



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Tuesday 1 April 2025**

**REVISED EDITION**

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**Tuesday 1 April 2025**

The Speaker, **Ms O'Byrne**, took the Chair at 10.00 a.m., acknowledged the Traditional People, and read Prayers.

## **MESSAGE FROM THE GOVERNOR**

### **Senate Vacancy**

**The SPEAKER** - I wish to advise the House that I have received the following correspondence from Her Excellency the Governor, dated 28 March 2025.

Dear Speaker,

I enclose a copy of the letter that I have received from the President of the Senate notifying me that, pursuant to provisions of Section 21 of the Commonwealth of Australia Constitution, a vacancy has occurred on 28 March 2025 in the representation of the State of Tasmania as a result of the resignation of Senator Anne Urquhart.

I have also written to the Premier and the President of the Legislative Council to advise them of the vacancy.

Your sincerely,  
Barbara Baker,  
Governor.

Apparently, it being April Fool's Day, I am not allowed to suggest that I can appoint myself to the vacancy. If anyone would like to nominate me in seven days, feel free, go ahead, any of you. That would be great.

## **RECOGNITION OF VISITORS**

**The SPEAKER** - I acknowledge in the gallery the first of two groups of students from grade 6 from The Friends' School who have been in the parliament during the last week. They are having a bit of a look at what you do today. They have been sitting in your chairs already, so they have a pretty good idea of how this place is going to run. We will get scored later on. Thank you very much for joining us.

**Members** - Hear, hear.

## QUESTIONS

### Macquarie Point Stadium - Tasmanian Planning Commission Report

#### Mr WINTER question to PREMIER, Mr ROCKLIFF

[10.03 a.m.]

Labor supports the stadium because of the jobs it will create and because it will deliver our AFL teams. However, it became clear yesterday that you have put that all at risk. The Tasmanian Planning Commission (TPC) has effectively said you cannot meet your promised cap of \$375 million of Tasmania taxpayer money and 'not one red cent more.' It says the designs do not meet the planning scheme and it will take years longer to build than you have been admitting. It questions your ability to deliver on the broader stadium precinct, given the limited space of the site. It raises serious concerns about pedestrian safety. It raises concerns about transport and the traffic chaos that will be created. It raises dozens of issues relating to site contamination, groundwater management, landfilling requirements, noise impacts, stormwater and even potential flooding.

Just like the *Spirits*, you have had years to get this plan right. How have you stuffed this up so badly? Are Tasmania's AFL teams at risk because of your management of this?

#### ANSWER

Honourable Speaker, I thank the member for his question. Lucky you said you did support the stadium because you would not be able to tell.

**Members** interjecting.

**Mr Winter** - It is not our fault.

**The SPEAKER** - Members on my left.

**Mr ROCKLIFF** - After four decades of a long hard-fought fight, I know it hurts you, but I was the premier who delivered the team-

**Members** interjecting.

**The SPEAKER** - We do need to hear the answer. Members will allow the Premier to be heard.

**Mr ROCKLIFF** - and I will continue to do so because on this side of the House we have courage and conviction. On that side of the House, we have cowardice.

**Members** interjecting.

**Mr Winter** - You live in a make-believe.

**Mr ROCKLIFF** - Your question is laced with negativity. I think the 'No Stadium' stickers are still there somewhere. When I was driving in Launceston the other day, I looked in

the window of Ms Finlay's office there. I think I could see a pile of red 'No Stadium' stickers ready to go still.

**Dr Broad** - Have you read the report?

**The SPEAKER** - Leader of Opposition Business.

**Mr ROCKLIFF** - We will work through the issues of the draft report, a time for the Macquarie Point Development Corporation to work through the issues. The community will continue to have their say. I thank the TPC for its interim report because when we work through these issues and the work of the TPC, it allows us to bring forward the best stadium it could possibly be. That is why the issues are presented. We are very committed to the stadium. It will be a game changer for this state. Every single stadium infrastructure across Australia has had controversy, challenges and significant opposition.

We would be nowhere if you lot were in charge. Courage, conviction, and cowardice is what we have over here. Weak. I have been reflecting on the last couple of days. It has been Groundhog Day, and Groundhog Day means -

**Members** interjecting.

**The SPEAKER** - Members on my left.

**Mr ROCKLIFF** - When it gets too tough, the Labor Party goes to ground.

**The SPEAKER** - The Premier's time for answering the question has expired.

### **Macquarie Point Stadium - Project of State Significance**

**Mr WINTER question to PREMIER, Mr ROCKLIFF**

[10.07 a.m.]

You say this is like Groundhog Day and it is: this is the *Spirits* all over again. You have stuffed up the stadium so badly that getting it recommended for approval through the current process appears highly unlikely. This is a bigger mess than the *Spirits*. Are you planning to pull out of the Project of State Significance (POSS) process?

### **ANSWER**

Honourable Speaker, as I say, Groundhog Day. When it gets a little tough for the Leader of the Opposition, he goes to ground. Weak.

**Mr Winter** - Where were you this morning on the radio?

**The SPEAKER** - Leader of the Opposition.

**Mr ROCKLIFF** - Where were you in the last few days when it comes to supporting the salmon workers, for example? You go to ground. Where are you on -

**Members** interjecting.

**Dr Broad** - Are you serious?

**Mr ROCKLIFF** - Yes, I am serious.

**The SPEAKER** - Leader of Opposition Business.

**Mr Winter** - You put them on notice a week ago.

**The SPEAKER** - Leader of the Opposition, I am warning members on your side while you are interjecting. I do not want to have to get Speaker Eloise down from the gallery upstairs to come and take care of this place. Neither does Speaker Eloise. Premier, you have the call.

**Mr ROCKLIFF** - Thank you, honourable Speaker. We are working through the issues. We are in a process; the timelines are challenging. One indisputable fact is, if this stadium is not built, there will be no team.

### **Supplementary Question**

**Mr WINTER** - A supplementary question, Speaker?

**The SPEAKER** - I will hear the supplementary before taking the next question.

**Mr WINTER** - Will the Premier rule out pulling this project out of the Project of State Significance process?

**The SPEAKER** - Premier, that was the original question so it is an approved supplementary. I will call you to it.

**Mr ROCKLIFF** - All I can guarantee when it comes to the stadium is that this parliament will have its say.

**Members** interjecting.

**The SPEAKER** - When the House comes to order, I will give the call to the Leader of the Greens.

### **Macquarie Point Stadium - Project of State Significance**

**Dr WOODRUFF** question to **PREMIER**, **Mr ROCKLIFF**

[10.09 a.m.]

The Greens do not support the stadium and we never have. The new Planning Commission's report, which is utterly damning, backs in exactly why. It details massive and insurmountable problems with the stadium, and as the Greens and many others have long warned, it shows the stadium will cost well over a billion dollars and be a huge hit to the state's finances. It will add close to \$2 billion in state debt and nearly \$100 million every year to the budget deficit.



The TPC highlights a litany of other major concerns: traffic congestion, impacts on Aboriginal and built heritage on the Cenotaph, increased flood risk, and the inconsistency with your government's own precinct plan. You might have staked your reputation on this project, but surely you can now see that the stadium is a terrible deal for Tasmanians. Will you finally admit that you have made a mistake? Will you move to scrap the stadium and start negotiating a deal with the AFL for all Tasmanians that does not include building the stadium?

**ANSWER**

No.

**Dr Woodruff** – You are not going to renegotiate a deal for Tasmanians?

**The SPEAKER** - Leader of the Greens, you have an opportunity to ask a supplementary question; you do not have the opportunity to interject.

**Macquarie Point Urban Renewal - Federal Funding**

**Ms JOHNSTON question to PREMIER, Mr ROCKLIFF**

[10.10 a.m.]

Your government committed to delivering affordable housing and urban renewal as part of the Macquarie Point redevelopment. Mr Duigan signed the deal with the Commonwealth last year; it is called the Macquarie Point Urban Renewal Federal Funding agreement. However, it is clear there is no room for housing or urban renewal. The stadium will not even fit properly on the site.

The TPC yesterday said the majority of the site's available space is occupied by the stadium structure and its associated elements. Any space leftover is not enough to build affordable housing or create a mixed-use precinct. Is it your intention to give back the \$240 million of federal funding because you cannot deliver the affordable housing or urban renewal you signed up for? Is there now a \$240 million black hole in the budget for this stadium?

**ANSWER**

Honourable Speaker, I thank the member for the question. This is about urban renewal and the entire precinct. It is about unlocking opportunity. It is about bringing to Tasmania a decades-fought dream for our own AFL team. I understand the opposition from the Greens, and I understand the opposition from the member, but I do not understand it because, frankly, a lot of people in your electorate want the team. I thought you would have been for aspiration.

**Members** interjecting.

**The SPEAKER** - Members of the Greens.

**Mr ROCKLIFF** - All those working families out there in the suburbs are really excited about this opportunity. I call on you for once in your life to stand up for working people in your electorate, because that is exactly what I stand for: giving aspiration, hope and opportunity to

thousands of young Tasmanians who stop me in the street and say, 'Thank you, Premier, for fighting hard.' Their mums and dads say, 'Thank you, Premier, for your courage in fighting for this team.' That is why I will never give up and plough on. Yes, there are some issues. We recognise that.

**Mr Bayley** - That is why you need to renegotiate it.

**Dr Woodruff** - Just renegotiate it. That is the point.

**The SPEAKER** - Leader of the Greens; Deputy Leader of the Greens.

**Mr ROCKLIFF** - I have seen the benefits around Australia. I have listened to, and done research on, the enormous opposition for stadium infrastructure right across the country. Thankfully, in all those communities, they have won the day. I was in Adelaide a few weeks ago and I could not find a single person who stood up against the stadium when thousands were marching in the street.

The challenge that those opposite have is that they need to stand up and be counted. For all the weasel words you like to say, Mr Winter, you did not even support the stadium until about 12 months ago and now it appears you are backing down now because you are weak.

**Mr Winter** - You have stuffed everything up.

**The SPEAKER** - Could I remind members that it was the member for Clark, Ms Johnston, who asked the question, and therefore she will get the answer and everyone else will be quiet.

**Mr ROCKLIFF** - This is a huge opportunity for Tasmania, and if there is no stadium, there will be no team and lost opportunity. The benefits of this project were not well canvassed yesterday in the report. Many issues were - I recognise that and we will work through it.

**The SPEAKER** - The Premier's time for answering the question has expired.

### **Supplementary Question**

**Ms JOHNSTON** - A supplementary question, Speaker?

**The SPEAKER** - I will hear the supplementary from the member for Clark.

**Ms JOHNSTON** - It goes to the original question. The Premier has just outlined it is all about urban renewal, but the TPC report makes it very clear there is no room for urban renewal. Is it the Premier's intention to give back the \$240 million of federal funding because you cannot deliver affordable housing or urban renewal on the site that you have signed up to, and is there now a \$240 million black hole in the budget?

