

Tuesday 12 November 2019

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

QUESTIONS

Hospital Crisis - Actions of Minister

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.03 a.m.]

You have been missing in action for weeks and the public has not heard from you for almost a month. At the COAG meeting two weeks ago you were the only state minister not to put anything on the agenda despite the dire need to address the health crisis in Tasmania. You have failed to state publicly what you are doing to address the safety concerns from paramedics about ramping at the Royal Hobart Hospital. You have failed to respond to revelations in the Health annual report that our major hospitals are woefully underperforming against their own performance targets for emergency department waiting times and elective surgery.

You have been Health minister since June. You have spent much of that time hiding behind bureaucrats and the failed former health minister, Michael Ferguson, who has spoken more about health than you have.

Will you finally explain what you are going to do to respond to the escalating crisis in our hospital system?

ANSWER

Madam Speaker, I thank the member for her question. I want to make it very clear that in the four months that I have been Health minister I have been consulting and speaking with clinicians, nurses and doctors in our hospitals. As recently as yesterday, I was at the Royal. On the weekend, I was at the LGH. My role is an important role to help Tasmanians and to help our entire state. This portfolio touches all Tasmanians. I take that responsibility seriously and I refute any allegation from the other side that I am somehow missing in action from this portfolio. I have been working hard every day as minister in this portfolio, looking at ways that we can work with stakeholders to find solutions.

We acknowledge there are challenges. I have said this. The Premier has said this. We know that we are seeing increasing demand, unprecedented levels of demand and complexity turning up at our EDs every day. As minister, it is my responsibility to ensure that I am getting the best advice from those people who are working on the front line and looking at implementing those.

During the wide-ranging question the member talked about the ambulance service. Late last week, I tasked the secretary with meeting with Ambulance Tasmania. They have been working with them to make sure that these matters are resolved at an operational level. We are working in good faith to make sure that we are getting solutions.

I welcome the feedback from clinicians and from those working within the system because they are best placed to be able to understand the challenges and help form the solutions.

Ms White - The public does not even know who the Health minister is; we rarely see you.

Ms COURTNEY - From the member who has been missing in action as a leader for the past few months -

Members interjecting.

Madam SPEAKER - Order.

Ms COURTNEY - As minister, in the past four months we have outlined a range of initiatives, including the new beds at the Royal when that is commissioned at an imminent time; looking at the agreement with the Hobart Private Hospital - all these are initiatives that are going to make real differences for Tasmanians.

I utterly reject the allegations from the other side. It is this side of the Chamber that has invested record spending into health over the past five years with over 1000 more doctors and nurses within our system, implementing access solutions. We are talking with our clinicians to make sure the initiatives we are taking, such as the Community Rapid Response Service and Mental Health in the Home, are delivering real results. I understand there is more to do and that there is unprecedented demand facing our system and that is why I am working with clinicians to get the best outcomes for Tasmanians.

Launceston General Hospital - Escalation Protocols

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.08 a.m.]

Staff at the Launceston General Hospital have been crying out for more support to deal with the unprecedented pressure on the emergency department. This week it has been confirmed that waiting times at the LGH are the worst in the country. Three weeks ago, staff requests to declare a Code Yellow, or internal emergency, to relieve pressure on the emergency department were denied. These requests were made at a time when 12 admitted patients had been waiting in the emergency department for longer than 24 hours with four of those patients waiting longer than two days and one patient forced to wait 16 hours in an ambulance.

Staff are now calling on you to introduce a fourth escalation level, in line with protocols at the Royal Hobart Hospital, to empower them to systematically deal with the all too frequent incidences of access block. Why are you ignoring the pleas of staff for action? Will you commit to immediately introducing new escalation protocols at the LGH to address chronic bed-block?

ANSWER

Madam Speaker, I thank the member for her question. I reject the assertion that I am ignoring staff. I was personally speaking to clinicians at the hospital only yesterday about this very issue. On this side of the House, we take our advice from those on the front line, as is appropriate.

Members interjecting.

Madam SPEAKER - Could I have a bit of respect for the speaker, please?

Ms COURTNEY - As I said in my first answer, I understand there is pressure. There is pressure at the LGH. As I outlined in my answers in the last question time, we will take advice from the experts.

There is a range of initiatives being implemented at the Launceston General Hospital right now, including auditing the processes involving escalation levels. I look forward to hearing the outcomes of that. I will always take advice from the experts, not the Opposition because they are here to try to score political points. I am here to try to get outcomes based on the advice from the clinicians. I look forward to receiving that advice but I will ensure that, as we work through these challenges, as we look at the escalation processes, we look at what is appropriate at individual hospitals and I will take advice on the work that is being done right now.

Bushfire Readiness - Press Review and AFAC Review Recommendations

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.10 a.m.]

New South Wales and Queensland are burning. Lives have been lost and hundreds of homes destroyed. Today looks set to be the most catastrophically dangerous fire day in Australia's history. I am sure I speak for every member here when I say our hearts are with our fellow Australians facing such a terrifying scenario. During last season's Tasmanian bushfires, we received significant assistance from interstate fire agencies. The spirit of interstate cooperation has played a significant role in bushfire management across Australia, as shown again by the 80 brave Tasmanian firefighters currently helping interstate. With the ever-extending fire season and increasing severity of bushfires, Tasmania will not always be able to rely on this help. Do you agree that Tasmania must become as self-sufficient as possible with our firefighting capability? If so, why has your Government been so sluggish in adopting key recommendations from the Press Review in 2016 and the AFAC Review this year on how to be better prepared for bushfires in future?

ANSWER

Madam Speaker, I thank the member for her question and the opportunity to acknowledge that there are brave professional Tasmanian firefighters on the ground interstate. I was in contact with the Premier of New South Wales and the Prime Minister on the weekend about Tasmania's contribution to the effort. You are right. We did welcome many from interstate and overseas during last year's fire season. It is a great area in which all jurisdictions collaborate to ensure resources are deployed as swiftly as possible. With the expertise that we have in this state, being one of the most bushfire-prone places on the planet, we have considerable capability and Tasmania is playing its part. It was heartening to hear of the courageous efforts of a number of firefighters, and all those who are leaving our state now have our best wishes, the thanks of the Commonwealth, New South Wales and Queensland governments.

It is important that we reflect on what is the most critical priority for our firefighters, both there and here, and that is to protect life and property. That is the most important thing that our firefighting agencies have to bear. I was pleased that this year, during what was one of the largest

fire seasons in our state's history since 1967, there was some property lost, significant damage to our wilderness areas and also, thankfully, no lives lost. Our hearts go out to those loved ones and friends of the people whose lives were lost in New South Wales recently.

We have not, as the member says, not responded with adequate priority to a number of recommendations that have come through, a number of which we inherited as an incoming Government and had not been adopted by the former Labor-Greens government.

We are doing a lot more to make our state fire safe. We have reduced the fuel load considerably and adopted recommendations from reports not responded to appropriately by Labor and the Greens. We are also responding to reports, including the AFAC Review the member referred to. As is the case, and as has been noted previously, short-term recommendations 4 and 6 have been completed. The remaining short-term recommendations, being 1, 5 and 8, will be completed by the end of this month. As to the medium- and long-term recommendations, being 2, 3, 7 and 9, the Tasmanian Fire Service has a dedicated project manager working on delivery.

Despite the suggestions being made, we have taken action to prepare for the upcoming season, including completing multi-agency briefings, undertaking fire brigade district briefings statewide, ensuring helicopter readiness, ensuring national aerial firefighting contracts are in place, implementing a combined air desk, establishing such and ensuring exercises are prepared, conducting fuel reduction burns in all regions as part of this Government's nation-leading Fuel Reduction Program - with \$55 million invested into this important area that has reduced the fuel load to historic lows - establishing permit restrictions, activating campfire management strategies, confirming that all high-risk areas have community protection plans, confirming the reinstatement of remote-area firefighting capability by the State Fire Commission, engaging with Australian peers regarding practices that can support our efforts and continuing to work to establish the volunteer remote-area firefighters. These things are underway in response to the AFAC report.

As to the time frame you are demanding for completion of the AFAC Review recommendations, you were not able to deliver this when you were in government. The Hyde Review attributed many of the issues from the 2013 bushfire response directly to Labor-Greens negligence; not committing the required resources to fix those issues. Mr Hyde's report also identified expanded fuel reduction burns as a high priority and found that the delay in implementing an effective fuel reduction burning program in Tasmania was disappointing but we know it also added to the risk across our state.

It took this Government to deliver a strategic fuel reduction program to reduce the risk in our communities. That is a \$55 million commitment, a significant investment, we have made to reduce that fuel load. We reject any suggestion that we have not acted on this as a priority, with the appropriate level of resources, or in response to the expert reviews and recommendations that have come forward. These are the views, the recommendations, of experts.

There are a lot of armchair experts across the country, including from the Greens' party, making all sorts of reckless claims about fire readiness. In Tasmania, I am assured from discussions with the Chief Officer and through Cabinet briefings that, yes, we do face a difficult season ahead. There is no doubt about it but we have acted with great priority and have allocated additional resources to ensure that our communities are as safe as they can be. We urge Tasmanians to be very careful in their communities and have fire plans in place for when the fire season hits, but none of this will be helped by the Greens continuing to scaremonger.

Infrastructure and Essential Services - Long-Term Plan

Mrs RYLAH question to PREMIER, Mr HODGMAN

[10.18 a.m.]

Can you update the House on how the Hodgman majority Liberal Government is delivering our long-term plan to invest in infrastructure and essential services, to create more jobs and support our strong economy and a job-ready generation?

ANSWER

Madam Speaker, I thank my parliamentary secretary for her question. It was great to see another economic report confirm the strength of Tasmania's economy in recent weeks. It has not always been that way, and it is not a coincidence as the Labor Party would suggest. Since this Government opened our state for business, backed our competitive strengths and reduced the impediments to business investment, we are seeing more Tasmanian businesses prosper with 15 000 more Tasmanians employed now than when we came into Government and 1600 more businesses now operating in what is the most confident business community in the nation.

Our long-term plan and our vision is for all regions across our state to thrive. We recognise that. We want more Tasmanians in regional areas to be able to participate in a growing economy. We need to strategically break down the barriers to young Tasmanians, older Tasmanians, Tasmanians in regional communities, getting the education and training they need or to get a job in the place they call home. We need to ensure that we meet the needs of our workforce now, those industries that are growing and where there are skills demands, so that local businesses can employ more Tasmanians.

Under our plan in our state budget we are investing record amounts into infrastructure. We have significantly increased our infrastructure investment over the term of this Government because our growing state needs this infrastructure. It is our schools, our hospitals, affordable housing, irrigation schemes, tourism assets and it will create more jobs. The budget predicts 10 000 more to join the 15 000 more created under this Government.

We know there is a lot more to do and we know that Tasmanian businesses need more people with skills to provide not only for their growth but also to deliver this massive infrastructure program. This is part of our inclusive and strategic growth plan, to ensure that not only are our local businesses offering more local jobs across the state but there are more people in local areas to fill them. That is why we are investing in important infrastructure, which includes the most important social infrastructure of all, and that is education and training. We are investing in the infrastructure that is extending our high schools, particularly in remote and regional areas, to offer years 11 and 12, and we are investing in a social infrastructure that provides more access to young Tasmanians, especially from disadvantaged communities, to start their education earlier when it is so important.

This is strategic growth and at the heart of our plan to create a job-ready generation where more Tasmanians have the skills they need to succeed in life. Our plan is working because TCE attainment has increased, as has the number of trainees and apprentices in our state, where there has been a decline at a national level. We want to hit that target of 40 per cent more apprentices and trainees by 2025, so we must continue to invest in skills and training.

Growing apprenticeships and traineeships and industry- and regionally-led solutions are part of our plan that specifically targets industries and regions that have barriers preventing employers from employing apprentices and trainees. I am pleased to announce that our Government will support another seven projects through this important reform to deliver a targeted 300 new apprenticeship and traineeship commencements.

The projects supported will include small to medium enterprises operating in early childhood, health care, aged care, the disability sector, agriculture and construction industries. The program takes a demand-driven, industry-led approach and uses a successful model of collaboration with our key non-government partners to support our goal to increase the number of apprentices and traineeships.

Under Labor and the Greens, the number of commencing apprenticeships actually declined by 40 per cent. Labor and the Greens dismantled TasTAFE as part of their disastrous Tasmania Tomorrow reforms that damaged our skills and training sector, 10 000 jobs were lost and the state's economy slumped into recession. That is the alternative; that is what life was like under Labor and the Greens when Tasmania was ranked dead last in all of the indicators across the CommSec State of the States Report to which I referred earlier that now has Tasmania performing, across many areas, the best in the country and second overall.

Our economy is now strong under this Government, a record that Tasmanians can trust us with the economy -

Ms O'CONNOR - Point of order, Madam Speaker. The Premier has been bloviating now for five minutes.

Madam SPEAKER - Exactly five minutes, so I think he is winding up. Thank you, Premier.

Mr HODGMAN - I am, thank you, Madam Speaker. That is the alternative. We will continue to back our budget, our plan and our record investments in infrastructure, and also investing in the skills and the training for that job-ready generation to deliver, because doing so is supporting more growth in our economy.

Government Payments to Businesses

Ms OGILVIE question to TREASURER, Mr GUTWEIN

[10.23 a.m.]

In 2014, you issued a Treasurer's Instruction under which departments must pay their bills on time and, in particular, bills of \$50 000 or less have to be paid within 30 days. Timely bill payments are the lifeblood of small business. Is this still the Government's policy? What percentage of bills valued at \$50 000 or less are being paid on time? Which departments are failing to support local businesses by paying their bills late?

ANSWER

Madam Speaker, I thank the member for Clark for that question and have to admit to the House that I will have to provide some further detail at a later stage. It is a very good question.

Mr Ferguson - It was an actual question.

Mr GUTWEIN - Thank you, Mr Ferguson, it was an actual question. I am happy to update the House and it is a very important question. The fact that this Government has grown the number of businesses in the state by around 1600 since we came to government, it is an important question. The growth in the small business sector demonstrates that there is great confidence in the Tasmanian economy, which has gone from strength to strength and has generated 15 000 jobs.

Whilst I do not have the details to hand with me, I am more than happy to provide that information to the member after question time.

Hospitals - Performance Measures

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.25 a.m.]

Under your watch, the Royal Hobart Hospital and the Launceston General Hospital have become a national disgrace. In September you told Tasmanians:

The implementation of the outcomes of the Access Solutions Meeting heard earlier in the year is having a positive impact at the Royal Hobart Hospital, with improvements driving better patient flow.

Now it has been revealed that at the same point in time, the Australasian College for Emergency Medicine was collecting data that tells a very different story. According to the college, the Royal Hobart Hospital and the Launceston General Hospital emergency departments are the worst performing in the country when it comes to access block and emergency department waiting times. ACEM president, Dr Simon Judkins, has described the figures as a 'disaster'. How can you explain the fact that there has been no improvement in patient outcomes since the June Access Solutions meeting, and in fact, the situation has got worse?

ANSWER

Madam Speaker, I thank the member for her question. Regarding the Access Solutions meeting, I pay tribute to the former minister, Michael Ferguson, who was minister at the time. There was a genuine commitment around collaboration, seeking solutions, strategies and ultimately actions to try to address the challenges we are seeing with bed block. We acknowledge that hospital performance measures have not improved in the face of continuing demand, and I have said that publicly, but we are committed to the ongoing implementation to deliver these improvements.

I take this opportunity to acknowledge and thank the staff who are delivering solutions on an ongoing basis. There was a long list of very complex and multifaceted actions that came out of the Access Solutions meeting and I acknowledge the staff who are implementing those.

Ms White - Why did you say they had improved when you just said then that they haven't?

Madam SPEAKER - Order. Could I have some respect over here, please?

Ms COURTNEY - I also acknowledge ACEM's comments around the need to improve the culture and process and have taken those on board. As I also said publicly, I have asked for further advice from the secretary on the report that ACEM published over the weekend.

As a government, we are going to continue to engage with stakeholders and continue to implement the recommendations of the Access Solutions meeting. There is no silver bullet that is going to solve this problem in one fell swoop. It takes cooperation and a lot of people working together. We will continue to deliver on these with stakeholders.

I will highlight now for the House a few of the key actions that are being delivered through the access solutions, including a private hospitals working group which is improving how we work together. It was a delight to be able to get an update on that yesterday. It was announced a short while ago, as I mentioned earlier, that Healthscope is the preferred operator. These are initiatives that are being rolled out as we speak. We acknowledge that as we implement these, the benefits will flow over time, but that does not take away from my determination to make sure we fully implement these access solutions.

We have also actioned and agreed on a set of guiding principles for timely and quality care at the Royal ED. We have commenced the RHH Length of Stay Committee, made up of key staff from all clinical streams, to manage patients who are over the national average length of stay and develop practical strategies. We are in stages of developing a cultural improvement plan. This goes to the very heart of what was addressed by ACEM over the weekend, looking at how we break down longstanding cultural barriers within the organisation.

We are delivering a series of access and flow staff engagement forums. Other actions include an integrated approach to mental health services, including a hospital avoidance program and progress towards a trial of admission medication charting by pharmacists. I acknowledge that these take time to implement but I thank the staff. I want to say publicly that there is an enormous amount of work going on. As minister, I am committed to delivering these access solutions in full so we see the meaningful outcomes that were anticipated by the people who came together, in goodwill, at the Access Solutions Meeting.

Hospitals - Accreditation

Ms WHITE question to MINISTER for HEALTH, Ms COURTNEY

[10.30 a.m.]

The Australasian College for Emergency Medicine - ACEM - has revealed training accreditation at the Launceston General Hospital and Royal Hobart Hospital is at risk as a result of overcrowding and dysfunction across the hospital system. Dr Judkins said yesterday accreditation was up in the air, and I quote:

... this situation of having overcrowded emergency departments, people being treated in hallways, on ambulance trolleys in waiting rooms, is incredibly stressful on staff. It is not appropriate, we wouldn't think, an appropriate training environment for budding emergency physicians. Certainly not the conditions we would like them to be working in ...

Why have you let the situation get this bad, minister? The Launceston General Hospital has already lost emergency department accreditation once under the former failed health minister, Michael Ferguson. What are you doing to ensure that our hospitals do not lose their accreditation again, which would make it even harder to recruit frontline health workers?

ANSWER

Madam Speaker, I thank the member for her question. I welcome the report from ACEM over the weekend and their willingness to be able to work constructively with me as the minister, as well as our health system, to look at solutions. On the receipt of the report, I asked the secretary to look at the actions outlined in them to be able to provide advice. We know that clinicians, such as those professionals within ACEM, are well placed to be able to give advice about how we can implement real and meaningful differences. We know that there is unprecedented demand at our hospitals. We know that we need to see increased collaboration, empowerment of our clinicians and the implementation of other changes to make sure we can address the challenges facing us.

Since coming to government in 2014, we have seen 40 per cent more staff employed at the Royal Hobart Hospital. I reject any assertions that this side of the Chamber is sitting on its hands with regards to addressing these challenges. We are providing additional resources. We are providing a range of solutions to bed flow to make sure that we are addressing these challenges. As I have said, we accept that these challenges are real. We accept that demand is increasing, which is why we are engaging with the experts to implement the solutions -

Members interjecting.

Madam SPEAKER - Mr O'Byrne, through the Chair.

Ms COURTNEY - that they have come to. Regarding training accreditation and with accreditation around the hospital, we will act assertively and we are acting constructively with the College to get the right solutions. We take these matters seriously. We always do, particularly following the Launceston General Hospital's provisional accreditation in February. I congratulate the team at the Launceston General Hospital on achieving that and I look forward to making sure that we continue to achieve accreditation. We understand the importance of it and that is why we have responded through more people within the emergency department. This is why we are responding with a range of solutions around access solutions with regards to bed block and flow.

It was only a few weeks ago I was out in the community at Glenorchy with the Community Rapid Response Service nurses. This is a trial and why we have new initiatives like this out in our community. This is real action that will result in outcomes that will help the flow within our hospitals and will help our clinicians.

It is disappointing when we see ACEM and people like Dr Judkins coming out and trying to be useful and trying to be helpful within these conversations and the other side of the Chamber tries to politicise this. I am waiting for the other side to come up with a constructive solution.

Members interjecting.

Madam SPEAKER - Order, it is disappointing that I have to rise. I thought we were going along quite well up until now. When we have a speaker answering the question I ask the Chamber to be respectful and to listen. If you are not going to listen I will ask the speaker to sit down.

Ms COURTNEY - Thank you, Madam Speaker, and it is disappointing when there is clear action on this side, when there is clear engagement with the experts around facilitating and implementing solutions that the other side comes in here and seeks to play politics. We know that they do not have a policy with regard to health and I very much hope that they try to become constructive in this space. Health impacts all Tasmanians and we expect more from the other side.

Infrastructure and Essential Services - Long-Term Plan

Mr TUCKER question to TREASURER, Mr GUTWEIN

[10.35 a.m.]

Can you update the House on how the Hodgman Liberal Government is delivering our long-term plan to invest in infrastructure and essential services which is creating jobs and opportunities for Tasmanian businesses? Is the Treasurer aware of any other approaches or alternative plans?

Ms O'CONNOR - Point of order, Madam Speaker. Can I get some guidance here? That is the same question, the same Dorothy Dixier, asked by Mrs Rylah of the Premier. Is this what you are reduced to?

Madam SPEAKER - That is not a point of order as you would appreciate.

Ms O'Connor - It is the same question.

Madam SPEAKER - I think it is time that we asked the Treasurer to take the Floor.

ANSWER

Madam Speaker, our plan is multifaceted. I take great pleasure in outlining further aspects of it. I thank the member, Mr Tucker, for the question and his interest in this matter.

Our economy goes from strength to strength. CommSec knows this; MyState knows this.

Members interjecting.

Mr GUTWEIN - He is good with the glib one-liners but he brings nothing else to the table.

Tasmanians are confident; Tasmanians are seeing the benefits. MyState's latest Tasmanian economic update, which was released late last week, reveals record economic growth. MyState says and I will quote:

... the state's economy was reaching new heights ... the level of state final demand - a broad measure of economic activity - at a new high of \$8.7 billion for the quarter ending June 30 this year.

MyState's report goes on say:

... the state economy was continuing to perform well, with the residential housing market particularly strong.

Their report found that retail sales growth in Tasmania was 3.1 per cent in the 12 months to September 2019, above the national average rate of 2.9 per cent.

This is not surprising. Since we were elected we have grown our economy to become the fastest-growing economy in the country and our housing sector is the fastest-growing sector in the country. Our businesses are the most confident which is leading to the highest investment growth in the country and as a result 15 000 new jobs have been created. The 2019-20 Budget maintains the momentum we have seen and invests for even more growth. It outlines a plan to invest a record-breaking \$3.6 billion into intergenerational infrastructure which will underpin our economy. It will create jobs and, importantly, attract further investment making our economy stronger. The budget supports the creation of 10 000 more jobs.

Compared to last year's budget, our infrastructure investment is now \$678 million, nearly \$700 million more, over the coming four years: \$323 million into health and hospital infrastructure, nearly \$200 million into schools and skills infrastructure, \$1.6 billion into roads and bridges right around the state.

After years of delay, we are the Government that will complete the Royal Hobart Hospital K Block. Not one brick was laid under you. Not one brick. If they had laid a brick they would not have put a helipad on top. That is where that lot was at.

We are seeing the results of our focus on infrastructure. Whilst the rest of the country's economy is slow Tasmania's economy remains strong: the fastest growing in the country generating jobs, 15 000 new jobs.

The Treasurer's Annual Financial Report, which I handed down two weeks ago, clearly shows that we are delivering on our commitments. Infrastructure investment for the 2018-19 year was up \$218 million or 47 per cent on the year before. The private sector is now investing with confidence and the investment growth in Tasmania is now the strongest in the country. It is occurring around the state in renewable energy, in hotels and houses, on farms, with irrigation and in new commercial buildings.

MyState also noted in their report that the construction sector remained buoyant, and, 'The total value of construction work increased, with Tasmania's 16 per cent', year-on-year, 'growth to June 30 the largest increase for any state. Building approvals in Tasmania have continued to grow.'. In 2018-19, Tasmania was the only jurisdiction in which building approvals continued to grow over the year, bucking the national trend. Our economy is strong, it is underpinned by the strongest infrastructure pipeline in our state's history and it is being delivered by this Government.

I was asked if I knew of any alternatives. After five and a half years, Labor still does not have a plan. That is a statement of fact: the shadow treasurer put that in the *Mercury*. Do not worry, though: he said that he is going to work hard and he is going to deliver the plan that they should have had five and a half years ago. Labor was let down by Ms White, and he was let down by the rest of his colleagues but he is going to do the job. I wait with bated breath. No doubt, when it is finally written, it will join the rare book section of the library. When Mr O'Byrne was economic development minister, Labor and the Greens broke the budget. They failed to invest in infrastructure and essential services, 10 000 Tasmanians lost their jobs, and they went into recession. Just six years ago, in 2012-13, they invested just \$289 million into infrastructure at a time when the economy was on its knees and in recession. Compare this to what occurred in 2018-19. The actual outcome confirms that the Government invested \$682 million -

Ms O'CONNOR - Point of order, Madam Speaker. I have bitten my tongue, but I raise standing order 48. It is now six minutes of the Treasurer speaking. He is not answering the question. He is just cracking into Labor again. It is a waste of taxpayers' time and money, and disrespectful.

Madam SPEAKER - You have had a long time, Treasurer, but I do realise you are trying to spread some good news. I will give you another 30 seconds.

Mr GUTWEIN - Thank you, Madam Speaker. It is good news; \$682 million invested this year compared to less than \$300 million when they were in government.

Mr O'Byrne - How is the Bridgewater bridge going?

Mr GUTWEIN - Madam Speaker, he raises the Bridgewater bridge. He will not touch the hospital because he knows that he did not put one brick into it. Next year, we will invest more than two and a half times more than in the last year of Labor and the Greens. At a time when this economy was in recession and Tasmanians were leaving the state in droves, Mr O'Byrne delivered an infrastructure spend 34 per cent -

Ms O'CONNOR - Point of order, Madam Speaker, standing order 48. The Treasurer has completely disregarded your call for him to speak for another 30 seconds. He has spoken for seven minutes on a Dorothy Dixier.

Madam SPEAKER - The Treasurer has asked me for five seconds. He has five seconds.

Mr GUTWEIN - Madam Speaker, the member for Clark has taken about a minute interjecting on the matter -

Ms O'Connor - I care about question time.

Madam SPEAKER - Order, that is not a point of order. You have five seconds.

Mr GUTWEIN - Madam Speaker, we have a plan, they do not have one. We are getting on with the job; they did not know what the job was.

Bushfire Readiness - Press Review and AFAC Review Recommendations

Dr WOODRUFF question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr SHELTON

[10.44 a.m.]

Today, New South Wales is facing catastrophic fire conditions. Meanwhile, we have rubbish from the Government to try to prevent questions being answered. New South Wales is facing conditions that firefighters describe as the worst they have ever confronted. Businesses and schools across the Blue Mountains, Taree and Port Lincoln have been shut down and many people are moving to evacuation centres.

In Tasmania, the fire season is already upon us. It started with intensity and communities in Lachlan, Elderslie and Scamander have already suffered these experiences. You failed to prioritise

the resources and training to keep many of our remote-area firefighters operational and they are grounded. You have failed to adequately train volunteers for remote firefighting, even though it was recommended by the independent Dr Tony Press Report from 2016 and this year's AFAC Review, both reviews in the last three years. Why should any Tasmanian have faith that you are taking this climate-heated fire threat seriously enough, and can you demonstrate exactly how you are implementing the AFAC recommendations?

ANSWER

Madam Speaker, I thank the member for her question. From her statement, and it has been identified prior to this, the pins have been lifted and -

Dr Woodruff - They are still grounded. You are playing with words. Don't play with words. You are misleading the House.

Madam SPEAKER - Order, please.

Mr SHELTON - This is a new low, even for the Greens, when you are attempting to capitalise on the disasters of New South Wales and Queensland and what our friends are facing there and the politicisation of these fires in this Chamber. My sincere condolences go to the families who have lost a loved one in these devastating fires. My thoughts and best wishes go out to all of those across New South Wales and Queensland who are continuing to battle the volatile and unprecedented fires. I commend the extraordinary display of bravery from our Tasmanian firefighters who are playing an important role in the efforts to fight these devastating bushfires in New South Wales and are supporting the communities that are affected.

Tasmania has approximately 45 Tasmanian firefighters and support crew on the ground today, assisting New South Wales, not counting the crews who have already returned. A further Tasmanian contingent of additional firefighters is likely to be deployed in the coming days of this week. We are also considering the request for additional crews to Queensland.

Dr WOODRUFF - Madam Speaker, point of order, relevance. The question is not about the resources we are sending interstate. The question is about this state right now; why are remote-area crews still grounded and why is the minister failing to implement the AFAC recommendations for the season that has already started in Tasmania?

Madam SPEAKER - Thank you, Dr Woodruff. As you know, that is not a point of order. I hear you and ask the minister to try to be relevant.

Mr SHELTON - Thank you, Madam Speaker. What I find astounding is that the Greens members opposite would be seeking to politicise any of the fires while they are still burning to achieve political purpose. I read in the paper today that you were spreading lies by saying that we are not prepared for bushfires, and that is even more astounding. You are calling out the Tasmanian Fire Service as incompetent -

Dr WOODRUFF - Madam Speaker, I take offence at that statement. I am speaking on their behalf about the failure to resource the Tasmania Fire Service RATs who are grounded, 80 of them, until 1 December. This is outrageous. I ask the minister to withdraw.

Madam SPEAKER - We have an objection, minister, and you have been asked to withdraw because you have offended people.

Mr SHELTON - I withdraw the comment.

Madam SPEAKER - It is over. I do not expect any more interjections from here on.

Mr SHELTON - We will not be distracted by these false claims. We have been progressing the recommendations from the AFAC Review. As the Premier has already answered today, the short-term recommendations 4 and 6 are completed. The remaining short-term recommendations, being 1, 5 and 8, will be completed by the end of November. The medium and long-term recommendations, being 2, 3, 7 and 9, are just that. The TFS have a dedicated project management team working through those deliveries.

As I have already advised previously in the parliament, the Tasmania Fire Service remote area firefighting capability has been reinstated. Of the TFS firefighters who are trained and capable to be remote area firefighters, the actual number deployed at any one time is around 10, as it has always been. This has not changed. This is due to the need to maintain an urban firefighting response in our cities and towns.

As members are fully aware, our predominant cohort of remote area teams is in the Parks and Wildlife Service and that remains at the ready. As the member would know - or at least the staffer of the member knows and if the member had turned up to the briefing she would know - the Tasmania Fire Service has instigated -

Dr WOODRUFF - Point of order, Madam Speaker. The minister left that briefing halfway through and he continues to peddle a mistruth. The Greens were present. The minister walked out of the meeting after half-time.

