and started a completely new site at Long Bay in Tasman Peninsula. The community of Petchey's Bay have had enough. They are organising a flotilla for this Saturday morning to voice their protest very loudly at Tassal's continued presence on that beautiful river. They are sick of the lies. They have had enough of the noise. They have had enough of the highly dangerous debris and the plastic pollution all along the edges of the Huon River. They are sick to their back teeth of hearing shooting and seeing maimed and dead seals

washing up on beaches. They are sick of the pollution that is killing the fish and the seaweed in the Huon River.

It is now an unrecognisable river to what it was eight years ago and that is by the evidence of people who have lived there their whole lives and are quite clear that there is almost nothing left to fish or look at or love in that river. It is a disgrace and it is all under the so-called EPA and with the tick of this Government.

The community will make their voices known and they want to know whether the lease, which is due to expire on 30 November, will actually expire or whether it was part of the contract, a guarantee that was made to Cooke Aquaculture when they took over Tassal. What about the decrepit premises that are littering the Crown land next to that lease? What is going to happen to them? They need to go. Let us be very clear, there is no change, only acceleration under this Government. There is no environmental sustainability because there are no laws that can stop these farms.

The biggest protein producers on the planet have come here to make the most of our waters, to treat them as sewers and pollute them so that they can get as much profit as they want before they skip on and go somewhere else. Well, the community has had enough. It is only in Tasmania where this can happen. Nowhere else in the world has shallow salmon farming.

Beyond Blue Gala Dinner
Wings Wildlife Park - Flood Devastation
Floods in Northern Tasmania

Dr BROAD (Braddon) - Mr Speaker, I rise on adjournment to talk about the fantastic opportunity I had on Saturday night to attend, once again, the Beyond Blue gala dinner. This year, it was held at Button's Brewery. Lead organiser and man about town Lindsay Morgan and his team, made up largely of members of the Rotary Club of Ulverstone West, once again did a fantastic job. It was an amazing event, lots of money was raised and a number of speakers were heard.

The guest speaker this year, at short notice, was Tony McManus from Geelong. He talked a lot about his own mental health journey in the wake of his brother's death and other issues he had at the time - a relationship breakdown and the sale of his business.

Every year when I go to this Beyond Blue dinner, it is one of those date nights throughout the year. My wife and I always attend the Beyond Blue dinner together and we both really appreciate it. There is always something to learn from these dinners. This year, one of the key insights I had was that Tony McManus talked about one way to improve your own mental health is actually by trying to improve the mental health of someone else. If you put a lot of effort into improving other people's mental health, not only do you improve your own mental health, you get what is called a 'win-win'.'

Fantastic evening and I would highly recommend it. I am really looking forward to next year.

I also want talk about the recent impact of the floods, especially at Gunns Plains, where once again, unfortunately, Wings Wildlife Park has been devastated. It is distressing to see the damage there. I know that Megan and Colin Wing, who founded Wings Wildlife Park, are deeply impacted, as is their daughter, Gena Cantwell, who manages Wings Wildlife Park.

It is a fantastic place to go, it is a tourism icon on the north-west coast and it is really important for our tourism industry to keep the Wings Wildlife Park operating. They have been flooded out a number of times though, in 2011, 2016 and 2022. It is really tough. Fortunately, this time around there were no animals lost; none of their exhibits were lost but it again goes to show the sheer power of water and what it can do. Entire enclosures, including their cement slabs, were lifted up and moved. It is incredible and devastating for them and their staff. They have something like 27 staff there at Wings Wildlife Park. It is a fantastic place to visit. I have been there a number of times for visits, to take tourists, to take people to whom we are showing Tasmania, but also for the kids' birthday parties. They do a fantastic job, they are really great people and we would like to see them back on their feet.

I urge everybody to do whatever they can to support getting Wings Wildlife Park back on track because we cannot really afford to lose such a tourism icon and it would be sad to see a place like that shut, so I really encourage everyone to do whatever you can.

I would also like to recognise the efforts in the floods in general. We saw far better communication and warnings, which meant that the preparation for the floods was much better than last time. In 2011 and 2016 the floods came as almost a shock and people were inundated before there was any warning. The SES showed up to people's places when water was already in their houses.

Many of those problems have been improved. We saw a far better response, and the communication was amazing - things like the text messages warning people, like the preparation, getting the sandbags ready, getting people to move stock. There were very few stock losses because people had fair warning that this weather system was coming. That is a massive improvement.

In 2016, there was a lot of stock losses, including the whole herd of a dairy farm and hundreds of animals. This time, thankfully, that did not happen because of the warning and because of some of the changes that were made.

I thank the first responders and the volunteers, the SES, the police - and also Surf Life Saving Tasmania, which probably has not had much recognition, but they actually run the swift rescue now. They have been tasked with training and providing swift rescues - going out in their duckies and rescuing people from their houses when they need to be rescued.

Surf Life Saving Tasmania is doing a fantastic job, along with council staff and the mayors. People like Peter Freshney at Latrobe and Jan Bonde got very little sleep during this flood emergency, trying to coordinate and help as much as they could. They should be recognised as well, along with all the council staff. We have seen council staff all around the back roads, fixing up potholes, trying to fix things as best they can.

We know there is still a lot of work to do. Areas like Railton Road and Poatina are going to take a long time to fix.

Also, the Bureau of Meteorology was front and centre. On the television we saw the very good warning systems that have been developed nationwide by our scientists and meteorologists at the bureau. It is good to get that information so that we can prepare and can try to minimise the impact of the floods.