**The SPEAKER** - I will call the Premier to the original question about the federal funding.

**Mr ROCKLIFF** - The answer to that last bit of the question is no. We will not be handing back \$240 million. Frankly, I am amazed that we have a member for Clark wanting to hand

back \$240 million to the Commonwealth when it can be invested in an urban renewal precinct in southern Tasmania and in your electorate. No, I will not be. I will be ploughing on, as I have always done. We will get the job done because there are many thousands of young Tasmanians who still hold that dream -

**Mr Winter** - You are going to let them all down.

**Mr ROCKLIFF** - and I will not let them down.

**The SPEAKER** - I will take the member for Franklin, Mr O'Byrne. I will be taking people who do not interject, if anyone is wondering how today is going to run.

### **Metro Tasmania - Services**

#### **Mr O'BYRNE question to MINISTER for TRANSPORT, Mr ABETZ**

[10.16 a.m.]

The crisis engulfing Metro has raged for many years and there is little sign of it improving. Mass service cancellations are causing many to give up on public transport and turn back to their cars, worsening Greater Hobart's gridlock. Every time this matter is raised with you and your government, you respond with a shrug and the tired old line of 'national driver shortage.' While there is an element of truth in that, you, your department, and Metro are compounding the problem. Initiatives to improve driver safety have stalled. Transit officers are now two years into their trial, but they still have no clear future and no direct powers.

Not a single bus has been fitted out with a security screen. Bus operators were threatened with the sack last week as they responded to yet another assault incident by seeking a cash ban on buses for their personal safety. Whilst there may be a driver shortage, the actions of your government are making it worse. When will you act to fix Metro?

#### **ANSWER**

Honourable Speaker, one thing that is unassailable, which the member himself had to admit, is that there is a driver shortage in Australia of 25,000. Tasmania is not immune to that shortage. There is a problem in being able to deliver all the services that we would like to the Tasmanian community. We simply cannot manufacture drivers out of thin air. At a time when Tasmania boasts one of the lowest unemployment rates in its history, it stands to reason that obtaining workers is going to be more difficult than otherwise.

In relation to the antisocial behaviour that the honourable member quite rightly refers to, that is a disgrace. I call on those engaging in that behaviour to cease, desist and have community pressure placed upon them as well. Over the road the other day I had a cup of coffee with one of the drivers who was assaulted. Completely unacceptable. It has shaken him. He came in with a mate who was a bus driver who kindly brought him in. I had a discussion with him. Previously, I have had a cup of coffee with another bus driver who has been assaulted. It is a serious matter. Our drivers should not have to put up with that.

As a result of this, the Department of State Growth and Metro have been looking at security screens and, might I add, they have been looking and trialling them. The Rail, Tram

& Bus Union (RTBU) and the drivers have found issues with the various security screen designs. I understand we have just recently come across a design - with the designs of these security screens you have to consider light reflection for the drivers as well, overnight from oncoming vehicles, et cetera. This has been very carefully considered by Metro, the RTBU, and the drivers, to ensure that we get the best possible security screening and we do not have some other issues arise that were potentially not foreseen. We want to make sure that occurs for the safety of our bus drivers.

Can I simply say to those engaging in the antisocial behaviour: this extra cost is an impost on the Tasmanian community because of the ugly antisocial behaviour. The Tasmanian community should not have to put up with this. Clearly, for the benefit of the drivers, we will do so and we will seek to protect them to the very best of our ability.

### **Supplementary Question**

**Mr O'BYRNE** - A supplementary question, Speaker?

**The SPEAKER** - I will hear the supplementary question.

**Mr O'BYRNE** - It goes to the question. The transit officers are still on a trial. They have no powers. Whilst I appreciate the update on the screens, I need some information about when those screens will be implemented, because this is two years in the making. Surely, we are not the first place in the world to bring screens in on public transport. Could the minister please update the House on dates, times, and timelines for those very important measures to make bus drivers safe?

**Mr ABETZ** - What I will do for the member is take the specific detail of that question on notice so that I can give him the exact timelines in relation to that.

### **Macquarie Point Stadium - Project of State Significance**

**Mr WINTER question to PREMIER, Mr ROCKLIFF**

[10.21 a.m.]

Pulling your stadium out of your Project of State Significance process would be an admission you have completely stuffed this project up. It would send a message to the parliament, and to the Legislative Council in particular, that you are unwilling to be honest about the costs, engineering risks, and safety concerns outlined in the Planning Commission's draft report. Will not pulling out of the POSS all but guarantee the failure of the stadium in the Legislative Council and the loss of our AFL team?

**The SPEAKER** - I remind members to not reflect too much on the other place.

**ANSWER**

We are still in the POSS. I do not know what you are talking about.

**Members** interjecting.

**The SPEAKER** - Thank you, Members still have quite a number of opportunities to ask questions. The Premier has the call.

**Mr ROCKLIFF** - We are still in the Project of State Significance process and yesterday was part of that process. As I say, I welcome the TPC's interim report. It is important that we work through the issues in the report. Working through those issues maximises our opportunity to make this stadium the best it can possibly be.

**Dr Woodruff** - \$2 billion of debt.

**The SPEAKER** - Leader of the Greens.

**Mr ROCKLIFF** - We will work through those issues, the submissions that we brought forward from the community, the Macquarie Point Development Corporation: it is all part of the process. I will not resale, unlike you appear to be doing, in my support for the team and the stadium, because they are linked. If you wanted to destroy young people's dreams in this state, then continue sitting on the fence, like you did for two-and-a-half years.

**Members** interjecting.

**The SPEAKER** - Members on my left.

**Mr ROCKLIFF** - You got off the fence a bit 12 months ago but you are crab-walking your way to any kind of position that suits you at the time.

**Members** interjecting.

**The SPEAKER** - Members on my left will cease interjecting. The Premier will direct his comments through the Chair to stop inciting the interjections.

**Mr ROCKLIFF** - Thank you, honourable Speaker. I am committed to seeing this through. We are in a Project of State Significance process. The timelines are tight, as per the agreement, but we need to pull out all stops to work through those issues and get the job done.

### **Macquarie Point Stadium - Cost**

**Mr BAYLEY question to PREMIER, Mr ROCKLIFF**

[10.24 a.m.]

The new Tasmanian Planning Commission report on the stadium is a damning indictment on your captain's call to sign a dud deal with the AFL. Without even asking your Cabinet or Treasury, let alone the public, you locked the state into a stadium that Tasmanians do not want, do not need and cannot afford.

Ever since you put pen to paper on the AFL deal, you have tried to mislead the community into believing the stadium can be built with just \$375 million of taxpayer money. The Planning Commission puts paid to your pretend numbers, showing the stadium will add nearly \$2 billion to Tasmania's debt. It says that the project 'may trigger a credit rating downgrade.' What a disaster that would be. Will you finally admit the true cost of the stadium

is well above a billion dollars? Do you admit that the mountain of debt, the bigger deficits and any credit rating downgrade will be entirely on your head?

**ANSWER**

Honourable Speaker, I thank the member for his question. This is from the Greens, who never care about debt.

**Dr Woodruff** - This is from the TPC.

**The SPEAKER** - Leader of the Greens.

**Mr ROCKLIFF** - I accept the fact that you have never supported it, but this is an investment in our state. Many businesses, small, medium and large invest and pay off debt and then grow their businesses, like how this is going to grow Tasmania. I know you know it, but politics is all you care about. Like those opposite, politics is all they care about, except they cannot make a decision or have a view on much at all.

**Mr Bayley** - Closing a lane on Davey Street. Obscuring the views from the Cenotaph.

**The SPEAKER** - Deputy Leader, you have an opportunity for a supplementary if you need one. Thank you.

**Mr ROCKLIFF** - When you take the investment in the Northern Roads Initiative access, for example, whatever you create on Macquarie Point in that urban renewal precinct, you will have to invest in that road infrastructure.

**Mr Bayley** - It is not part of the application.

**The SPEAKER** - Deputy Leader.

**Mr ROCKLIFF** - We will work through the challenges, like they have done in every single state of Australia with stadia infrastructure. The Optus oval in Perth, the Adelaide Oval, Townsville -

**Dr Woodruff** - What about the credit downgrade?

**The SPEAKER** - Leader of the Greens, you have an opportunity for a supplementary question. Stop interjecting, please.

**Mr ROCKLIFF** - There are protests now in Brisbane for the new \$7 billion stadium. I believe the 2032 Olympics will still go ahead though. My tip is they will work through those challenges. There have been reports done when it comes to the stadia opportunities in Brisbane or Queensland as well. This is an interim report with issues. I believe it ignores the wider benefits for Tasmania. That is what my focus is. We can work through a number of those challenges, but we cannot lose sight of the opportunity that this presents to Tasmania, the economy, the social infrastructure and the social capital of providing aspirations and opportunity for young Tasmanians who want to play for their own team in their own colours. There are also the job opportunities in supporting that team and being part of something truly special that Tasmanians have fought for decades.

You can criticise the deal all you like, but we have the team. We have a very capable board led by a very capable person in Grant O'Brien and a very capable CEO in Brendon Gale.

**The SPEAKER** - The Premier's time has expired.

### **Supplementary Question**

**Mr BAYLEY** - A supplementary question, Speaker?

**The SPEAKER** - I will hear a supplementary question.

**Mr BAYLEY** - The original question was: does the Premier admit that the stadium is well over a billion dollars? The Premier also talked about the northern access road. Can he confirm whether the northern access road is funded and whether it is part of this Project of State Significance application and when a development application for the northern access road is going to be progressed?

**The SPEAKER** - I will draw the Premier the first part of the question. He did discuss the issue of the northern access road, so I will ask him to have a look at that. However, it is a substantive question on its own and he has one minute to address the supplementary now.

**Mr ROCKLIFF** - Thank you, honourable Speaker. I will take it as another question. The northern access road will be in the Budget.

### **Macquarie Point Stadium - Affordability**

**Mr JENNER questions to PREMIER, Mr ROCKLIFF**

[10.29 a.m.]

No shocker; it will be another question about the stadium. I have always had concerns about the stadium, obviously its cost, traffic, and its position. Yesterday afternoon we received yet another damning report from the Tasmanian Planning Commission panel against the stadium. As you well know, the report follows a long line of others saying essentially the same thing: that the stadium does not stack up. In my opinion, your government will send the state broke if you continue down this line. Yes, we deserve a team, but we do not deserve to go broke.

As my boss said yesterday, you are already in a hole. Why do you not stop digging, and tell the AFL to stick the stadium? You can finally admit that the stadium will be a Tasmanian white elephant project that we cannot afford and that we do not need. We already have one of the best stadiums in the country.

**The SPEAKER** - I am afraid the member's time for asking the question has expired. You did not get to a question, Mr Jenner. I am so sorry.

**Mr JENNER** - Sorry?

**The SPEAKER** - You did not get to a question. Or was the last line the question?

**Mr JENNER** - Yes.

**The SPEAKER** - Could you repeat it then?

**Mr JENNER** - Yes, of course. We cannot afford the stadium. Will you now agree that we cannot afford the stadium and it should not go ahead?

**The SPEAKER** - A little bit of latitude, Mr Jenner. However, I remind members that there is a time limit and I have called other members up on it. You need to make what your question is very clear to the minister you are asking it of, otherwise it is very complex for them. You made those comments and you need to make it clear that that is your question if you have a long question.

**Mr JENNER** - I will, honourable Speaker.

## **ANSWER**

Honourable Speaker, I thank the member for his question and consistent view on this matter. I have taken great note of your leader's view on the stadium as well and where that should be placed, with all sorts of matters and the usual colourful language to which we have become accustomed.