Madam SPEAKER - That is not a point of order. Please allow the minister to complete his answer. We are already hitting five minutes but there have been two big interjections, so you get another minute, minister.

Mr SHELTON - The Tasmania Fire Service has instigated a broad range of multi-agency measures in preparedness for the bushfire season, which include completing multi-agency briefings; undertaking fire brigade district briefings statewide; ensuring helicopter readiness; establishing national aerial firefighting contracts; implementing a combined airdesk, established and exercise prepared; fuel reduction burns in all regions as part of the Government's tenure-blind \$55 million investment; establishing permit restrictions; activating the campfire management strategy; confirming that all high-risk areas have community protection plans; confirming the reinstatement of the remote area firefighting capability by the Tasmanian Fire Commission; engaging with Australasian peers regarding practice; continuing work to establish a cadre of volunteer remote area firefighters; undertaking public education campaigns; engaging with local communities to provide bushfire-ready information sessions; and holding fire station open days.

I thank our dedicated firefighters and emergency service personnel for the duty they perform in keeping our communities safe. It is deeply disturbing that those members of the Greens continue to politicise this issue.

Health - Budget

Ms WHITE question to PREMIER, Mr HODGMAN

[10.53 a.m.]

Nearly five years ago, on 30 March 2015, a former failed health minister, Michael Ferguson, declared that the health system was broken and needed to change. Last year you told the Liberal state council the health system was not good enough - and I quote:

We know it's not good enough. It's a challenge we accept responsibility for and we will respond to the additional demand where we can.

That was a full year ago. During the last sitting of parliament it was a case of déjà vu when you admitted the health system was not performing adequately. What have you done to fix the health crisis in our health system apart from cutting the budget, sacking the Health minister and replacing the Health secretary? Tasmanians do not want hand-wringing and platitudes from you - they want action. When are you going to stop cutting the Health budget and deliver real solutions to the health crisis?

ANSWER

Madam Speaker, I thank the member for the question. We take the health care of Tasmanians very seriously. It is an important priority for this Government. We accept responsibility for the fact that it is not serving our state, the system and those Tasmanians as well as it should. We recognise that and accept responsibility for it.

Yes, we can point to what Labor did when they were in government which, as the health professionals then told us, it would take a decade to recover from. Yes, we acknowledge the cuts to our health system that Labor delivered, cuts to the hospitals that we are now rebuilding -

Members interjecting.

Madam SPEAKER - Order. I insist on some more respectful parliamentary behaviour. It is completely frustrating. It is very difficult to hear the speaker, being the Premier in this case. I ask you to be mindful of what you are doing in this place.

Mr HODGMAN - Thank you, Madam Speaker. Yes, we accept responsibility for attending to the cuts that occurred under Labor and the Greens. Wards were shut, beds were closed and staff were sacked from our state's health system that was in crisis under Labor and the Greens. That is irrefutable and that is what happened under Labor and the Greens.

What we are doing is ensuring that our Budget applies the highest level of investment into Health than ever before and as high as any other state in the country; 32 per cent of our Budget is now applied to improving our health system. That means we are going to employ more staff and open those beds that were shut. This is the bit that staggers me from a government that talked and talked about a new Royal Hobart Hospital but did nothing to deliver it. Well, it will be delivered by this Government imminently.

For those who demand of us when, could you not even start the building work that we had to after 16 years of Labor in government? You think it is a simple thing that can be done with a click of the fingers. If it is that easy, why didn't you do it when you had 16 years in government? You

wonder why doctors are saying that our health system has been held back for so long by Labor and the Greens it then will take a decade to recover because you did not do anything about it. You made savage cuts to our health system that had a massive impact. We are rebuilding our hospitals. We are investing not only at the Royal Hobart Hospital but at the Launceston General Hospital and the north-west coast. We kept the Mersey Hospital open.

Ms O'Byrne - It is getting worse. Do you understand that?

Madam SPEAKER - Order, Ms O'Byrne.

Mr HODGMAN - That was at threat under Labor and the Greens. There are some pretty important things that we have done. We are also investing \$8.1 billion into our health system, taking the entire contribution from the state Budget up to 32 per cent. A decade ago under Labor it was just 25 per cent. That is what you did. Under you, 25 per cent, under us, 32 per cent of the state Budget, \$757 million into Tasmania's health system over six years, the single biggest boost to health care in our state. This is what we are doing - 298 new beds across the state, more than 1000 new staff, including 600 more nurses and 170 more doctors.

Ms O'Byrne - Then why is it getting worse?

Madam SPEAKER - Order, Ms O'Byrne.

Mr HODGMAN - For those who do not understand why there is increased demand on our health system - Dr Broad is asking why things are not improving as much as they could - if you understood what is happening in our health system and every other one across the country, we have had unprecedented increase in demand and increased presentations from people with complex health needs. We have an ageing community and a growing population. These things are placing increased demands on our health system. It is not that hard to understand.

Members interjecting.

Madam SPEAKER - Order. Respectfully I have asked and asked for a bit more discipline in this parliament. Ms O'Byrne, I have given you lots of leeway here but if you would like me to revert to the warning system I am tempted to do so.

Mr HODGMAN - Thank you, Madam Speaker. They have asked what we are doing and I am telling them. It would be great if they acknowledged what we are doing. It would be wonderful to see some of what we are doing reported as well, because there is no truth to the claim by anyone that we are not approaching this with complete priority, urgency and an unprecedented level of resources, more nurses and more doctors.

In the 2018-19 financial year alone there has been an increase of 350 FTE staff in the Tasmanian Health Service, with 160 new nurses, 55 doctors and 42 allied health staff. That is one thing we are doing to increase support in our health system for the patients who need it. We are investing into Ambulance Tasmania with more than 110 more paramedics and dispatch officers. I was asked what we are doing. It is important that we are able to place on record and put lie to the claim from members opposite that we are not doing anything more or not doing enough. Yes, there is more to do, but there are investments in St Helens Hospital, Kingston Health Centre, the new Glenorchy Health Centre, a dedicated rehab ward at the Mersey and the helipad at the Mersey, not delivered by Labor or the Greens. The new helipad at the Royal will deliver on our statewide aero-medical capacity, a \$125 million package to boost ambulance services. I could go on.

Madam Speaker, I know you are keen for me to conclude. There is a lot that we are doing. Of course there is always more to do. It is puerile and infantile from the Opposition to just claim it is such an easy fix. The health system was not in great shape under Labor and the Greens and they should not pretend it was. We accepted responsibility for improving it. There is a lot more we need to do but it is totally wrong and incorrect for the Leader of the Opposition to say that this government is not placing a huge priority on better health care for Tasmanians because our record and the facts show we are.

Infrastructure - Investment

Mrs RYLAH question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[11.01 a.m.]

Could you update the House on how the Hodgman Liberal Government's investment in infrastructure is creating jobs and supporting Tasmanian businesses? Is the minister aware of any approaches or alternative plans?

ANSWER

Madam Speaker, there is no doubt that the Government is investing in infrastructure right across our portfolios. Every minister, every department is investing in infrastructure and it is at record levels. This is confirmed by the budget. Our infrastructure budget commits \$3.6 billion in spending over the forward Estimates, including \$1.6 billion in my portfolio in transport infrastructure. It has been confirmed by Treasury analysis that shows that infrastructure spending as a proportion of our total expenditure has almost doubled from around 7 per cent to almost 12 per cent in five years. That is good news not just for our state with infrastructure that is out of date, under investment that has occurred in previous years, but also because of the jobs benefit that will flow during the construction phase. Essentially, it helps to place our state ready for the future challenges and to be better future proofed.

Treasury has also advised me that actual infrastructure spending by the Hodgman Liberal Government was a massive 230 per cent higher in 2018-19 than it was just six years earlier in the last full year of the disastrous Labor-Greens coalition government. If Mr O'Byrne, the current shadow treasurer, who was then the transport and infrastructure minister would prefer me to pick a different cherry then let him tell us which one it is. This is the minister for infrastructure that had a budget for the Bridgewater bridge and he spent it on something else.

Back to the point, this investment that we are making both for today and for future generations is good for Tasmania and we ought to talk about it. Clearly, the investment that we are making is important. It is contributing to the surge in business confidence, the highest in Australia which is an incredible outcome for our state, and the fact that our economy is now rated second of all of the Australian states and territories according to CommSec.

Our infrastructure budget was forecast to support 10 000 jobs over the next four years. Some of those jobs are being created right now and I will go through some of the recent announcements.

I know there has been some interest in the Hobart Airport interchange project. I am thrilled to advise the House that a proud Tasmanian company, Hazell Brothers, has succeeded in winning that government contract to design and construct this important project. It will commence early next year.

Today, in more good news that I know will be welcomed by the Opposition - or maybe not - I can also announce that Hazell Brothers is the successful tenderer to complete the nearby Richmond Road Master Plan. This is a great project. This project, with a total expected value of \$15 million, will begin this week and provide improvements along a 3.2 kilometre section of Richmond Road between the University of Tasmania farm and Malcolms Hut Road. Included in the works is a new 2 kilometre Cambridge link road to connect Richmond Road to the Tasman Highway interchange at Acton, avoiding Cambridge Village. This significant investment will improve safety and amenity for daily commuters, agriculture and commercial traffic, cyclists and visitors. It will also support dozens of Tasmanian jobs in the construction phase.

These record infrastructure investment figures that I mentioned earlier do not account for other investments that are being also made by state-owned companies: for example, TasPorts, Irrigation Tasmania, TasWater, our electricity entities and TasRail.

For example, the first tranche of TasRail's freight rail investment which was completed on time and on budget for \$120 million, that series of projects supported 170 jobs for Tasmanians in our state, putting food on family's tables. Tranche 2 which is underway, thanks to the Morrison government, will support a further 150 jobs. Meanwhile, our 10-year Midland Highway Action Plan is tracking ahead of schedule.

Madam Speaker, I heard an interjection earlier from the Leader of the Opposition who wanted to know where the works are happening. Clearly, she has not been to the north for a while because it is very plain for anyone to see who has driven on the Midland Highway. That project is tracking ahead of schedule with 63 per cent either completed or under construction. The largest single project in the action plan, the \$92 million Perth Link Roads project, you can see it for miles and it will be completed ahead of time next year.

I will conclude and make the point that none of this is occurring by accident. These are the results that confidence brings and a government that is prepared to invest in infrastructure.

I have been asked in the question about alternative policies. Can I just put it this way. After initially criticising the Government in the budget process for spending too much on infrastructure, in recent months the Labor Party changed tune. It said we were not spending enough and then recently the Leader of the Opposition was reported accurately in the *Mercury*, where she was heard saying at the RACT forum last week that maybe the Government was spending too much on infrastructure. The Labor Party cannot be taken seriously in any way on infrastructure. This Hodgman Liberal Government understands the importance of investing in infrastructure that has been forgotten for 16 years under Labor and the Greens and giving Tasmanians jobs and more state amenities.

Northern Regional Prison - Location

Ms BUTLER question to PREMIER, Mr HODGMAN

[11.07 a.m.]

Your Government's approach to building a maximum security prison in Westbury has been shambolic at best and devious at worst. During the last session in parliament, you strongly defended the decision to select Westbury as the site for the prison. You stated:

A decision on a preferred site has been made through an appropriate process. It is one we stand by because Tasmania needs it.

Last Tuesday, you conducted push-polling in Westbury; on Wednesday you went to extreme lengths to keep your visit to the town a secret, lying to journalists and failing to inform concerned residents of your presence, like the scene from a -

Mr FERGUSON - Point of order, Madam Speaker. You cannot say that. It is not true.

Madam SPEAKER - You have been asked to withdraw it.

Ms BUTLER - I will repeat the question and I will withdraw it.

On Wednesday, you went to extreme lengths to keep your visit to the town a secret, being dishonest with journalists and failing to inform concerned residents of your presence. Like a scene from *Keystone Cops*, you were forced to flee the media. By Friday your language had softened and you then stated, 'There is a lot of water to go under the bridge. This is the preferred site but no final decision has been made.'

It seems that you may finally have got the message that the people of Westbury do not want a prison in their town. Will you save those residents a lot of stress and heartache and find a more appropriate site?

ANSWER

Madam Speaker, I thank the member for the question. I note the member's propensity to dishonestly state things in this House, which I demand that she retract or have the courage to say outside of this place -

Members interjecting.

Mr HODGMAN - It is very easy to be brave in this place and to slur members in this place, but if you stand by -

Members interjecting.

Mr HODGMAN - If you have the courage in this place to say these things, you should add it to do it outside -

Ms O'Byrne interjecting.

Madam SPEAKER - Order, Ms O'Byrne.

Mr HODGMAN - It is about lying to which I refer, and to which she has had to retract.

Madam Speaker, it is entirely appropriate for members of this Government, including me, to visit a community, as we have said we will do, understanding the concern in that community about this important project. We understand that; we get challenged by the Opposition to do it and when we do, they complain about it, which is typical.

The Opposition parties think you should govern this state by media conference, and, no, they do not have a very good track record of doing it. The Leader of the Opposition and the shadow minister in the other place, Ms Lovell, have a pretty shabby record when it comes to even organising a press conference. Who can forget their most recent episode? They called a press conference for George Town and cancelled it without telling the media. That was a pretty shambolic performance, so we will take no tips from the Opposition as to how we handle media conferences, nor will we govern by media conference.

A community with legitimate concerns is not helped by the dishonest member for Lyons, Ms Butler, who says she will be there every day. That is not true. It is a fair drive but when she goes there, I cannot imagine what she is telling those people or the depths to which she will sink to upset that community even more.

Ms O'Connor - Do you think they are stupid? They will make up their own minds.

Mr HODGMAN - No, and I respect that people in that community are concerned but it is not helped by Ms Butler, the member for Lyons, who is clearly doing whatever she can and will say whatever she wants to upset that community even further. We will continue to consult with them. It is totally dishonest and disingenuous of the member who asks the question to say that we have not followed a process. We have outlined that at length. It identified a preferred site. It is not a difficult concept to grasp.

This Government accepts responsibility for the need to build a northern prison. We went to an election saying we would do such a thing. It is important to improve access to justice, to relieve the strains and stresses on our prison system with more facilities, and it will support our justice system by better rehabilitating prisoners. There will be an economic and social benefit in us building a northern prison. We have the courage of our convictions and confidence in the process to make a decision.

The Leader of the Opposition and her colleagues stand for nothing. They backflip, prevaricate and try to have a bob each way. It is well understood, and, yes, the Liberal Party will undertake analysis and an inquiry of the community about how they are feeling. One of the things we have learned through polling, a state election and talking to people on the street is that most Tasmanians know the Leader of the Opposition, Bec White and her team, stand for nothing.

Northern Regional Prison - Location

Ms BUTLER question to MINISTER for CORRECTIONS, Ms ARCHER

[11.13 a.m.]

You have made such a mess of the maximum security Westbury prison that your own colleagues are now desperately looking for a way out. Last week, the Liberal Party commissioned political push-polling to understand how toxic this project is to your electorate fortunes in Lyons. The Premier, yourself and senior ministers made a farcical secret visit to the town last week to attempt to make up for your lack of consultation. This is despite you falsely telling local community members that you would not have time to visit them again before Christmas. You have failed to convince the community of the merits of this project and it is becoming increasingly clear that you are failing to convince your own colleagues. When will you finally admit that you have this process

badly wrong, and release the shortlist of sites to properly inform a debate over the best site for the northern prison?

ANSWER

Madam Speaker, I thank the member for her question because it is polite to do so, but it is groundhog day in here. Members complain about the same questions being asked, the same recycled questions; I have been through, and the Premier has been through, the process. While we were consulting with the community last week the member for Lyons was in her natural habitat of Sandy Bay. She was seen there. The Government continues to consult with the community, and we do not need the Opposition's permission to drop in on a town when we happen to have Cabinet in Launceston and we are not that far away for the minister and the Premier and two of our local members, Mr Barnett, Mr Shelton and Mr Tucker, to talk to people and to hear their concerns. Much of it was positive. We listened to concerns.

Ms O'Connor - You snuck in and you ran away from the media.

Ms ARCHER - I did not. Nobody ran away, Ms O'Connor. There was footage of us leaving Westbury. As the Premier has said, no decision has been made about the northern regional prison site. I have said repeatedly in the House in answers to every question in question time, in answers to an MPI, in answers to a motion, that this is a preferred site.

Mr Ferguson - What is Labor's actual position?

Ms ARCHER - I hear the interjection, thank you, from the Minister for Infrastructure and Transport: what is Labor's plan? This is a \$270 million investment, part of a \$350 million infrastructure plan to address the state's ageing prison system. We hear deathly silence from the Labor Party in relation to what their plan is. There is no doubt that Labor stand for absolutely nothing on this issue. Almost half of our prison population comes from the north and the north-west of the state. We do not shy away from the fact that those people should have as much right to regular visits as southern prisoners. We do not have that at the moment. It is good for rehabilitation. It is good for reintegration prospects and, as the Premier identified, and I feel I am being repetitive because the same questions keep being asked, the social and economic impact is quite significant in relation to this prison. The benefits are enormous to the region.

We have had consultation with the council and we have council support in relation to the prison being in the region. I will cease my answer there because I feel it is becoming repetitive in relation to this. I urge the member for Lyons, Ms Butler, to stop coming in here with loaded questions. I will finish on this one point. She keeps referring to it as the maximum security prison. It has all classifications. I will say it quite clearly: the way modern prisons are built these days is that the perimeter is always maximum security for security purposes and community safety, and within that you have all of the classifications and women's prison as well.

Irrigation Infrastructure - Long-Term Plan

Mrs PETRUSMA question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[11.18 a.m.]

Can you please update the House on how the Hodgman majority Liberal Government is delivering on our long-term plan to invest more into our irrigation infrastructure, which is creating

more jobs and more opportunities for Tasmanian farmers? Is the minister aware of any alternative plans?

ANSWER

Madam Speaker, I thank the member for her question. The member knows that water is liquid gold and that this state budget is investing big time in water infrastructure. We have heard about the infrastructure this Government is delivering in jobs, growth and development, particularly in regional opportunities. In terms of water irrigation, it is happening. We are delivering. We are on track to get to our \$10 billion at the farmgate by 2050. Last year it was a 9.1 per cent increase, \$1.6 billion in our agricultural sector, and we have our Agri-Food Plan for the next four years. We promised this to the people, we are delivering and it is happening. The new information I can advise today is that over the last decade the gross value of irrigated production in Tasmania has doubled to almost \$1 billion. Eight per cent of our agricultural land is delivering over 50 per cent of our agricultural production. Water is liquid gold. Our investment in water irrigation is working and this Hodgman Liberal Government has delivered on tranche 2 in spades and we are now rolling it out, with 14 of those projects now delivered, completed, and one more to do in terms of the Scottsdale irrigation scheme that will be due for completion early next year.

Tranche 3, the pipeline to prosperity, is progressing very well and I will provide an update to the House. We have \$70 million in our budget, with \$100 million with grateful thanks to the Morrison Coalition Government, and combined with the investment of our farmers and agricultural communities, we are delivering on the ground more water, liquid gold, and more jobs in regional Tasmania.

I am pleased to advise that the preferred option design for the new Don scheme near Devonport under the tranche 3 pipeline to prosperity is on track to go to farmer water sales in early 2020 which, all going well, means construction of the first tranche 3 scheme to start in late 2020. That is, one more year away, construction begins on tranche 3. All being well, we are on track and that is good news.

There is more good news to report in terms of the Sassafras-Wesley Vale augmentation scheme. The response from the farmers has been overwhelming. Based on our budget, 1300 megalitres was the estimate. Guess what, the feedback from the farmers says they want 5000 megalitres of water. They want the liquid gold to deliver increased agricultural production. It is very encouraging.

The Northern Midlands scheme is on track for a preferred option design and water sales in the first half of 2020, and that is farmers near Ross and Campbell Town; good news for that part of Tasmania. Public consultation is underway in terms of Fingal and the Tamar schemes. Investigations are well underway with the South-East Irrigation Integration Project and they are kicking off in earnest, including a feasibility of the potential of reused water as well being used.

There are a lot of things happening. In total, those 10 potential projects would deliver 78 000 megalitres, 2600 jobs and an extra \$114 million extra income into our agriculture and our farmers at the farm gate. That is terrific. We are delivering. That is the plan. We are on track.

I was asked if there were any alternative policies. Frankly, no. The fact is they are all cat, no cattle, no policies, no plans from the Labor Party on the other side, no vision for agriculture. We have had the embarrassing admission from the shadow treasurer that they have no plan. It was put in writing in the *Mercury*. We all read about it. No plan, nothing to deliver and nothing to offer.

We have seen the report of the federal Labor review of the election. It said they neglected regional Australia, including regional Tasmania, and they put down arguments as to why they lost in Bass and Braddon. It is because they could not care less about regional Tasmania or regional Australia and the jobs in those places. It is consistent with what Paul Lennon said, that they are a city-based party. They do not care about regional Tasmania and regional communities.

I call on the Leader of the Opposition, after 619 days of no response to the review from their failed state election in 2018. We have seen nothing of that review. It has been 619 long days and the Leader of the Opposition has not come in here or released it to the public. Their federal colleagues have released theirs, so what about the Leader of the Opposition? Come on. That is what I would like to say. I was asked about other alternative policies. The answer is there are no policies, no plans and they still will not release their review. I call on the Leader of the Opposition to do so.

Ms O'Connor interjecting.

Ms ARCHER - Madam Speaker, I would not normally do this but I thought that the comment from the Leader of the Greens about Mr Barnett as he sat down was totally unparliamentary and undignified and I ask her to 'fess up to what she said and withdraw it.

Ms O'Connor - Are you the Chamber dobber?

Ms ARCHER - No, I found it offensive so I am sure Mr Barnett would find it offensive too.

Ms O'CONNOR - Mr Barnett did not hear it but I withdraw it.

Madam SPEAKER - Thank you. Perhaps we can return to a more civilised parliament.

Time expired.

DUTIES AMENDMENT BILL 2019 (No. 56)

GAMING CONTROL AMENDMENT (WAGERING) BILL 2019 (No. 51)

First Reading

Bills presented by **Mr Gutwein** and read the first time.

MOTION

Select Committee on House of Assembly Restoration Bill - Extension of Reporting Time

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

That -

- (1) The reporting date for the Select Committee on the House of Assembly Restoration Bill be extended until the first sitting of 2020; and

- (2) If the House is not sitting when the Committee completes its report, such report may be presented to the Speaker or to the Deputy Speaker, and in that event, the report shall be deemed to have been presented to the House and ordered to be printed.

Motion agreed to.

MOTION

Select Committee on Firearms Legislation and Policy - Extension of Reporting Time

Mrs PETRUSMA (Franklin) (by leave) - Madam Speaker, I move -

That the reporting date for the Select Committee on Firearms Legislation and Policy be extended until 27 November next.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

Health

[11.30 a.m.]

Ms WHITE (Lyons - Leader of the Opposition - Motion) - Madam Speaker, I move -

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

I rise today to speak about health and what is happening in our hospital system and the crisis that unfortunately is impacting on patient care and the wellbeing and safety of staff.

One of the first things I will draw the attention of the House to is the statement that was made by the minister in September. In that, she said and I quote:

The implementation of the outcomes of the Access Solutions Meeting held earlier in the year, is having a positive impact for the Royal Hobart Hospital with improvements driving better patient flow.

Today in parliament in question time, the minister admitted that hospital performance measures have not improved. The question for the minister that she needs to clear up today during MPI, is why she said what she did in September if it was not true.

In September, the minister said that there were improvements driving better patient flow in the hospitals, yet what we have seen is the Australasian College for Emergency Medicine -

Mrs Rylah - It was a one-day measure at 10 o'clock in the morning.

Ms WHITE - Madam Deputy Speaker, the member is very disorderly interjecting whilst not in her chair. I do not know what she said but perhaps she can come back and repeat it later.

The ACEM report that was released quite recently,

Mrs Rylah - It was a one-day measure at 10 o'clock in the morning.

Ms WHITE - A one-day measure at 10 o'clock in the morning - that is very insightful. Now the member who is interjecting is talking specifically about the ACEM report that goes to an audit across hospitals on one day. What I am talking about is the statement the minister gave in September saying there were improvements, contrasting with her statement today which was not in specific reference to the ACEM report but the general deterioration of conditions at our hospitals where the minister said, 'the hospital performance measures have not improved'.

It is up to the minister to explain how there can be a discrepancy in those two statements within the period of about six weeks. Perhaps that also explains her absence from public scrutiny. The minister has not been a leader for health. She has not been informing the public about the improvements that are happening in our hospitals, so-called according to her, but completely exposed now by the ACEM report which clearly demonstrates there has been a deterioration.

The ACEM report identified that the situation of having overcrowded emergency departments, people being treated in hallways and ambulance trolleys in waiting rooms is incredibly stressful on staff and could lead to a review of accreditation for our hospitals. This would be incredibly detrimental for our ability to recruit and attract specialists here. We also note that when that report was undertaken, which was the third weekend in October this year, there were 12 admitted patients to the Launceston General Hospital waiting in the emergency department for longer than 24 hours. Four of those patients waited longer than two days and one patient was forced to wait for 16 hours in an ambulance.

I do not care which day of the weekend it is or whether that is only one point in time, that is completely unacceptable. It is shocking to hear that 1800 patients wait longer than 24 hours in Tasmania's emergency departments in one year, compared to two in Melbourne.

That is not a point in time as the member, who has now fled the Chamber, interjected during her brief time in here. That is not a point in time. That is a systemic failure of this Government to provide adequate care to people who are waiting in the emergency department, many of them waiting longer than 24 hours; 1800 of them. This is not only a point in time, it is a systemic failure.

The minister, Sarah Courtney, needs to explain how she is making changes. I have not heard this minister give a detailed explanation for how she imagines the health system to operate under her watch. What is her vision for health and what is she passionate about? How does she hope to improve the lives of people?

We had a situation at the Launceston General Hospital three weeks ago where staff requested to declare a Code Yellow, or internal emergency, because of the pressure they were under in the emergency department with patients waiting far too long and ambulances ramped, which is becoming a daily occurrence. Their request for an internal emergency, or a Code Yellow, to be declared was ignored, rejected.

They have asked for the escalation protocols at the Launceston General Hospital to be altered so they have a level 4 escalation they can go to, to ensure that the hospital is working as efficiently as possible, to prioritise the wellbeing of patients and make sure the safety and wellbeing of staff is also adequately looked after.

The minister says that she is getting her secretary to review those matters. The minister says she is getting her secretary to review the issues for the Ambulance Tasmania staff who have raised serious concerns and nearly had a situation on Friday where after 30 minutes waiting in the ED those patients were going to be put back in the ambulance. It is entirely inappropriate for those paramedics to be treating patients in corridors and the Government knows this. That is why they have dubbed those corridors the 'Hodgman Wing' and the 'Ferguson Wing'.

The minister needs to explain what she is doing. Not just reviews, not just committees, not just forums. This is not news to her. The Auditor-General's report that was released earlier this year in May identifies serious flaws. It talks about increased ambulance ramping across Tasmania's four major hospitals between 2013 and 2018, rising by 149 per cent and that the duration of ramping similarly increased in excess of 15 minutes off-load targets, where the delay exceeding 30 minutes grew by 197 per cent, sorry, 15 minutes by 197 per cent and the delay by 30 minutes grew by 239 per cent.

This means those ambulances are stuck at the hospital. This leaves communities vulnerable because they do not have a local ambulance response. This means that when people call an ambulance the response time is going to be longer than it should be.

Tasmania already has the worst ambulance response times in the country and it is getting worse because of chronic ramping at our hospitals and the Access Solutions work that was undertaken in June this year that should have been seeing improvements by now is failing. The Australasian College for Emergency Medicine has confirmed that. The ANMF has confirmed that. That is why they are desperately seeking support with new escalation protocols at the LGH. The AMA has confirmed that things are not improving and anyone talking to an ambulance paramedic or a volunteer will confirm that, too. What is the minister actually doing?

Time expired.

[11.37 a.m.]

Ms COURTNEY (Bass - Minister for Health) - Madam Deputy Speaker, I welcome the opportunity to address the concerns raised by the member. It is important that when we are looking at this issue we are looking at the context of the demand that we are seeing.

I talk in this place about the increased numbers of people presenting in our emergency departments. We have also seen an enormous escalation in the complexity of these patients and the level of care that they need. In 2012-13 at the Royal, 28.7 per cent of patients who presented at the ED required hospitalisation, so required to be admitted. This jumped to 38 per cent in 2018-19 and it is even more stark at the LGH. In 2012-13, 19.5 per cent of patients who presented required hospitalisation after their ED presentation and this is at 35 per cent in 2018-19.

It is important that we are looking at this. It is an enormous increase in the challenge that we are seeing and I also want to make it clear that these are not new and unique issues. We saw that when Labor was in government in 2011-12 - more than 1100 patients were waiting more than 24 hours for a hospital bed at the LGH. This is also the side of politics that closed a ward at the LGH. This is also the side of politics that trashed the Hospital in the Home service. Over the past five years, this side of the Chamber has been rebuilding the system that was attacked and demolished under the Labor-Greens government. It has taken time. It has taken investment.

A decade ago we were investing around 25 per cent of our budget into health. Now that is 32 per cent. It cannot be suggested that this Government is not focused on this issue: 32 per cent of our budget is focused on investing in our health system. We are seeing this enormous injection of \$757 million over the coming six years. This injection will be the single biggest boost in health care.

As I have outlined before and as Dr Judkins acknowledged in the past few days, this is not just about money. It is about initiatives and actions that lead to outcomes. We are seeing those and a range of initiatives that have been implemented by my predecessor and are continuing to be implemented by me, as well as new initiatives we are embarking on in collaboration with stakeholders.

The emergency department at the Royal has seen an increase in staffing of 40 per cent compared with 15 per cent across the broader hospital. We are focused on addressing these frontline challenges. We also know that the challenges we see at the ED are part of challenges across the broader system with regard to bed block and patient flow. This is why we have seen other mechanisms to be able to support the Royal including 22 new beds at the Repat last year, seven beds at New Norfolk, and 20 new beds and treatment recliners to support the ED. This is on top of the work being done to support our mental health patients, including six mental health beds at Tolosa Street and a 12-bed mental health Hospital in the Home service which commenced last year. Furthermore, we are seeing what is going to be a shift change within our health system in the opening of the Royal redevelopment. We are seeing that being delivered before our eyes.

As to the allegations from the other side, they failed to do anything with regard to the Royal redevelopment. It is shameful for them to come in here and somehow suggest that this Government is sitting on our hands when it is this Government that will deliver the redeveloped Royal and the extra beds that will service Tasmanians. We will also see the helipad at the RHH that the other side forgot about. We will also see the connection of the helipad at the Mersey that we have put in to ensure we can transport Tasmanians safely at their time of need and when they are most vulnerable.