Thankfully, in Latrobe, the flood was nowhere near as big as it was in 2016. That was a really good thing. I would like to see the levy around Latrobe finished so there is even more protection for the next flood that will no doubt happen.

I have to recognise that it has been devastating for Deloraine - much bigger in Deloraine than previous floods for a long time, so they are hurting. There are people who are cleaning out their houses, wondering how they are going to get furniture and stuff back, and how they are going to fix their properties. Businesses have been impacted as well. My heart goes out to all of them. The agreement between state and federal governments is one way to help as well.

I recognise the first responders, and everyone who helped out in the floods. Job well done.

Codi Jordan - Tribute

[6.53 p.m.]

Ms OGILVIE (Clark - Minister for Small Business) - Mr Speaker, I concur with everything the previous speaker said, particularly with the small businesses. It is hard yards at the moment. I took the chance to go to the State Operations Centre and what they were doing was quite remarkable. It is a very serious concern. My heart goes out to everybody affected as well.

I rise tonight to talk about an interesting matter. Forty years ago, Beverley Buckingham completed what was deemed at the time to be a world record. In 1982, at the age of just 17, she became the first female to win a state jockeys premiership. At the time, this was unheard of, and it became national and international news. Not only did she succeed in what was a male-dominated sport at that time, she did it as an apprentice.

Beverley went on to win three senior jockeys premierships and, in the 1994-95 season, set a state record of 109 winners in a season. In 2015, she joined Max Baker as the only other jockey inducted into the Tasmanian Sporting Hall of Fame.

In 2021-22, Codi Jordan became the first female apprentice since Buckingham to sit atop a state's premiership at season's end, with 61 wins. The 24-year-old Jordan has taken the state's ranks by storm, finishing top of the premiership less than 24 months after her first race ride.

While female senior riders have won state premierships in the meantime, Jordan did it in a near identical fashion to Buckingham, as an apprentice, about two years after her first winner. Jordan's win in the premiership was done without much fanfare, which indicated how far female jockeys have come in the racing industry. The split of jockeys and apprentices in the state is now 50-50. In 2021-22, women filled the premiership trifecta with Siggy Carr, 54, and Irish jockey, Erica Byrne Burke, 46, next on the table.

In 2021 the Tasmanian Government announced a new maternity assistance program for female jockeys and harness racing drivers in the state. This new measure recognised the increasing number of females in Tasmania's jockey and driver ranks. The Tasmanian Government is a strong supporter of the Tasmanian racing industry, which generates more than $185 million in economic activity and supports more than 5800 people, who are either employed in the industry or direct participants. Congratulations to Codi on a wonderful year. This Government will continue to back the Tasmanian racing industry.

Salmon Industry - Comments made by Dr Woodruff
Codi Jordan - Tribute
Electricity Prices

[6.56 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I have only a short period of time now. I need to put on the record that I sat here during Dr Woodruff's contribution on the aquaculture industry and bit my tongue as best I could but it was a disgraceful contribution: a contribution that attacked almost everyone in that industry, people who I know who love the industry, love the waterway and love what they do.

For her to come in here and say, potentially paraphrasing, 'Treating rivers as sewers'. I think she said, 'Locals are sick of seeing dead seals'. This is not borne out by any of the statistics that I have seen or any of the conversations that I have had. The hyperbole from Dr Woodruff this evening was disgraceful. I will go through the *Hansard* more carefully but it was a very disappointing contribution. It is not the first time Dr Woodruff has come into this place and used parliamentary privilege to say whatever she wants.

I also echo the sentiments of the Minister for Racing regarding racing and its importance to Tasmania and the outstanding award ceremony that we both attended recently. Codi Jordan is an outstandingly talented jockey. In her 61 wins, there was none more important than the win that she rode on my horse, Namabaale, on 1 May up at Devonport where she steered Namabaale very nicely around the turn, one wide and came around on the outside fence to score a convincing victory for Namabaale. He is nominated to race again on Friday. We are looking forward to seeing how that goes.

Mr Speaker, what I really came here for though is just briefly to talk about energy and a media release that Guy Barnett put out on 11 October where he said Tasmanians get the lowest electricity prices but only scare tactics from Labor, just one day after the Liberal Government delivered the lowest regulated price in the country.

The Liberal Government did not deliver the lowest regulated prices in Australia. That is not what the report says. He goes on to say that, 'Prices have decreased in Tasmania'.

Every Tasmanian who pays a power bill knows that prices have gone up by 12 per cent this year. It has gone up for residences, it has gone up for small businesses, it has gone up for medium-sized businesses and it has gone up in a lot of cases for industrial-sized customers a significant amount that is directly impacting jobs in this state. I know the minister has spoken to those very large businesses that are impacted by that. He should not pretend that that is not the case.

He said, 'The Government understands that the cost of living is a real issue for many'. If the Government understood that, it would not have cut the support for cost of living in this year's Budget, in May this year. It was as though they did not know there was a pending cost-of-living crisis when they cut funding for cost-of-living support in this year's Budget. It was an extraordinary oversight that showed the Government was so out of touch. In the Pembroke campaign, while Labor was talking about the cost of living, the Government was talking about a ferry service on a Saturday. We all know what happened. The cost of living, including energy prices, which is something this Government has direct control over, is a huge issue in Tasmania.

When it comes to energy, the minister needs to understand that we are not talking Tasmanians down or Tasmania down, as he continues to say, and he said in that media release. We are talking him down. We are sick of this minister standing up trying to spruik things and not delivering.

Time expired.

House adjourned at 7.00 p.m.