My view is not so much that we cannot afford to build the stadium, but that we cannot not afford to build the stadium. This is a huge economic and social opportunity for Tasmania and I can see the broader benefits, the bigger picture.

You speak of traffic which will be a challenge, but we will overcome that. There was a well managed Christmas pageant in town with over 35,000 people; the wooden boat festival, with 50,000 people managed, worked through it -

**Mr Bayley** - Did it close Davey Street, a lane of Davey Street?

**The SPEAKER** - Deputy Leader of the Greens, it was not your question.

**Mr ROCKLIFF** - Lots of people walking through the streets, like they will be when we go and watch our own AFL team play. Also, York Park, in anticipation of any question from the member of Bass. That is four games in York Park as well. It was fantastic to be at York Park - or UTAS Stadium, I should say - on Saturday evening and a great example of that wonderful city, Launceston, coming alive over those 24 to 48 hours.

**Members** interjecting.

**Dr Woodruff** - That is where it should be. It should be in the north.

**The SPEAKER** - Thank you, members of the Greens. It is not your question either.

**Mr ROCKLIFF** - You mentioned transport. Those challenges will be overcome, with transport and road network solutions, and other areas of opportunity to support foot traffic. We have huge events now happening in the city that are accommodated, so I do not see that as a particular challenge.



A lot of questions and statements in your particular question but, at the end of the day, you have your position, in alliance with your leaders federally, and I have mine, and I am ploughing through it.

### **Supplementary Question**

**Mr JENNER** - A supplementary question, Speaker?

**The SPEAKER** - I am going to hear a supplementary question.

**Mr JENNER** - The actual question that she said that I did not ask was: can you finally admit the stadium will be Tasmania's white elephant project that we cannot afford? That was the question.

**The SPEAKER** - I am not sure that qualifies as a supplementary question because you did not get the original question in, but you now have it on the record and we will leave it there. I will take the Leader of the Opposition. I would take Ms Burnet but she interjected before, so she will get a call later. It is all about consequence in this place now.

### **Macquarie Point Stadium - Cost**

**Mr WINTER question to PREMIER, Mr ROCKLIFF**

[10.34 a.m.]

You promised more than 100 times that the cost to Tasmanians of your stadium would be capped at \$375 million, and you said, 'Not a red cent more.' Will you repeat that line today?

### **ANSWER**

Honourable Speaker, I thank the member for the question. I said we will make a capital contribution to \$375 million, and we will.

### **Supplementary Question**

**Mr WINTER** - The Premier just said he would make a capital contribution. Is he ruling out spending any more than \$375 million of taxpayer money, or borrowed money, on this project?

**The SPEAKER** - I will draw you to the original question, which was the capping of the \$375 million.

**Mr ROCKLIFF** - That is our position that we took to the last election and it remains our position. Have a look at our policy. I know you look at it regularly because you come up with ideas from the policy -

**Members** interjecting.

**The SPEAKER** - Members on my left, it is hard to hear the Premier when you interject.

**Mr ROCKLIFF** - The 2030 Strong Plan was also Labor's policy as well.

**Members** interjecting.

**Mr ROCKLIFF** - We know that, so take a look at the policy. We remain consistent with it.

**Members** interjecting.

**The SPEAKER** - That was very close from the independent members from the north, but I will take the member for Braddon.

### **Macquarie Point Stadium - Disability Access to Public Transport Services**

**Mrs BESWICK question to MINISTER for TRANSPOT, Mr ABETZ**

[10.36 a.m.]

Yesterday's report from the Tasmanian Planning Commission highlighted a broad range of challenges when it comes to building a stadium at Macquarie Point, including around transport. It says sourcing and maintaining a bus fleet is likely to be a major limitation, and is severely critical of the design of the bus plaza. It says it has no apparent scope for accessible services due to the curved kerb lines.

Premier, why have the needs of Tasmanians living with disability and mobility issues been overlooked? I do not know why I said 'premier' - minister.

### **ANSWER**

Honourable Speaker, I thank the member for her aspirations for me, but can I tell you that there is no vacancy in the premiership? You can be assured of that.

In relation to the matters of transport the member raises, these are all issues discussed in the issues paper from the planning commission, so this is an issues paper and it floats certain concerns. The Macquarie Point Development Corporation will undoubtedly provide responses to those matters that are raised in the issues paper.

We, as a government, have indicated that we will ensure that the transport matters are appropriately dealt with. Ferry services for eastern shore residents coming across to the new stadium is something that we are looking at. As the Premier quite rightly referred to previously, the Wooden Boat Festival saw 50,000 people descend on Hobart and the Waterfront.

This stadium with a seating capacity of 23,500 is less than half of that 50,000 and if the Hobart Waterfront could deal with that, why not with half of that amount? It stands to reason, does it not? Indeed, the streets of Hobart were lined by 35,000 people for the Christmas pageant. Yes, streets were closed, but do you know what? Life went on as normal and everybody celebrated the Christmas pageant as they celebrated the Wooden Boat Festival.

I have every confidence that the people of Tasmania will celebrate the new stadium, the concerts, the sporting events and other cultural activities that will take place at the stadium.

I have every confidence that these matters can be overcome. The issue that I would ask my fellow Tasmanians and members in this place is, if there is an obstacle, do you say, 'Raise the white flag' or do you ask the question: how can we overcome that for the benefit of the people of Tasmania so we can achieve the outcome that we want?

The economic and social benefits of this stadium are so strong and powerful that we need to put our collective minds to ensuring that any potential obstacle is overcome for the benefit of future generations of Tasmanians.

### **Macquarie Point Stadium - \$375 Million State Investment Cap**

#### **Mr WINTER question to PREMIER, Mr ROCKLIFF**

[10.39 a.m.]

The *Spirits* fiasco has become a national and international embarrassment for our state. We have two new ships and no berth and every year they are not delivered, it costs our economy another half a billion dollars. How is it possible that you have learned nothing from that debacle and are on the cusp of delivering another national embarrassment?

Two AFL licences and no ground that locks them in? Why will you not admit that your promised \$375 million cap on Tasmanian taxpayer money cannot possibly be met? It is a fantasy.

#### **ANSWER**

At least, deliver with conviction when you put forward a question. Do you want this stadium and do you want this team or do you not?

**Mr Winter** - Yes, we do.

**Members** interjecting.

**The SPEAKER** - Members on my left, the Premier has only just started answering the question.

**Mr ROCKLIFF** - Your games will kill the team, the opportunity and aspirations.

**Members** interjecting.

**The SPEAKER** - Members on my left, the Premier has only been on his feet for 18 seconds.

**Mr ROCKLIFF** - You played games with this issue for three years. Three years you have played games. You say you are not against it, but my question to you is: are you for it? You keep playing games and when you keep playing political games, you threaten the viability of the team that many people over many decades have fought for. You can wrap it up with all the spin that you like, but at the end of the day, you have to stand up and show some courage and conviction.

**Mr WINTER** - It is your project.

**The SPEAKER** - The Premier will direct answers through the Chair.

### **Macquarie Point Stadium - Enabling Legislation**

**Ms BURNET question to PREMIER, Mr ROCKLIFF**

[10.41 a.m.]

Will you rule out special enabling legislation for the Macquarie Point Stadium?

**Dr Woodruff** – Good question.

**The SPEAKER** – I call the Premier to the question.

**Dr Woodruff** - You should know the answer to that without having to...

**The SPEAKER** - Leader of the Greens, you are warned. The Premier had not even got to the podium.

### **ANSWER**

Honourable Speaker, I thank the member for the question. As I said before, we are going through the Project of State Significance process. The timeline is challenging. Parliament will have its say. I can guarantee that.

You say that the state cannot afford to build the stadium. I say that Tasmania cannot afford not to build the stadium because we would lose so much opportunity. I am not going to let this state be seen as a place that you cannot invest. I will never give in to the negative and the naysayers that align with everything that you say, in that is in your political interests. It is in the state's interest that this stadium infrastructure goes ahead.

The TPC's draft report has taken a very broad sweep in its assessment. We are on a timeline, and as you well know, the clock is ticking. We must get this done and we will get this done. We are in the Project of State Significance process as we speak. We are continuing in that process and the parliament at the end of the day will have its say.

### **Supplementary Question**

**Ms BURNET** - A supplementary question, Speaker?

**The SPEAKER** - I will hear the supplementary question.

**Ms BURNET** - The Premier mentioned the Project of State Significance process. Premier, there have been other Projects of State Significance considered. I wonder, if you do not like the outcome of this project - of that significance outcome - will you bring in enabling legislation?

**The SPEAKER** - I will allow the supplementary. It is the original question. The Premier can address it how he chooses.

**Mr ROCKLIFF** - I thank the member for the question. As I say, parliament will have its say. We are committed to that. We introduced legislation into the parliament to ensure that the parliament have that final say when it comes to the Project of State Significance process. Everyone in this Chamber will get one vote. I will get the same number of votes as you, member for Clark: one vote.

**Dr Woodruff** - This is your pulp mill moment.

**The SPEAKER** - Members on my left, the Premier is actually addressing a supplementary that he may technically have already answered, so please allow him to do so.

**Mr ROCKLIFF** - What are you smiling about?

**Mr Winter** - I think you are a bit worried about your own team.

**The SPEAKER** - Thank you.

**Mr ROCKLIFF** - I am actually worried about your team. I have not seen you so happy in a long time, which frankly really disappoints me.

**Members** interjecting.

**The SPEAKER** - The Premier's time for addressing the supplementary has expired.

**Mr Rockliff** - I am sure I will come back to it, honourable Speaker.

**Members** interjecting.

**The SPEAKER** - Stop there, little giggling, and the member for Bass will be heard in silence. Thank you.

### **Macquarie Point Stadium - Meeting with AFL Officials**

**Mrs PENTLAND question to PREMIER, Mr ROCKLIFF**

[10.45 a.m.]

When Dr Gruen's report into the stadium was released, we urged you to use it as a chance to sit back down with the AFL. The Planning Commission has now delivered an even more scathing assessment of the project. Will you now meet with the league officials to guarantee Tasmania's entry into the competition and remain secure, regardless of the status of the stadium?

**ANSWER**

Honourable Speaker, I thank the member for Bass for the question and interest in this matter. I know the member understands economics, opportunity and jobs. I know the

honourable member appreciates what large events in regional areas can bring to Tasmania, and in your case, Launceston.

There has been a lot of work done a number of years ago when it comes to the location of the stadium. I go back to previous reports that really highlighted the fact, regarding player attraction and a brand-new stadium infrastructure, how important it is to build that infrastructure and a high-performance centre as well. There are high performance centres being built in Adelaide for the Adelaide Crows, and more than \$100 million worth of investment for Hawthorn as well.

If we are serious about entering the competition with the 19th licence, we must ensure that we invest for the sustainability of this team. It is no good putting up your hand and saying, 'we deserve a team and therefore come down to Tasmania,' because that will be no good. That is why we have signed an agreement to ensure that we do have the best high-performance centre, that we do have the stadium infrastructure to support a team being viable in the competition, and without that investment and viability the team will fall over.