I reject any assertion that this side of the Chamber has not worked, invested and collaborated to be able to get the outcomes. The outcomes and the work we have done is demonstrable, but I acknowledge, as I have said in this place and as the Premier has said this morning, that these challenges are being seen across Australia. We are seeing this complexity facing our EDs and challenges across the breadth of our health system. That is why I welcome ACEM's report at the weekend. I have asked the secretary to investigate the recommendations from that, because on this side we engage the experts. We will listen to them and make sure that the things we implement have meaningful outcomes.

I also reflect on the LGH and the work that has been done there and the work that is ongoing. In her contribution today, the Leader of the Opposition raised the escalation protocols. I make it very clear that I seek the advice of the experts working within our hospitals regarding decisions around escalation protocols. My advice, through my office and directly, is that there are audits underway at the moment with regard to escalation protocols. I am looking forward to the outcomes of those because I want escalation protocols working as best they can. They are there for a reason. They are there to get better patient outcomes and to support staff when there are times of pressure. I am looking forward to receiving that.

I am not going to jump to a conclusion because I am called to by the Opposition. I will listen to the experts and act accordingly to ensure that we get the best outcomes for our health system.

Time expired.

[11.44 a.m.]

Dr WOODRUFF (Franklin) - Madam Deputy Speaker, I draw the minister's attention to some facts; there is a little secret that perhaps she should know as the Minister for Health. The Minister for Health oversees a budget which grows very year. That is the nature of the Health budget. There is no such thing in a modern world, like Tasmania purports to be, to have a budget that goes backwards. There is no capacity for cutting. Cutting is what the Liberals do by not funding the budget each year for the on-costs for staff, for the real costs of medical services, for the real costs of medicine and for the real costs of technology.

These things go up every single year by far more than the CPI - some of them I have mentioned by 5 per cent, 12 per cent - so every single year, the minister needs to comprehend that she, like every other Health minister before her, will be overseeing a Health budget which goes up, unless it was the Health budget of, I think, 2015, where this Liberal Government cut \$210 million from that budget. So \$210 million came out, it might have been 2014, and then \$100 million of that was put back in the next year because it was such an outrageous gouging of money from our public health system. Even for the Liberals, it was a bridge too far; it was just far too much to be able to justify, even to their own Liberal supporters, their most staunch members. I have no doubt they got a pasting over that.

They put \$100 million back in, but we still started with this Government cutting \$110 million out of Health, and now year on year, the previous minister and now the current Minister for Health, is overseeing under this Tasmanian Liberal Government a Health budget which in real terms is being cut. It has not been increased to keep up with the real services and goods that are required to be bought by the health system. That is a fact. The minister needs to stop coming into this place, as does every previous Health minister in this Liberal Government, telling mistruths to Tasmanians. It is not true that there is this vast river of money that the Liberals have put into the health system. The reverse is true; they have been stealing money.

The minister says 'it takes time', and she had the temerity to refer to a situation that happened nearly six years ago now. What a disgrace. Granted, if you buy her little fairytale, things were in a shocking situation and they were going to be improved under the golden era of the Liberals in government. Instead, the opposite has happened. Not only have they not been improving, they have been going backwards on so many measures, which is why we had the Access Solutions meeting on 19 June, five months ago now. Five months ago it was an emergency crisis meeting of everybody involved in the emergency department looking at the flow and the bed block and the crisis in our major public hospitals in Tasmania.

That meeting was on the back of a huge number of damning reports that had come before this place and the people of Tasmania to confirm what they know if they have been stuck ramped in an ambulance, or they have been stuck waiting over 24 hours in an emergency department at the Royal Hobart Hospital or the Launceston General Hospital. They would know what these reports have said about this Liberal Government's desperate lack of competency and their extreme underfunding of the health system and they would know that the Staib, Sullivan and Timms report 2016, the Patients First stage 2 2017, the review of Ambulance Tasmania 2017, the Auditor-General's Independence Assurance Report 2019, the Monaghan Review and the Commission on Delivery of Health Services in Tasmania have all delivered a string of recommendations for improving emergency department patient flow and hospital performance that have not been taken up.

This is a government that has independent reviews and then throws them into the bin, just as the Police, Fire and Emergency Management minister has failed to act on the two independent bushfire reviews, Tony Press in 2016 and the 2019 AFAC Review. They are outstanding, essential, life-saving recommendations that have not been implemented. So have the Health minister and the previous Health minister who is responsible, failed to take the actions from all that string of reports that led to the Access Solutions meeting and have failed to do the things that were promised in the Access Solutions meeting.

Five months ago, there was a string of actions. If the minister is so confident of their actions, why not come in tomorrow and table exactly what you have done? Give us an update on medium-term actions before the end of October. They were all meant to be done, the whole list of them. If you have the confidence in how well you are responding to this crisis, then table that to the parliament, minister. Let us know how you are going in developing a trial for a hospital in the home service and in considering the role of aged-care assessment teams. How are you going with trialling admission medication charting by pharmacists aimed at reducing the length of stay and medication errors? Have you established a quality improvement group to start trialling new approaches to improved patient flow? Have you evaluated and implemented improved processes? Have you developed a model for an integrated approach to mental health services inclusive of the hospital avoidance program? There is a string of things here that we have never heard about.

[11.51 a.m.]

Mr TUCKER (Lyons) - Madam Deputy Speaker, the Hodgman majority Liberal Government is determined to do everything we can to drive a collaborative approach to build a better, more integrated health system. Everyone in Tasmania knows that our health system faces significant challenges, with increased demand and increased complexity of cases presented to our hospitals. These challenges are not unique to Tasmania; they are being felt Australia-wide. We agree that the medical profession, the Government and the community must face these challenges head on and side by side.

Our staff are amazing, highly skilled, qualified and overwhelmingly professional. They are doing some of the toughest jobs around. That is why we are committed to making record investments in Health and doing all we can to improve Tasmania's health system and to deliver the care that our community deserves.

We have a strong long-term plan to improve health care outcomes for all Tasmanians and we are working hard to deliver it. In the last five and a half years we have continued to deliver on our long-term plan for Tasmania, with key priorities and strong policies that have taken our state to new levels. We are investing record amounts in job-creating infrastructure and essential services, more than the previous Labor-Greens government. Fifteen thousand more Tasmanians have jobs since the Hodgman majority Liberal Government came to office and we are investing an unprecedented level of funding into Tasmania's health system.

We have committed to investing \$8.1 billion into Health, taking Health spending as a percentage of the entire state budget to 32 per cent, up from 25 per cent a decade ago. While we have seen growth to support our essential health services, compared with the significant under-investment that Tasmania witnessed under the Labor-Greens government, we know there is still more to do. In the 2018-19 financial year alone, there has been an increase of 350 full-time equivalent staff in the Tasmanian Health Service, including 160 FTE nurses, 55 FTE doctors and 42 FTE allied health staff.

We have also invested in Ambulance Tasmania, with more than 110 extra paramedics and dispatch officers than five years ago. We have committed to increasing our bed and staff numbers to deliver more capacity for the growing demand, with the first 44 additional beds at the Royal Hobart Hospital to be opened on commissioning of K Block, as well as some new in-principle agreement with the Hobart Private Hospital that will help to ease demand pressure.

Since coming to government, we have opened new facilities to provide additional health care support and services for Tasmanians, including the new \$12 million St Helens Hospital, the new \$6.5 million Kingston Health Centre, and the new \$21 million Glenorchy Health Centre. This is in addition to the completion of the new \$2.5 million helipad at the Mersey, with the new Royal Hobart Hospital helipad imminent, which will deliver on our plan to supercharge our statewide aeromedical capacity as part of \$125 million package to boost ambulance services.

Over the next five years, we will see the design, delivery and commissioning of over \$1 billion in health capital assets. This is a huge capital program, which includes: \$90.6 million for Stage 2 of the Royal Hobart Hospital redevelopment; continued roll-out of the \$87 million Launceston General Hospital redevelopment; the significant works being undertaken in the north-west, and our continued strong commitment to quality health care for Tasmanians in rural and regional communities through our \$15 million rural hospital and ambulance station fund. It is only because we have managed the budget well that we are able to employ more nurses, doctors and specialised staff than ever before.

Our senior clinicians and executives are working hard to ensure every dollar of funding is targeted toward patient care. You simply cannot achieve these investments without a strong budget and a firm commitment to delivering the best possible health services. While the quality of care we provide is world-class and a clear testament to our dedicated and skilful clinicians and hospital staff, we need to improve the way the system supports staff and patients to receive timely care. The Government will continue to focus on delivering on our long-term plan and implementing the actions from Access Solutions meetings, which will all help to improve patient flow and drive better care for patients.

Labor has no plan. They stand for nothing and simply cannot be trusted. We only have to look at the Royal Hobart Hospital and their backflips with this. Labor proposed a greenfield site in 2006, spent three years progressing it, wasted \$10 million in the process, backflipped and went with the redevelopment on the current site in 2010, ran the project off the rails and failed to lay a single brick. Bryan Green and Rebecca White backflipped again and backed the greenfield Cenotaph proposal. We go on with a few more of these backflips. We talk about the private land giveaway at the LGH. Labor was going to give away land at the LGH for their proposed private hospital but backflipped once they realised that was where Ward 4K was going to be built.

Time expired.

[11.58 a.m.]

Ms DOW (Braddon) - Madam Deputy Speaker, I am pleased to speak on this matter of public importance of Health and it may come as no surprise to you that my focus is on regional Tasmania. Our north-west and west coasts have a dispersed population, which means that equitable access for essential services is critical. Health is one of these essential services. In 2014, the then minister, Mr Ferguson, undertook what was described by the Government as unprecedented community consultation on health service provision across the state of Tasmania.

Where we live on the north and north-west coast, there were to be significant changes, predominantly changes to services provided at the Mersey Community Hospital. These changes were to improve patient safety and were to be supported by the best clinical advice. I was involved in this consultation that, along with clinical expertise, informed the development of the White Paper. There were promises and commitments made to the people of the north-west at the time, including increased services at the Mersey Community Hospital, the development of a statewide elective surgery centre of excellence, additional palliative care beds, additional rehabilitation beds and additional geriatric services. This was to complement and build on services to be provided at the North West Regional Hospital.

The White Paper of 2015 clearly stated that the North West Regional Hospital rehabilitation services would remain at level 4 and enhanced rehabilitation services would be provided through additional development of rehab services at the Mersey site.

I want to take the opportunity to read from the White Paper today and in particular about subacute care services. Subacute care includes rehabilitation, geriatric evaluation and management, psychogeriatric care and palliative care. In Tasmania, hospitalisation rates for people aged 65 years and over are increasing faster than any other age group. Subacute care is provided to a broad range of medical and rehabilitation patients to enable them to improve their health and wellbeing, maximise their function and maintain their independence. I take that to mean that, in fact, that reduces the burden on the acute care system. It goes on to say that in Tasmania, particularly in the north-west, subacute service availability is below the national average.

I want to talk about the current clinical services profile which is detailed in this document, where it quite clearly says that there are existing services provided in geriatrics, rehabilitation and palliative care at the North West Regional Hospital but none at the Mersey. The proposed future clinical services profile would have geriatrics being provided at level 3 at the North West Regional Hospital and level 4 at the Mersey, rehabilitation being provided at level 4 at the North West Regional Hospital and level 4 at the Mersey, and palliative care at level 3 at the North West Regional and level 3 at the Mersey.

Obviously one of those commitments has been broken. I want the minister to respond today and confirm that there will be additional services provided at the Mersey in geriatric care and palliative care but they will not be at the expense of those services being provided still at the North West Regional Hospital. I would hate to think that the same example of what has happened with rehabilitation beds on the north-west coast will happen again for those other services when there was a clear commitment made regarding consultation and equity of service and access, but also good clinical advice and the best clinical advice, which was stated at the time.

We all know that we have called for the rehab beds at the Mersey to be reinstated but the community has also called for that as well, and over 1800 north-west Tasmanians in the form of a petition to this place have called on the Government to reinstate those beds. The minister's response to date has been to talk about people not having to travel to Launceston for services - there has been no mention of the loss of patient and family accommodation options - and to talk about regional infrastructure upgrades at other sites across regional Tasmania.

I will acknowledge the minister did meet last week with concerned residents, but only through a request by the local council and did not commit to reinstating the beds. I ask the minister again today: will you reinstate the rehab beds that you closed at the North West Regional Hospital, as was committed to in the White Paper?

I want to read now and share with the House a story of a gentleman who contacted me last week. I recently met Gary, who has been a patient at the North West Regional Hospital physiotherapy outpatients since June. Gary has been waiting three years to have a knee replacement and to date does not have a date for his surgery. He has been receiving physiotherapy, including hydrotherapy, in preparation for his surgery. This weekly two-hour session has been assisting Gary with his mobility, has improved his quality of life and the socialisation has contributed greatly to his mental wellbeing.

Last week Gary and the other people enrolled in the program were told that they were no longer able to access these weekly physio and hydrotherapy classes and he conveyed to me that there was no prior warning or explanation provided to the participants at the time. He also informs me that he was told that an eight-week program would now be introduced and he would be able to access this program closer to his surgery. He also informs me there are up to 15 people in his class, some who have been utilising this service for a very long period of time and will be significantly affected by this change. He has also told me that in order to continue to use hydrotherapy services, he must have a new referral from his GP and register with My Aged Care and then travel to Ulverstone to the pool.

I ask the minister: have you ever contacted My Aged Care and are you aware of the long waiting lists around registration and care packages that people are waiting for in Tasmania?

I want to also talk about another issue which has been brought to my attention. I put on the record that I am concerned that a number of these changes, particularly around preoperative access to physiotherapy and hydrotherapy, is related to the 15 per cent cut to elective surgeries across the state and there will be even more people waiting now. Perhaps that is a reason why people's access to this invaluable service has been cut.

I want to also talk about the hydrotherapy pool because it is closely linked to Latrobe and is currently provided through a lease agreement with Strathdevon. In 2017 the pump broke and people had uncertainty about ongoing access. There was quite a long, drawn-out process between the Tasmanian Health Service and the owners of the pool about who was going to fix the pump in the pool. That was resolved and people were then given certainty and able to use that facility again. In 2019 it was closed for four months for administrative reasons.

Time expired.

Matter noted.

POLICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019 (No. 44)

Second Reading

Resumed from 31 October 2019 (page 87)

[12.06 p.m.]

Mr TUCKER (Lyons) - Madam Deputy Speaker, I am pleased to continue my speech on the Police Legislation Miscellaneous Amendments Bill. In 2018-19 there were 216 assaults against police officers. Thankfully this was a 21 per cent reduction from the 273 offences reported in 2017-18. However, this is still too many assaults that police have to endure. The reduction may

reflect the benefits of the Government's funding of the rollout of body-worn cameras to Tasmania Police. It was anticipated, and it is now anecdotally supported, that body-worn cameras positively influence the behaviour of those who interact with police officers.

To date, Tasmania Police has deployed over 660 BWC devices to officers at 45 police stations around Tasmania, including all the metropolitan stations in the Greater Hobart and Launceston regions and along the north-west coast. Country stations using BWCs include stations in the Huon, Derwent Valley, Midlands, Central Highlands, and stations on the east coast from Nubeena to Bicheno. At the completion of the rollout it is anticipated that approximately 750 devices will be live across the state by the end of 2019. They are some of the projects the Hodgman majority Liberal Government is working on to keep Tasmanians safe.

[12.08 p.m.]

Mrs RYLAH (Braddon) - Madam Deputy Speaker, I support the bill. As a government, we know that Tasmanians deserve to live in safety and free from the impact of crime. We make no apology for being tough on crime. That is why we have a target to make Tasmania the safest state in the nation. Since coming to office in 2014, we have restored police numbers following savage cuts to Tasmania Police by the disastrous Labor-Greens government. The Hodgman majority Liberal Government is delivering its commitment to boost frontline police numbers and keep Tasmanians safe. Now we are investing even more to boost these numbers by an additional 125 police officers across Tasmanian communities from 2019-22. This includes an additional 16 officers who will be stationed in Launceston, 10 in Hobart, Glenorchy and Bridgewater, nine in Devonport, and eight in Burnie to help serve these communities and keep people safe. An extra 30 officers will be deployed each financial year to achieve the targets.

Included in the allocation is the delivery of the Government's key election commitment and policy targets including the establishment of a new statewide crime command which will coordinate a statewide approach to disrupt and prevent serious and organised crime. This will include the use of intelligence, forensics and case management; providing six specialist ice investigators to provide a focus on ice-related drug activity; an additional dog handler to support the increase in detection dog capability; allocating four officers to begin the first stage of establishing a full-time 'core special operations group' capability with enhanced rapid response to terrorism incidents and other emergencies and to support high-risk police operations. The allocation has been informed by factors including offence rates, demand for policing services, family violence, demographics, socio-economic factors and population. The allocation has been a collaborative process. Tasmania Police has taken into consideration the feedback and experience of its own people, input from the Police Association of Tasmania and the Government's election commitments and policy objectives in determining the allocation.

We are investing in our first-class police service to continue to support Tasmania Police now and into the future. The Hodgman Liberal Government has a long-term plan to keep Tasmanians safe and we are delivering it. In contrast, Labor has no plan. They stand for nothing and simply cannot be trusted.

If Tasmanians want to know about the approach of Labor and their Greens allies to law and order then they need look no further than the past when they sacked so many police and bungled major infrastructure projects. The Hodgman Liberal Government makes no apology for being tough on crime and supporting our police officers as they protect our communities and keep Tasmanians safer.

The amendments we are talking about today correct issues that have been identified from prior legislative reform and enhance the operation of existing provisions found in the following acts: Community Protection (Offender Reporting) Act 2005, the Police Offences Act 1935, Road Safety (Alcohol and Drugs) Act 1970 and Police Powers (Vehicle Interception) Act 2000.

Tasmania Police continues to focus on high-risk driver behaviours using a range of strategies that aim to modify driver behaviour and make the roads safer for all road users. Although the total number of traffic offences has decreased from 65 663 in 2017-18 to 64 410 in 2018-19 there was an increase in fatal and serious injury crashes. The fatal five high-risk driver behaviours, identified as speeding, drink-driving, inattention, seatbelts and fatigue, continue to have a high priority when policing roads. This leads me to the first point I would like to raise regarding the offences of evading policy and reckless driving, which continues to be a significant safety problem for Tasmania Police and the whole Tasmanian community. I note in the last few days yet another recent report of terrible outcomes as a result of these behaviours.

In 2018-19, there were 409 offenders for the offence of evading police including 285 offenders who were charged with the more serious charge of evading police aggravated circumstances. In the last six months, several evasion and reckless driving offences have been reported including in New Town where a 23-year-old driver was clocked driving 45 kilometres per hour over the speed limit. In 2018 there was yet another offender who drove through several Hobart suburbs clocking speeds of 100 kilometres in 40 kilometre and 50 kilometre zones.

In the last three months in Hobart, there have been several evasion incidents where police had to deploy road spikes. In one such incident, the driver drove on to the footpaths in Glenorchy forcing pedestrians to scatter to safety, then ran several red lights. I further note that in 2018-19, Tasmania Police officers detected 22 501 drivers exceeding the posted speed limit by 15 kilometres or more.

The bill we are discussing today will amend the Police Offences Act 1935 to include the crimes of dangerous driving, causing death by dangerous driving and dangerous driving causing grievous bodily harm as confiscation or clamping offences.

A further amendment to the Police Offences Act 1935 relates to the reference to the Road Rules 2009 in section 47. These rules are due to expire at the end of 2019 and will be remade as the Road Rules 2019. To address this, the bill will amend the act to simply refer to Road Rules, allowing for transition between Road Rules 2009 and the Road Rules 2019 and any subsequent road rules without needing to amend the act, this form of citation being provided for in the short title of 'The Rules'.

This bill also addresses legislation with regard to Road Safety (Alcohol and Drugs) Act 1970. This is the legislation that creates the offence of drink and drug-driving in Tasmania and provides police with the authority to test drivers.

In 2018, a number of amendments were made to this act, including a process change allowing police to collect samples of oral fluid from drivers for laboratory analysis following a positive roadside screening test for drugs.

Prior to this, it was required that a blood sample be obtained. However, in making this change, there were two inadvertent omissions. The first relates to evidentiary certificates for the taking and delivery of oral fluid samples. Section 27 of the Road Safety (Alcohol and Drugs) Act 1970 allows

for evidence of the taking, handling and delivering of a blood sample to be given by an evidentiary certificate rather than requiring those involved to give evidence. However, no similar provision was inserted to cover the taking and delivery of oral fluid samples. The bill will rectify this omission.

Targeted and incident-related testing has been used, as required, since the provisions commenced in 2004. In the Western District, Tasmania Police conducted targeted operations prioritising causal factors of serious and fatal crashes. Operations were also conducted, intercepting and targeting drug driving offenders in conjunction with the Drug Investigation Services.

A 27 per cent increase in positive drug-driving offenders were detected, with 2430 drivers either under the influence or having an illicit drug present in their system.

Following are two examples of serious drug-related dangerous driving instances in which were multiple instances of actual danger and high risk. Just last month, a Ravenswood man endangered the lives of children by speeding through a school zone. When a crossing guard stopped the traffic, he overtook the stopped car in front of him on the left-hand side and drove through the crossing before speeding off. He was found to have been driving with an illicit drug in his system.

In February of this year, an unlicensed driver stole a car to meet his drug dealer. When approached by police officers he led the police on a high-speed chase, avoiding two sets of car spikes before he drove through two more sets, then drove against the one-way traffic in Davey Street before crashing into two cars. An oral fluid test found the drug, ice, in his system.

The second issue for the Road Safety (Alcohol and Drugs) Act 1970 relates to Police Powers (Vehicle Interception) Act 2000. This act contains the offence of evading police, which was explained in 2017 to provide a further offence of evading police with aggravating circumstances, with one of these aggravating circumstances being that the driver was committing a drink or drug-driving offence at the time of the evasion.

As a result of the overlapping development of the respective amending acts, the aggravating circumstances in regard to drug-driving refers to the presence of an illicit drug in the driver's breath or blood and not to its presence in their oral fluid. The bill will amend the Police Powers (Vehicle Interception) Act 2000 to rectify this.

I will now speak on the amendments to the Community Protection (Offender Reporting) Act 2005. Assaults, including sexual assaults upon women and children, are a key focus area for Tasmania Police with the investigation and prosecution of perpetrators a priority. In the last year, 325 children in Tasmania were assaulted and 71 of these were sexual assaults. As the minister has previously stated, the Community Protection (Offender Reporting) Act 2005 is the Tasmanian legislation which establishes the state's sex offenders register. Under the act, offenders who commit certain serious offences can be declared reportable offenders, requiring them to report to police to reduce the likelihood of reoffending. The act also recognises reportable offenders from other Australian jurisdictions and from New Zealand.

In 2017, capability was added to the act to place further restrictions on some reportable offenders in the form of a community protection order. Where a magistrate is satisfied that a reportable offender poses a risk to the safety or wellbeing of any child or children, the magistrate may make an order that includes conditions requiring that the reportable offender not associate with or contact certain persons, not be present at or in the vicinity of specified places, not undertake

employment of a specified kind, not consume alcohol or drugs or not engage in movement or conduct of a specified kind.

A corresponding offence provision is found in section 33A. However, when community protection orders were added to the act in 2017, provision was made for recognition of similar orders made in other jurisdictions. To address this, the bill inserts a definition of Community Protection Order into the act that recognises Tasmanian orders, interim orders and similar orders made in other jurisdictions. This allows breaches of corresponding orders from other jurisdictions to be treated as if they were a breach of a Tasmanian order.

The Hodgman Liberal Government remains committed to ensuring Tasmania's children are protected from offenders of this heinous crime. This is in stark contrast to Labor, which blocked our policy for mandatory sentencing for persons convicted of serious sex offences despite 75 per cent of Tasmanians being strongly in support of it.

I refer to the recent memorandum of understanding between the Australian Federal Police and Tasmania Police, who will work more closely together, cooperating through joint investigations and intelligence sharing to combat the sexual exploitation of children. A joint memorandum of understanding was signed by the AFP and Tasmania Police on 4 November 2019. This represents a fantastic outcome for Tasmania. The memorandum formalises and enhances the existing arrangement. In order to successfully identify, investigate and prosecute sexual predators who prey on vulnerable children online, police need to work across jurisdictions. This means a joint effort with the AFP is vital. We now have an even more coordinated approach and response in order to counter child exploitation in our community.

Last year, 2018, saw the Australian Government standing up for the Australian Centre to Counter Child Exploitation, the ACCCE, providing a national approach to combating child exploitation. The centre is led by the Australian Federal Police and includes involvement and cooperation from all states and territories to provide a consistent, holistic and cohesive response to child exploitation and abuse and links closely with the Joint Anti Child Exploitation Teams, JACETs, across Australia, international law enforcement agencies and the Office of the eSafety Commissioner. The ACCCE is expected to be fully operational in March next year, 2020.

A resourcing commitment has been provided by the AFP to enable the formation of a JACET in Tasmania via funding from the ACCCE to further to support a nationally consistent approach to combat child exploitation. The proposed JACET will include two members from the AFP and two members from Tasmania Police. The opportunity to participate in the national JACET model provides Tasmania Police members with opportunities to undertake additional training courses through the AFP and gain practical experience in child exploitation investigation. Additionally, formalising a JACET in Tasmania provides the opportunity to enshrine an informal yet robust and productive relationship between the AFP and Tasmania Police in the area of child exploitation investigation.

While Labor continues to be soft on crime, the Liberal Government makes no apologies for being tough on crime and we will continue to send a strong message to all child sex offenders. Today's bill corrects issues that have been identified from prior legislative reform. The interplay between various acts and amendments enhance the operation of the existing provisions, demonstrating that the Hodgman Liberal Government is delivering on the administrative and legal changes necessary to ensure Tasmania is well governed.

[12.25 p.m.]

Mr SHELTON (Lyons - Minister for Police, Fire and Emergency Management) - Madam Deputy Speaker, I rise to conclude the second reading of the bill and thank all members for their contributions. Some issues were raised.

In response to Ms Butler's query regarding the proposed amendments to the Community Protection (Offender Reporting) Act 2005 and breaches of the community protection orders or equivalent, I can confirm that, under the amendments, a person from another Australian state or territory or from New Zealand who is subject to an order equivalent to a Tasmanian community protection order in that other jurisdiction will be required by the Tasmanian act to comply with the conditions of that order, should they visit Tasmania. Should they breach a condition of that other Australian or New Zealand order while in Tasmania, the breach will be treated in the same way as if they had breached the Tasmanian community protection order.

Ms Butler - Can I ask for the process -

Mr SHELTON - I will continue and we will see. That is, they will have committed an offence in Tasmania against section 33A of the Community Protection (Offender Reporting) Act 2005 and can be arrested and prosecuted for that breach. At this time, the amendments do not seek to recognise orders issued by jurisdictions beyond Australia and New Zealand. To date, the general reporting requirements of the act have only recognised other jurisdictions from within Australia and New Zealand.

The ability for a person to be subject to such an order depends on whether orders of a similar nature exist in the recognised jurisdiction in which they live. Currently, all Australian states and territories have equivalent orders although they may be known by different names, such as a prohibition order, paedophile restraining order, or protection order. If they are under one of those orders, they can be arrested and charged under the Tasmanian act. New Zealand does not currently have an equivalent type of order but it would be recognised under these amendments, should they legislate for one in the future.

In regard to Ms Butler's question about communication between jurisdictions, I can advise each Australian state and territory manages its own register of reportable offenders. Each register feeds into the National Child Sex Offender Register, which is managed by the Australian Criminal Intelligence Commission. The structure is that the registrars from each jurisdiction have regular contact with one another and share information directly as well as through the national register. In addition to this, communication between authorities occurs when a corresponding reportable offender comes to Tasmania; they are required to report to the registrar in this state within three days of arriving, regardless of whether they are subject to an order of the nature of the community protection order.

Ms Butler also asked a question about the 2018 amendments to the Road Safety (Alcohol and Drugs) Act 1970, specifically with regard to the changes allowing for the collection of oral fluids for laboratory analysis, which is not something directly affected by these amendments. Advancements in technology and science have resulted in oral fluid analysis being as reliable as blood analysis. Following a positive roadside screening test, the driver is now required to provide a sample of oral fluid for analysis, with this now being the standard. This brings substantial efficiencies to our health system and to police, as well as meaning drivers spend less time waiting for samples to be taken.

However, despite oral fluids being now standard for testing, a driver may elect, following the provision of that sample, to have a blood sample taken in addition. If a blood sample is taken it is the sample that will be analysed. The amendments posed by this act do not affect this process. What they provide for is a streamlining of the evidential provisions for proving the taking and delivery of oral fluid samples to match the existing provisions that exist for blood samples.

In response to Dr Woodruff's query regarding the fact sheet, I believe my response to Ms Butler has largely covered this. However, for clarity, where the fact sheet refers to 'corresponding orders from other jurisdictions', this should in fact be read as 'limited to corresponding orders from other Australian states and territories and New Zealand'. The fact sheet was intended to be a brief overview of the proposed amendments and in its brevity, this level of detail was missed. The department apologises for the lack of specificity and I thank Dr Woodruff for clarifying the limitations.

I thank all members for their contributions to the bill. The purpose of the bill is to make miscellaneous amendments to several acts administered by the Department of Police, Fire and Emergency Management to correct issues that have been identified as a result of prior legislation reform or to enhance the operation of existing provisions. This bill will continue to see the Government's strong record on law and order delivered. It is very important that we protect and enhance the Tasmanian way of life and this bill helps to deliver this. It is fantastic that my colleagues, John Tucker and Joan Rylah, can talk about the investments and accomplishments of the Police, Fire and Emergency Management portfolio. It means that the Hodgman majority Liberal Government is delivering for Tasmanians to keep Tasmanians safe.

I thank all those involved in putting this bill together. I thank the Department of Police, Fire and Emergency Management for the work that goes into these things and my office for the work they have done. I commend the bill to the House.

Bill read the second time.

Bill read the third time.

LONG SERVICE LEAVE (STATE EMPLOYEES) AMENDMENT BILL 2019 (No. 47)

Second Reading

[12.35 p.m.]

Ms ARCHER (Clark - Minister for Building and Construction - 2R) - Madam Deputy Speaker,
I move -

That the bill be now read the second time.

The purpose of this bill is to amend the Long Service Leave (State Employees) Act 1994 to clarify the long service leave entitlements of persons covered under the act and to address an inequity between persons appointed under the Parliamentary Privilege Act 1989. The amendments also contemporise the act to better support modern employment in the Tasmanian public service, which is more flexible and family-friendly than when the act was originally introduced in the early 1990s.