There have been examples in other states where the planning has not gone so well and therefore the viability of teams are questioned. I do not want that for Tasmania and that is why I am committed to staying the course, sticking with the agreement, working through challenges with the AFL - and the community as well - to ensure that not only will we get the job done - and it is not just to get the job done so we can play footy in 2028. This is to ensure that the Tassie Devils are playing in 2058, forever. Like the great clubs of Collingwood, and Hawthorn and the Blues -

**Members** interjecting.

**The SPEAKER** - The Premier could have stopped with Collingwood. That would have been fine.

**Mr ROCKLIFF** - and the history -

**The SPEAKER** - The time for answering the question has expired, but I do have a supplementary question.

### **Supplementary Question**

**Mrs PENTLAND** - We are aware of all the challenges now, and the timeline is very tight, but the question was: will you meet with the league officials to guarantee some certainty about the AFL team for Tasmania?

**Mr ROCKLIFF** - That is a good question. We are always meeting with our officials, the AFL, me personally, meeting with the AFL and engaging in conversation about timelines. We are committed to the timelines and the deal and we have agreed to work through a number of challenges. There are challenges with infrastructure projects right across the nation regarding timelines and the like and it is no different here. Sitting down, having sensible and measured conversations and working through these issues is important. If your question is 'will we meet with the AFL around those challenges?' my answer simply is, yes, we have been doing that and will continue to do so.

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### Recognition of Visitors

**The SPEAKER** - Before giving the call, I think we have another group from The Friends' School in the gallery right now who we may not have seen earlier today. Thank you very much for joining us. Their numbers are being managed so they all get to spend some time in the other place. We are much more fun, so you should hang out with us.

**Members** - Hear, hear.

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### Macquarie Point Stadium – Project Management

**Mr WINTER question to PREMIER, Mr ROCKLIFF**

[10.51 a.m.]

Tasmanian Labor supports the stadium, but the biggest risk to it is your government's incompetence. The *Spirits* fiasco was caused by your failure to ensure proper governance was in place for such a significant project: your failure to do proper due diligence and planning, your refusal to be honest about the problems facing the project and the failure of you and your ministers to provide leadership and governance that was required.

Just like the *Spirits*, your stadium plan has been beset from the start by governance failures, no Treasury advice, and no Cabinet approval. Just like the *Spirits*, yesterday's report makes it clear that you do not understand the basic issues like site contamination, groundwater issues or flooding, years into the project. Just like the *Spirits*, you continue to pretend everything is fine and it is not over budget when everyone can see that this project is hanging by a thread. Isn't there a pattern here? Isn't your government's incompetence ensuring the stadium goes exactly the way of the *Spirits* and putting our AFL teams at risk.

### ANSWER

Honourable Speaker, the answer to that ridiculous question is no. Your language has already changed from, 'Not against the stadium' to, 'You know, gee I had better make sure say I support the stadium'. You are all over the place. It is negative, negative, negative.

**Members** interjecting.

**The SPEAKER** - Member for Lyons, member for Franklin.

**Dr Broad** - Incompetent, incompetent, incompetent.

**The SPEAKER** - Who kept talking when I was ordering - that was no, not you - it was actually Dr Broad. Dr Broad, you are also in my eye now. Premier, you have the call.

**Mr ROCKLIFF** - Thank you, honourable Speaker. Negativity and playing politics will not get the job done. Will not get the job done.

**Members** interjecting.

**The SPEAKER** - Members on my left, please.

**Mr ROCKLIFF** - We will work through the challenges and we will get the job done, despite the fact of your negativity, your playing politics -

**Members** interjecting.

**The SPEAKER** - Member for Franklin.

**Mr ROCKLIFF** - and your cowardice and weakness. We will have the courage and the conviction to plough on through and get the job done.

**The SPEAKER** - Is that a supplementary question? No. Before I give the call, the member for Lyons is also warned. We have Dr Woodruff, Ms Brown, and Ms Butler on warnings. With that I give the call to the member for Bass, Ms Rosol, who, by the way, never interjects, if anyone is wondering. She can get the first call any day.

### **Macquarie Point Stadium - Cost**

#### **Ms ROSOL question to PREMIER, Mr ROCKLIFF**

[10.53 a.m.]

I might have to start, honourable Speaker. Premier, the TPC Report is clear: your stadium is going to cost Tasmanians nearly \$1.5 billion. Your plan is to burn taxpayer dollars on this build instead of investing in vital public infrastructure like hospitals.

People do not want your stadium and they sure as hell do not need it. We do have a great facility at York Park in Launceston and it is already being upgraded. What Tasmanians need is timely treatment when they show up to the Emergency Department. They need an ambulance that arrives on time rather than waiting longer than anywhere else in the nation. They need hospitals where there is actually air conditioning, not cheap icy poles that do not cut it.

Do you really want your legacy to be letting down generations of Tasmanians in desperate need of healthcare just so you can spend over a billion dollars on a stadium?

#### **ANSWER**

Honourable Speaker, I thank the member for the question. Thank you very much also for acknowledging what a great facility York Park is. The Hawks love playing on it and they do well. I was worried about the first quarter, I must say, on Saturday evening, but the point is this: we have secured \$65 million from the federal government to match our \$65 million to upgrade that facility to \$130 million. I am assuming the Greens support that.

**The SPEAKER** - The Premier does not get to ask -

**Dr Woodruff** - I support it.

**Mr ROCKLIFF** - You support \$130 million?



**Dr Woodruff** - Absolutely. Thanks for talking about our policies in Question Time.

**The SPEAKER** - The Premier does not get to ask questions because then I have to growl at Dr Woodruff for interjecting. All right, the House will come to order. Do not ask them direct questions, Premier. Dr Woodruff is already on a warning. Let us not entice that.

**Mr ROCKLIFF** - I will not ask questions directly.

**The SPEAKER** - You can ask through me, Premier.

**Mr ROCKLIFF** - You have lampooned your argument in your question already, because you are saying you support \$130 million being invested in York Park, but not any other stadium infrastructure, but your question does not reflect the facts, actually.

When we first came to government, we were investing about \$1.5 billion a year into health, now about \$3 billion a year into health, including upgrades to infrastructure in Launceston. We have rebuilt the new Royal Hobart Hospital, the Mersey Hospital: tens of millions of dollars there; new antenatal units in Burnie, a new mental health precinct - minister Jaensch released those drawings the other day, which is fantastic. We continue to invest in health infrastructure and education infrastructure as well and we have often said that we can do both, but what we cannot do, we cannot invest in those important areas to your question and you have highlighted very important areas, but we cannot invest in those areas if we do not continue to grow our economy, and if we do not continue to support our resource-based sector to grow jobs, grow opportunity, support regional Tasmania, and including enabling infrastructure such as a stadium.

I have seen the benefits around the country of investing in such infrastructure -

**Mrs Petrusma** - Hear, hear.

**The SPEAKER** - The Minister for Health can stop being helpful as well. She can say 'Hear, hear' but she is actually interjecting, even if she agrees with the Premier.

**Mr Willie** - You have one friend today.

**The SPEAKER** - You will have no friends if you are out of the Chamber, Mr Willie.

**Mr ROCKLIFF** - What the upgrade of the Adelaide oval -

**The SPEAKER** - The Premier's time for answering the question has expired.

### **Salmon Industry – Sale of Diseased Salmon**

**Mr GARLAND question to MINISTER for MENTAL HEALTH and WELLBEING, Mr JAENSCH**

[10.58 a.m.]

According to section 9 of the food safety act, food is unsuitable if it is the product of a diseased animal or an animal that has died other than by slaughter and has not been declared

by or under another act to be safe for human consumption. Section 17(2) of the act prohibits the sale of unsuitable food.

We know salmon are dying in the millions in salmon pens in the south-east of the state from a bacterial outbreak. We also know that the salmon companies are salvaging fish from these infected pens and they are being harvested for human consumption. Under what act and by whom have salmon infected with *P. salmonis* bacteria been declared safe for human consumption, and when was this declaration made?

**The SPEAKER** - I call the Minister for Health - I think that was directed to? No? Can I just stop you first of all, if the question was directed to the Minister for Health -

**Mrs Petrusma** - No, he said the minister for public health.

**The SPEAKER** - Apologies, I thought it was the Minister for Health. I call the minister responsible for public health.

## **ANSWER**

Honourable Speaker, I thank the member for his question. I will go to the *Hansard* record to ensure that I have covered the relevant components of that. If I have not got the information with me, I will secure it afterwards.

The public health examination of this case has been as part of a multidisciplinary and multi-agency approach led by the Environment Protection Authority (EPA). The advice remains not to consume dead fish or parts thereof, to wash hands if you do so, and to avoid recreational activities that bring people in contact with dead fish.

I am also advised that the bacteria, which has been the cause of recent salmon mortalities is specific to fish and these fish, and is not in itself of harm to humans, and that the antibiotics used in the treatment of fish affected by that bacteria are also applied in accordance with veterinary standards under supervision. In terms of fish that have been treated in the normal course of fish farming activities, I am advised that withholding periods and such apply to ensure that those materials from those fish are not passed into the human food chain.

I will examine the detail of your question to see if there is any additional information I can provide for you.

**The SPEAKER** - The Minister has said he will take some of the question on notice. The final question of today goes to the Leader of the Opposition.

## **Macquarie Point Stadium - Private Investment**

### **Mr WINTER question to PREMIER, Mr ROCKLIFF**

[11.01 a.m.]

The Planning Commission's report also highlights the serious risk to taxpayers with your plan to finance your stadium, particularly shortfalls from the private sector investments. It says:

A private sector investor, either through a direct share or a public/private partnership, would require a return greater than the state's borrowing rate.

The project needs real private investment, not an expensive financing arrangement from the private sector. Will you rule out any private investment that leaves Tasmanian taxpayers worse off in the long run?

**Mr Ellis** - I did not think you liked private investment.

**The SPEAKER** - Minister Ellis should not be interjecting when questions are being asked. I call the Premier to the question.

## **ANSWER**

Honourable Speaker, I thank the member for his question. We will be looking for every opportunity that benefits Tasmania, and that is why this side of the House is standing up for opportunity and aspiration. In contrast, the other side of the House is sitting on the fence. You come in and you say, 'Oh, we are not against the stadium; oh, we might be for it,' but you continue to be against it.

**Members** interjecting.

**The SPEAKER** - The member for Franklin is warned again so are the Leader of the Opposition and Deputy Leader of the Opposition.

**Mr ROCKLIFF** - You continue to be negative. This is about opportunity. The team is so crucial and it is linked, but the benefits are so much more when it comes to the stadium infrastructure.

I have said a number of times, the stadia economy around the nation is some \$8 billion. I was quoting those figures three years ago when Labor was continuing their opposition to the stadium all the way back then. Why should we not have some of that opportunity in Tasmania? What this demonstrates is that when things get tough, Labor goes to water. Thank goodness you are not in government, because these opportunities would be lost because you are weak. You do not stand up for Tasmania and you do not fight for things -

**Ms Dow** - Have a look in the mirror.

**The SPEAKER** - Deputy Leader of the Opposition, you are quiet, but I can hear you and it is still interjecting.

**Mr ROCKLIFF** - You do not fight for things that can benefit Tasmania and young people when the going gets tough but -

**Ms Brown** - There are planeloads leaving every day under your leadership.

**The SPEAKER** - The member for Franklin has had two warnings already.

**Mr ROCKLIFF** - We will continue to work through challenging but huge opportunities. I am very impressed with people involved in this project, including Anne Beach from the

Macquarie Point Development Corporation. What an outstanding individual Anne is, working solidly through this. She is a person with enormous capacity and the team around her likewise. I back them in.

We have put it out there. We are investing. That is our policy and we have very capable people who will deliver at the end of the day, despite the negativity and the opposition from those opposite.

### **Supplementary Question**

**Mr WINTER** - A supplementary question, Speaker?

**The SPEAKER** - I will hear the supplementary question.

**Mr WINTER** - The question was: will you rule out any private financing arrangement that leaves Tasmanian taxpayers worse off in the long run? You did not answer the question.

**The SPEAKER** - I will call the Premier to the question, but I believe he said he would look at everything. The Premier can restate that or answer the question.

**Members** interjecting.

**The SPEAKER** - Thank you, members on my right. The Premier can probably answer without your help.

**Mr ROCKLIFF** - The reason why we are fighting so strongly is that we want to make Tasmania better off, not worse off, and better off we will be.

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### **Recognition of Visitors**

**The SPEAKER** - I acknowledge in the gallery the former member for Hobart, Mr Valentine. Thank you very much for joining us today.

**Members** - Hear, hear.

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### **Answer to Question - Metro Tasmania - Services**

[11.06 a.m.]

**Mr ABETZ** - Honourable Speaker, I have further information for the member for Franklin which, hopefully, obviates the need for me to take the question on notice as I promised.

In relation to security screens, I have been reminded that Metro has applied to the National Heavy Vehicle Regulator for approval of the preferred design for security screens and once that has been obtained, the rollout will commence.

In relation to transit officers, the Department of State Growth has progressed in its planning to deploy transit officers statewide and will continue to work closely with general access operators through the process. An important aspect of statewide deployment is

development of the training package to enable appropriate use of powers. That package is currently being developed and is expected to be completed and approved by the Transport Commission by mid-year, which is based on powers available, learnings from the southern-based pilot and engagement with other Australian jurisdictions with similar functions.

In the meantime, transit officers continue to be deployed on southern services and their presence and body-worn cameras act as a deterrent and provide crucial evidence when passengers do the wrong thing.

**Time expired.**

## **STATEMENT BY SPEAKER**

### **Questions on Notice - Overdue Answer**

**The SPEAKER** - Leader of business, I will point out that we only have one outstanding question on notice, which is Mr Garland's about Section 9 and 17.2 of the acts.

## **CONSTITUENCY QUESTIONS**

### **Launceston General Hospital - Update on CT Scanners**

**Ms FINLAY question to MINISTER for HEALTH, Mrs PETRUSMA**

[11.07 a.m.]

Last year, your government announced new CT scanners at the LGH which were described as a game changer that would enable Tasmanians in the north to receive life-saving diagnosis more quickly and accurately. It was said at the time that new scanners would be operational in October last year. A constituent of mine has raised concerns the scanners have not been operational as planned. Are you able to confirm whether this is the case? If so, for how long have the new scanners have been offline?

### **Priority Housing List**

**Ms BURNET question to MINISTER for HOUSING, PLANNING, and CONSUMER AFFAIRS, Mr ELLIS**

My question is from my constituent Jamie in Glenorchy, who, for next month, has been waiting four years on the priority housing list.

'Minister, my name is Jamie. I am living with mental and physical disabilities and I am on a disability support pension. I rent privately, which I cannot afford on the disability support pension, much of which goes towards medical bills. I am afraid my rent will be increased further and wonder why so many new homes are being sold and so few are going towards social housing. If a priority applicant is waiting for four years, does the word 'priority' mean anything at all? How will you address my situation and the needs of over 4000 people on the priority housing list?'

### **Richmond - Main Road Line Repainting**

#### **Mr JENNER question to MINISTER for INFRASTRUCTURE, Mr VINCENT**

My constituent Andy would like to know when the government plans to repaint the faded white stop lines at the junction of the main road in Richmond, which is the C351 Bridge Street and Franklin Street. Having run the shop there for 15 years, he has noticed a significant increase in near misses and minor accidents over the past year due to the lines becoming almost invisible. When can this resident expect this safety issue to be addressed?

### **Tasman Bridge - Speed Cameras**

#### **Ms BROWN question to MINISTER for INFRASTRUCTURE, Mr VINCENT**

In recent weeks there has been coverage of the new speed cameras on the Tasman Bridge. Are you able to confirm the time period that the old cameras on the bridge were non-operational?

### **West Tamar Highway - Speed Reduction at Riverside-Acropolis Drive**

#### **Mr FERGUSON question to MINISTER for TRANSPORT, Mr ABETZ**

West Tamar Council has requested a speed limit reduction on the West Tamar Highway between Riverside and Acropolis Drive, which is not a council road, even though that four lane section of state highway was built for the current speed of 100 kilometres per hour. With the upgrade and duplication currently occurring for the north, many of my constituents who live in Legana, Exeter and Beaconsfield, have expressed their disagreement with the requested speed limit reduction. Residents want highways that are efficient as well as safe.

Respecting these different opinions, I ask the minister to reassure my constituents that any consideration would be totally objective and be based on safety, efficiency and the national guidelines? Additionally, would you liaise with the minister for Infrastructure on any possible improvements that may address questions of safety that have been raised?

### **Advanced Energy Meters**

#### **Mr FAIRS question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN**

My question is regarding the advanced meter roll out. I have been contacted by Greg of Kings Meadows regarding the roll out of advanced energy meters. Can the minister please explain why Aurora is replacing meters, what the benefits of these new meters are, and how many have been installed so far?

**Time expired.**

## **RESPONSES TO PETITIONS**

### **No. 9 of 2024 - Underground Electrical Cables for Heritage Values**

**Mr Abetz** tabled the response to a petition tabled by Ms Badger on 20 November 2024.

See Appendix 1 on page 126.

### **No. 4 of 2025 - Protect Critical Family Day Care Services in Braddon**

**Mr Abetz** tabled the response to a petition tabled by Ms Dow on 5 March 2025.

See Appendix 2 on page 128.

## **QUESTIONS ON NOTICE - ANSWERS**

### **No. 34 of 2024 - Salmon Biomass in Macquarie Harbour**

**Dr WOODRUFF** question to **MINISTER** for the **ENVIRONMENT**, Ms **OGILVIE**

See Appendix 3 on page 129

### **No. 10 of 2025 - Industry Taxation**

**Mr BAYLEY** question to **MINISTER** for **FINANCE**, Mr **JAENSCH**

See Appendix 4 on page 130

## **TABLED PAPER**

### **Public Accounts Committee - Report - University of Tasmania Financial Position**

[11.05 a.m.]

**Mr WILLIE** (Clark) - Honourable Speaker, I have the honour to bring up the report of the Parliamentary Standing Committee of Public Accounts on the University of Tasmania Financial Position. I move -

That the report be received.

**Report received.**

## **POLICE OFFENCES AMENDMENT BILL 2025 (No. 7)**

### **First Reading**

**Bill presented by Mr Ellis and read the first time.**

### **RECOGNITION OF VISITORS**

**The SPEAKER** - Can I acknowledge another group of The Friends' School students as they move through the building, who may or may not have been with us already, but if you have not, we are just waving at you now. It is a bit hard for us to tell with the reflection on the glass.

**Members** - Hear, hear.

### **MATTER OF PUBLIC IMPORTANCE**

#### **Tourism, Trade and Major Investments**

[11.16 a.m.]

**Mr WINTER** - Honourable Speaker, I move -

That the House takes note of the following matter: tourism, trade and major investments.

I rise today to talk about a matter of public importance being tourism, trade and major investments. Of course, these are the portfolios of the Premier of Tasmania, who is absent from the House today. Once again, he scurried out of the Chamber at a time when Tasmanians are looking for leadership. He is sorely lacking in leadership. Where is he? This Premier has a signature project more than any other Premier in Tasmania's history. He has one single project. One thing that he can hang his hat on - his stadium.

The report yesterday from the Planning Assessment Panel told us very clearly that there are serious problems with this. When I became the leader of the Labor Party, I gave the Premier the political support that he needed to get this project through this House. I did that because I want to see a Tasmanian stadium and to see Tasmanian AFL teams. However, I cannot build it for him. The Premier has told Tasmanians over 100 times that he will get this stadium built with a cap of \$375 million on Tasmanian taxpayer contributions. He said 'not a red cent more' over 100 times. He kept saying it. I did not hear those words today because that commitment is in tatters.

The project has serious problems, outlined by the planning process we read yesterday: serious concerns about pedestrian safety, traffic chaos, site contamination, groundwater management, landfilling requirements, noise impact, stormwater and even potential flooding.

This is like the *Spirits* all over again. It is the same premier for three years overseeing two massive projects, both completely stuffed up. The *Spirits of Tasmania* are costing our



economy half-a-billion dollars every year they are not delivered. It is letting tourism businesses across the state down because they invested while this premier was not getting it done.

The tourism hospitality sector is gearing up again, and our Tasmanian young people are gearing up again. There has been a huge increase in young people playing Auskick and participating in junior football all over the state. They have their Devils stickers on their drink bottles because they trusted the Premier to get this project done. Where is he today? Absent. Absent from his portfolios and absent from the House when the House debates major projects. This stadium is a major project. This is a stadium the Premier has rested his entire political career and credibility on, and it is a complete and utter mess. Tasmanians have seen the Premier stuff up the *Spirits* and they are seeing this project become more and more difficult to deliver. Issues that have been raised by people for years now are finally coming through in a report that points out the tremendous difficulties in delivering it.

This is a premier who has stood in this place and talked about reform and getting things done. He pointed to us one day and said, 'You do not have the stomach for reform.' That was about local government reform, before he capitulated and lost that as well. This is a premier that said he was going to put in a fire tax then he dropped that as well. This is a premier who said he would intervene and get the *Spirits* up and running and build those berths. So far, we are seeing very little progress. In fact, it needs a new design. This is an absent premier who says he intervenes in projects but every time he intervenes, they seem to get worse.

This is a critical problem for this government. We have seen the faces across the room today with their heads down, concerned about the signature project of this premier and of this government now in serious distress. They cannot answer the question of whether they are really going to cap Tasmanian taxpayer dollars at \$375 million. There is no clear answer. They cannot answer the question about whether they are entering into private investment or a private financing arrangement that is actually worse off for Tasmanian taxpayers. They cannot answer these questions.

They cannot answer critical questions about the delivery dates. The Minister for Transport said only yesterday that the timelines were at risk. The timelines are already in tatters. They cannot deliver this. We had the head of the Macquarie Point Development Corporation saying last week that 2030 is the drop-dead date.

Tasmanian Labor supports building a stadium and has given all the political support the Premier needs. However, I cannot build it for him. These are issues of engineering and finance - issues the Premier promised Tasmanians he would deliver on. He said he would cap their spend at \$375 million and has failed to do so. He said he would deliver it by 2029, and he is failing to deliver on those things. The Premier has no control over this project. Just like the *Spirits*, we risk Tasmanians being the ones to miss out.

### **Time expired.**

[11.21 a.m.]