The definition of 'employee' will be amended with the effect that any person appointed under the Parliamentary Privilege Act will now be an 'employee' for the purposes of the act. This is more inclusive than the current definition, which, in relation to persons appointed under the Parliamentary Privilege Act, only includes those appointed as 'officers' under section 3 of that act. This means that currently persons appointed as sessional and temporary employees under section 4 of the Parliamentary Privilege Act are not entitled to long service leave under the act. This gives rise to an obvious inequity between persons appointed under the Parliamentary Privilege Act.

Transitional provisions regarding the long service leave entitlements of persons appointed under the Parliamentary Privilege Act will be inserted to validate previous calculations.

The current definition and use of the term 'secretary' in relation to disputes and record-keeping is prohibitive for employees appointed under the Parliamentary Privilege Act who do not have a secretary. The amendments will replace the term 'secretary' with the more inclusive term 'relevant manager', which will include provision for employees appointed under the Parliamentary Privilege Act.

Currently, only employees with a 'relevant minister' can apply to seek permission to retain and, if granted, be credited with an entitlement to a period of long service leave in excess of 100 days. Not all employees under the act have a 'relevant minister' as currently defined. This creates an obvious inequity between employees under the act.

The amendments will remove the term 'relevant minister' and replace it with the term 'relevant authority'. 'Relevant authority' has been defined more inclusively. Where an employee does not have a minister who administers the government department or state authority in which they are employed, the minister responsible for administering the act will be the relevant authority, unless the employee is a person appointed under the Parliamentary Privilege Act. The relevant authority for those employees will be their prescribed authority.

Long service leave is currently calculated in accordance with section 12 of the act. As it stands, section 12 does not accommodate modern working arrangements well, with differing interpretations causing confusion and leading to unfair outcomes between employees. The act was introduced at a time when the vast majority of public servants worked a standard 7.6 hours per day, but now there are many circumstances where that is no longer the case. This bill will better accommodate modern working arrangements by varying the basis upon which long service leave entitlements are calculated from days to hours. Further, the calculation of long service leave in section 12 will be simplified, such that there will be a single equation that can be used to calculate the long service leave entitlement of any type of employee over any period of continuous employment not exceeding one year.

References to old industrial entitlements will be updated. References to the term 'sick leave' will be removed and replaced with the term 'personal leave' to reflect the majority of modern Tasmanian public sector awards, in which the term 'personal leave' is defined to include more than only leave provided for personal illness or injury.

The term 'sick leave' under the act has, prior to these amendments, included only personal leave provided for personal illness or injury, and not for other reasons such as those common in the modern Tasmanian public sector awards.

The purpose of these amendments is to clarify, not change, entitlements. As such, where it is intended that a provision relates only to personal leave provided for personal illness or injury, it will be reflected in the amendments - see paragraphs (d),(e), (m) and (p) of clause 7 of the bill.

Any other reference to 'personal leave' in the bill, namely clauses 6, 9 and 12, will encompass other elements of personal leave found in modern Tasmanian public sector awards, for example, personal leave provided to employees:

- to care for members of their immediate family or household who are sick and require care or support;
- to care for members of their immediate family or household who require care due to an unexpected emergency; and
- an employee who is experiencing family violence to attend to health issues or legal, financial, housing, child care or other issues arising from family violence.

It is clear from the extrinsic material for the act that section 11(2)(d) refers to entitlements for maternity leave as 'sick leave' taken because of pregnancy and childbirth. This outdated reference to maternity leave as sick leave will be removed in amendments to section 11(2)(d) of the act, which will also clarify that paid maternity, adoption and partner leave will be able to be included in the calculation of a period of continuous employment. This will better reflect modern industrial entitlements.

Most references to the term 'length of employment' will be replaced with terms like 'calculation of a period of continuous employment'. This use of consistent terminology will clarify how section 11 interacts with other sections of the act.

Outdated references will be updated. The reference in section 5 to the Long Service Leave (Construction Industry) Act 1971, which is no longer in force, will be removed and replaced with the Construction Industry (Long Service) Act 1997, which is currently in force. The outdated references to the Stanley Cool Stores Board in schedule 1 will be removed. I can also indicate that the Government will introduce an amendment to the bill with respect to State Service employees in receipt of the higher duties allowance. In appropriate circumstances, employees will no longer revert back to their substantive classification for any periods of long service leave.

These amendments will be of benefit to both employees and employers, with greater certainty and clarity likely to bring -

Ms O'BYRNE - Point of order, Madam Deputy Speaker. We do not have that speech as our second reading speech.

Ms ARCHER - It is one short sentence that has been included to reflect that there has been a request for amendment. I will introduce the amendment.

Ms O'BYRNE - Have you amended the second reading speech and not circulated a copy to any member of the House?

Ms ARCHER - Sorry?

Ms O'BYRNE - Normally, the protocol would be that if you were amending the second reading speech, we would all receive an amended copy.

Ms ARCHER - Well, no. It does not substantially change -

Ms O'BYRNE - It is not about whether it substantially changes it, Madam Deputy Speaker. It is about the process that is undertaken in this House that the second reading speech, which is checked against delivery and does say draft, it would normally be the appropriate process that you would let us know if that were the case.

Ms ARCHER - I will let you rule, Madam Deputy Speaker.

Madam DEPUTY SPEAKER - I am sure the member's staff will organise a copy of the new speech to be circulated.

Ms ARCHER - It will be. I can confirm to the House that the speech is exactly the same apart from the insertion of a late paragraph due to an amendment that I intend moving today, which I thought the Opposition would be happy about.

Ms O'Byrne - It is fine. I just wondered whether I had missed the second reading speech that you were supposed to separate -

Ms ARCHER - The members of the House will be given the courtesy of -

Ms O'Byrne - Apologies again, given that we do not have that, could I ask the minister to re-read the new section so that we all have that, please?

Ms ARCHER - I am happy to re-read that paragraph.

I also indicate the Government will introduce an amendment to the bill with respect to State Service employees in receipt of the higher duties allowance. In appropriate circumstances, employees will no longer revert back to their substantive classification for any periods of long service leave. That is the only new line.

These amendments will be of benefit to employees and employers with greater certainty and clarity likely to bring more consistent outcomes between employees and reduce disputation between employees and employers. The Tasmanian Government supports flexible working arrangements to ensure positive work life balances and gender equity. These new working arrangements were not commonplace when the act was first introduced in the early 1990s. These amendments will ensure that the act better accommodates the modern working environment in the Tasmanian Public Service.

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

[12.45 p.m.]

Ms O'BYRNE (Bass) - Madam Deputy Speaker, I do take some affront to the fact that we were not provided with a copy of the amended second reading speech. Despite the minister saying it is a minor change, the minister's own words in response to a request from the unions, who she failed to consult with, actually say, 'That to include these allowances in the definition of salary would be a significant change.'

Ms ARCHER - Point of order, Madam Deputy Speaker. If the member would not put words into my mouth, it is not a significant change to the speech. It is a small clause added to the speech that was not reflective of the fact that this would not be a welcome change to the circumstances that it deals with. It is a minor change to the speech and members will be immediately provided with a copy of the speech, I am sure.

Ms O'BYRNE - Being immediately provided after the minister has given the second reading speech is not the appropriate form of the House. The minister, who is a former Speaker and a minister of some time now, is well aware of that. Had this occurred while she was sitting on this side of the House, she would have been outraged that such a thing took place. The minister says that it is only a small change of the speech. Let us remind ourselves of why we have a second reading speech. Second reading speeches are not a nice little explanation for the House. Second reading speeches are a legal document that give effect to the intent of the legislation, so changing it is significant. Not sharing those changes is significant.

The reality is that we support that. The minister knows that because the minister knows that we were going to move such an amendment, so what has happened here is that the minister who did not want to do this piece of work was rolled. She is a little bit embarrassed by it. I am pleased you have been rolled, minister, because this is quite clearly a good change.

Ms ARCHER - Point of order, Madam Deputy Speaker. It is usually customary, while a member calls a point of order, that the member sits down because I have the call.

Ms O'BYRNE - Yes, but I do not have to do anything, apparently, because you do not have to do anything that is not customary, either, do you, Attorney-General?

Ms ARCHER - Madam Deputy Speaker, this attitude from the Opposition can go on all day. I will not have words put into my mouth in relation to this matter. I have not been rolled. It is called negotiating with the members who raised it. Ms Ogilvie wanted this amendment and I had a conversation with her. The matter has been raised with me by the CPSU and I am responding to that. I will not have the member saying that I was rolled.

Dr WOODRUFF - Point of clarification, Madam Deputy Speaker. This is unusual behaviour for a second reading speech. I do not quite understand what point of order the minister keeps jumping up and down about. Maybe we should hear the second reading contribution from the member of the Opposition.

Ms O'BYRNE - If the minister wants to spend all day on it, we can. My point goes to respect for the processes of this House. What led to this problem in the first place was that the minister failed to consult with the union movement prior to introducing the bill to the House. I had a call from outraged and concerned unions on the day the bill was presented because that was the first time they had heard about it. If the minister wants to avoid the embarrassing circumstances in which she has to fix things on the day, then she should actually do her job by consulting with the relevant parties before they come to this House. The CPSU was significantly concerned, as were the other public sector unions, and they raised it with me, they raised it with Ms Ogilvie and they raised it with the Greens.

They also raised it with the minister. They wrote to the minister and raised their concerns about this. They did that on 4 November. On 11 November, just yesterday, the response from the minister said that 'the issue that you raised regarding higher and more responsible duties allowance is one

about which the department is aware', but it also says that 'amending the principal act to include these allowances in the definition of salary would be significant change'. You ruled it out yesterday. My understanding from conversations with other members -

Ms Archer - What does the last paragraph say?

Ms O'BYRNE - I am happy to table the whole thing if you would like.

Ms Archer - You are being selective now. I said that I am always willing to have a discussion about these matters.

Ms O'BYRNE - Yes, you did and I understand that is also your conversation with other members, that you would like to talk about it afterwards. The reality is if you had done your job properly, then you would have had it done already. You would have known what the union concern was because you would have spoken to them. It would not have required last ditch efforts from the union and members of this House, and the fear that the amendment was going to be brought in and you might get rolled on it to force you to do the right thing.

This is fine legislation. It clarifies a number of matters, of which we are utterly supportive, but it is not okay for this Government to continue to act as if they consult and to talk about consultation. We have seen it with the issue of Westbury. We have seen it time and time again with this Government where they announce something and then claim it is consultation.

Learn what consultation is: consultation is having a conversation with people prior to making the decision to ensure that the decision is as well-formed and well-supported as possible. Again and again, this Government fails to do that. It makes a decision and then advises people and then says it is consultation. Absolutely outrageous. It is not good enough that as we stand here now, I still do not have a copy of the amended second reading speech. Does anyone have a copy of the amended second reading speech except the minister?

Ms O'Connor - Ms O'Byrne, you do not matter. You do not need the amended copy of the second reading speech. Just pull out the rubber stamp.

Ms O'BYRNE - The amendment is a good amendment. It is one we would like to support. The bill is a good bill. It is one we would like to support but the minister makes a mockery of this place when I am still waiting. I believe, Madam Deputy Speaker, you said we would be provided immediately with a copy of the second reading.

Madam DEPUTY SPEAKER - I never used the word 'immediately'. You are putting words in the Speaker's mouth now. I never said the word 'immediately'.

Ms O'BYRNE - When do you think, Madam Deputy Speaker, we might get a copy of the second reading amended speech that we are now debating? That is not good enough. Sometimes they are circulated on the day and sometimes the minister might get up and say, 'I am sorry but here is my second reading speech that I have changed'. It does matter. I can see people shaking their heads but it does matter because if you do it on this one what one will you do it on next? It goes to the respect of the House. I have sat on those benches and I know how important it is to get the appropriate information to the opposition benches to debate the bill.

The minister says she is going to do that. We do not have a bill that has that clause and yet we are debating it now. I am wondering whether the minister might prefer to withdraw the bill for the

moment until such time as the new amended bill that you intend to bring in. The question is, are we going to deal with that amendment today? Through you, Madam Deputy Speaker, to get some clarification, will we be dealing with that amendment today, or does the second reading speech merely say we might deal with it at a later date?

Ms Archer - We will be dealing with it today. I indicated I would be moving an amendment.

Ms O'BYRNE - Can you share that amendment with us? I would rather not have this debate later on in limited time.

Ms O'Connor - We have the amendment. We have our own amendment. You would have it too, wouldn't you?

Ms O'BYRNE - I have not seen the minister's amendment that is now substantially a part of this bill.

Mr FERGUSON - Madam Deputy Speaker, if I may assist the House. I provide the additional copies as a courtesy to the House on behalf of the Attorney-General, who does not have to provide this.

Ms O'Byrne - You are joking.

Mr FERGUSON - It is provided as a courtesy to members of the House and always second reading speeches are noted as 'check *Hansard* for delivery'. I have provided a copy.

Ms O'BYRNE - I have been in this House longer than you, Mr Ferguson, and I know as you are going out of the Chamber, there has never been a case where a second reading speech was not provided prior to the actual delivery of that speech. Admittedly, sometimes it might be the day and there is an explanation. Sometimes it might be as they stand and there is an explanation. But I have never stood in this House and not had a second reading speech. Anybody who wants to spend some time, the late Sue Napier would wax lyrical about this issue. If you accidentally made a mistake when reading it the late Sue Napier would draw your attention to it because it matters. It goes to the respect and courtesy of this House.

The minister is embarrassed because she has been rolled by the Premier's office because she failed to negotiate with the union movement. She had to be dragged kicking and screaming into this amendment. It is a good amendment. I am sorry you are embarrassed about it but we will support an amendment if it gives effect to what you committed to the union.

Ms Archer - No, I am not embarrassed. I am embarrassed for you. What a performance.

Ms O'BYRNE - You can do that as much as you want but I was not the one that was rolled by the Premier's office. That was you. I wonder if it is a set up for the second time that she is going to get rolled by the Premier's office. I wonder if there are any other decisions of government that we might see the Premier's office overruling the minister's portfolio. How many times can one scurry away in a car as the Leader of Government Business scurried out after pretending the second reading speech is being distributed as a courtesy?

It has been the practice of this House for years and one would hope it remains the practice of this House. If it is the Government's new decision that they do not have to provide second reading speeches then that is a matter we should be discussing. When we see the amendment, if it does give

effect to the commitment that has been by the Premier's office - not by this minister - to the union movement then we will be supporting it.

Ms Archer - Again, you are misleading the House. You are misleading the House. I did not say that.

Ms O'BYRNE - You can keep interjecting but that is also against the standing orders. Anytime you want to listen to any of the standing order protocols of this House, I suggest the Attorney-General gives some attention to that.

The rest of the act, as I said, is something that we do want to support. It goes to a number of matters of clarification that make sense. I thank the officers of the minister's department for that briefing. As I understand -

Ms Archer - Did you roll your shadow because she is not -

Ms O'BYRNE - I am sorry, you are continuing to interject.

Ms Archer - It is not even your portfolio area.

Ms O'BYRNE - Actually it is my portfolio. Just calm down, Attorney-General, just be happy.

Ms Archer - You do not have this one. Did you attend the briefing?

Ms O'BYRNE - Does that mean that you provided a copy of the second reading speech to another member of parliament, or is that the reason you had to draw attention to that?

Ms Archer - No, you do not trust Ms Butler to deal with this bill.

Ms O'BYRNE - No, you did it because you got rolled and it has only just been written.

The bill that we were given already does a number of things of clarification. I note that nobody has been disadvantaged by the lack of clarification. I understand your customer practice has taken care of everyone through this process and that is a good thing. However, it does resolve some issue around employee status if a person is engaged under the PPA and no-one has been excluded, but it does tidy up the very commonsense customer practice that allowed this long service leave matter to be resolved.

I notice again it resolves the issue that PPA does not necessarily have a departmental secretary as may be the case. From now on, any matter of dispute will actually go to a relevant manager and I confirm that the advice I received from the department that there is no expectation that if you have a minister or a secretary responsible, that they would be dealing with or providing that power to any relevant manager. This is only in the circumstance whereby there is no secretary or minister who is responsible for that.

It accommodates the calculation of time from days to hours which, as the second reading speech states - in the one we were given - that that is a commitment to flexible working hours. I am supportive of flexible working hours. That is a good thing. However, it is also important to note that not everybody has reduced working hours because of their desire for flexibility. Some people have those things put upon them, for instance the reduction in shift times that we are seeing at the Royal Hobart Hospital, down from eight to six hours. It is beholden upon me at any time that we

talk about flexible working hours, to remind ourselves that that is different from people who are being under employed.

We all know that it matters for many people: the ability to get a loan, the ability to do a number of things. Your financial circumstances are based on permanent, full-time work. This deals with the flexible changes that have been made in how work is calculated.

It deals with the historic language of sick leave which is being moved now to personal leave. This language has been old language, whereby matters of such issues as maternity leave and adoption leave were dealt with under some antiquated language. This deals with maternity leave and adoption leave and references to terminology that are no longer consistent in acts that are no longer consistent. It is a nice piece of tidy up work, which is exactly what the minister said to the union movement, to the CPSU, when she denied their desire to have the issue of the circumstance where State Service employees in receipt of a higher duties allowance or a more responsible duties allowance are not paid that allowance in periods of long service leave, even if the duties that attract the allowance would have been continuous for the period of the paid leave and are resumed immediately on completion of the period of the paid leave.

Under the State Service Employment Declaration, a permanent State Service employee who is assigned fixed term duties at a higher level than their substantive classification, is paid a higher duties allowances as compensation for the higher-level work. That means there are hundreds of permanent employees who are currently acting in higher level roles, often for some years, who have their pay cut if they take a period of long service leave. It is there that that matter is resolved. I am pleased the minister is going to bring an amendment in to resolve that.

I just wish the minister had consulted with the union movement prior to the bill coming to the House and had the simple courtesy to follow the precedence of this House to ensure that an amended second reading speech was provided to members of this House prior to them standing to debate the matter before the House.

It is all well and good for Mr Ferguson to come in and say, 'It is a courtesy and we do not have to do it'. The reality is that there has never been a circumstance where it has not been done. It is inconsistent with the practices of this House and is a significant commitment that this minister stuffed it up by not consulting with the union movement. I am glad the Premier's office has intervened. I am glad she has been rolled and we look forward to supporting the amendment, if and when we see it.

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

LONG SERVICE LEAVE (STATE EMPLOYEES) AMENDMENT BILL 2019 (No. 47)

Second Reading

Resumed from above.

[2.30 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, the Long Service Leave (State Employees) Amendment Bill 2019 is solid legislation. It is modernising the current act and we will be supporting it.

I thank the members of the Department of Justice who gave us a briefing yesterday. It is disappointing that we only had the legislation for a bit over a week and it has come on today after our briefing yesterday.

We recognise that this is a clarification bill and it institutes a measure of greater fairness into the legislation. It deals with a long-standing inequity in the ability to obtain long service leave and that is for people who are employed under the Parliamentary Privileges Act of 1989. When you go into the Parliamentary Privilege Act, it is pretty clear on a black letter law reading of it, that the long service leave entitlements were initially only intended to be there for officers appointed under the Parliamentary Privilege Act. It is only 30 years ago but it does point to another time and perhaps a more hierarchical approach of ye olde times where other people who work within this beautiful precinct were not covered by the long service leave provisions in the Parliamentary Privilege Act. I am pleased to note that despite that, as I understand it, long service leave was awarded to people who were employed in this parliamentary precinct under the Parliamentary Privilege Act.

I note that there is a doubts removal clause in relation to that specific circumstance where, while the legislation did not cover those who were other than officers, did receive long service leave entitlements. There is a doubts removal clause which validates previous calculations made to employees.

In this building, under the Parliamentary Privilege Act, there is no secretary so there is a relevant manager or managers. That is an important change: 'relevant ministers' changed to 'relevant authority'.

On the point of consultation, I too received the same correspondence from the CPSU's secretary, Tom Lynch, late yesterday and again, I note that this is all quite rushed. As I recall, the bill was tabled on the Thursday of the last sitting. The union, which has the greatest level of responsibility for State Service workers, public sector workers, was not consulted and then there was a flurry of activity where we were given a briefing at 2 o'clock on the Monday afternoon before parliament sits and debate the bill today. The CPSU, having not been heard by the minister, writes a letter asking other members in this place to support an amendment which makes provision for people who have been operating at a higher level of duties in the State Service. I do not know, Ms O'Byrne, if you read any of Mr Lynch's comments into *Hansard*?

Ms O'Byrne - I read the reason for having it. I read the second, third and fourth paragraphs of that letter. The bit about consultation you could read in if you want, the one that talks about not being consulted.

Ms O'CONNOR - Yes, that is the point. During the briefing that we received yesterday I asked, 'Has there been contact with the unions, or consultation with unions? What is their feedback?,' and was very quickly told that there had been no consultation with relevant unions, particularly the CPSU. As I understand it, there had been a belated recognition that there had been too little consultation and that the CPSU, correct me if I am wrong, Attorney-General, were not given a preliminary draft, were they? They had to deal with the bill that was tabled. Is that right?

Ms Archer - I think that is correct, yes.

Ms O'CONNOR - There was nothing sincere, if you like, about consulting with the unions who have that collective responsibility for State Service workers. I do not understand why you would not do that. Why you would not do it, first of all, because you want the legislation to be the

best that it can be? You want State Service workers to be broadly supportive of these changes. The politics is that it is better to say, 'we consulted' than 'we did not and we ignored a major union'.

Ms O'Byrne - It is a good bill. There is nothing wrong with the bill.

Ms O'CONNOR - That is right.

Madam SPEAKER - Through the Chair, please.

Ms O'Byrne - I was saying something nice about the bill, Madam Speaker. I thought you would be pleased with me.

Madam SPEAKER - I accept that but you might have forgotten I was in the room.

Ms O'CONNOR - Yes, it is good legislation. There is only one improvement to be made to it and that improvement has been referred to now by the Attorney-General in the second reading speech and by yourself, Ms O'Byrne.

The contrast is interesting. I want to take a moment to talk about the kind of consultation manoeuvres that we see come out of this Government. It will not consult on legislation that will impact on the lives of State Service workers - no consultation. However, if there is a community mood for us to have stronger electoral laws in Tasmania, if it is very clear that we have shamefully weak donations disclosure laws in this state, if it is a matter of national knowledge that we have the weakest donations disclosure laws in the country, if you can point to a state election result which was so infected by dark money -

Mr Tucker - Dark MOFO.

Ms O'CONNOR - You might one day, Mr Tucker, make a useful contribution in this place. You just might.

Mr Tucker - Thank you, Ms O'Connor.

Ms O'CONNOR - These are really important matters. You might laugh.

Madam SPEAKER - Can we have some discipline, please.

Ms O'CONNOR - Through you, Madam Speaker, Mr Tucker might laugh at the point that the Greens are trying to make in this place, that the last state election, Mr Tucker, was contaminated with dark money. The Australian Electoral Commission returns show that of \$4 million which was donated to your party only \$1 million of that was declared in a way where the source of the money was known. One dollar out of every four your party got from corporate donors was declared in a manner that was transparent so Tasmanians know where the money came from; \$3 million went into the Liberal Party coffers in a shady way, no transparency, so that Tasmanians when they did go to the polls had no idea who was putting the money into your party. Mr Tucker, when you and your colleagues come in here and puff yourselves up and talk about a strong, stable Liberal majority government, you are sitting on a one seat majority. Do not get too smug about it.

The only reason you got anything close to a safe set of numbers in here now is because Ms Ogilvie came in and sat on your side of the bench. It is barely a healthy majority, is it?

Madam Speaker, the point I am making is that there is a strong public mood for electoral reform. We have the weakest electoral laws in the country. It is obvious. Pull those corflutes down from those pokies pubs that you had them plastered all over.

Ms Archer - I said relevance to the bill.

Ms O'CONNOR - There is relevance, because an issue of consultation has arisen. No consultation on this bill, but on electoral reform in Tasmania we have a consultation process that is going out into Rip Van Winkle land so that this Liberal Government can drag its heels all the way to the next state election, rolling the money in from their corporate donors as they go. They are consulting themselves purple in the face to delay meaningful reform. I do refer members in this place. I hear the groans of the Attorney-General. You cop it, Attorney-General, because you ran away from the media in Westbury, you will not consult with unions and you are the House dobber.

I needed to make that point because it is galling that, when it suits this Government, they will consult forever and that is what is happening on electoral reform. When it does not suit them they do not consult, which is what has happened with the Long Service Leave (State Employees) Amendment Bill and with the prison they want to plonk in the town of Westbury.

We also recognise that the act was introduced at a time when most public servants worked a standard 7.6 hours a day. As we all know, particularly any of us who come into contact with people working in government departments, that is most certainly no longer the case. This bill is designed to adjust to those modern working arrangements so that entitlement for long service leave is calculated from days to hours.

The language has changed. Sick leave will be replaced with the words 'personal leave'. Personal leave can accommodate a range of reasons for leave, including if you need to look after a member of your family, or if you are experiencing family violence. There is a range of issues that will now be captured under a more appropriate term of personal leave. I had the original second reading speech and the draft simply includes the only change I can identify in the second reading speech, which is the inclusion of the mea culpa paragraph -

I can also indicate the Government will introduce an amendment to the bill with respect to State Service employees in receipt of a higher duties allowance. In appropriate circumstances employees will no longer revert back to their substantive classification for any periods of long service leave.

I do not know, Attorney-General, whether you have consulted with the union on your proposed amendment. Are we going to see the proposed amendment before you table it?

Ms Archer - Yes, you will.

Ms O'CONNOR - There is a set of words here that have been proposed by the Community and Public Sector Union. I will simply flag that in the absence of being able to see what has been drafted in the period between yesterday, when I had a briefing that gave no indication that this amendment was coming, and today I can indicate that, no doubt, this is the same form of words that Ms O'Byrne has in her amendment. On behalf of the Greens, I am making it clear that we reserve the right to introduce an amendment to give effect to that acknowledgement of the impact of time in higher duties on long service leave entitlements, or that there should be a recognition of that in long service leave entitlements. We will exercise our right to move this amendment, should the

amendment that comes, whenever it does arrive from the Office of Parliamentary Counsel, not achieve this effect. The new clause A, which would go in on page 5 after clause 4, would insert the following new clause -

A. Section 4 amended (Salary) -

Section 4 of the Principal Act is amended as follows -

- (a) by inserting the following paragraph after (d) in subsection (iv) -
 - (e) Higher duties/more responsible duties or relieving allowances where the duties that attract the allowance would have been continuous but for the period of long service leave and are resumed immediately on the completion of the period of long service leave; and
- (b) by omitting (c) from subsection 4(2).

It is disappointing how hastily this has been done. It is disappointing that you get two second reading speeches, you do not see the amendment that is proposed, you want to say good things about this legislation and you are treated like a mushroom. This is good legislation. We support it. We want to go into Committee. The Attorney-General has flagged that we are going anyway but we want to make sure that provision and the concerns of the union, which represents thousands of public sector workers in Tasmania, are listened to this time.

[2.46 p.m.]

Ms OGILVIE (Clark) - Madam Speaker, I rise to make a brief contribution. I want to clarify the accurate response to a couple of things that the former speaker said. My seat in this Chamber is the same seat that the last independent member in this Tasmanian Parliament sat in. That is, Mr Bruce Goodluck. That is the reason I chose that seat because in this old-fashioned parliament, in the absence of a crossbench, I had to select a seat and I went with a precedent. That is the reason I sit in the seat that I sit in. Because I am an independent I am a precedent of one. If we were to implement a crossbench I would happily sit on that.

Ms O'Connor - You have brought a lot of smiles to Government members' faces. That is all I will say.

Ms OGILVIE - You should try smiling a bit more often, Ms O'Connor, as well.

Ms O'Connor - Maybe you don't see my pretty side.

Ms OGILVIE - I have looked at the video and seen some of the faces you make behind me, Ms O'Connor, so I have seen your pretty side.

In relation to this bill, it is an administrative matter. It is fixing some gaps and changes that needed to be made to update the legislation before the House. We support that.

I was pleased to hear from the Secretary of the CPSU in relation to the amendments that he sought, which also seemed to be administrative in nature and sensible. When it comes to matters such as long service leave, it is not only the leave entitlement that is used as the basis for calculation. It goes to other matters connected with that, such as superannuation and redundancy entitlements.

It is important we get these calculations right and that we look after people in the best way that we can. It is true to say that once I received the email from the General Secretary, I did pick up the phone to the minister and put to her that it seemed to be an entirely sensible proposal and we had a brief conversation about that. I was pleased to see that she had listened and, not wishing to over-egg it, perhaps my encouragement assisted a little. The job of the minister is hard enough without being hard-nosed about holding the line when things are patently sensible, and to be able to make those changes in good time is beneficial.

Ms Archer - We've moved quite a few amendments like that in this House, yes.

Ms OGILVIE - Yes, I have seen that as well. That was a job well done.

Madam Speaker, I support this bill. I am pleased to see that sense prevailed very quickly, but I concur with the Labor and Greens comments around the speed with which this has come in and the agility with which those who are reviewing the legislation have had to move and act very quickly but, on the whole, it is a sensible bill. I look forward to hearing more about where we are going with the amendment in Committee, so I will leave it at that.

[2.50 p.m.]

Mr TUCKER (Lyons) - Madam Speaker, I commend the minister for getting this bill up in the House so quickly; it is quite an achievement.

Long service leave was introduced in Australia in the 1860s. The idea was to allow civil servants the opportunity to sail home to England after 10 years' service in the colonies. In Australia, the benefits were first granted to Victorian and South Australian civil servants. Legislation passed by South Australia and Victoria in 1862 initially provided between six and 12 months paid leave to civil servants after 10 years of service to the colonies, at a time where it could take multiple months to travel by sea. The scheme has been described by Burgess and others as providing respite for those who were separated by distance between home and workplace, and providing a benefit reserved for those relatively high in the colony administration hierarchy.

The Long Service Leave (State Employees) Amendment Bill 2019 amends the act to clarify the entitlements of employees offering better support, more flexibility and is more family-friendly than when the act was introduced in the early 1990s. The aim of these amendments is to clarify the entitlements of employees under the act and better support the modern working environment.

The amendments achieve this by varying the basis on which long service leave accruals and debits are calculated to provide a fairer method for workers who do not work standard work days or work patterns; clarifying which persons are entitled to long service leave and what entitlements they are provided with under the act; providing a mechanism for all employees as defined in section 3 of the act to seek permission to retain an entitlement for a period of long service leave in excess of 100 days; and making further and minor adjustments and changes to improve the operation of the act.

Amendment is made to the definition of 'employee', allowing for any person appointed under Parliamentary Privilege Act now being an employee for the purpose of the act. This is more comprehensive than the previous definition which in relation to persons appointed under the Parliamentary Privilege Act only include persons appointed as officers under the act.

There is clarification between length of employment and continuous employment. The connection between length of employment and continuous employment in sections 10 and 11 has been clarified. Section 11 will be renamed 'Calculation of Period of Continuous Employment'. This is consistent with terminology used in section 10 and throughout the act.

Outdated references have been updated. Reference to the Construction Industry (Long Service Leave) Act 1971 has been removed and replaced with the Construction Industry (Long Service) Act 1997.

As the Long Service Leave (State Employees) Act currently stands, persons appointed as officers under the Parliamentary Privilege Act, section 3, are entitled to long service leave. Employees appointed under section 4 of the Parliamentary Privilege Act are not included within the meaning of 'employee' under the Long Service Leave (State Employees) Act and are therefore only entitled to long service leave in accordance with the Long Service Leave Act 1976 and have been receiving entitlements under the 1994 act. Changing the classification of 'employee' will mean if employed under section 4, people will be entitled to long service leave entitlements under the Long Service Leave (State Employees) Act.

The Government has been made aware of difficulties in calculating the long service leave entitlements of workers who do not work a standard day, such as shift workers, part-time workers and those working under flexible working arrangements. It was introduced at a time when the vast majority of public servants worked a 7.6 hours per day. Now there are many circumstances where this is no longer the case. Different people can work a different number of hours a day. A single employee may work different hours on different days of the week. Confusion regarding what constitutes a day for the purposes of the act has led to inconsistent interpretations and outcomes for employees.

A new equation for calculating long service leave entitlements varies the basis on which long service leave accruals and debits are calculated from days to hours to provide a fairer method for workers who do not work standard work days or work patterns. In addition, the calculation of long service leave in section 12 has been simplified, such that there is a single equation that can be used to calculate the long service leave entitlement of any type of employee over any period of continuous employment not exceeding one year.

References to the old industrial entitlements have been updated and references to the term 'sick leave' have been removed and been replaced with the term 'personal leave', reflecting the modern Tasmanian public sector awards in which personal leave is defined to include more than leave provided for personal illness or injury, better reflecting modern industry entitlements.

Additionally, references to maternity leave as sick leave have been removed in amendments to section 11(2)(d) which have clarified that paid maternity, adoption and partner leave are to be included in the calculation of the period of continuous employment.

All employees will be able to seek permission for and, if granted, be credited with a period of long service leave in excess of 100 days, due to the replacement of the term 'relevant minister' with the more inclusive term 'relevant authority' providing greater fairness between employees.

The current definition and the use of the term 'secretary' in relation to disputes and record keeping is prohibitive for employees appointed under the Parliamentary Privilege Act who do not have a secretary. The amendments replace the term 'secretary' with the more inclusive term 'relevant

manager', which includes provisions for employees appointed under the Parliamentary Privilege Act. Any changes to entitlements are not expected to have any financial effects.

WorkSafe Tasmania undertook consultation on the bill with agencies through the State Service Management Office and directly with the Deputy Clerks of the Legislative Council and House of Assembly.

The parliamentary Liberal Party supports the introduction of the Long Service Leave (State Employees) Amendment Bill 2019. Today, long service leave is a constitutional employee benefit provided to loyal, long-serving employees, in addition to annual leave and other entitlements. It provides an incentive for employees to remain with the company, as well as giving them a more extended period of rest and relaxation. It remains one of the great entitlements for working Australians. It is ingrained in the Australian culture and is specified by state-based and some federal legislation.

Long service leave is a valuable and valued entitlement. However, since the inception of long service leave in the nineteenth century, the circumstances of work and society have changed immeasurably. Work has changed dramatically, both in its complexity and intensity. Work is less secure, changes of employment and employer are more frequent and workers are more often required to reskill in order to obtain and retain employment.

All these factors make entitlement and access to long service leave even more important today. The current long service leave system is, by all accounts, complex. There are multiple working parts and the system is non-uniform across jurisdictions and industries. Therefore a more simplified and easier to apply approach should be introduced, streamlining long service leave arrangements. Amendments should be focused on removing unnecessary regulation, reducing red tape and the administration burden on businesses. The changes seek to provide further rights to employees and assist employers. I support the bill.

[3.00 p.m.]

Mrs RYLAH (Braddon) - Madam Speaker, I support the bill.

I would like to begin by giving some historical context to take it a bit further from what my colleague, Mr Tucker, said in regard to long service leave. Long service leave is unique. It is unique to the Antipodes. Long service leave had its genesis in the colonial era providing public service employees in South Australia and Victoria with furlough to enable them to visit the United Kingdom. In this respect, it is generally understood it is an entitlement unique to Australia and New Zealand; unique in the world then and today. In fact, rare in the world today.

In 1911, long before compulsory superannuation and retirement income policies, the first amendments were made to Commonwealth long service leave benefits. Social welfare was in its infancy with age pension schemes non-existent until the early 1900s, post Federation. Long service leave was confined to the federal public service until the 1940s, from which time it began its gradual extension into the private sector, into the large corporations. Companies in my electorate that had long service leave going back that far were companies like APPM, Tioxide, VDL and *The Advocate* or Harris and Company.

I also know from my past experience that the Colonial Sugar Refinery, CSR, had one of the most amazing long service leave programs because I was involved when it was taken over. It had

an amazingly complex and colonial-style long service leave conditions right up until the end of the 1990s.

Long service leave has come a long way. An inclusion into the private sector awards and entitlements has been created through the processes of conciliation and arbitration. Entitlements under these provisions were based on the continuous employment with one employer. State-based legislative entitlements to long service leave emerged from the 1950s at a time when the Australian economy was experiencing a post-war boom.

Over time, a number of rationales have underpinned the provision of long service leave these being, to provide employees with an extended leave of absence in order to renew their energies, to reward long and faithful service with an employer and to reduce labour turnover.

That is where it started and much has happened since then: taxation reform in 1978 and again in the 1990s; transference options between some public sector jurisdictions. Overall, long service leave in Australia has been recognised as an important form of long-term remuneration and this bill is cleaning up one section of the Tasmanian regulatory area, ensuring equity and fairness.

To the details. One of the purposes of this bill is to amend the Long Service Leave (State Employees) Act 1994 to clarify the long service leave entitlements to address an inequity between persons appointed under the Parliamentary Privilege Act 1989. The amendment also contemporises the act to better support modern employment in the Tasmanian public service. A new equation for calculating long service leave entitlements varies the basis on which long service leave accruals and debits are calculated from days to hours, designed to be fairer to those who do not work full-time hours.

The Long Service Leave Act 1994 does not cope well with a variety of working arrangements that now exist for the public sector workforce. Fairness and equity are themes throughout this bill. The first one is amending the act to provide entitlements in hours rather than days, as has been mentioned earlier. This will assist in interpreting leave entitlements and therefore facilitate harmonisation with other leave entitlements such as recreation, personal and sick leave which are all calculated by hours. Calculations will be easier, consistent and accurate. Varying the basis upon which long service leave entitlements are calculated from days to hours clarifies how much leave an employee is entitled to and better accommodates modern, flexible working arrangements that require a flexible approach.

In making these changes we have been very careful not to create unintended consequences by it being overly prescriptive. This also addresses the method of calculating entitlements for employees whose hours vary and whose employment status changes over a qualifying period of service. This then relates to both employees who change status, for example from full-time to part-time, and casual employees who work variable hours. These minor amendments largely clarify entitlements or correct previous errors in calculations. Hence, it is not anticipated that there will be any significant financial impacts.

In Tasmania, long service leave is exclusive of public holidays and a public holiday falling during a period of long service leave extends the period of leave. That makes sense. This reflects the approach taken with annual leave whereby a period of annual leave is extended by a public holiday and recognises that there seems to be little justification for the exclusion of public holidays. In Tasmania, the cashing out of leave entitlements, whereby payment is provided to an employee

in lieu of the employee taking leave, must be by mutual agreement between the employer and the employee.

Let us turn to the transitional provisions. The transitional provisions are necessary in relation to the long service leave entitlements of persons appointed under the Parliamentary Privilege Act. Under that act, persons may be appointed as officers under section 3 or a sessional or temporary employee under section 4. As the Long Service Leave Act currently stands, the only persons appointed under the Parliamentary Privilege Act entitled to long service leave are those appointed under section 3 as officers. This means that employees appointed under section 4 technically accrue long service leave entitlements under the Long Service Leave Act of 1976. The proposed transitional provisions validate and further deal with these previous calculations. A proposed change to the definition of 'employee' will mean that persons appointed under section 4 of the Parliamentary Privilege Act will now technically be entitled to long service leave entitlements under the Long Service Leave (State Employees) Act.

The contemporary labour market is characterised by a number of features that, to varying degrees, have a bearing on long service leave and its adequacy for Australian workers in the 21st century. These features relate to increased work intensification, the ever-growing focus on helping employees balance work and family commitments, the ability of employees to take their annual leave, increased casualisation and declining full-time employment, job tenure and mobility, predicted labour shortages and the protection of employee entitlements.

Work intensification in Australia has grown, both in terms of employees working harder within each hour spent at work and working longer hours. For example, between 1982 and 2002 the average working hours of full-time workers increased from 42 hours to 44 hours per week. Underlying this figure is an increasing number of employees who work 50 plus hours per week, up from 20 per cent in 1982 to 30 per cent in 2002. This is contrasted by the experience of other OECD countries where there has been little change or a trend towards reducing full-time working hours.

In addition to working longer hours, there is evidence that Australian employees are working harder within each hour spent at work. For example, data from the 1990s Australian Workplace and Industrial Relations Survey indicated that approximately half of the workforce experienced increased work effort, stress levels and pace of work within the previous 12 months. More recent research into employee attitudes confirms that many employees experience the pressures of increased workload, unrealistic expectations and lack of staff and they believe that this will get worse rather than better.

As a consequence of work intensification, it is becoming harder for families and those employees working extended hours, that is 45 hours plus, and there is a lack of satisfaction with the balance between work and family. In addition, working longer hours is seen as creating occupational health and safety risks, detracting from the quality of work produced and adversely impacting on skill formation.

One of the most significant developments in industrial relations in recent years has been the increased focus on balancing work and family commitments and more generally work and life. In many ways, this reflects the changing demographic of the labour market. Intensification has made it more difficult to manage the competing interests of work and family. The Hodgman Liberal Government recognises the significance of this issue and are examining ways in which to improve the balance of work and family commitments in both the public and private sectors. This has included reviewing relevant industrial relations and anti-discrimination legislation to identify

impediments to achieving balance, the promotion of initiatives, developing work and family strategies and enhancing family friendly practices in the public sector.

In Tasmania, an employee is entitled to remuneration they would have received, had they remained at work during that period. The definition of ordinary pay would specifically include, where applicable, over-award payments, shift work allowances and weekend penalty rates. This recognises the principle that employees should not be worse off financially when they take a period of leave and reflects the approach taken with annual leave in which, as a general rule, an employees' ordinary rate of pay includes over-award payments and shift work premiums, including weekend and public holiday shifts.

I thank the hardworking state employees we rely upon and who assist us in this House: our four Clerks at the Table, Hansard, the Parliamentary Library, Legislature-General and all parliamentary staff. The amendment before us today is to ensure all parliamentary staff are dealt with in an equitable manner. Parliamentary staff are not answerable in any way to the government of the day, nor are they appointed by politicians or political organisations. They are the servants only of the House and it is this long-preserved independence from political control that has endowed them with their own special value to the smooth running of the machinery of government. Whatever the complexion of the government in office, the House can be certain of receiving the completely impartial and professional, expert service for which its officers enjoy a reputation second to none and upon which all members can and do rely unhesitatingly regardless of party affiliation, religious distinctions or personal differences of temperament.

The Clerk of the House is the principal permanent officer of the House of Assembly. It is his or her responsibility to advise the Speaker and other members on procedural matters as well as to keep the journals of the House, that is the votes and proceedings, notices of motion and orders of the day. Furthermore, the Clerk acts as chair of a meeting prior to the election of the Speaker and is required to certify the passing of bills and ensure they are correct when delivering them to the Legislative Council. The Clerk also has custody of all papers and accounts presented to the House. The other principal permanent officers are the Deputy Clerk, the Clerk-Assistant, the Second Clerk-Assistant, and the Clerk of Papers. I thank you all for the work that you do.

The Parliamentary Reporting Service, more commonly known as Hansard, was set up in Tasmania in 1979. The role of Hansard is to record and publish the debates of the House of Assembly, the Legislative Council, and their committees. In the Tasmanian system the debates are digitally recorded, typed, edited and given to the members for perusal and then published via the parliament's internet page. The *Hansard* is a valuable service for the public as it enables them to follow the parliamentary debates, ensures an accurate record of debates for accurate interpretation of the intent of parliament, and enables interested constituents to assess the performance of their parliamentary representatives.

The Parliamentary Library was established in 1852. Its principal function is to provide members and officers of parliament with information they need in connection with their parliamentary duties. Initially, the Clerk of the House of Assembly was librarian until the mid-1900s when the State Library provided the services of full-time staff. More recently, the Tasmanian Parliament assumed the administration of the library and responsibility for the staff. The present library premises have been occupied since 1980. The information gathered for members of parliament is obtained from the library's own collection, other parliamentary libraries and other external sources. A significant part of the library's work is media monitoring. An extensive newspaper clipping file dating from the early 1970s is now available electronically -

Ms O'BYRNE - Point of order, Mr Deputy Speaker. I draw your attention to standing order 142. Whilst this is a wonderful explanation of what the House does, the bill before us is about long service leave.

Ms Archer - You didn't draw Ms O'Connor. She went off track, too.

Ms O'BYRNE - We seem to be filling in time for the sake of it. If not, perhaps we can go to standing order 151, which is continued irrelevance.

Mr DEPUTY SPEAKER - The point of order is not relevant. It has been a wide-ranging debate.

Mrs RYLAH - More recently, monitoring of radio and television current affairs programs has taken place. In 1990, the Parliamentary Research Service was established to provide -

Ms O'BYRNE - Point of order, Mr Deputy Speaker. It goes to standing order 151. Can you point me to the place in the legislation that deals with how Hansard and the library record information, or are we supposed to be talking about long service leave?

Mrs RYLAH - They are part of the House. In 1990, the Parliamentary Research Service was established to provide more in-depth research for members.

Our state employees are hardworking and professional, committed to ensuring this House continues to run as it has for more than two centuries. By doing so, they give honour and dignity to our founding fathers and our political history. We need to deal fairly and accurately with these staff, instead of the current 'dog's breakfast' as described by some, and clarify that the long service entitlements for parliamentary staff are fair.

[3.17 p.m.]

Ms ARCHER (Clark - Minister for Building and Construction) - Mr Deputy Speaker, I thank members who have made contributions on this bill. It is disappointing when members have the gall to interject on members who have every right to make a contribution on a bill in this place. We have only been going since 2.30 p.m. and it is disappointing if members cannot sustain themselves through another member's contribution.

I found that quite interesting. I thought I knew quite a bit about parliament, having been in the Speaker's role, and many other members have been in this place longer than me. We can always learn more and there should be no impediment to any member making a contribution. We allowed a fair bit of latitude on this debate for Ms O'Connor - I am sure she will admit that.

Ms O'Connor - Yes.

Ms ARCHER - I will leave it at that. While I am thanking members, I thank Ms O'Connor for being constructive and acknowledging the fairness and equity this amendment bill provides.

Ms O'Connor - Yes.

Ms O'Byrne - I said that. I thought it was a good bill too.

Ms ARCHER - I am not going to touch on Ms O'Byrne's appalling contribution. Throughout the contribution, it was loaded with all sorts of remarks and said that I had been rolled in coming into the House. I am sure Ms Haddad, your shadow attorney-general, will attest to this fact: I have come here after consulting with members on a number of occasions and have moved amendments. I could have given no warning and moved an amendment. There is nothing wrong with that, and I will explain how all of this came about.

I received correspondence from the Clerks of both Houses of this parliament. At their request, I took on the issue of fixing the error we have all referred to in our speeches this afternoon.

Ms O'Connor - That's good.

Ms ARCHER - This is something which concerned me greatly, having some background knowledge of this as well in my former role in relation to temporary and sessional employees not being employed under the same conditions under the Parliamentary Privilege Act. I am very proud of the fact that we have been able, through the assistance of my department, to deal with this matter swiftly and quickly because it is an - and I will loosely term this - a 'fix-up' bill. It is a bill to fix up things that have been happening in practice and we are now going back and validating things as well. We do that quite frequently in this place.

When that was considered by the department, there were a few other matters like the glaring obvious change that needed to occur in ensuring that maternity leave was not referred to as sick leave. It is not being sick, we all know that; maternity leave is something quite different and we should be using modern and contemporary language in our statutes as much as possible and to reflect the wage conditions that we have.

Because we have been having ongoing negotiations about entitlements and other conditions of employment with the unions, it was by no means something that was going to alter anything other than those technical amendments that needed to be changed.

Ms O'Connor - It's just good form and easier on you in the long run if you consult.

Ms ARCHER - I take your comment, Ms O'Connor, but I am explaining how this happened. Obviously, the CPSU, on learning of this, raised their other issue and my initial thought, naturally enough, was that it was something that required consideration. I did give it consideration. I have since spoken to the member for Clark, Ms Ogilvie, on this occasion. She rang me directly, had a discussion about it and raised the issue that had been raised by the union. Overnight I gave that further consideration and hence we have instructed the Office of Parliamentary Counsel to make the amendment. I will talk to that when I formally move it in Committee, but it is reflective of OPC's consideration and drafting advice in relation to the amendment sought by the issue raised by the union.

There is nothing untoward in any of this and I am not going to reflect on the Clerks or any issue there because I do not like to bring them into the debate in this House. Suffice it to say, that is how this bill originated. There is no ill intent. It is not unusual for me to come into this place and move an amendment to a Government bill. We obviously try not to do that, but there have been a couple of occasions where it has been achievable. I want to take this opportunity to thank the Office of Parliamentary Counsel for dropping everything to do this, because I did not want this held up. This matter can now be dealt with, hopefully by the end of this year, for the sake of, not least of all, our

parliamentary staff who remain in limbo and our State Service employees in relation to the other technical amendments.

This is the second last sitting week, if we do not include GBE hearings, and the bill would need to go through the other place. Again, there is no secret in the haste of this in relation to why I might want to get this dealt with and to negotiate with this House and move the amendment to deal with this anomaly that has been raised.

I do not think there were any questions per se asked of me. Correct me if I am wrong, members, but I have run through the process of how this came about and members have now received a copy of that amendment which I will move at the appropriate time in Committee. I hope that members will be favourable to that because it is simply implementing what has been requested but obviously on the advice and drafting of OPC.

Bill read the second time.

LONG SERVICE LEAVE (STATE EMPLOYEES) AMENDMENT BILL 2019 (No. 47)

In Committee

Clause 1 agreed to.

Clause 2 -
Commencement

Ms O'BYRNE - In no way reflecting on the upper House, I am interested if you could give us any idea when you think this might receive royal assent. The upper House, as members would be aware, have spent an awful lot of time in briefings and some excursions over the last month or more. It has been some time since we have seen a lot of legislation go through. They have a significant amount of legislation starting to sit there to be dealt with. Do you have any idea whether you would expect them to have dealt with this legislation prior to the House rising for the year so we have an idea of when royal assent might be?

Ms ARCHER - As the Deputy Leader of the Opposition has highlighted, I do not have any control over when they might list things in the other place. The number of briefings that have been occurring up there have been at the request of members; they are certainly not always Government briefings. I have noted there are some bills waiting to be debated but it is a matter for the Legislative Council to manage its own workload. Given this matter with an amendment, should it be successful, at clause 4, then hopefully it could be a matter they would be able to deal with quite quickly. I would certainly not oppose it from my perspective of going through as quickly as possible, but it is always subject to how they list their bills and the priority of those bills.

Ms O'BYRNE - Would you anticipate that the Leader for Government Business upstairs would bring on some legislation so we could get this dealt with this year, given it was brought into parliament with some haste? As has been mentioned, it has been very quickly dealt with and if that implies the level of urgency you would anticipate that the Leader for Government Business upstairs would be listing it for debate.

Ms ARCHER - I will certainly be communicating that I would like this dealt with as soon as possible to get the anomalies sorted, but again I note they have been dealing with some major bills I have put through this place in terms of the Magistrates Court package and other things and that took up quite a bit of briefing time as well. We have had some quite extensive and complex bills that have gone through. I am not quite sure what is still remaining. I would have to refresh my memory in relation to what is on in the upper House, but I can say to this House that it would be my intention that I would like it to be dealt with if they can possibly get to it.

Clause 2 agreed to.

Clauses 3 and 4 agreed to.

Clause 5 -

Section 5 amended (Non-Application of Act)

Ms ARCHER - Members have the amendment that has gone through and, as I said in my summing up on the second reading speech, the amendment was drafted by the Office of Parliamentary Counsel. It will achieve the policy of including higher duties or more responsible duties or relieving allowances into the definition of salary. The amendment as drafted by the Office of Parliamentary Counsel uses consistent terminology with other provisions of the act.

That is vital work that needs to be carried out with amendments by the Office of Parliamentary Counsel to check the rest of the act is consistent with the terminology as well. They have done that as well in relation to this. That is the reason for how it has been drafted and considered. There is not much else I can say at this stage unless members have specific questions on that. It is intended to respond to the issue that has been raised by the union.

The amendment itself is clause 8(4), so (a) will read 'Section 4 amended (Salary)'. Section 4 of the principal act is amended as follows -

(a) by inserting the following paragraph after paragraph (d) in subsection (1):

(da) higher duties, or more responsible duties or relieving, allowances that -

(i) were payable to an employee in respect of duties performed by the employee immediately before a period of long service leave; and

(ii) would, but for the employee being absent on long service leave, be payable to the employee for the whole period of that leave as the duties that attract the allowance are resumed by the employee immediately on the completion of the leave;

(b) by omitting paragraph (c) from subsection (2).

Ms O'BYRNE - I was reading it again. It does give effect to the matter that was raised by the CPSU, which is important. I note that in the CPSU's correspondence to the minister they indicated that had they been consulted, there were a number of matters they would have liked to have had amended at the same time. I am sure the minister will seek to have those conversations with them. That is a question to the minister.

The second is that I checked with the CPSU that they were comfortable with the wording because as OPC has drafted it, it was different from the wording they provided to us for an amendment. They are happy with it but I note that they had not seen it. Given the nature of the debate around consultation, it might have been a bit politic to have at least shared it with them to make sure they were comfortable. My other point would be to seek some assurance from the minister that for the future work in this space there will be consultation with relevant unions prior to matters being tabled in the House.

Ms ARCHER - The member will know, and she neglected to mention when she read an extract from my response to Mr Lynch's letter to me, was that I indicated a willingness to engage in further discussion on the matter they have raised. That is what I have done in this instance. The amendment is totally reflective of what they specifically requested, as drafted and considered by OPC and that has satisfied me.

In relation to further discussions on entitlements and what not, there is a process underway with unions in relation to all sorts of entitlements, the pay conditions and those sorts of matters as well. Depending on the issues to be further raised, it is whether it is appropriate to raise it with me or through that process that has been ongoing in terms of negotiations.

I caveat that because I am not going to be drawn on something in this House of a general nature when I do not know what matters that would entail at this point in time in relation to specific matters. I am not going to give any undertakings other than, of course, these types of matters if they fall within my portfolio I will certainly be happy to engage but if they are matters that are appropriately dealt with as part of major negotiations then that is quite a distinctly different matter.

Ms O'BYRNE - If I can, by clarification, minister, I was not asking you to or intending to suddenly engage in the state wage negotiations. I am saying that the first paragraph of the letter from the CPSU indicated that they had a number of matters that could have been addressed through an amendment to the Long Service Leave (State Employees) Act 1994. I am sure you will be participating in conversations with them about what those other amendments might have been had they been consulted prior to this bill being introduced to the House.

Ms ARCHER - As I said at the outset, my intention for this amendment bill was not to get things rammed through without the unions being aware of a particular situation. It was to deal with specific anomalies that existed in an act. Now, of course, they have since raised other issues and if that requires further engagement and broader consultation then that is the usual process that can occur on any particular matter that a stakeholder wishes to raise with a minister.

I maintain that this bill came about because of a completely separate issue - not raised by the unions - raised by the parliament in relation to parliamentary employees. I am disappointed that the debate has descended into other matters today but we have dealt with those and I will leave my comments at that. Suffice to say, I maintain that this process has been one of fixing technical matters, modernising some language and validating practices that are currently being undertaken.

Ms O'CONNOR - Minister, you have just used words like 'rammed through' when you are talking about some of the issues that have been raised by the unions and them wanting to have a conversation with you potentially about the provisions under this act and how there might be some further changes. This legislation has been rammed through. It was tabled a week ago. We had a briefing yesterday. That is unnecessarily emotive language and I feel like I am matronising you right now but I am going to do it anyway.

It is always better in life to have an open door. If you have stakeholders who really feel that they should have a meeting with you, that there is an issue that concerns them, I have always found that it is better to say, 'I will hear you'. This has been going on since 2014 - it was particularly bad under Mr Groom. Under Mr Groom in his role as minister for state growth, minister for destroying parks, minister for the environment, minister for heritage, we had a number of stakeholders who wanted to get to see him. He also had the energy portfolio at one stage. We used to get constant feedback from people who were really serious players that they could not get through Mr Groom's door. They had valid issues that they wanted to speak to him about and there was just this, 'speak to the hand'. It is a bit like the letter from the 22 former fire chiefs sent to the Prime Minister, Mr Morrison, in June this year asking urgently for a meeting because of the state of bushfire risk.

Ms O'Byrne - Including our former fire chief who was one of the people.

Ms O'CONNOR - Yes, that is right. Openness is always a better policy than closing doors and shutting out different points of view. I am not doing a 'good old days' thing here, but I do know that when I was a minister I had a really open approach to people who wanted to tell me something. All sorts of people would come and they would disagree with a position we took or a policy or a funding priority, but you listen. That is what you are paid to do. You are paid as a minister to hear from your stakeholders, and I think as a default position that openness is always better. It used to drive the staff in our office nuts because I would always say 'Yes, okay, I will hear them'. Then you are honest at the table and say, 'I can't agree with that. No, we're not going to do that'. You are honest with them right there.

There was the time Daniel Hanna came up from the Federal Group when I had the gambling support program. He wanted government to fund a special gambling harm-minimisation program that Federal Hotels was going to roll out. I let him talk for about 15 minutes and he said, 'What do you think?', and I said, 'No'. In another environment, maybe under this Government, a stakeholder who you do not agree with - I knew what Mr Hanna was going to ask for, but you have to hear people out. This Government does not like talking to people it does not agree with or who it thinks will not agree with them. There is a fair bit of that. That is all I will say.

It is a cultural thing about the obstacles to getting in to see ministers. Stakeholders and constituents tell us they wait months and months and get in to see an adviser, maybe. I do not think the mild misery you are enduring here, minister, and have for the past 24 hours, is a big thing for you. You could have avoided it. It is just a decision where you say, 'Okay, I will hear from the CPSU', and we would have had a much shorter debate on this significant and good legislation. Well done and well noted, minister, but just keep the door open. That is what we are paid to do.

Ms Archer - I do meet with them.

Ms O'CONNOR - I know, but the antagonism this Government has towards unions broadly I believe has also contributed towards a lack of communication on changes to legislation which directly affect the lives of thousands and thousands of State Service workers.

With those few comments, I note that the OPC draft achieves the same effect to that which was proposed by Mr Lynch on behalf of union members. It clarifies that under the principal act a salary includes anyone or more of the following:

- (a) an allowance specified in an industrial award other than an allowance referred to in subsection (2);

- (b) an allowance payable for duties an employee carries out relating to the employee's permanent position;
- (c) an allowance that would, but for an employee being absent on long service leave, be payable to the employee for the whole period of that leave;
- (d) any increment affecting the salary during that period;

And then there is this provision here which includes higher duties or more responsible duties that are factored into long service leave entitlement. It is a good amendment. Well done to the CPSU for agitating for it, despite the late notice and good on you, minister, for belatedly taking it into account and improving the bill on the Floor.

Ms O'BYRNE - In my first contribution I asked two questions. You responded to the second and I appreciate that. You may have missed the first because I talked too much. The first one was a commitment that for any other legislation that impacts on union members there will be a consultation with the relevant union in the future.

Ms ARCHER - The member knows - she has been a minister before - that some things do not require consultation. I have explained to the House how this bill came about and why I did not feel that it was something that needed to go to that broader consultation on a matter to do with parliament and a matter to do with changing a term to ensure we have maternity leave referred to appropriately instead of sick leave.

In hindsight, had I known it would cause this, of course I would have, but you have to make those judgments on a case-by-case basis in relation to a bill as to the consultation that it needs, otherwise we would be issuing discussion papers and never get anything done. I am not going to give any undertakings in this House. You like to trap. I have said that if the union wants to raise further matters they feel are relevant to these issues, then by all means.

Ms O'BYRNE - Through you, Madam Deputy Chair, it is not that difficult to run an exposure draft of the bill or even the bill past unions when it is obviously about workers' entitlements with long service leave. Minister, is there any other legislation we would be expecting to see that the unions have not been consulted on, or is this the only piece you are anticipating bringing in?

Ms ARCHER - It is not relevant to this bill. I do not have to answer that.

Ms O'Byrne - Choosing not to answer, thank you.

Amendment agreed to.

New clause A read the second time and bill taken through the remaining stages.

Bill read the third time.

INLAND FISHERIES AMENDMENT (ROYALTIES) BILL 2019 (No. 46)

Second Reading

[3.48 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

I am pleased to bring this bill to the House as the Hodgman Government continues to improve the legislative framework by addressing unforeseen historical issues as they arise.

This bill provides for an amendment to the Inland Fisheries Act 1995 to correct an historical administrative oversight dating back to at least 1996. During the remake of the Inland Fisheries Regulations, as required upon their 10-year anniversary, it became apparent that certain commercial fee provisions were not supported by the 'head of power' sections of the Inland Fisheries Act 1995.

Tasmania's commercial freshwater fisheries include the wild harvest eel fishery, freshwater hatcheries for the salmon industry, fish dealers and registered private fisheries. Collectively, commercial freshwater fisheries are a significant contributor to the Tasmanian economy and it is therefore imperative they are regulated and managed to ensure their viability. The Inland Fisheries Service undertakes this important role on behalf of the Government.

The Inland Fisheries Service ensures the sustainability of commercial freshwater resources, the protection of biodiversity and the natural environment, equity across the sector and access to premium export markets. This important service is largely funded by industry on a cost-recovery basis, with the Inland Fisheries Service investing all revenue from licence fees and charges back into commercial fisheries support, compliance and administration.