**Mr BARNETT** (Lyons - Deputy Premier) - Honourable Speaker, I am pleased to speak on this topic today - very important, tourism, trade and major investment, because that is what we are about as a government. We are about getting on with the job and delivering for the people of Tasmania. On this side of the House, as the Premier has made clear today, we have courage and conviction.

**Mr Winter** - Where is he, then?

**Members** interjecting.

**The SPEAKER** - Members on my left.

**Mr BARNETT** - Those on the other side do not have the ticker. The Labor leader does not have the ticker to very clearly declare a position today. You were negative, talking Tasmania down all through question time today. If people are watching today, they still will not know the position of state Labor on this major transformational project. That is what it is. We are about putting vision into action for the people of Tasmania. It is a game changer, as the *Mercury* editorial noted very well today, for which I am grateful.

We are delivering not just a stadium, but a precinct that all Tasmanians can be pleased and proud of because this is going to provide an opportunity for our children to see the glint in their eye, to see the purpose and vision for themselves to be the best that they can be. That is what it is about. You will have seen the 200,000 Tasmanian and other members who have joined the Tassie Devils. Guess what? No stadium; no team. Does state Labor actually get it? You do not because if you did, you would be in here saying, 'Congratulations, Premier, keep working hard to deliver for Tasmania.'

**Members** interjecting.

**The SPEAKER** - The House will come to order. The minister will refrain from enticing interjections and the House will come to order.

**Mr Winter** - Read the report. Do you want me to email it to you? I will print it out and table it for you.

**Mr BARNETT** - It is hard not to entice interjections from the other side after their approach this morning -

**The SPEAKER** - Leader of the Opposition.

**Mr BARNETT** - where the Tasmanian public would be absolutely aghast at their negativity, talking Tasmania down. They have gone on and on and on with it. The Tasmanian economy and Tasmania will always be better served under a Liberal government. We have a plan. You have had 11 years to deliver a plan and you have not done it. You have had 11 years to deliver an alternative budget and you have not done it. Not one costed policy has come from the other side until last week, of course, when we had the shadow treasurer express comments with regard to the federal budget. He said it was a responsible budget and yet you had a -

**Members** interjecting.

**The SPEAKER** - Members on my left, shadow treasurer.

**Mr BARNETT** - decade of deficits under a federal Labor government and a billion dollars of debt -and he says it is a responsible budget. How does that work when, on the other side -

**The SPEAKER** - Mr Willie and Mr Ferguson will not chat across the Chamber.

**Mr BARNETT** - you are criticising us for our sensible pathway to surplus by 2029-30. The shadow treasurer has been absolutely caught out and it is a straight shame.

In terms of tourism, trade and major investment, we are getting on with the job. That is why we are cutting the red tape, streamlining the processes, backing business, backing industry and creating jobs - more than 45,000 jobs since we were elected in 2014 - and we are getting on with it. Regarding the Project of State Significance process, at the end of the day, people in this parliament will decide. You will decide, Mr Winter, and others in this parliament will decide. You will get that chance.

In terms of major investment, our very capable newish Minister for Infrastructure, Kerry Vincent, recently announced \$30 billion in our infrastructure pipeline. If major investment is what you want to talk about today, that is a record for Tasmania. That is on the back of \$6 billion of investment since we have been in government, and \$5 billion in our investment pipeline from last year's budget. We are getting on with the job.

You want to talk about trade? We have just hit record exports for Tasmania, much higher than the mainland states across Australia. In terms of tourism and our visitor economy, we could not be more supportive. We are getting on with the job. We will deliver with courage and conviction.

**Time expired.**

[11.26 a.m.]

**Ms BURNET** (Clark) - Honourable Speaker, I thank the opposition for bringing on this matter of public importance. First, I want to go to a couple of things the Treasurer hinted at. He talked about cutting red tape. Just a few moments ago in this Chamber, we heard an answer from the Minister for Transport about getting screens into buses to protect bus workers. Unfortunately, it sounded like a lot of red tape to get something as simple as protecting bus drivers and getting transit workers on -

**Mr Abetz** - The national heavy regulator. National.

**Ms BURNET** - It is still red tape, minister. The other thing that the Treasurer talked about was the benefit to our children in relation to the stadium. I put it to you, Treasurer, that this is over a billion dollars and it is going to cause huge amounts of intergenerational debt for our children, and there is no denying that.

The Tasmanian Planning Commission's interim report suggests that the stadium proposal was generous with projections, and the proposed benefits are described as 'excessive' in some parts of the report.

If we want to drive tourism, trade and major investment for our state, we should look no further than Macquarie Point, where we have something which is worth \$183 million to our economy annually, and that is the Antarctic gateway. Hobart as an Antarctic gateway city is very important to ensure that there is ongoing investment. There are about 1000 well paid jobs, which need to be protected, yet what we are seeing is this erosion of the viability of the gateway

project with this stadium project and all that that brings, and the chaos at Macquarie Point with this dogged approach to making sure that there is a stadium at any cost.

My concern, and the Greens' concern, is that the problem may well be that the Antarctic Division and the status of Hobart as an Antarctic gateway city worth \$183 million is in jeopardy, particularly when we see the berth for the Nuyina. It is still something that needs to be built by TasPorts, and that is going to take a number of years to finish. When asked at Estimates, it was deemed that it would take between three and four years. The TasPorts CEO was very confident that it could be delivered despite Macquarie Point waste treatment works being removed, and despite all of the other things that are occurring at Macquarie Point in relation to events down there and making sure that the stadium is delivered.

My concern is writ large in relation to the ability of this government to deliver the stadium project, but also to back in those existing important investments and trade and the tourism dollar that the Antarctic Gateway provides. We know the impact on tourism, particularly in the north-west, because of the debacle that has been TT-Line's and TasPorts' ferry and Devonport wharf upgrades. There have been significant problems with that project.

It is not good enough that the government believes that just backing in the stadium - not listening to any of the economic reports that have come; I think we are up to our fourth report now. The TPC interim report really spells it out.

### **Time expired.**

[11.31 a.m.]

**Mr FARRELL** (Lyons) - Thank you, honourable Speaker, for the opportunity to address this matter of public importance. I have been here for a few weeks now and I am starting to get a little bit of a feel for how this minority Liberal government likes to operate. I think it came to light seeing some social media from the lightly sparkling minister Ellis over the weekend celebrating how fantastic the container deposit scheme is for the Tasmanian people.

'Lightly sparkling' might be a little bit too friendly - maybe 'dimly twinkling' might be better, or 'barely bubbly'. I think that the container deposit scheme, in the way that this has been managed by the government, could perhaps be thought of as a small thought bubble, and this is a government of thought bubbles. The fire levy, which we have heard about a few times today, where farmers were going to be charged thousands of dollars a year to have the access to fire protection for their properties - little thought bubble comes to the surface, then pops and goes away. Leasing *Spirit IV* to the Scottish government to house refugees - little bubble pops up, goes away. Changes to the Tasmanian Community Fund that we saw a few weeks ago - that seems to be bubbling to the surface. Pop, has that gone away too?

The Project of State Significance - is that a thought bubble that is about to pop and go away? What is the government's plan? They have not ruled out different approaches to see this project through. They have not ruled out bringing this to parliament. They will not rule out the different approaches to push this project through. Private funding has been talked about for so long as the panacea to build this stadium, and yet when asked multiple times today, the Premier would not rule out public funding to build the stadium, and the money that that would cost the Tasmanian economy. The report that came out yesterday was very damning about the cost to the economy and the impact that that would have on Tasmania in the long term.

Back to this container deposit scheme - this little dim twinkle of a thought bubble - where Tasmanians will put 21 cents in for every can or every bottle that they purchase and then they will get 10 cents back. It is 21 cents in for 10 cents back. This is why this is Rocky's beer tax, because this is not a deposit scheme where you get the money back that you put in. This is a tax on Tasmanian people to pay for a poorly planned, poorly put together project that they are calling this container deposit scheme. Minister Ellis was there in his social media on the weekend talking about how this is such a good deal for the Tasmanian people a good deal where the Tasmanian people will be getting back 48 cents for every dollar that they invest. Is this a good deal?

That reminded me of something else - getting about half back from what you invest - and that is the stadium, which is 53 cents in the dollar. Is this a better deal than the container deposit scheme for the Tasmanian people, getting 53 cents back for every dollar that we put into this project? Your government is standing there saying that this is a good deal - that you have managed it properly and you will keep fighting the good fight. We will keep fighting you to make this project work for Tasmania, because we want the team, and this needs to be done in a way that is sustainable for Tasmania and does not take us to the brink of collapse.

The minority government seems to love 50 per cent so much. They bring the new *Spirits*, but with berths that can only load them up to 50 per cent of capacity. I wonder whether it might be appropriate when this stadium is built that the government might be playing on the halfback flank of the football field. That is a pun. Do you get that? Half back. It would be hilarious if it was not so devastating how poorly this government is at financial management for this state - how much money is being wasted, how much money is being thrown away.

What do we get? They will stand up and say, 'Don't listen to those reports; it is all fake news. Actually, the benefits are broader.' What are the benefits? What are the broader benefits, because everyone who looks at this project turns around and says that what the government says is not true. We are not getting the benefits that you said we would. It is going to cost more than you said it would. How are we expected to trust you? We will keep fighting you on this until we get a project that is going to work for Tasmania.

[11.36 a.m.]

**Ms ROSOL** (Bass) - Thank you, honourable Speaker, for the opportunity to speak on trade and major investment. Let us talk about major investment, and particularly about the gigantic proposal that we have in front of us with this disastrous stadium. Yesterday's integrated assessment report from the Tasmanian Planning Commission makes it clear this investment is a dud for Tasmania. It will not benefit our state. Instead, it will be a weight that drags our state down. It will burden us with even more debt than we already have for the foreseeable future. It will introduce risk on every front.

There is a risk to the AFL team. The Premier has made an arrogant agreement with the AFL, promising them a stadium in exchange for a team. Now that the stadium is most definitely a dud, it places the Tasmanian AFL team at risk. There is a risk to the state's finances through this stadium.

Yesterday's report states clearly that the stadium will generate an ongoing cash deficit. It will impact on our credit rating as a state and it will lead to a downgrade. It will lead to an additional \$1.86 billion in debt compared to the situation if the stadium was not built. This

stadium is also a risk to the health and wellbeing of Tasmanians who will miss out on health infrastructure and investment in services that they need.

It beggars belief that the Premier would stand here this morning and say that the stadium will benefit Tasmanians. At best, yesterday's report said that there could possibly, maybe, hopefully, be some social and health benefits to the stadium. There are certainly no financial benefits to be found, given it will result in that enormous debt that I mentioned earlier.

Let us just think about the benefits of investing in health infrastructure. It is a double positive to invest in health infrastructure. The infrastructure build would boost the economy in exactly the same way the Premier claims a stadium will but it will also have the added benefit of boosting the health and wellbeing of Tasmanians.

The government's own report by the KPMG says that money spent on hospitals would have a greater benefit than a stadium. It is a double investment to invest in infrastructure for health and in services for health. It boosts participation of people. It boosts their health and boosts their wellbeing. It provides them the opportunity to experience general joy because they can function in everyday life when they are feeling healthy and well. It is clear that prioritising a stadium will not be transformational for Tasmanians, no matter how much the government tries to claim that it will be. It will not benefit all Tasmanians.