The Tasmanian freshwater eel fishery is a small commercial fishery based mainly on short-finned eels. The total held catch for 2018-19 was 32 595 kilograms, with an estimated market value of \$450 000. Tasmanian eels are marketed domestically and internationally. The Inland Fisheries Service ensures compliance with sustainability measures for the wild harvest eel fishery as required through the Environment Protection and Biodiversity Conservation Act 1999. This supports the inclusion of Tasmanian freshwater eels on the List of Exempt Native Specimens that permits their export from Australia to international markets.

The fishery is managed by 12 geographically defined commercial fishing licences that are transferrable and provide exclusive commercial rights within the defined area. Each licence issued under the Inland Fisheries Act 1995 includes a suite of conditions that reflect sustainability and management measures appropriate to the waters included in the licence.

The Inland Fisheries Service administers these measures, provides fishery compliance and supports each licence holder with an allocation of juvenile eels each season to allow for stock supplementation. Through good management, the fishery has remained viable since 1965. The wild harvest fishery is at capacity. However, there is potential for increased production through aquaculture. To support management and regulation, each licence holder pays an annual licence fee as well as a fee for each kilogram of eel taken from this state fishery.

Freshwater hatcheries are the foundation of the expanding salmon industry and a vital component of the Government's sustainable industry growth plan for the salmon industry. The Inland Fisheries Act 1995 regulates the operation and biosecurity of freshwater hatcheries by licence. In recent years, there have been major changes to the operation and scale of freshwater fish farms because of expansion in the salmon industry. This includes technological change from flow-through to recirculating water-based hatcheries, significant increases in standing biomass and an increased focus on biosecurity measures.

It is critically important that this expansion of the industry is well regulated and managed to protect freshwater resources and ecosystems. The Inland Fisheries Service works to ensure sustainable industry practices, the promotion and enhancement of biosecurity and the application of ongoing contemporary management systems, including compliance and audit.

Historically, fish farm fees included a component that reflected water usage. This was based on flow-through technology, with larger water users paying higher fees, reflecting their higher production. With the change in the salmon industry to recirculating technology, water use is no longer an accurate measure of the size or complexity of a fish farm. The Government is considering alternative approaches in the remaking of the Inland Fisheries Regulations this year.

The Inland Fisheries Act 1995 allows for fees relating to provision of services, but not fees relating to kilograms of wild eels caught commercially (royalties) or water used by fish farms. It was an historical administrative oversight that commercial fees for the eel fishery and freshwater hatcheries were incorrectly levied for an extended period of time. The bill rectifies this situation by amending the Inland Fisheries Act 1995 with both validating and enabling provisions to endorse commercial fees and royalties received in the past and to allow the Director of Inland Fisheries to collect royalties from the wild harvest eel fishery into the future.

I commend the bill to the House.

[3.54 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, the bill is a reasonably simple one to correct these historical administrative oversights, but it does paper over the cracks on a few issues that need to be thrashed out in discussion of this bill.

The 1995 government, which I think was a Liberal Government, made a mistake in the transfer of the powers across from the 1959 act. There were oversights and the head of power sections did not carry across the ability for the department to charge royalties, especially relating to the eel fishery, which has been longstanding since 1965. The powers did not take into account the use of water by hatcheries, as the minister has outlined in his second reading speech.

I will deal with the salmon issue first. The salmon industry is growing, which is a good thing. Hatcheries need smolt, and to raise salmon to a certain size in order to put them out to sea. With a growing industry there need to be more hatcheries and these hatcheries are getting more into closed loop systems, which is a good thing because it means there is less potential for escapes. There is less potential for nutrients leaking into the environment and so on. The Inland Fisheries Service is charged with regulating hatcheries in terms of biosecurity, species movements, weather and compliance and so on, and they need a revenue stream for that to occur. As the previous use of water flow is not as valid nowadays, they need to come up with another form and that is to be tabled in regulations we will see a bit later.

There was a conflict and one of David Llewellyn's favourite things was mentioning *ultra vires*, which is when one piece of legislation conflicts with another. In this case, from my briefing today, one of the issues with the 1995 act was that it was in conflict with the Water Management Act. The Water Management Act deals with the levying of fees and charges for the use of water. The Inland Fisheries Act also dealt with the use of water, so there was that conflict. This bill cleans up that issue, which is good. The industry should be well regulated and it should be on a cost recovery basis. If this bill was not to be supported, that would mean there would be no way for Inland Fisheries to collect the necessary fees in order to regulate the hatcheries.

Ms O'Connor - Haven't they been collecting fees?

Dr BROAD - They have, but the legal instrument was flawed.

Ms O'Connor - Yes, that is right, but they would probably still be doing it if we did not pass the bill.

Dr BROAD - They would not have the income unless this bill was passed. That is the whole intent of this bill. It is to paper over the issue that has been found. It is to fix this issue for the future and the past, to prevent businesses seeking repayment of past fees and charges that they were otherwise charged in error, or with the government lacking the powers.

When we come to the other section, which is about royalties charged to the eel industry, it again goes back to the 1995 change in the legislation. The Tasmanian eel industry is a small commercial fishery and it has been going for a long time. From what I believe, it is one of the only eel fisheries in the world that is not fishing an endangered species. The Tasmanian short-finned eel is not on the red list, being critically endangered. That is rare for eel fisheries around the world, from what I am led to believe. The industry is sustainable.

For example, when growing up, every now and then the eel guys would come, they would set their nets and catch a heap of eels in our dams. Who knows, there were way more eels in the dam than we ever thought. Then they would go away for a period of time and then come back and do it again. In the meantime, if you wanted to catch an eel, all you had to do was bait a hook with a bit of meat and throw it in the dam and you would catch one. Eels were aplenty on the farm when I was growing up. We coexisted with the eel industry and quite often you would see little elvers sliding across wet paddocks at night to get back into the dam to restock and this occurs all over Tasmania. Hydro had some issues while building their dams but they have a process in place in which they restock some of their dams and the Inland Fisheries Service is funded to do that restocking. The industry itself, you should argue, is sustainable.

The royalties issue has cropped up. There was the issue of licences. The 12 licensees pay a fee every year and then there is the royalty component of that right to catch eels in the 12 zones. From what I understand from my briefing, not all areas of Tasmania are fished. There are large areas that are excluded, which is also a sustainability measure. Rivers are not fished for eels: it is only still water; dams, hydro dams. There are large areas of Tasmania that remain unfished and that partly restocks dams and other areas. The industry itself also gets elvers from the Inland Fisheries Service, which they use to restock the areas that they are fishing.

When they set their nets, they catch pretty much all of the eels that are there, or a lot of them, because that was what we understood when we talked to the fishermen when they were coming to get their eels. They reckon they pretty much get most of them but they would be back pretty quick smart. It is a sustainable industry. The industry does need royalties to be charged, so that the Inland Fisheries Service can administer the fishery itself. Charging royalties is a good thing. Like most, the industry is based on a natural resource. It needs to be managed and you need to have fees to recover the cost of that management.

Labor will be supporting this bill. If this was knocked back, the Government would not have the ability to charge royalties for the eel fishery and would not be able to charge fees to the salmon industry in order to regulate hatcheries, so this bill does some good things.

There are some external issues in terms of the eel fishery. The eel fishery is one in which there has been a substantial reduction in the tonnage of eels caught and therefore exported over time.

Ms O'Connor - That is what happens when you fish the buggery out of something.

Dr BROAD - No, I would argue that the eel fishery has not had, as the member for Clark argues, the guts fished out of it. I think that is one without any substance.

Ms O'Connor - How would you know? Have you seen any monitoring or population data?

Dr BROAD - The history of the industry, eels being fished since 1965, was the evidence of it. However, I will go through some figures. There has been a substantial decline in the eel fishery. As far back as I could, I got records for from the IFS annual report. In the financial year 2011-12, around 75 tonnes of eels were caught in Tasmania. If we fast forward to the previous year, 2018-19, it was 32 595 kilograms or roughly 32 tonnes, so that has more than halved in that period of time. If I read through the tonnages caught in rough figures: in 2011-12 it was around 74 or 75 tonnes; in 2012-13 it was 53 tonnes; in 2013-14 it was almost 65 tonnes; there was a change of government and in 2014-15 it was 56 tonnes; in 2015-16 it was 53 tonnes; and in 2017-18 it went down to 45 tonnes, which was a 15 per cent reduction on the year before; and this previous year it is down to 32 tonnes, which is a 28 per cent reduction on the previous year.

Ms O'Connor - What do you put that down to, if not putting pressure on the population?

Dr BROAD - I will get to that. The member for Clark is trying to pre-empt what I am going to say.

Ms O'Connor - No, I am curious. You said it was not pressure on the fisheries, so what do you think it is?

Dr BROAD - It is not what I think. It is what the people in the industry are telling me. There are 12 licences, 12 areas and 60 per cent of that land is with one group, then the rest are spread out. There is the potential for it to be a \$2 million industry and the industry players have described the industry as being in disarray.

There is much interest in Tasmania and, from what I gather, the demand from South Korea and Japan especially has been the strongest it has ever been over the past 30 years. Customers are paying \$20 000 to \$30 000 in advance to secure supply, yet the industry is saying it is being continually blocked from access to waters with increases in regulations, changing of wording, changes of definitions and confusing terminology of licensing. They feel they are under siege and that is part of the reason why their catches have been going down because they are continually being excluded from areas by Inland Fisheries.

This is what they are saying. It would be interesting if the minister has any comments on these issues. They are not very happy. The industry has been contacting the minister about this and a number of them are considering walking away from the industry. That is how dire the situation is. I am not sure who owns these licences.

The Huon licence is fishing not much at all. The North Esk licence has not been fished and this has been put down to pressure from the department. The Arches, I am not sure where that is, is that north-east, minister? They are pretty much not fishing either. It seems the industry is at the

crossroad. This issue of royalties has given them an opportunity to comment on the bigger issues that are being faced by the industry.

The department discovered the error in that they did not have the legislative power to be charging royalties. They notified licence holders but before that, the 2018-19 fees were reimbursed. From my briefing and my understanding, in 2018-19 not only were royalties repaid but also the licence fees were repaid, which is good. If this bill were not enacted then they could seek to have all their royalties repaid if there was no legislative power to charge the royalties. I am not arguing that should happen but that is, without the power, they could seek compensation. What I have gathered from industry is that this money was repaid but it was not explained why the money was repaid. It was, 'here is your money back', but not admitting there was an issue. Later on, the licence holders received notification that there was an issue. First of all, the money was paid back and they were going down a legal pathway, asking lawyers to seek information from the department and that was not forthcoming. Perhaps the minister could comment on that too.

The industry was wondering what was going on. The Government was not forthcoming about the actual issue. That was one where it gives government time to produce a bill along these lines to fix up the powers that were not carried across with the changing of the 1959 act to the 1995 act.

The industry is feeling that it is under siege from Government; the management and regulation of the industry. They feel like they are being excluded from areas where they have previously fished and this is having a massive impact on their ability to fish and that is reflected in the tonnages. They have dropped from 74 tonnes or 75 tonnes a year to 32 tonnes which is a significant drop.

Also, we heard there was one commercial eel hatchery and commercial grow out facility in Bagdad and that is no longer growing eels. It has been sold to the salmon industry. It was \$450 000 from the federal government, as part of the Cadbury money, that helped fund this eel farm. They feel like they have had to walk away from that because the regulations were too restrictive and they could not make a go of it although there has been massive interest from television shows like *Iron Chef*, the iconic Japanese cooking show. They were seeking to promote Tasmanian eel and there is the potential for eel farms in Tasmania to be a real money spinner. I am not sure exactly how big the opportunity is, although there have been quotes of a \$200 million project. The Japanese backers wanted the eel farm in Bagdad to get the ball rolling but they have had to walk away so the eel fishery itself -

Ms O'Connor - Well, they cannot have been that committed.

Dr BROAD - I am just relaying what I have been told. I have had the eel fishers make representations, not just in relation to this bill but previously, about the issues that they feel they are facing with the industry. I do not think there are any issues. I am not aware of any issues relating to the sustainability of the industry itself. I think it has been well regulated.

There is quite a large biomass -

Ms O'Connor - Do you know that? Have you seen the research?

Dr BROAD - If there is research then I am happy for you to share it.

Ms O'Connor - Well, how do you know there is a large biomass? You are a scientist. Do not say that sort of thing unless you know it is true.

Dr BROAD - I have given you some insights into it plus when you have been fishing for an extended period of time then by default it is sustainable. The industry is saying that the reasons that the catch has gone down is because of restrictions on fishing effort and not because there are no fish to catch.

Ms O'Connor - No-one is saying there is no fish.

Dr BROAD - Then I suppose you are arguing that their fishery is being managed unsustainably and that is quite a large charge.

Ms O'Connor - I am just saying how would we know?

Dr BROAD - It is up to you to back it up. The absence of evidence is not evidence.

Ms O'Connor - Yes, exactly - the absence of evidence is not evidence. Eat your words, Dr Broad. You cannot say there is a large biomass when you have not seen the evidence.

Dr BROAD - I have. I have seen the fisheries.

Ms O'Connor - Oh, you have now?

Dr BROAD - I have seen the fisheries data. Yes. This is the fisheries, the catch rates and stuff.

Ms O'Connor - Oh, I see, okay.

Dr BROAD - As I said before, they would come and fish our dams and then they would come back and catch it again, and then do it again and then do it again. That is how sustainability works.

Ms O'Connor - No, it is not.

Dr BROAD - Yes, it is.

Ms O'Connor - You have no idea.

Dr BROAD - Obviously I do not. The industry certainly has raised a number of issues which I would like the minister to comment on. Labor will be supporting the bill because fundamentally the industry needs to be well regulated and those fees should be charged on a cost recovery basis. With those catch rates going down that would mean there would be less money - fewer royalties - coming in which would mean the amount of money for administering that particular fishery would also be going down. It is a very good industry. It could be an iconic Tasmanian industry, high value, value added products and so on. It could have a place in the Tasmanian brand and a suite of Tasmanian food products. As highlighted by the interest in television shows like *Iron Chef*, there is a real opportunity for Tasmanian eels. Eels are not everybody's favourite. I have eaten eel and you need to be able to cook it properly. With eels caught in a dam you have to put them in fresh, not muddy water, for a day or two to flush the muddy taste out of them. We did not mind catching them and trying to eat them. My mother thought they looked a bit too much like a snake, which is probably one issue, although overseas they are a delicacy.

I caught and ate eel overseas and people raved about it. They can be quite hard to handle once you get them out of the water. They have very sharp teeth and you have to be very careful handling them. They slither off because they are very slippery and you end up with the slime and the scales on your hands. It is not the most pleasant fishing but on our farm they were abundant and easy to catch. Our catch coexisted with industry.

I hope the minister addresses some of these concerns. I know he is aware of them. I know that industry players have had discussions with him about these issues. These issues need to be addressed. The reduction in the catch rates is not good for anyone. It is not good for the industry and I think it is not good for Tasmanian products because there is a huge opportunity for eels and value-adding.

[4.16 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I rise on behalf of the Greens as our primary industry spokesperson to speak on the Inland Fisheries Amendment (Royalties) Bill 2019 and to indicate that we will not be opposing this legislation. We recognise it is an important legislative fix that will enable the Inland Fisheries Service to garner legal licence fees but particularly royalties in relation to wild eel catches, and it will also apply to water used by fish farms.

In many ways I guess it is not a doubts-removal bill, minister, because the Government must have at some point acknowledged it was unlawfully collecting fees and therefore returned the money, so this is not doubts-removal legislation, it is making sure that going forward -

Mr Barnett - It is validating.

Ms O'CONNOR - It is validating the head of power of the Inland Fisheries Service to apply licence fees and to secure royalties from industries that come under its aegis.

Dr Broad - They returned 12 months' worth of royalties, not 10 or 14 years' worth. Just one year.

Ms O'CONNOR - Interesting, isn't it? Perhaps then, given what Dr Broad has just said - and I was unaware of that information and thank Dr Broad for bringing it to the debate - the minister could explain why, if this situation has been in place since the shake-up of the legislative framework in 1996, was it that 22 years later, only one year of royalty payments or levies have been returned to the sector.

We recognise these are important amendments. I have a number of questions for the minister. The first one is about the return of only one year's payments. On balance, was it the Inland Fisheries Service that benefited, or was it industry? Can the minister give the House some indication of the level of royalties it collects from the wild harvest eel fishery? Irrespective of what Dr Broad assumes about the health of the population, on behalf of the Greens I am interested to know whether there is any quantitative data or population monitoring that looks at the real biomass or has a stab at understanding what the biomass is for the wild-caught eel fishery, because I have never seen any and Dr Broad could not furnish any.

We know that DPIPWE is under-resourced and the Inland Fisheries Service would probably like to be better resourced to undertake some of this population monitoring. It is a valid question. If we want to support an export industry that has been around for a long time, if Dr Broad is serious

about growing this industry, we need to understand at some baseline level what is happening with the eel fishery. That should be a basic to understand the health of the fishery. On the numbers, while Dr Broad has pointed the finger at Government -

Dr Broad - They're not my words. I said that's what the industry was saying.

Ms O'CONNOR - That is what some people who have come to see you about their concerns from the industry are saying, but the decline in the catch nonetheless requires further investigation.

We have a population of wild-caught eel which in the space of eight years is less than half of what it was in 2011-12. According to the information that Dr Broad brought to the table, which I have no reason to think is not accurate because you said it was DPIPWE data, 75 tonnes were caught in 2011-12 and this year only 32.5 tonnes, so something is happening with the fishery and the minister might take the opportunity to inform the House what has happened there.

We have seen what has happened when we make assumptions about the sustainability of practices in fisheries. We saw the scallop fishery on the east coast collapse about 25 to 30 years ago, as did the orange roughy fishery. I remember being a journalist and doing a number of stories on the orange roughy harvest, the fisher people and then ultimately on the collapse of the orange roughy fishery. It happens over and over again where in this age of late-stage capitalism we think we can keep fishing, taking, killing and selling natural resources. Whether they be living marine resources or aquatic animals or resources that are in the earth, there is the assumption that it is all justifiable in an age of late-stage capitalism where you just suck the living daylights out of every ecosystem you can, all in the name of the mighty dollar.

I have six questions and then I will get on to another related matter. Was there any lobbying from Tassal, Huon Aquaculture, and/or any other aquaculture industries in relation to the fees that are charged or the royalties that are paid for the use of water? I have heard some somewhat concerning language from the minister now, where in the second reading speech he says:

Historically fish farm fees included a component that reflected water usage. This was based on flow-through technology, with larger water users paying higher fees, reflecting their higher production. With the change in the salmon industry to recirculating technology, water use is no longer an accurate measure of the size or complexity of a fish farm. The government is considering alternative approaches in the remaking of the Inland Fisheries regulations this year.

What we do not want to see is industry given another free ride under this Government and I urge the minister to be as transparent as possible about any changes that would benefit the major aquaculture companies in Tasmania. Has this proposed change to regulations come from the industry itself? Although the minister is not listening to a single question I ask, hopefully someone who is near him is. We are also interested to know the total value of licence fees to the Inland Fisheries Service in relation to wild-caught eel each year. It fluctuates each year but the licences themselves are static. What was the total value of royalties over the past five years from the wild-caught fishery?

The Inland Fishery Service looks after our trout fisheries and it has been a longtime, highly-valued service for fly fishers in Tasmania. The outstanding work Inland Fisheries has done in managing the trout fishery and in helping to eradicate European carp from our lakes is something

fly fishers are deeply appreciative of, as are most Tasmanians who are aware of the work that has gone into that.

I will raise in this place that the Federal Court has handed down its decision in relation to the proposed Lake Malbena privatisation of Halls Island in the Walls of Jerusalem National Park and it is, again, another slap in the face to this Government's expressions of interest process. Initially, we had the Central Highlands Council reject the Lake Malbena proposal. It was taken to the Federal Court by the Wilderness Society and the core of the question was that the federal government had erred under the EPBC Act in its assessment and approval of the Lake Malbena project. I quote now from the *Mercury* newspaper, which is hot off the press, reporting on the Lake Malbena decision and it is this -

The future of Lake Malbena tourism project is uncertain following a Federal Court judgment. The judgment handed down a short time ago has been claimed as a win by the Wilderness Society as it essentially sets aside the federal Environment minister's approval of the project. Wilderness Society campaign manager, Tom Allen, said the judgment, which upheld two of the society's three grounds for appeal, was a positive result.

The Wilderness Society is going to go away and have a look at the judgment because it is complex but the guts of it is that the federal government was taken to court over its approval of the Lake Malbena proposal and that was a flawed approval.

In all likelihood, this proposal has divided the community and has brought together a very passionate alliance of fly fisherpeople, bushwalkers, conservationists and everyday Tasmanians who recognise that this is a threat to wilderness values, and a threat to their enjoyment of the high country in Tasmania. This Government stands condemned for not listening to fly fisherpeople, bushwalkers and everyday conservationists who are outraged at the process that began back in 2014. This Government has been deaf to their concerns every step of the way and has written the rules to enable this development.

I am certain that every Liberal member in this place is getting letters of deep concern from a constituency that they once might have regarded as their own; everyday Tasmanians who are livid about the Lake Malbena proposal, the impact on wilderness, on their enjoyment of that beautiful place in the Walls of Jerusalem National Park and the privatisation of a public protected area. All these concerns have been raised again and again with the minister and with other Liberal members and they have been ignored. There has been a steam-rolling of community concern about the Lake Malbena proposal and the whole expressions of interest process.

Time and again, we are seeing this corrupted process challenged. It has been challenged by the Central Highlands Council and now it has been challenged by the Federal Court and found to be deeply wanting. You had a proponent, which had the World Heritage Area Management Plan rewritten to fit in this development, a Reserve Activity Assessment that was set at level 3, so there was no requirement for public consultation, a Reserve Activity Assessment that was written by the proponent himself, and - now validated by the federal court - a deeply flawed decision made by the federal government to approve this project. The federal government approved this project despite the fact it would have a profound impact on wilderness values and the capacity of fly fishers to enjoy the high country in Tasmania.

I strongly encourage the Government members and the relevant minister who, regrettably, is now Mr Gutwein, to go back to the drawing board and ditch your corrupted expressions of interest process because it does not have broad community support. It has delivered a lack of trust in government; it has made people, fly fishers and bushwalkers, who are not activists by nature, angry and prepared to stand up. I encourage the Government to go back to the drawing board because this will happen again. There will be another court challenge to your corrupted process from everyday Tasmanians who have been shut out of decision-making. The best thing for the Government to do right now in relation to the expressions of interest process is to walk away from it. It is a corrupted privatisation agenda that will degrade wilderness values and alienate everyday Tasmanians from their own public protected areas. It has been condemned by a local government, a Federal Court and thousands of Tasmanians who see it for what it is; a nasty, secretive privatisation agenda that alienates them from their own public lands.

I want to talk briefly about water. In this age of climate emergency we need to, as a parliament and as Tasmanians, be extremely mindful of water usage and have a better understanding than we do now of where the water supply is in the landscape, what the threats are to our water supplies, how we can make sure that there is enough water to fight bushfires in a longer fire season and, critically, to support farmers and rural and regional communities who depend on those water supplies as well as urban communities.

What you are seeing in places like New South Wales is that corporations are taking the water. It is the same on the Murray-Darling. Big cotton corporations are taking the water. In New South Wales, big coal companies are taking the water. What is happening in towns like Dubbo and on farms along the Murray River? They are dying because, in this era of late-stage capitalism, corporate interests have absolutely trumped the interests of everyday Australians, people who do not have a loud voice; farmers, small farmers, people who live in towns like Dubbo and Stanthorpe, near where I grew up in South-East Queensland. Stanthorpe used to be one of the only places you could go in Queensland where it snowed and they grew the best apples I ever tasted. They are trucking water into Stanthorpe every day. Stanthorpe is running out of water and this is happening to towns right along the eastern seaboard. Yes, some of it is related to climate impacts and global heating but it is profoundly exacerbated by the theft of water, which is a public resource taken by corporations and governments that have been bought by those corporations.

We have an opportunity here as Tasmanians, as the custodians of this beautiful little island where we have some parts of the island that have plentiful rainfall and good water reservoirs and other parts which are drier and more at risk in a bushfire season, to think really strategically about water, to do proper analysis of where our water is and what is the best way to use it sustainably, so that we are not robbing our children and grandchildren of the water they will need to live a good life in a time of climate emergency.

When you have big salmon moving more into riverine environments and taking hatcheries and the like on land, which is where we know there needs to be more of the fish farming industry, we understand that and I accept that water usage by the industry on land has dramatically improved, but we cannot again let industry write the rules. That is why I want to know from Mr Barnett whether these proposed changes to the regulatory framework around water that is used by the fish farming industry inland have been put forward by the industry themselves, because that is the kind of approach that led to Stanthorpe losing its water, Dubbo losing its water and mass fish kills on the Menindee Lakes. Big industry has been writing the rules in this country for far too long and they have been shafting the little guy. We have small farmers in rural and regional Australia who are walking off their land because they have no water. Without water there is no life. Water is life.

I encourage the minister, when he is thinking about water and the water that is used by industry, to make sure he prioritises existing users, small towns, regional centres and farmers. This water belongs to all of us. It does not belong to Tassal or Huon or any big agricultural company. It belongs to the people of Tasmania and we need a proper water audit, we need a proper strategy around the use of water in Tasmania and there should be a transparent community conversation about that as well. With those few words, I will leave it at that and we will be supporting the amendment bill.

[4.37 p.m.]

Mr TUCKER (Lyons) - Madam Deputy Speaker, what an interesting conversation there has been here today about the eels. I must say how pleased the minister must be, the minister for eels.

I am pleased to have the opportunity to speak on this bill. The Hodgman majority Liberal Government has committed to effectively managing Tasmania's inland fisheries, promoting participation in trout fishing, increasing access for anglers and supporting regional businesses and communities. We are delivering on our long-term plan to manage our inland fisheries and encourage more people to discover the joy of fishing in Tasmania's world-class inland fisheries. Our plan is working, benefitting all regions of our state.

The Inland Fisheries Amendment (Royalties) Bill 2019 will validate any eel royalties or fish farm licence fees for those subject to charges based on water usage paid to the Director of Inland Fisheries under the Inland Fisheries Act 1995 to date and enable the ongoing collection of eel royalties. It addresses identified inconsistencies between the Inland Fisheries Act 1995 and the Inland Fisheries General Regulations 2009 and fixes historical administrative oversights.

The Tasmanian Government is committed to developing Tasmania's inland fisheries, delivering key projects including \$300 000 to freeze inland trout fishing licences at 2017-18 prices for four years; \$215 000 over four years commencing in 2018-19 to Anglers Alliance Tasmania; \$30 000 in 2018-19 to work with trout guides and Lodges Tasmania and Anglers Alliance Tasmania to market and promote angling tourism; \$200 000 between 2019-20 and 2021-22 to expand the IFS Anglers Access Program across priority lakes and rivers in partnership with Anglers Alliance Tasmania and local angling clubs.

Including our \$300 000 commitment to upgrade and build new amenities and toilets at 10 fly fishing locations around the state, these improvements were in place for all anglers before the opening of the 2019-20 brown trout season in August this year. Amenities were constructed at boat ramps and camp grounds across the state, including at Brady's Lake main boat ramp, Bronte Lagoon boat ramp, the Four Springs Lake southern end of the carpark, Lake Augusta boat ramp, Lake Sorell Dargo Point camp ground, Little Pine Lagoon main boat ramp, Penstock Lagoon boat ramp and Lady's Walk area, Tungatinah Lagoon boat ramp and Woods Lake boat ramp.

Many of the new facilities are located in my electorate of Lyons, a fact of which I am very proud and yet another demonstration of the Hodgman Liberal Government's commitment to rural and regional Tasmania and how great it is for Lyons.

The facilities will also benefit those partaking in the upcoming World Fly Fishing Championships which will be occurring in Tasmania later this month and early next month. Teams from up to 30 countries will compete, bringing an estimated 800 anglers and support crew to the state. It is the first time Tasmania has hosted the World Fly Fishing Championships since 1988. The Hodgman Liberal Government is also supporting the event with a \$100 000 grant.

The Inland Fisheries Service and Tourism Tasmania are also providing support and assistance and I thank both organisations for their commitment. Tasmania has a world-class trout fishery and we want to support and promote it. The Government is committed to supporting our world-class trout fisheries which attract more than 26 000 licensed anglers annually, including more than 5000 interstate and overseas anglers. We are also committed to reducing the cost of living and encouraging more people to go fishing because Tasmania enjoys some of the best trout fishing in the world. We have also delivered on our commitment to freeze inland trout licence fees at 2017-18 prices for four years. The commitment to keep fees at the same price for the next four years was formally listed in the Government *Gazette* last year and is designed to reduce the cost of living and encourage more people to go fishing.

Tasmania enjoys some of the best trout fishing in the world and is home of trout fishing in Australia.

Ms O'Connor - Yes, Lake Malbena.

Mr TUCKER - I am pleased that you have been up there fishing. I am also pleased to provide an update on the status of our carp eradication program. European carp is an invasive pest that can dramatically affect freshwater ecosystems. Their eradication from the state will protect native aquatic flora and fauna, water quality and the Tasmanian brand.

Since the discovery of carp in lakes Sorell and Crescent in 1995, the Inland Fisheries Service has been operating a carp management program that successfully eradicated carp from Lake Crescent using innovative techniques. The program has contained carp to Lark Sorell and removed over 41 491 carp from the lake. The IFS estimates that fewer than 20 carp now remain, with full eradication expected in the near future. This successful eradication program is testament to the dedication of the IFS team over many years. I thank them for their effort and hard work over this time.

Alongside these efforts, each year IFS transfers thousands of wild adult fish to waters across the state, ensuring anglers do not go home empty-handed. I also note the Government's commitment of \$200 000 to extend the Anglers Access Program in collaboration with Anglers Alliance Tasmania, to sites in the state's north-west, north-east and Derwent catchments. The Anglers Access Program has projects covering more than 300 kilometres of river throughout the state. In addition, the Inland Fisheries Service annual report highlights how the trout fishery and popular waters at Woods Lake, Little Pine Lagoon, Penstock, and Bronte Lagoon performed well throughout the season. More than 25 000 recreational anglers enjoyed wetting a line. Tasmania's world-class fisheries attracted anglers from the USA, United Kingdom, New Zealand, Canada and Germany with more than 5000 licences issued to interstate or international visitors.

Recently, *FlyLife* magazine released a Tasmanian special edition. This is to coincide with the World Fly Fishing Championship 2019. We are lucky to have such a diverse trout fishery and a variety of beautiful locations where you can fish. Tasmania's wild brown trout fishery, established in 1864, is one of the best in the world. From accessible areas to remote wilderness, there is something for all anglers.

Ms O'Connor - Except if you guys get your way, at Lake Malbena 200 helicopter flights and landings.

Mr TUCKER - You do have a fascination with that place.

Ms O'Connor - I am trying to stand up for the fly fishers who want to be able to fish there without a privatised lake and 200 helicopter flights and landings.

Mr TUCKER - Our wilderness fishing is unique with thousands of lakes and tarns offering fishing like nowhere else. Resident and sea run trout are a feature of our rivers and estuaries. Tasmania's inland waters offer the chance to catch high numbers of fish or even the fish of a lifetime. By world standards, the fishing pressure is low. Whether you prefer bait, lure or fly fishing, there is something for everyone. Access is available for boating or shore fishing. Good trout fishing can be found within two hours' drive of all Tasmania's major cities. The recreational fishery is based on the introduced salmonid species of brown, rainbow and brook trout and Atlantic salmon. Native fish, including black bream, blackfish, short and long finned eel also form part of the Tasmanian recreational fishery.

Tasmania's world-class inland fishery reputation grows. The Hodgman Liberal Government is a passionate supporter of the inland fisheries. It is committed to ensuring that the Tasmanian way of life is protected and enhanced. I support the bill.

[4.48 p.m.]

Mrs RYLAH (Braddon) - Madam Deputy Speaker, I support this bill. Tasmania has an unrivalled natural environment which people from all over the world, as well as many Tasmanians, want to experience, respect and preserve. Our state's world-class fishing attracts anglers from Germany, Canada, New Zealand, the USA and the UK, as we have heard. With more than 5000 licences issued to interstate and international visitors, it is a significant tourist attraction.

The Hodgman Liberal Government is committed to effectively managing Tasmania's inland fisheries, promoting participation in trout fishing, increasing access for anglers and supporting regional businesses and regional communities. It is a priority of this Government to grow our world-class inland fisheries as part of a broader strategy of taking recreational fishing and boating to the next level.

A range of initiatives is supporting participation and growth in Tasmania's trout fisheries. These include cheaper to go trout fishing, with the Government providing \$300 000 to freeze inland trout fishing licences at 2017-18 prices for four years. This initiative makes it cheaper to go trout fishing and funds the Inland Fisheries Service to offset the revenue shortfall. Anglers Alliance Tasmania: the Government is providing \$215 000 over four years commencing in 2018-19 to Anglers Alliance, the peak group representing 26 000 trout anglers, to support its work to improve the trout fishery and to support anglers.

Marketing angling tourism is already significant. The Government has provided \$30 000 in 2018-19 to work with Trout Guides and Lodges Tasmania and Anglers Alliance Tasmania, to market and promote angling tourism, including the Tasmanian Trout Expo and capitalising on the international profile of the World Fly Fishing Championship later this year, which will bring thousands of trout fishery enthusiasts to Tasmania.

The Government will provide \$200 000 over 2019-20 to 2021-22 to expand the Inland Fisheries Service's Anglers Access Program across priority lakes and rivers in the north-west, the north-east and the Derwent catchments in partnership with Anglers Alliance and local angling clubs. We are upgrading amenities at high visitation trout waters. The Inland Fisheries Service has worked with Anglers Alliance to deliver the Government's initiative, to upgrade amenities and high visitation trout waters. The Government provided \$300 000 that has enabled 10 toilets to be

constructed ahead of the 2019-20 season. The Anglers Access Program has projects covering more than 300 kilometres of rivers throughout the state.

The commitment to keep fees at the same level for the next four years was formally listed in the Government Gazette last year and is designed to reduce the cost of living and encourage more people to get out in the bush and go fishing.

Our trout fishery began 155 years ago on 14 May 1864, with the first English trout eggs used to start a hatchery in Plenty in Tasmania. Now, and for over a century, Tasmania has been famous for its wild brown and rainbow trout and its beautiful clean waters. Today, more than 25 000 people a year fish for trout in Tasmania, both river and lake fishing.

To ensure that this industry continues to grow and operate efficiently, it is considered timely to amend the legislative framework. The Hodgman Liberal Government is delivering on its long-term plan to manage our inland fishery and encourage more people to discover the joy of fishing in Tasmania's world-class inland fishery. Our plan is working, benefiting all regions of our state.

The primary objective of the amendments we are debating today is to correct an historical administrative oversight, dating back to at least 1996. The amendments will validate and enable the collection of royalties pursuant to the Inland Fisheries Act 1995. This has particular relevance for commercial royalties on eels and charges to commercial freshwater and fish farm licence holders. The Inland Fisheries Act 1995 allows for fees relating to the provision of services but not fees or royalties relating to the kilograms of wild eels caught commercially or water used by fish farms. This bill addresses identified inconsistencies between the Inland Fisheries Act 1995 and the Inland Fisheries (General) Regulations of 2009 and fixes this oversight.

This bill will validate eel royalties or fish farm licence fees paid to the Director of Inland Fisheries to date and enable the ongoing collection of eel royalties.

A unique partnership between Hydro Tasmania, the Inland Fisheries and professional eel fishermen, is boosting the health of Tasmania's inland waterways and the sustainability of the state's growing commercial eel fishery. Tasmania has the most predictable and high-quality juvenile eel migrations within Australian waters but 50 major dams built for the creation of hydro electricity obstruct these upstream migrations. The IFS and Hydro Tasmania give hundreds of thousands of elvers - the baby eels - a metaphorical leg-up into the Hydro catchments and the eel fishers translocate as many more to other inland waters around the state. The IFS annual elver harvesting and restocking programs support the wild fishery in Tasmania's rivers and lakes, where eels are a vital part of the ecosystem as the only large native predatory finfish. Hydro Tasmania has a responsibility for 53 of Tasmania's major lakes and at least 12 000 kilometres of natural creeks and rivers are influenced by their operations in some way.

The elvers migrate upstream to find water inland, to feed and grow to sexual maturity, then they head back downstream and out to sea to their breeding grounds. The IFS elver programs work with Hydro Tasmania to ensure the migration is not impeded by Hydro structures by building ladders on dam walls to assist elvers and lampreys to surmount the obstacle. I had to find out what lampreys were and I realised that I had an encounter with a lamprey as a young kid. They look like leeches but they are an eel and they stick on your finger. They have a round mouth and it sucks blood from fish. Charming. I can remember yelling and screaming and carrying on as a little kid with this thing on the end of my finger.

Tasmania's annual commercial eel catch is about 75 tonnes, 98 per cent are short-finned eel and the rest are long-finned eel. It is a limited-entry fishery comprising of 12 commercial fishing licences, including one for Flinders Island and one, a large one as I understand, on King Island, each with a discrete area to fish but no catch limits. The fishers must translocate the elvers allocated to a particular licence into the designated catchment area of that licence in consultation with Inland Fisheries.

The Tasmanian freshwater eel fishery is a small commercial fishery based mainly on short-finned eels. The total catch for 2018-19 was 32 595 kilograms with an estimated market value of \$450 000. Tasmanian eels are marketed domestically and internationally. The Inland Fisheries Service ensures compliance with sustainability measures for the wild-harvest eel fishery, as required through the Environmental Protection and Biodiversity Conservation Act. This supports the inclusion of Tasmanian freshwater eels on the list of exempt native specimens that permits their export from Australia to international markets. The fishery is managed in 12 geographically defined commercial fishing licence areas, which are transferable and provide exclusive commercial rights within a defined area. Through good management, the fishery has remained viable since 1965. The wild-harvest fishery is at capacity. However, there is potential for increased production through aquaculture.

It amazes me that there is coincidence in conversation and that something we are working on in the House comes up when attending an event. This happened to me on Saturday night. I sat down at the Circular Head Show dinner and the name of the man I sat next to was Chris. Chris is a man of Swedish descent who migrated to Australia and has lived in Stanley for the last four years. Our conversation began with his interests and Chris was telling me that he is a sea-changer with his interests in the hospitality sector and food. Chris enthused about living in Stanley, growing everything he can for his B&B, including the crayfish he caught a few days ago off The Nut with his friend, Bernard, and the small eels from a dam at Irish Town, which he smokes. He also told me about his broad beans and all sorts of other things but it was amazing to hear about eels in this conversation.

Dr Broad - What about his suckling pig? Did he talk suckling pig?

Mrs RYLAH - No, he did not tell me about his suckling pig. He tells me that no Swedish Christmas is right without smoked eel. He is amazed by the productivity of our seafood, especially the small eels in the dams in Circular Head. Filleting, drying and smoking creates a delicious, rich flavour, as anyone who has had pleasure of tasting it would know. I have not tried Chris' eels yet, but I am very familiar with Tasmanian smoked eel.

On a more serious note, he told me that eel was not sustainably fished in Sweden; they are now banned from being fished for several months of the year and are very expensive. I did some research and the difference in size of a Swedish catch to ours is very significant. Our take at 75 tonnes per annum compares to the Swedish take of 158 tonnes, but it was at 785 tonnes in Sweden until 2007 and totally unsustainable.

Our regulation on fishing sustainability has been stronger in Australia for a longer time. To ensure regulation and management is funded, we need to ensure royalties are paid. We have strong regulation and management of our fisheries in Tasmania. I note the role of Inland Fisheries is in the managing, protecting and regulation of inland fisheries, the stocking of inland waters, the creating, improving and maintaining access to inland waters and researching and investigating inland waters. In doing all of this, Inland Fisheries manages Tasmania's recreational fisheries for

trout, salmon and whitebait, commercial fisheries on fish farms, eel fisheries and fish dealers, pest species and native fish.

The Tasmanian commercial eel fishery started in 1965 but the catching of eel by early settlers and Aboriginal people is well known. Growth in the fishery has been slow and regulations mean we can celebrate a strong fishery and Christmas smoked eel for years to come for Chris. I believe our opportunity in eel is in aquaculture. It is incredibly important that this expansion of the fishing industry is well regulated and managed to protect freshwater resources and ecosystems.

All commercial fishing must be conducted under a licence and a licence is required for recreational fishing of a number of species. This measure assesses how timely the processes are for the issuing of licences that, for the commercial sector, is important for the operation of profitable businesses. Each licence issued via the Inland Fisheries Act 1995 includes a suite of conditions that reflect sustainability and management measures appropriate to the waters included in the licence.

With recent completion of the Fisheries Integrated Licensing and Management System (FILMS), a new Fisheries Digital Transition Project (FDTP) has been implemented to build a new user interface to support digital licensing, real-time transfer of fisheries data and the streamlining, no pun intended, of license and quota and management processes. The FDTP will transition the Tasmanian fishing industry away from exclusive reliance on dated paper-based transactions by delivering viable technological solutions. A related initiative also making life easier has already delivered more than 25 improvements to current client interface processes.

Freshwater hatcheries are the foundation of the expanding salmon industry and a vital component of the Government's sustainable industry growth plan for the salmon industry. The Tasmanian wild brown trout fishery was established in 1864 and is one of the best in the world. Resident and sea-run trout are a feature of our rivers and estuaries and freshwater hatcheries stock rivers, dams and lakes as well as supplying restaurants and the fly-fishing fraternity.

The recreational fisheries are based on the salmonid species of brown, rainbow and brook trout as well as Atlantic salmon, and I will turn to some amazing innovation that I have seen. This is a fifth-generation farmer in my area, Leigh Atkinson, who supplies the restaurant trade with trout. Mr Atkinson started his north-west farm trout business about four years ago after realising there was an opportunity to supply pan-sized fish for the local trade. He also now produces smaller fish to stock farm dams and his production is slowly expanding. He operates under the name Atkinson Aquaculture business with his wife, Mel, at his family farm in Upper Natone. This trout facility includes a large shed with nine indoor growing tanks, as well as an extensive series of outside ponds where larger fish are grown. Water is supplied from his spring, a bore and a dam. Mr Atkinson has said good quality water is vital for fish production. He says:

It's all about water quality. The better the water quality, the better the fish quality. That's how it works. When you're supplying year-round it's good to have fish of different sizes so I'm going to try and pick some of the best breeding fish for different spawning times too.

Mr Atkinson has said that his long-term aim is to select fish for the breeding program with superior colour for the plate and superior growth rates. He also said that he likes to choose fish of a nice shape as well and over time he is doing genetic improvements. At present Mr Atkinson produces about 30 000 for the restaurant market each year. They grew about eight tonnes of fish last year and are aiming to increase that to about 10 tonnes as demand grows. Supplying for fish

dams makes up about 10 per cent of his business. I have visited his farm on several occasions and spoken with Leigh and his wife, Mel, on a number of occasions.

It is to the next innovation I want to particularly turn. Before setting up his fish farm, Mr Atkinson visited Denmark, one of the world leaders in aquaculture, to get some ideas, particularly around how to treat water used in the farm. Water from this fish farm is put through a biofilter and recycled. Leigh has said that while the nitrate levels in the water increase over time, it makes it ideal for irrigation. What they have on this farm is a natural wetland filter using *Pachira aquatica* plants on the farm. This plant, which has a vigorous growth rate, is great for cattle feed and he uses it as that all the time. He says, 'As long as we contain it to the wetland, it's working really well', and he is very particular about that, saying, 'You can graze it off to keep it under control and the frosts and burning will also control it'. I commend Mr Atkinson and his wife, Mel, on this excellent outcome and this amazing venture and encourage anybody to visit.

The one-year review of the sustainable industry growth plan for the salmon industry was published to provide key information on work to date and outline the initiatives that will be delivered to support environmentally responsible and sustainable growth. In recent years there have been major changes to the operation and scale of freshwater fish farms because of expansion in the salmon industry. This includes technological change from flow-through to recirculating water-based hatcheries, significant increases in standing biomass and an increased focus on biosecurity measures.

In this environment of record growth, this Government recognises the significant contribution Tasmanian fishing and agriculture makes to the state economy, injecting \$1.5 billion, more than any other state, and providing 11 647 direct and indirect jobs. It is significant. The Government has a plan to support and grow our world-class wild catch and farmed seafood sector, including our sustainable growth plan for the salmon industry and \$26 million investment to help build a sustainable seafood sector, with \$13.8 million in the 2019-20 Budget, including \$800 000 per annum over four years to support the Blue Economy Cooperative Research Centre to deliver initiatives in aquaculture and seafood production, marine renewable energy production, and offshore engineering.

There is also \$1 million for Analytical Services Tasmania which delivers product quality testing to a range of sectors, including shellfish and rock lobster; \$11.4 million to continue vital commercial fisheries development initiatives including the east coast rock lobster translocation program, the fisheries digital transition project for fisheries management and quota monitoring, abalone industry development and the Tasmanian Seafood Industry Council policy support and research into sustainable fisheries opportunities through the Institute of Marine and Antarctic Studies. There is also \$600 000 to continue the revamped shellfish quality assurance and aquaculture market access program, or ShellMAP, and oyster shellfish real-time sensor monitoring.

The Hodgman Liberal Government recognises that recreational fishing and boating is an important way of life for over 100 000 Tasmanians and is investing significantly in improving recreational fishing facilities and improving anglers' access at fishing hot spots, as well as supporting the Tasmanian Association for Recreational Fishing, or TARFish, and the Anglers Alliance, whom I have mentioned, who represent salt and freshwater fishers.

As a member for Braddon, I was recently delighted to attend the Junior Angling Award for 2018-19 at the Devonport Anglers Club and present awards at the Latrobe dam. I commend the Devonport Anglers Club for their outstanding efforts in establishing and maintaining this important

junior facility that allows future trout fishers to try the sport in a safe environment with expert tuition, and it is absolutely a family-friendly event. I congratulate all junior anglers who fished last season and to all those who participate across 2019-20 and beyond.

The Ulverstone Anglers Club began 114 years ago. It is a family-oriented club which lives by the motto 'Older members teach and encourage younger members'. This club is hosting the ever-popular ladies' day event on 7 December, which has now been running for 14 years. This event at Hiscutt dam in Penguin is a wonderful event. The banks are lined with kids and families, with ladies and children holding the rods with men in support. It is a great social event and the advice coming from older members is very freely but quietly given. It is an excellent event.

I also noted that the Ulverstone Anglers Club attended their tent at the Ulverstone Show the weekend before last. They had a great fishing exhibition. Unfortunately, their biggest fish in their pond did not quite make it through to the Saturday; he did not last over Friday night. It was a great event and very well supported by those club members.

As part of the North West Fisheries Association, the Ulverstone Anglers Club also run a distribution unit which is used to stock club dams and lakes with rainbow and brown trout. The unit is used for growing fry and is the only one in the state which is run by an angling club. This is a very active club.

Last month, the beachside community of Port Sorell took part in the national Gone Fishing Day, an initiative of the Australian Recreational Fishing Foundation which encourages people to get outdoors, drop a line and enjoy time with family and friends. Those trying fishing for the first time were able to attend Fishcare clinics and borrow Fishcare fishing lines. Fishcare were also in several other locations around the state providing advice to fishers, using their own gear.

The eyes of the world are currently on Tasmania with the World Fly Fishing Championship in 2019 to be held here from 30 November to 8 December. Preparations for this event have been a key priority for the Government. The angling community of not only Tasmania but indeed Australia is looking forward to this event.

The next stage of the Anglers Access Program has commenced, with works to improve access for anglers along the Meander River now underway and will be complete in time for the 2019 World Fly Fishing Championships being held here at the end of November.

The championships will lure teams from 23 countries, highlighting the magnificence of Tasmania's unrivalled natural environment and our world-class fisheries in the most spectacular of settings. More than 1000 visitors are expected to travel to Tasmania during the event, staying for 14 days each on average, which will also be a major boost for local businesses in regional economies. The Tasmanian Government has provided \$100 000 to support the event along with assistance from the Inland Fisheries Service and Events and Tourism Tasmania. The championships will provide the inspiration for the next generation of anglers, many of whom I had the pleasure of meeting at the Devonport Anglers Club recently.

Fly fishing tourism also plays a part in Tourism Tasmania's Unordinary Adventures launched earlier this year. Unordinary Adventures is one of the many targeted marketing programs designed to position Tasmania as a destination of premium experiences. Experiences like fly fishing, golf, walking and mountain biking have been identified as target activities, given the sizeable cohorts of visitors who will travel for their passion.

Fly fishing is the first special interest campaign to be launched and Tourism Tasmania is working with industry representatives to showcase Tasmania as we prepare to host the world championships in December. From accessible areas to remote wilderness, Tasmania offers something for all anglers. Our wilderness fishing is unique, with thousands of lakes and tarns offering fish like nowhere else. We cannot afford to take our tourism success for granted, nor underestimate the contribution it makes to our economy and that is why the Hodgman Liberal Government remains its strongest supporter.

Restocking is a hot topic for recreational fishers. According to the Inland Fisheries Service Annual Report 2018-19, 7048 brown trout were transferred from the River Derwent fish trap on Lake King William into the Brady Chain of Lakes. This consisted of 3548 individually tagged fish and 3500 fin-clipped fish. These tagged and fin-clipped fish will allow the Inland Fisheries Service to undertake a survey of the trout population within the Brady Chain of Lakes before the opening of the 2019-20 fishing season and assess individual fish growth during future surveys. In May, a further 500 adult brown trout were released into Blackmans Lagoon and 1100 adult brown trout into Curries River Reservoir. I commend the bill to the House.

Time expired.

[5.18 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Madam Speaker, it is a pleasure to follow Joan Rylah, member for Braddon, and her very comprehensive and thoughtful remarks regarding fishing in Tasmania and the opportunities to grow and protect the Tasmanian brand, and to hear the very comprehensive measures and initiatives outlined by the Hodgman Liberal Government to advance the cause in Tasmania. It was a pleasure to hear her personal experience, including from the Circular Head event on the weekend, of sitting next to her colleague, who was able to share his experience and background. My sincere thanks to Joan Rylah for that very positive contribution and support for this very important bill.

Likewise, I thank John Tucker for his contribution and I recognise and thank my shadow, Shane Broad and Cassy O'Connor, the Leader of the Greens, for their contributions. I would like to address some of their queries, which I will do.

Like many in this Chamber, I was born and bred on a farm but I love fishing. I love trout fishing and fishing for eels. That was one of my favourite pastimes with my dog and, occasionally, my brother - I have three brothers - on the Meander River with a good old worm. I caught quite a few eels and the odd trout. My mother became reasonably good at cooking eels and we were quite adept at those cooking opportunities, then eating the eel as well. I was very pleased and proud to help contribute to feeding the family in my childhood days. Likewise, being born and bred on a farm, dad was good friends with Alec Purvis who grew brown trout, rainbow trout and was, no doubt, paying some sort of fees to the Inland Fisheries Service. He was a good man and I got to know Alec. He provided both brown and rainbow trout to our farm dam and to dozens, probably hundreds, of Tasmanian farms and others around the state.

It is an important part of the Tasmanian way of life. We have a world-class trout fishery and we have the World Fly Fishing Championships coming up in a few weeks' time, with the best of the best, 23 countries, 1000 visitors coming to our state for a week or so. It is a plus, plus, and, with the wonderful support of the Inland Fisheries Service, they are doing a great job supporting that event with the support of the state government and many other sponsors. It is terrific, and Joan Rylah has referred to the Anglers Access Program. She has referred to the new tourism

initiative, Unordinary Adventures. I am happy to refer to the 10 new toilets in some of those special areas; toilet-led recovery, as it were, in some of those very popular spots, which was a \$300 000 commitment there. There is a lot happening in this space. It is very positive. We have definitely got a vision to grow and support and protect our trout fishery and what we love and know to be true as very worthwhile. It is part of the Tasmanian brand and what we really enjoy.

In terms of this bill, I would like to share a few more remarks and respond to some of the queries that have been shared. It is a bill that validates any eel royalties or fish farm licence fees paid to the director of Inland Fisheries to date and it enables the ongoing collection of eel royalties. We have had a discussion about that and that is the effect of it. I appreciate the comments and the support from Labor and the Greens.

In response to Dr Broad, there was a hint that it was all the Liberals' problem, going way back, but this initially occurred under the Rundle Liberal government in 1996. The regulations were rewritten in 1999 under the Bacon Labor government and again in 2009 under the Bartlett Labor government, with fees and royalties charged under all governments since 1996. We all take a share of the pain and suffering we are going through today. This oversight was found mid-year this year through the work of the Inland Fisheries Service and their efforts to review the regulations, updating them for this coming year and the decade ahead. As soon as that was identified they took advice and talked to the department. We have taken advice from the Solicitor-General and we feel very confident in this legislation and that it will validate those fees and royalties going back and the opportunities going forward.

There was a question about what action was undertaken when it was realised the head of power did not exist. Upon confirming that the provision to collect royalties was not carried forward during the transition from the Fisheries Act 1959 to the Inland Fisheries Act 1995, the Inland Fisheries Service wrote to holders of commercial eel licences waiving fees falling due, including the 2018-19 harvest fee and the 2019-20 annual fee. Approval was sought to draft amendments to the Inland Fisheries Act 1995, validating royalties and fees collected and enabling the ongoing collection of royalties.

In relation to the query from Dr Broad, let me just reflect on that and say that the catch in the eel fishery varies due to environmental factors. It may be a drought; there may be a variety of measures that impact on the fishing effort. I have been advised that the fishing effort undertaken by certain licence holders can be impacted by a variety of factors. For example, in the 2018-19 year, two licences were not fished at all. Changes come, changes go, and they respond to those changes, whether they are environmental or drought or business reasons, that they may have relevant to themselves.

In terms of the IFS work with all of the eel fishers licensed in Tasmania, the fact is they cooperate and liaise with them. I am advised that several of them certainly expressed support for the work of the IFS that is done. Some of the concerns that have been raised relate to reporting requirements of the Environment Protection and Biodiversity Conservation Act, the federal legislation, and export approval measures and requirements which are outside the IFS domain, but in the domain of the federal government. According to the advice I have received, as Dr Broad may be aware, the wild eel fishery is regulated by the IFS to ensure the industry meets the sustainability indicators for its EPBC export approval. This approval has been maintained for over 10 years. Trends in the catch within each licence area are monitored for catch per unit effort and total catch. Juvenile eel recruitment into this fishery is monitored each year at two key sites - below the

Meadowbank Dam and in the Trevallyn tailrace. No problems in recruitment have been identified and there is no question over the sustainability of the eel fishery at this time.

Yes, it is true, from time to time I have had communications and advice from the IFS in this regard. I have never had any issues or concerns expressed to me about the sustainability of the wild eel fishery. I expect to be advised if there is an issue with the sustainability of the eel fishery. I wanted to put that on the record.

In terms of your constituents or queries from the eel industry, I urge Dr Broad to encourage those constituents to talk to IFS. Let me make it clear on behalf of IFS, they are willing and ready to discuss any of the issues specific to the concerns that we have in their jurisdiction at a state level - not at a federal level - and they can make contact with me as minister.

I am keen to support the wild eel fishery; I have been to Bagdad and visited the wild eel facility there and I have seen what they have installed. That was some time ago.

Dr Broad - The ex-eel facility.

Mr BARNETT - There are tough times and it is challenging times for a number in the industry, but there are ups and downs. The advice I have is that the IFS is available to have ongoing discussions. I agree with Dr Broad with respect to his reference to the Tasmanian brand. Our trout and salmon fishery, and the eel fishery likewise, is part of the Tasmanian brand and what makes Tasmania great. We need to do what we can to promote it, to support it, to protect it and as minister that is my ambition and I try to do that.

To the Leader of the Greens, in terms of the numbers caught, I can provide some information. First, the value of the fees waived in 2018-19, I think it was one of the questions, \$26 932 of fees and royalties were waived in 2018-19. As I said in my second reading speech, 32 595 kilograms was taken in 2018-19.

Ms O'Connor - By interjection and through you, Madam Speaker, that means that 32 500 kilograms was taken by the industry and they paid nothing for that, no royalties?

Mr BARNETT - They were waived in that year, 2018-19.

Ms O'Connor - That is right. Of a public resource that is a big giveaway, isn't it? We have given away 35 000 tonnes of eel and there has been no benefit to the people of Tasmania.

Mr BARNETT - I would not say it is given away. What has been waived are the fees and the royalties have been waived for that particular financial year, not previous financial years or post, but for that particular financial year based on advice that I received at the time from the department, through the Solicitor-General and/or other advice. That is the decision made at the time.

Ms O'Connor - A good deal for them. I am making the point that we have given away 35 000 kilograms of eel.

Madam SPEAKER - Order.

Mr BARNETT - It is not a matter of giving it away, but those fees and royalties were waived. I am trying to answer those questions. I have a few more to progress through. There was a question

about lobbying from aquaculture companies on fees. There was none in relation to the bill before us and freshwater fish farm licence holders were all notified about the bill last month as part of the normal process. No criticism has been received from those stakeholders.

Ms O'Connor - The question was about whether any salmon industry company had lobbied for these regulatory changes? Had the request come from -

Mr BARNETT - The answer is no.

Dr Broad - You might want to talk about the Regulatory Impact Statement that the industry had a go at.

Mr BARNETT - Yes, I am getting to that. The answer is no to the Leader of the Greens. You also asked about the total value of licence fees relating to wild caught eel?

Ms O'Connor - Yes.

Mr BARNETT - In 2018-19 it was \$14 220; fixed licence fee is \$1185 in 2018-19; total value of royalties from the wild caught eel fishery was \$12 712 in 2018-19. Fees across 12 commercial eel licences were waived, including harvest fees, royalties of \$12 712 and annual fees of \$14 220. That adds up to the \$26 932 of fees and royalties that were waived in 2019. I am drilling down there, providing extra information that may be of assistance. I hope that helps.

To be clear, the fees charged to freshwater fish farm licence holders are set based on advice from the IFS. The fees charged to these licence holders are changing in the soon-to-be remade Inland Fisheries Regulations 2019 to better reflect industry practice and ensure that licence holders pay their fair share. It is anticipated that the new fee structure will lead to an increase in fees collected, providing a greater measure of cost recovery for the IFS services, based on modern hatchery practices.

There was an interjection with respect to the Regulatory Impact Statement. There is no conspiracy here, to make it very clear. I am advised that was advertised on 25 September this year and closed around 15 October, so there was an opportunity for feedback in that regard. It was clearly advertised, out there and on the public record. That is what we are doing. We are upfront. Yes, there is a resource there and royalties and licence fees are applicable going forward. Those measures are in place. Our regulatory impact statement is out there. It has been consulted, advertised and the feedback no doubt noted and IFS will respond accordingly.

The Inland Fisheries Service wrote to all affected commercial licence holders on 28 October 2019 advising them of the oversight and proposed amendment to the Inland Fisheries Act 1995 and no criticism has been received.

There is an inquiry with respect to when fees were last changed. The last major change in fees occurred when the Inland Fisheries Regulations 1973 were replaced by the regulations in 1996 under the IFS Act 1995. Fees for fish farms based on the volume of water used were introduced from the making of the regulations in 1999 and commercial fees change incrementally each year in accordance with changes in the fee unit under the Fee Units Act 1997. You can see there is certainly room for further response by IFS to ensure we get a return on those funds invested. That is good practice from the Government and no doubt business, if they are listening in, and small business in particular can understand the importance of getting a return on funds invested.

Regarding how the bill relates to the remaking of the regulations, the bill is coincident with work being undertaken to remake those regulations. The bill enables royalties to be collected under the regulations once made, and given the coincident timing of the bill and remaking of the regulations the royalties will be included in a subsequent amendment to the regulations in 2020. This situation has arisen due to the inability to draft regulations without the head of power in the principal act and the approach to fees for fish farms is being addressed separately through the remaking of the regulations and is subject to the regulatory impact statement. It will be upfront, there will be full disclosure and it will go through the usual process. That is the right way to go as a government supporting transparency and openness. That is the practice.

As to whether the bill will result in newer increased fees for commercial or recreational fishers, the answer is no, subject to the observations I mentioned earlier. There are no new or increased fees for commercial or recreational fishers as a result of the bill and in fact some fees falling due to waiving of commercial eel fishers fees, as I have indicated. That is the thrust of where we are going.

I again thank members for their contributions; it has been a valuable discussion. We have fleshed it out and I have put more detail on the record for *Hansard*. That will no doubt go upstairs and hopefully assist our colleagues in the upper House. We are always happy to provide further information or advice.

In conclusion, it certainly will validate any eel royalties or fish farm licence fees paid to the Director of Inland Fisheries, paid to date, and enable the ongoing collection of eel royalties.

I also place on record my sincere thanks to the department and specifically the Inland Fisheries Service and John Diggle, who does a great job supporting the IFS as their director, providing that leadership and advocacy, not only in respect to these matters but with respect to providing best practice in terms of the management of our inland fisheries.

The member for Braddon referred to Gone Fishing Day. I was out there at Longford with the Longford Fishing Club at the back of Cressy on the dam and then with some of my colleagues from the Inland Fisheries Service and MAST at Port Sorell promoting fishing.

Mr Tucker - How many did you haul in?