This government and the Premier are stuck on a failing project. They do not have the depth or the maturity to acknowledge they have made an enormous mistake with this stadium. They do not have the courage to look at the evidence and change course. This government faces a choice. They can choose to shackle the people of Tasmania with enormous debt. They can choose to ignore evidence and advice and they can choose to keep pushing a dud - or they could choose to take a different pathway, one that puts all Tasmanians first. They could choose to make the beautiful York Park Stadium one of the best playing grounds in the country.

I was in the airport the other day and someone, in the line behind me, mentioned how amazing the playing field is at York Park Stadium. The government could choose to make that beautiful stadium and ground the home of AFL in Tasmania. They could choose to fund health investment that truly benefits Tasmanians and would be transformational for people who currently suffer from incredible delays within our health system.

Come on, Premier: open your eyes, acknowledge the truth and choose what is good for the people of Tasmania. Ditch the stadium.

[11.40 a.m.]

**Mr BEHRAKIS** (Clark) - Honourable Speaker, the contributions we have heard from those opposite have not sounded like they came from people who support the stadium like they say they do.

**Members** interjecting.

**Ms Brown** - Did you listen?

**The SPEAKER** - Member for Franklin, I remind you that you are on two warnings and that still applies for the rest of the day. Thank you.

**Mr BEHRAKIS** - This morning we heard from the Premier about how those on this side are committed to providing aspiration and opportunity for young Tasmanians. It seems, though, that the only opportunity that those opposite are interested in is the opportunity to talk this state down once again.

We thank the TPC for its interim report. It is an important part of this process. It is going to help inform the Macquarie Point Development Corporation to deliver the best stadium possible - a stadium that will be a game changer for this state, that will be celebrated by Tasmanians for many years and generations to come, and that will be an economic driver for all Tasmanians. It will do us proud. This final decision on whether the stadium proceeds does not rest with the TPC. This parliament will decide; the members here will.

The report is informing the decision for a project that will very much be in the best interests of this community. There is one irrefutable fact, honourable Speaker, and that is: no stadium, no team. That is what drives us. That is what motivates us to overcome any challenge regarding this project. That will be a simple choice for this parliament.

Let the Planning Commission's report inform how to make this stadium as good and the best version of it that it could possibly be. Let us not let it be used as a cover for those who pretend that we can have one without the other.

Mr Winter says that he and Labor support the stadium. Does he mean that the same way that he supported privatisation until he did not?

**Members** interjecting.

**The SPEAKER** - The House will come to order, thank you.

**Mr BEHRAKIS** - The reality is that if those opposite were elected to government, this project would be dead in the water today. It would be dead in the water today if those opposite were elected to government. That is just a fact.

One of my favourite sayings is that if anyone ever has a sentence with the word 'but' in it, you ignore everything before the 'but'. Labor has said all morning, 'we support the stadium, but ...' the same way that the members of the Greens say, 'I am not anti-development, but ...' It is a very similar, very common line.

**Members** interjecting.

**The SPEAKER** - Leader of the Opposition. Member for Clark. Members on my right as well, Deputy Premier.

**Mr BEHRAKIS** – Tasmanians who support the stadium want the Labor Party to actually be clear about where they stand on this, and if they support the stadium, support it.

**Mr Winter** - They want you to build it.

**The SPEAKER** - Leader of the Opposition, please. I do not wish to warn you; you get a certain amount of latitude.

**Mr BEHRAKIS** - Those opposite pretend to support the team but somehow think that we can magically have one without the other. Whatever you think of the stadium, we cannot have a team without it. We either must stand strong, see this through and deliver this project that so many Tasmanians expect, or we will lose this incredible opportunity. We will stand condemned by our sons and daughters who deserve what is rightfully theirs.

There are those who say the state cannot afford to build the stadium. We say we cannot afford not to. The clock is ticking, and we need to get on with it. TPC's draft report has taken a very broad sweep in its assessment. We will work through the issues that are raised in it, but we are on a timeline. The clock is ticking. We must get this done, and we will get this done.

The question for those opposite is: are they going to support this project, or are they going to continue to get in the way of it?

[11.44 a.m.]

**Mr WILLIE** (Clark) - Honourable Speaker, I would like to start my contribution by talking about a statement that was just sent to me by somebody - a statement that was released by the Leader of the House over there.

We can all see what is going on over there today. The Leader of the House was taking great delight in the Premier flailing around here trying to defend his pet project. We know what is happening over there, Leader of the House. We know that you are doing the numbers and you are taking great delight in the Premier struggling with his pet project, because you know his leadership is intrinsically linked to this project. If he cannot deliver it, it will be his time. We know what is going on over there.

However, I think the Premier saw this coming. He has seen the Leader of the House coming, because not only has the Premier appointed him the minister for the ferry fiasco, he now has the minister in his sights for the stadium debacle. He has been completely set up by the Premier. The Premier saw this coming, I think. We saw him taking delight over there.

I might just remind the Leader of the House that you are in minority. It is all very well for you to put out statements saying that we want to kill the stadium - which is completely false. We have given you the political support to deliver this project. The fact that you are flailing around - we cannot help that from opposition. The greatest risk to the AFL team is this minority Liberal government and its inability to deliver major projects. It is all very well for the Premier to talk about aspiration and talk about conviction. He has an opportunity here this morning to defend his pet project, and he is nowhere to be seen.

It is all very well for him to talk about aspiration and young kids playing the game. I can tell you, my son is running around in the Auskick program with his Devils shirt on, along with a huge number of kids. There is 100 per cent growth in the south for Auskick this year, I believe - 38 per cent growth for Auskick around the state. There are many Tasmanians who are very excited about this. The Premier should be quoting those figures, because that is something to be proud of.

**Mr WINTER** - He was not very prepared today, was he?

**Mr WILLIE** - He was not very prepared today, no, he was not. It is all very well for him to talk about that stuff, but the biggest risk to this eventuating is this government. We know,



from go to woah, this project has been a debacle, just like the Devonport berth 3 project. We have a Premier who made captain's calls; he did not seek Treasury advice, he did not go to Cabinet.

There has been huge governance issues and we know that this is a matter of engineering and finance. That is where the Premier will be found out. We know that the POSS report yesterday started to talk about some of these engineering and finance issues such as the design being in conflict with the planning scheme and it will take years longer to build than expected. It was the Premier who agreed to these timelines.

'Deliver a broader stadium precinct.' It will be difficult to do that given the limited space. There are issues with pedestrian safety. It says that the transport proposal is not capable of delivering the capacity required and there is site contamination that may not be known. There is groundwater management, landfilling requirements, noise impact, stormwater and even potential flooding. These are some of the engineering and finance issues that are plaguing this project and we know this government has form.

At Devonport, they have only recently understood the project after the delivery date of *Spirit IV*. They are just finalising the designs for the gantry there, the major piece of infrastructure in the river, after the delivery of *Spirit IV*. They did not do their due diligence, there have been cost blowouts, time delays and very poor leadership from some of the senior ministers on that side, and we are seeing the same thing play out with this project.

We are concerned about this government's ability to deliver major projects. They do have form in not delivering major projects and it will be a huge shame. I agree with the Premier. If this project is not delivered, we will be a laughing stock across the nation. We already have the business community saying that it will be difficult to trust this government again. We want Tasmania to be a place where people want to come and invest and if they stuff up this project it will be on their heads and it will be a crying shame for the Tasmanian economy and Tasmanian people.

[11.49 a.m.]

**Mrs PENTLAND** (Bass) - Honourable Speaker, so much focus in the matter of public importance is the stadium, but it is an absolute pleasure to stand before you today and talk about something truly extraordinary.

My electorate of Bass, a jewel in Tasmania's crown and a place that quite simply, is thriving. If you had stepped outside recently and taken a deep breath, you will know exactly why people are coming to our part of the world in droves: the unmistakable crisp Tasmanian air, the kind you cannot bottle up and sell, though I am sure someone has tried.

Visitors are flocking here, not only to experience it, but to soak up our lifestyle, our hospitality and our breathtaking landscapes. Tourism is booming in Bass. Our natural beauty, world-class experiences, and award-winning venues have made us one of the hottest destinations in Australia. Just ask the thousands of people who have come through Launceston Airport in the last year: 1,428,000 of them to be exact. That is a record-breaking number, a four per cent increase from 2023. January 2025 saw an astonishing daily passenger record of 6,114,000.

Clearly people cannot get enough of what we have to offer, and what do we have to offer? Let us start with the accommodation. Peppers Silo Hotel Launceston was recently crowned the best business events venue in all of Australia. A hotel in our electorate beat convention centres and giant city hotels across the country. That is a testament not only to the venue itself, but to the professionalism and passion of the people who work there, ensuring that every guest leaves with an experience they will never forget.

Speaking of places to stay, good luck finding a last-minute room in Launceston these days. Occupancy rates continue to climb. The summer quarter, December to February, saw an 82.97 occupancy rate, pushing us back to pre-pandemic highs. This is proof that -

**Time expired.**

**Matter noted.**

## **RECOGNITION OF VISITORS**

**The SPEAKER** - I acknowledge our final group of The Friends' School students in the gallery today. I hope you have had a fantastic experience and you are full of excitement about the future of democracy.

**Members** - Hear, hear

## **POLICE OFFENCES AMENDMENT (KNIVES AND OTHER WEAPONS) BILL 2025 (No. 3)**

### **Second Reading**

**The SPEAKER** - Before calling the minister, I remind members that seated in the gallery today are people for whom this matter that we will be debating is personally significant. I remind you to be cautious in your contributions due to the trauma and distress that has clearly led to a lot of the work that has got this bill before the House today. Could all be conscious of that in our contributions today? Thank you.

[11.53 a.m.]

**Mr ELLIS** (Braddon - Minister for Police, Fire and Emergency Management) - Honourable Deputy Speaker, I move -

That the bill be now read a second time.

The Tasmanian government is pleased to introduce the Police Offences Amendment (Knives and Other Weapons) Bill 2025, which will be known as Reid's Law and referred to as such in my contribution.

The government has committed to making Tasmania's community safer through the 2030 Strong Plan for Tasmania's Future. This approach includes delivering on our commitment to address knife crime under our strong plan to crack down on crime. Reid's Law will improve the ability of police to detect and seize dangerous articles, including knives and other weapons,

and deter offending through increased penalties for possessing these weapons without a lawful excuse.

To achieve this, the Tasmanian government is proposing amendments to the *Police Offences Act 1935*. The advice of Tasmania Police is that the possession and use of dangerous articles, specifically knives and items such as scissors and bladed weapons, has increased exponentially over the past decade. In 2015, Tasmania Police laid a total of 225 charges for the offence of 'possess, carry or use dangerous article in a public place.' This included 199 adults and 26 youths. Last year, Tasmania Police laid 515 charges for the same offence. That is, in 2024, 408 adults and 106 youth were charged for possessing, carrying, or using a dangerous article in a public place.