Mr BARNETT - I did not haul in any that day but I was proudly supporting a number of the local constituents hauling a few flathead at Port Sorell and it was a great fun day because it is part of the Tasmanian way of life. We love it. I love it; it is part of my way of life. I love sea fishing, I love trout fishing, I love inland fishing. It is just terrific and Tasmania is an island state that is blessed with a world-class trout fishery. I am proud of it. I want to promote and support it. I will do anything to do that. Likewise, the sea fishing opportunities are fantastic.

Yes, there are pressures and challenges there, whether it is abalone, rock lobster or our wild catch. We have put in \$26 million to back our wild catch fishery. The Tasmanian Seafood Industry Council provide great leadership there. I work with and am happy to cooperate with any of the fishing organisations, whether they be sea fishing or inland fishing. I love getting out and meeting with some of the fishing clubs. I see John Diggle pretty regularly at some of those clubs when we go to their annual meetings and hear a few fishing stories. I love it, absolutely, like so many other Tasmanians. We have 100 000 recreational sea fishers in Tasmania and well over 20 000 licensed anglers and I would like to see that number increase. I think we can leverage off the world championships and highlight the benefits of fishing for not just Tasmanians but we are also happy

to have interstaters and overseas anglers. There will be quite a few, indeed 1000 of them, coming to Tasmania in a few weeks' time to enjoy the World Fly Fishing Championships.

In conclusion I thank John Diggle and his team for their terrific support, and Steve Patterson who is here today as well. Steve has done a great job up at Liawenee, now based at New Norfolk with the Inland Fisheries Service. I have an office in New Norfolk, Madam Speaker, and it is a great place for the IFS to be based and to shoot up to the Central Highlands, into the Derwent Valley and other parts of Tasmania as required. I put on record my thanks to the members of the Inland Fisheries Service for the work they do. When I visit with them or meet them out in the field I know they love their job, they get on with it and they are great promoters and supporters of a best-practice Inland Fisheries Service.

I also acknowledge Sam Wilson from DPIPW. I feel well supported by the department so thanks very much, Sam, for your support with this bill and providing advice to the IFS. Likewise to my office and to Matt Hochman, my inland fisheries adviser, and adviser extraordinaire in a whole range of other areas. Thank you very much, Matt, for your support. It is greatly appreciated. I know he is a recent dad and is enjoying that as well.

Bill read the second time.

Bill read the third time.

POLICE OFFENCES AMENDMENT (REPEAL OF BEGGING) BILL 2019 (No. 49)

Second Reading

[5.43 p.m.]

Mr SHELTON (Lyons - Minister for Police, Fire and Emergency Management - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The purpose of this bill is to amend the Police Offences Act 1935 to repeal the offence of begging, while still providing police the power to move beggars on, in the rare instance that their behaviour extends to include activities that rightly cause community concern.

Begging often stems from homelessness, chronic poverty and disadvantage. In these situations, it is usually a last resort to meet immediate needs, and the criminal law is not the appropriate response. Recognising this, the bill amends section 8 of the Police Offences Act 1935 by repealing subsections (1) and (1AA) which currently set out the offence of begging and the associated penalty.

The repeal of the offence and the associated move-on powers I will speak to shortly effectively reflect what Tasmania Police has been doing in practice. The number of instances where persons were charged with begging was extremely small - seven in the 2018-19 financial year. However, the number of complaints received by police were more significant - 61 over the same period.

The nature of the complaints varied. They generally reflected circumstances where beggars intimidated or harassed people or adversely impacted business. Reviewing the calls to police, over 47 of the calls were complaints by businesses. In a minority of cases, yelling, spitting or other

abuse was described by the caller. It was in a small subset of these problematic instances that police charged people with the offence of begging, and in most instances the problematic behaviour was resolved by the police directing the person to leave the immediate area.

With the repeal of the offence of begging, police will no longer have the power to move beggars on in response to these complaints. To address this, the bill inserts new grounds into the dispersal of persons power in section 15B of the Police Offences Act 1935.

The expansion of the dispersal of persons power enables a police officer to direct a person to leave a public place for a specified period of not less than four hours if the police officer believes on reasonable grounds that the person is begging in that public place and has intimidated or harassed a person; prevented or deterred persons from patronising a business, or the conduct of the business; or prevented or deterred persons from using a public facility.

The bill further provides a non-exhaustive list of public facilities to make clear the nature of the facilities it refers to. Public facilities do not extend to business or shopping districts, pedestrian malls, or to parks and gardens. Instead, they are limited to facilities such as public toilets, parenting rooms, playground equipment, and bus shelters.

Further, by calling out this behaviour in the context of begging, the bill does not prohibit begging by an alternative means. Instead, it constrains the move-on power so that it does not apply more broadly to other classes of persons - for example, the homeless, skateboarders, or youth generally.

Where a person is begging in a public place and also engaging in one of these behaviours, they do not commit an offence. Instead, the circumstance only gives police the power to direct them to leave the area. It is only where the person fails or refuses to comply with this direction that they commit an offence and may be arrested, the offence being a failure to comply with the direction.

Under the amendments proposed by the bill, there is no power to move a person on simply because they are begging, including when they are located in a business or shopping district. In such circumstances, the power to move a beggar on would only exist where they are situated so closely to the entrance of a business that customers are deterred from patronising it.

Madam Speaker, the bill will become law on the day on which it receives royal assent. I commend the bill to the House.

[5.49 p.m.]

Ms BUTLER (Lyons) - Madam Speaker, I rise to speak to the Police Offences Amendment (Repeal of Begging) Bill 2019. We see the amendment as positive, the changes seem balanced and reasonable and we will be supporting this bill. With 120 000 Tasmanians now living in poverty and a significant increase in homelessness, with more than 3300 applications for social housing with an average waiting time for priority applications at 67 weeks, a rise of 48 weeks since 2014, social housing is critical for people living on low incomes.

Despite the Government's constant declarations of growth across Tasmania, it is obvious that the main aspect of growth for one in five Tasmanians is inequality. The track record of the Government is that the only thing I can see that they are really good at growing is inequality. We are, however in agreement that the crime of begging should be abolished. Asking for money should not be a crime.

The Australian Lawyers Alliance stated in 2016 that criminalising begging was an inappropriate use of the justice system. Currently, people can be fined hundreds of dollars or face time in jail if they are caught begging on the streets and it is a similar story in most states across Australia. Only New South Wales, the ACT and Western Australia have removed the offence of begging. Community Legal Centres Tasmania state in their submission to the Police Offences Amendment (Repeal of Begging) Bill 2019 that they -

... strongly believe that homelessness and poverty cannot be addressed through the criminal justice system. The repeal of the offence of begging should result in a more humane approach by ensuring that beggars are not criminalised nor denied the right to publicly communicate their need for assistance.

This bill's purpose is not to explore the underlying reasons behind begging or to address potential solutions for begging. People who beg are among the most marginalised, disadvantaged and disenfranchised in society but we are aware that we are not addressing this disadvantage whilst we are dealing with the Police Offences Amendment (Repeal of Begging) Bill 2019.

The following results are from Justice Connect's, 'Asking for change, Calling for a more effective response to begging in Victoria' campaign. This was a case study in which they interviewed 30 people who beg or have begged, over a two-year period. The findings were that 77 per cent were experiencing homelessness, 87 per cent had a mental illness, 80 per cent had been unemployed for 12 months or more, 33 per cent had experienced family violence and 37 per cent reported childhood trauma or abuse. The research found that begging is an action of last resort. Homelessness is far more common than people think. Of the 1600 people counted in the 2016 census, only 8 per cent were sleeping rough. We need to consider the invisible 92 per cent of people who are in insecure, temporary, overcrowded and unsafe places. This can mean people sleeping in their cars, couch surfing or staying in motels or other short-term accommodation, and that quote came from Shelter Tasmania CEO, Ms Chugg.

Over 120 000 Tasmanians live below the poverty line and 8000 households are living in housing stress. More and more Tasmanians on low and moderate incomes struggle to find secure and affordable accommodation. Homelessness affects all age groups, especially younger and older members of our community. Nearly two in five people experiencing homelessness are under 25 and one in five are over 55 years old, Ms Chugg said.

We understand that this bill repeals begging as an offence and that is the purpose of this amendment. These statistics need to be stated and they really do need to be on the record. Whilst we talk about growth, the economy and bricks, et cetera, we seem to gloss over the fact that we have 120 000 Tasmanians living in poverty and that is something that we all have a responsibility for in this House, every single member.

The bill amends section 8 of the Police Offences Act 1935 by repealing subsections (1) and (1AA), which currently set out the offence of begging and the associated penalty. Data provided by Tasmania Police advises that seven people were charged with begging in the 2018-19 financial year. There were over 61 complaints made to Tasmania Police in relation to begging that generally reflected circumstances. In 2017-18 there were 67 complaints made. I am curious to know how many arrests were made in 2017-18 and could the minister provide that information in the response?

It is appropriate for section 8 of the Police Offences Act to be repealed. As well, we support the repeal of the penalty for that offence in this section. Beggars should not be criminalised, nor

should penalties be given to people as overwhelming evidence suggests do not have the financial capacity to meet those requirements. As well, Community Legal Centres Tasmania state in their submission that the use of fines and imprisonment fails to address the underlying cause of begging. We see the amendment as positive. The changes seem balanced and reasonable. With increasing rates of poverty and homelessness in our community, asking for money should not be a crime.

In their submission to the Police Offences Amendment (Repeal of Begging) Bill 2019, Shelter Tasmania echo the recommendation they made to the Hobart City Council by-law on public spaces to ensure that people experiencing homelessness and other vulnerable persons would not be subjected to penalties. A person cannot be issued an infringement for an offence where that person is homeless, in need of secure accommodation, has complex needs or is in need of additional assistance because of mental or physical disability or illness. In these circumstances a penalty is not appropriate but there is an opportunity for police officers to provide referrals for appropriate legal and support services.

We note that section 15B of the principal act is amended to provide police with explicit move-on powers against beggars. Community Legal Centres states in their submission that the act already addresses public safety concerns arising from begging without the need for additional dispersal powers. Community Legal Centres raised two points - that the existing powers in section 13 of the act pertaining to public annoyance are already adequate and that there is a concern that section 15B could create duplication. We are confident that the dispersal of persons power enables a police officer to direct a person to leave a public place for a specified period of not less than four hours if the police officer believes on reasonable grounds that the person is begging in the public place has intimidated or harassed a person, prevented or deterred persons from patronising a business or the conduct of the business, or prevented or deterred a person from using a public facility.

We are assured through the briefing process that this behaviour must be in the context of begging. I would like reassurance from the minister that these provisions can only be applied to the act of begging and cannot be applied to other classes of people, such as protesters or young people. They are just two examples. Due to the potential risks associated with move-on provisions, the repeal of begging and the increasing levels in poverty in Tasmania, I would appreciate the minister's consideration in agreeing to conduct a review of the impact of the act at the end of its first year of operation to ensure there has been no unintended consequences. This request is supported by Shelter Tasmania and would be a prudent measure. I commend the bill.

[5.58 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, I will speak for a brief time on the second reading. It is positive to stand in this place and see legislation come before the House that was initiated by community sector leaders, by leaders in the legal community, and brought into this place by the Tasmanian Greens via an amendment bill which we initially tabled on 25 October 2016, and the second piece of legislation which we tabled and debated last year and which was voted against by Government at the time.

There is no justification for legislation that punishes people simply because they are poor. People are reduced to asking for money because they are desperate and destitute and as a society, as Ms Butler said, we need to recognise that rampant inequality is contributing towards increased begging and homelessness. As a society, we must make sure that our laws look after people, not punish them or lock them up in jail for up to six months or slug them with an \$815 fine.

We have had a look at the Government's legislation and it is very clear, Ms Butler, that there is overreach in the second amendment because those provisions that allow police to move people on are already covered in the act. The wise thing to do with the second amendment is to reject it.

Debate adjourned.

ADJOURNMENT

Industrial Manslaughter Provisions - Petitions Tabled

[6.00 p.m.]

Ms O'BYRNE (Bass) - Madam Speaker, I draw your attention particularly to this, because I am going to ask you to assist me in a resolution to a problem I have now encountered.

I tabled two petitions in this House in April of last year. They were not in conformity with the Standing Orders and I thank the Government and the Greens for their support in being able to table them at that time. At that time, I thought that even though they were not in order, the Premier might be able to give a response, given the nature of the circumstance. At that stage, Mr Ferguson indicated that that would be okay. That was on Tuesday 9 April last year. I again raised the issue again on Thursday 30 June, some three months later, because I had not yet heard from the Premier, and to date we still do not have a response.

I know that there is no standing order that compels him to do so, but I seek that the Premier might respond to this petition. Just to remind members what the matter was, they were to do with workers compensation. The first was a petition to the Premier from 1416 petitioners, and the second was about justice for workplace deaths which was signed by 2923 people. The letter around the petitions said to the Premier -

The Tasmanian Government must ensure all workers are covered by the Workers Compensation Act. Currently some workers are being deliberately and unfairly excluded.

The Tasmanian Government must introduce industrial manslaughter laws for employers who have failed in their duty of care, resulting in a fatality.

Why is this important?

Mrs Robyn Coulson, who is the author of these petitions, explains why it was important. She says:

At the age of 24, my wonderful son, David, was killed in a workplace accident in Tasmania, an accident that should never have happened.

I feel distressed just thinking about the early morning phone call from one of David's friends advising us that the boat he was working on had not come in at the expected time. We waited for news, hoping for a good outcome.

The next phone call destroyed our world.

When the boat that David was working on sank, he swam for over five hours before dying of hypothermia. I cannot put into words how horrendous something like this is. We will never recover from the sudden and unbearable shock of losing our much-loved family member. David was young, healthy and a hard worker. He had his whole life in front of him. He should not have been killed at work. Workplace deaths break the hearts of those left behind.

This tragedy opened my eyes to the injustice, discriminatory and dangerous 1998 Workers Compensation Act. Some workers have been deliberately excluded.

They are disrespected when they are killed at work. They are denied any funeral/death compensation.

Basically they are disposable workers. This is unacceptable. All workers MUST be included in the Workers Compensation Act.

Employers should be accountable if they have contributed to the death of a worker by failing in their duty of care. Workers continue to lose their lives in Tasmania and families continue to be shattered and forever heartbroken.

The Tasmanian Government has ignored these issues for too long. They must take action and implement the legislative changes needed to protect workers.

Madam Speaker, when I raised the issue, it was in the light of the Boland report coming down, which deals with the issue of industrial manslaughter. We have seen jurisdictions around the country implement industrial manslaughter provisions and that is a conversation that this House needs to have. We need to look at our legislative obligations there, but I entreat you, Madam Speaker, to join in asking that the Premier provide Mrs Coulson with some kind of response. I cannot imagine the grief she goes through every day and, whilst not an obligation of you, it would be very kind if you would join me in seeking that the Premier provides some kind of response to Mrs Coulson. She is incredibly distressed, she has campaigned very hard, and all of us believe that she should at least get the courtesy of an answer.

Andrew Irving - Tribute

[6.04 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, I rise tonight to pay tribute to Andrew Irving who has, for the last five years, dedicated his life to the publication of a newsletter called *The Leaf*. Andrew is a very passionate advocate for the legalisation of medicinal cannabis and greater access to medicinal cannabis and has been a particularly staunch advocate on behalf of his wife, Marilyn, who unfortunately passed away two years ago. He continued to be a very strong advocate following her passing, and after five years of publication, or 25 editions, he has decided to retire.

I wanted to acknowledge all his hard work and the effort he goes to and continues to go to. I know he will continue to be a strong advocate. The information has helped people who are seeking advice about how to access medicinal cannabis here in Tasmania and he has lobbied politicians to improve access through legal frameworks.

I have known Andrew for all of the time he has been doing this work. He is tireless. He has had two hip replacements and he is going to enjoy a little bit of time to himself now but I want to recognise that he helped to establish the Little Green Trailer that has been around both Tasmania and Melbourne, providing information to people about the benefits of medicinal cannabis. The trailer will now continue to be operated by Lorna Jorgenson and Sharon Pickard who he says he is extremely proud of. He will continue now in an advisory capacity to the work that they will be doing and assisting them with different events where he can.

I will read a little bit from Andrew's final editorial in the edition of *The Leaf* that came out recently and he said:

Well, here it is. After nearly five years' of publication, this is the final issue of 'the leaf'.

It has given me enormous pleasure in putting this publication together every month and the response to it has been absolutely staggering.

Unfortunately, there comes a time to step back and let others take up the challenge of educating the public about medicinal cannabis.

The decision was not taken lightly, as many of you know. I also run a successful support and information group called 'Medicinal Cannabis & Hemp Tasmania' and the mobile education unit, 'Little Green Trailer Tasmania'.

I know Marilyn would be proud of the work continued in her name but would also understand my need to step back and slow down a bit.

Andrew, I am absolutely positive that Marilyn would understand the decision you have taken and I am sure she is incredibly proud of you. I thank you for your advocacy on behalf of all of those Tasmanians who are in pain and suffering who are trying to seek some relief from their symptoms. Thank you for the education and support you provided them through the work you have done with Medicinal Cannabis & Hemp Tasmania and I look forward to continuing to see you around the place. I have no doubt that you are not going anywhere fast.

The Wyatt Earp - Antarctic Voyages Commemoration

[6.07 p.m.]

Mr TUCKER (Lyons) - Madam Speaker, I rise tonight to finish my speech with the ANARE Club luncheon I attended back on 27 September, which I did not get the chance to finish the other week.

After being slipped at Devonport, she began a new life as a Bass Strait trader, sailing between the northern Tasmanian ports and Hobart, carrying an extensive range of Tasmanian produce to Victoria and other Australian states, including explosives for the West Australian and Tasmanian mines as well as to New Zealand. She also voyaged to New Guinea.

In 1956 my grandfather replaced the *Wongala* with a ship built in Hong Kong which he named the *Wongala II*. The *Wongala* was sold to the Sydney-Ulverstone Shipping Company of Sydney where she was renamed the *Natone* after the potato growing district of northern Tasmania. She was

then modified to carry live cattle, with special cattle pens in the hold and on the deck and tarpaulins covering the cattle from the tropical sun. She carried cattle for many breeders from the Queensland ports of Maryborough and Rockhampton to Port Moresby.

The *Natone* made many voyages to Port Moresby. In view of the numbers of cattle she carried, the ship was instrumental in starting the cattle industry in Papua New Guinea.

In January 1959, returning from Port Moresby in ballast during the cyclone season, the *Natone* sailed into the remnants of Cyclone Beatrice off the Queensland coast and began leaking, which stopped her engines. Despite hoisting the sail, she drifted onto the Mudlo Rocks, Rainbow Beach, Queensland and became a total loss on 24 January 1959.

A remarkable life and time for this 40-year-old wooden ship with seven names, with Tasmanian and my own family connections.

At the luncheon, the Norwegian Ambassador joined with the ANARE Club president to unveil a commemorative glass plaque recording the ship's proud maritime history. The plaque has been presented to the Maritime Museum of Tasmania in Argyle Street for permanent display. Also at the luncheon, there was a display of prints illustrating the ship's earlier voyages as well as a video of the 1947-48 voyage and views of the wreck as it lies today under water off Rainbow Beach, Queensland.

The historic ship's bell, engraved with the details of the Norwegian shipyard where she was built in 1919 and on the reverse engraved HMAS *Wyatt Earp* 1947, was a highlight at the luncheon and the bell was rung in strict Navy tradition for the opening and the closing of the luncheon by Mr Norman Tame, the crewman on the 1947-48 post-war voyage to Antarctica. A most enjoyable historic luncheon and a most noteworthy event for Hobart as the gateway to Antarctica.

Kangaroo Bay - Proposed Development by Shandong Chambroad

[6.10 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, I reflect on what has been happening on the eastern shore of Hobart and the closed council decision meeting at the Clarence City Council last night, I believe, around the extension of the development for Shandong Chambroad petrochemical company on the Kangaroo Bay site. That is such a controversial project and it has been going on since 2015.

It has received a huge amount of support from the Liberals and state and federal governments. It received a federal government grant of \$5 million in funding towards a so-called jobs and growth plan for the Kangaroo Bay hotel hospitality centre. That was the proposed development. It received \$2.5 million-worth of prime waterfront land in Bellerive from the Tasmanian Liberal Government. It has received untold amounts of support from the Coordinator-General in the secret dealings that were undertaken between the developer, a Chinese petrochemical company, and Hunter Developments, which undertook the design and project and management for what is happening there.

What we have is a development that has not started. It was totally unsupported by the community because it completely contradicted the existing community-established and Tasmanian Planning Commission-endorsed planning development for the Bellerive Bay area.

The design as has been agreed by the council does not have a public open space. It is twice the height of the community development-Tasmanian Planning Commission height limits for that area. It is a monster of a problem for parking and for traffic management in the Bellerive community.

Leaving all of that aside, what we have is a situation where a company has twice now received an extension, I believe for another 11 months, to continue with their activities. We have UTAS weighing in to provide succour to this Chinese petrochemical company and to give them a lifeline. The money that he has spent as taxpayers, forwarding the aspirations of this Chinese petrochemical company to establish a so-called hospitality centre, extends not just to the \$5 million grant that they received but also to \$200 000 that went to TasTAFE, through Drysdale's Hospitality Training Centre, that were allegedly to supply the hospitality training services.

After \$200 000 was spent - I confirmed that with the minister in budget Estimates this year - TasTAFE realised that they were not capable of delivering Masters level hospitality training. It took them \$200 000 to make that amazing discovery. It quite beggars belief that it took them so much money and so long to do something which ought to have been written down in their business plan. TasTAFE has walked away from this project and now UTAS has come in and signed an MOU with Kangaroo Bay.

Shame on them for not doing proper due diligence. Shame on them for not looking at the real environmental impacts and the community controversy around this development. Shame on them. Who gets to benefit from this? By the university's statement they say it is going to have a profoundly positive influence on our economy and society. For whom? We understand there will be no Tasmanian people trained at this hospitality centre. It will be full fee-paying Chinese nationals being trained at a hospitality centre which is being put on Tasmanian land that has been gifted to a Chinese petrochemical company, against all the support of the community. How are we winning? We are just outsourcing hospitality training to a foreign country. What are we getting out of this for Tasmania?

Some people think it will be great to have a building built in that space. The community wanted a development. They wanted it to be the height of the planning scheme and they wanted it to be for the benefit of their community with a public open space that should have been there. Instead, it is being gobbled up by a hospitality centre that most residents understand is more likely to be used as long-term accommodation for people who come out here, Chinese students who may wish to stay and become permanent residents. That is nice, but who is winning out of this? Certainly not the residents of the eastern shore. Certainly not people from Bellerive and Rosny Hill. This continues to be conducted in absolute secrecy, in closed meetings of the Clarence City Council. There have been ratepayer-funded trips to China to beg cap in hand, as Mayor Chipman did earlier this year.

It is not what the Kangaroo Bay community wanted and it is certainly something that this Liberal Party has been actively pushing for. It just speaks volumes about where their interests lie, which is handing over public land to private petrochemical companies. We should have no part of inviting companies like that to set up residence in Tasmania. We are meant to have a brand for a clean, green image. Not only has the Liberal Government got on board behind this but it is now really disappointing to see that the vice-chancellor and the council have signed off on an MOU with this company. It is not in the state's best interests.

Hardie Fellowships

[6.17 p.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Madam Speaker, I want to raise tonight the Hardie Fellowships that were awarded just last week to a number of educators in Tasmania. It was a great pleasure for me and a number of other people to attend the Professional Learning Institute function last Monday evening.

I want to reiterate that the Hardie Fellowships were established by Professor Charles Hardie, who was appointed Dean of Education at the University of Tasmania and was internationally recognised for his contribution to education. The Hardie Fellowships were established following Professor Hardie's passing in 2002 and a very generous bequest of around \$7.5 million from his estate enabled the Hardie Fellowship to be established.

It was a great pleasure for me and a number of other members of parliament the other week to celebrate with eight Tasmanian teachers who have been awarded this prestigious Hardie Fellowship which enables them to do research or study at a university in the USA for up to one year. There are many examples of previous Hardie Fellowship winners who have studied and come back and implemented a number of their learnings within our Tasmanian education system.

There was one I recall, Andrew Harris, who heads up our agricultural curriculum -

Mr Barnett - A good man, Andrew.

Mr ROCKLIFF - Yes he is, and Mick Davey also went away and studied the agricultural curriculum within our education system and now we have a very good agricultural curriculum framework and building on that we are making some considerable investment into revitalising our school farms as well, as just one example.

The honour is awarded to teachers who have demonstrated excellence in their practice, offering both immediate and future benefits to the state education system. This year's Hardie Fellowship recipients will undertake study with global leaders in their fields, gain access to world-class innovation and thinking and develop important global networks and links. The recipients will focus on improving student engagement, facilitating deeper learning, blended learning and best practice and improving the teaching of STEMM-based subjects. I congratulate all this year's recipients and wish them all the best for their studies. They include Emma Aorangi, the assistant principal of Cosgrove High School, and Holly Stewart, the assistant principal of Sorell School, and their focus will be redesigning education for student engagement, supporting and structural reform, student agency and student-centred learning to accelerate the learning of all students.

The second group we celebrated was Danielle Bresnehan, the principal of Tarooma Primary School, and Hilary Purdie, an AST at Tarooma Primary School, and their study focus will be generating change for deeper learning, developing expertise in the how, and the pedagogies and assessment tools required for wide-scale deeper learning in the twenty-first century.

Group three comprises Emma Dobson, AST at Kings Meadows High School, and Kerry Kleinig, another teacher at Kings Meadows High School. Their study focus will be how exemplary practice in blended and contemporary learning in the USA can inform their practice in Tasmania and positively impact on student wellbeing and engagement.

Group four was Nigel Baptist, a teacher at Don College, and Joshua Moore, a curriculum leader for years 9 to 12 in Curriculum Services. They are going to be developing high-level pedagogical content knowledge within the STEM discipline areas of mathematics and science and investigating how teacher-initiated inquiry is being used to enhance teaching practice.

It is a wonderful opportunity for all those great contributors to our Tasmanian state education system. I want to congratulate all of them and wish them all of the best for their studies. I know it is quite a rigorous process to achieve such a prestigious scholarship such as this in honour of Professor Hardie. I commend them for that and look forward to their contributions back within our Tasmanian education system upon their return.

Minister for Resources - West Coast Trip

[6.23 p.m.]

Mr BARNETT (Lyons - Minister for Resources and Energy) - Madam Speaker, I pay a tribute to those who provided such warm and friendly encouragement and greetings last Friday on the west coast. I really appreciated the opportunity as Minister for Resources and Energy to visit and meet with some of the key stakeholders and players and members of the local community in Queenstown, Zeehan and Tullah and meet with some of those people up and down the west coast. It was a late-night visit on Thursday night and it was getting quite cold as I arrived into Queenstown at about a quarter to twelve and I woke up the next morning and, would you believe, snow on the mountains. Mt Owen was covered with snow and it was scattered along the roads and roadside. It was cold outside, but a very warm welcome was received by me and my colleagues who were visiting from the department and Mineral Resources Tasmania, who provide terrific support to me and my office and likewise to the industry more generally.

The mining and mineral processing sector is so important. More than half of our exports are from Tasmania and it is a big employer not just on the west coast but on the north-west coast as well and across this great state of Tasmania. I am very proud of the mining and mineral processing sector and the jobs that they employ.

It was good to catch up with the mayor, Phil Vickers. He was setting up for the Zeehan Gem and Mineral Fair. I took the opportunity to catch up with the mayor and had a good, productive discussion about the plans. The fair was a wonderful opportunity to promote the west coast and its mining and mineral processing attributes. It is one of the most highly mineralised regions in all of the southern hemisphere and we are proud of that. The locals and other mineral enthusiasts were setting up for this fantastic event. The fair has been going for 15 years it is great to see the continued enthusiasm and commitment from all those involved on the west coast and elsewhere to promote and support the fair.

Unfortunately, I was there the day before but they were setting up and I was able to say well done, congratulations and that I hoped it went really well. By all accounts, it was another successful event and congratulations and to Mayor Phil Vickers and all those involved. There are a lot of volunteers involved in setting up that fair and it is a great attribute of the west coast.

I was able to catch up with Lindsay Newman, the Chair of the Tasmanian Seafood Industry Council. He is also a councillor on the west coast. We had a coffee at the local coffee shop. It was pretty cool outside but another warm welcome from Lindsay. It was great to be able to chat with him about the fishing industry and the Seafood Industry Council and the work that they do.

I was able to catch up with colleagues at Vedanta, Mt Lyell. It has been a tough time with lots of challenge. The mine has been in care and maintenance for some time and work continues. The Government has made a very strong commitment \$9.5 million to support the restart of that mine and our commitment is much more than that and will provide incentives for the restart of that mine. I have had ongoing discussions with management in my time as Minister for Resources during the past year.

We had a very productive and informative meeting with Clint Mayes and his team at Vedanta. I was not able to go down the mine on this occasion but we had a good update and there was very positive feedback based on the discussions. The Mayor and the General Manager were there as well as my MRT representatives and Ben Waining from my office. They have positive plans for the future. They want to look at the opportunities to make that mine more effective and more efficient and I look forward to further discussions and collaboration in the future. This Hodgman Liberal Government is very support of a restart in due course.

The community down there is resilient. It has been tough in Queenstown and I pay tribute to them. I had the opportunity whilst on the west coast to get along to the Renison Bell tin mine and catch up with Mark Recklies, the mine manager. This is the largest underground tin mine in the southern hemisphere. We should be reminded of that. It's been in production for over 80 years.

It's incredible longevity; the Bluestone Mines Tasmania Joint Venture partners that operate the mine are still finding new ore and extending the potential life of the important mining asset in addition to the expanding opportunities underground. There is also some great upside in the planning stages and will come to fruition, the Rentails Project, where they plan to retreat the old tailings to recover the tin and the copper from those dams, is on track to be developed in the near future but it is subject to further decision-making. It is another great opportunity being taken with both hands by those on the west coast and that mining community.

The project will have positive benefits in production and employment in the region and is providing environmental benefits. A working mine is the best sort of mine you can possibly have for the economy, society and the community and the environment. The existing mine already employs over 300 direct jobs and, with the addition of the ringtails project, will be a significant provider of employment for the region.

I was able to catch up with Venture Minerals and it was great to be advised by their manager, Andrew Radonjic, to travel to the proposed site of their iron ore mine at Riley. It was good to get a progressive report and hear the updated information from Andrew and his team. It was great to see them down there on the west coast.

It is a wild and woolly environment but west coasters are resilient. That is why they are there. They love it and I say congratulations, great to visit, and the prospect of 100 jobs on that project is yet another positive sign to the mining industry. That is over a two-year period. There are the opportunities for Mt Lindsay Project. What a wonderful visit to Granville Harbour and to see the opportunities for that wind farm on the west coast, to power 46 000 homes. I do not have any further time to elaborate but it was great to visit the west coast.

Time expired.

The House adjourned at 6.30 p.m.