These figures represent that these changes have more than doubled for adults and there has been a staggering 308 per cent increase for youths. We all know too well the potential for catastrophic consequences arising from the use of knives and other weapons. Tragically, in 2019, Mr Reid Ludwig was stabbed to death by a youth during an altercation at a service station in Blackmans Bay. In 2023, a retail employee was stabbed in the abdomen following an altercation at their place of work in Moonah. In November last year, two stabbings occurred on Hobart's eastern shore within an hour of each other, one at a fast food restaurant and the other one at a nearby bus mall. In the same month, a man was stabbed in the early hours of the morning on the Salamanca lawns following an incident in a nearby licensed premises. In 2023, a 50-year-old man was stabbed in a shopping plaza in Launceston following a verbal altercation with youths who climbed onto the roof of the building.

I extend my sincerest condolences to all of those community members who have been affected by these crimes. There are many more examples which I cannot inform you, honourable Speaker, and today we are honoured by the presence of Reid's mother, Laraine in the gallery, and also Jack Beasley's mother and father, Brett and Belinda, who have come down from Queensland. We thank you all for your bravery, your courage and your service.

Not only has knife crime torn families apart, but it also has a profound impact on Tasmanian retailers. In February 2025, the Australian Retailers Association (ARA), which is Australia's largest retail body representing 1.4 million Australians, wrote to the Department of Police, Fire and Emergency Management, highlighting the number of horrific incidents involving knife crime. In their correspondence, the Australian Retailers Association expressed the view that the proposed amendments are an important step towards enhancing public safety. So, too, did other retail representative bodies. I sincerely thank them for their contributions and all those who made submissions on the bill.

The community demands action because knife crime is a serious issue that cannot be ignored. This bill is an integral component of the government's commitment to preventing, wherever possible, further crimes of this nature. The bill provides for a range of amendments to the *Police Offences Act 1935* by increasing penalties for possessing, carrying or using a dangerous article in a public place, improving powers for police officers to search a person for a dangerous article and the introduction of a new provision to provide for metal detector searches, or wand searches, of persons for dangerous articles, including knives, in prescribed public places.

The centrepiece of the bill is the provision for electronic metal detection device searches, otherwise known as wand searches. Wand searches are conducted by passing an electronic

metal detection device over, or in close proximity to a person's outer clothing or having a person pass through such a device. It is a non-invasive search that, unlike a general search, requires no direct contact with the person being searched.

The bill provides for a wand search in prescribed public places. Prescribed places includes those where there are often large gatherings of members of the community, either socially or in a professional capacity, as well as places of public congregation where community members may, for one reason or another, be vulnerable in that environment. With that in mind, prescribed places include:

- Educational facilities;
- Public transport hubs;
- Passenger transport service, and associated set-down and pick-up areas;
- Passenger vehicles and ferries;
- Retail precincts and premises;
- Places where sport is played or exhibited;
- Licensed premises or a place used for the assembly of the public for social, entertainment or recreational purposes;
- Medical and healthcare facilities; and
- Places of worship.

Prescribed places are provided for in the *Police Offences Regulations 2024*. In those places, a police officer may, without a warrant, require a person to undergo an electronic metal detection device search. As with other search provisions, the police officer may stop and detain a person for so long as reasonably necessary to conduct the search. I draw particular attention to the fact that in a prescribed place, there is no requirement for the threshold of reasonable suspicion.

Where a person fails to comply with the requirement to undergo an electronic metal detection device search, this may constitute reasonable grounds for suspicion that the person is in possession of, or is carrying a dangerous article, as already exists in section 15C of the *Police Offences Act 1935*. Practically, if a person is asked to comply with wandling in a prescribed place and they decline, provision is made that this is grounds to suspect that they may be carrying a dangerous article and they may wand them on that basis.

The amendments proposed in the bill are similar to legislation introduced in other policing jurisdictions, but take a uniquely Tasmanian approach. In 2023, the Police Powers and Responsibilities (Jack's Law) Amendment Bill 2022 was passed by the Queensland parliament. In the Northern Territory, they followed suit in 2023 by passing the Police Legislation Further Amendment Bill 2023. In 2024, Western Australia passed the Police Legislation Amendment

Bill 2024. New South Wales passed the Law Enforcement (Powers and Responsibilities) and Other Legislation Amendment (Knife Crime) Bill 2024 in the same year. Victoria passed the Terrorism (Community Protection) and Control of Weapons Amendment Bill in 2024, and earlier this year South Australia introduced the Summary Offences (Knives and other Weapons) Bill 2025.

With respect to the exercise of electronic metal detection device searches, I am satisfied that sufficient safeguards currently exist, as drafted, for both the person being searched and police officers. The Tasmanian Police Manual is a compendium of the Commissioner of Police's instructions and clearly prescribes the conduct and manner in which searches of persons is to occur. All searches are to be conducted in the least intrusive manner, with reasonable action taken to minimise indignity, trauma, distress and other harm. I am encouraged by the fact that electronic metal detection device searches will accord with each of these principles, as well as protecting the human rights of community members.

Further to that, the Tasmanian Police Manual requires that, where practicable, searches are conducted by a police officer of the same gender as the person searched, and with respectful communication.

In addition to these search requirements, Tasmanian police wear body-worn cameras. It is a mandatory requirement that police officers commence body-worn camera (BWC) recording where acting in an enforcement capacity, conducting a search or where a person is stopped in a public place due to a reasonable suspicion that the person has, is, or is about to commit an offence. The activation of BWC applies an additional layer of accountability and protection to any person subject to an electronic metal detection device search.

That being said, we can also be reassured by the recent Productivity Commission report on government services that found that Tasmania Police are the most highly-regarded police service in the nation. In fact, Tasmania Police rated the highest of all jurisdictions across all three police integrity perceptions, those being: treating people fairly and equally, performing their job professionally and honesty. These results, alongside the existing legislative frameworks, support a strong foundation for the responsible use of the proposed additional police powers.

With respect to electronic metal detection device searches, the bill includes an avoidance of doubt clause. This clause represents the government's intention that the proposed legislation does not in any way prevent the use of an electronic metal detection device as part of any other search of a person prescribed by any other legislative provision.

Further to this, the existing legislative provisions relating to searches for dangerous weapons will apply to electronic metal detection searches. It is important that the authority to search for a knife that may be in possession of, carried by or used by a person is also relevant to electronic metal detection searches. This extends to backpacks, for example, and other items in possession of a person, as the legislation currently allows.

Finally, any dangerous article located during the electronic metal detection search will still be liable to seizure and destruction, either by court order or by consent, as is currently the case.

The bill amends existing sections of the *Police Offences Act 1935* which relate to dangerous articles generally. Currently, in a public place, a police officer must have a reasonable ground for believing that a person is in possession of or is carrying a dangerous article to stop and search that person. The bill proposes that the threshold for the exercise of this power be that of reasonable suspicion. This will enhance public safety by allowing police officers to conduct a search of a person with a lowered threshold. The ability to search a person for a knife or a dangerous article as evidence of an offence is a fundamental investigative tool to determine involvement in an offence.

Turning briefly to an adjacent matter, the *Police Powers and Responsibilities Act* proposal paper produced by the Department of Justice aligns with the Tasmanian Law Reform Institute final report and the consolidation of arrest laws in Tasmania. This publication states that:

The power to search a suspect for evidence be exercised at the time that the person is suspected of being in possession of evidential material.

The paper goes on to say that such a power may also serve an immediate safety role, particularly where the offence may involve possession of a weapon or implement that may be used to cause harm.

Further, the proposal paper would suggest that the higher threshold of reasonable belief is too high, as police would be empowered to arrest a person should they establish such a belief; that is, if an officer has formed a reasonable belief, then they could already perform an arrest. It follows that reasonable suspicion is an appropriate threshold for this non-invasive search.

A search must be considered a preliminary action to any decision to proceed against a person, with arrest an action of last resort. The threshold of reasonable suspicion as the search threshold is also consistent with other jurisdictions in Australia. In New South Wales, reasonable suspicion is the threshold for dangerous article searches as well as searches for other items used in connection with an offence. In Queensland, reasonable suspicion is the threshold for weapons offence searches. In Western Australia, reasonable suspicion is the threshold for possession of a thing relevant to an offence. In the Australian Capital Territory, reasonable suspicion is the threshold for searching for a thing relevant to a serious offence, and in the NT, reasonable suspicion is the threshold for anything connected with an offence search.

Currently, the maximum penalty for possessing a dangerous article in a public place without lawful excuse is a fine not exceeding 50 penalty units and imprisonment for a period not exceeding two years. This bill will increase this to a fine not exceeding 100 penalty units and imprisonment for a period not exceeding three years, or both. It is important to note that the court will still be able to exercise its sentencing discretion. However, the increase in the maximum penalty reflects the seriousness of the offence. There is nothing in this bill that will impede any sentencing option or other orders available to the courts, including those in relation to a young person.

On the subject of youths, there is some concern that the proposed amendments - in particular, electronic metal detection device searches - will bring more youths into contact with police. This may well be the case, considering knives and other weapons offences involving young persons have increased by more than 300 per cent over the last decade. These amendments are designed to enhance public safety and the government is steadfast in this

approach. However, this may also present an opportunity for early intervention with young offenders and diversion away from the justice system.

The Tasmanian government is committed to the Youth Justice Blueprint 2024-2034. The blueprint adopts a broader definition of youth justice with a focus on prevention, early intervention and diversion. It is hoped that a holistic approach with a range of support options for young persons and their families, alongside therapeutic initiatives, will reduce anti-social behaviour and repeat offending.

However, we cannot detract from the real and present dangers associated with knives and other weapon crime and the need to keep our community safe, including young people. In that sense, the Youth Justice Blueprint provides a platform whereby the government can support the safety and wellbeing of young persons while also maintaining our responsibility towards public safety.

Concerns have been raised regarding what is referred to as 'net widening'. This is referring to the notion that increased police powers and presence will, in certain locations, result in the detection of offences outside that of the purpose of the police power or presence, for example, minor drug possession offences being detected through wandering operations.

A 2022 review by Griffith University into the Queensland wandering trial, or Jack's Law, although in some degrees flawed due to the analysis constraints, found that net widening had the potential to cause the entry of individuals into the formal criminal justice process, which could ultimately cause adverse flow-on effects. The review added that care needs to be taken to ensure that wandering operations do not lead to 'bypassing of reasonable suspicion safeguards.'

I heed these concerns and hold the view that where, for example, a minor drug offence is detected, the person may have an opportunity to access therapeutic approaches through the drug diversion process and, in the case of youth, the integrated support mechanisms underpinned by the Youth Justice Blueprint, such as access to early intervention support services, protective behaviours and other wellbeing considerations.

That being said, I note also that the Griffith University review stated that police officers involved in wandering operations indicated that their interactions with young people seem to have improved, with feedback generally considering the wandering initiative a positive step towards enhancing community safety. Not only was there no evidence to suggest significant community concerns with wandering operations, but there was also some evidence of improved perceptions, both of police and community safety.

The carriage of knives, weapons and other dangerous articles has the potential for very serious and life-altering consequences, and the carriage and possession of these items has become too prevalent in our community.

A recent trial by Tasmania Police using electronic metal detection devices for public place dangerous article searches in December through January highlights the extent of the issue we are facing. In Hobart, over the trial period, 50 searches were conducted, with 10 knives and dangerous articles seized. In Launceston, over the same period, 43 searches were conducted with 9 dangerous articles seized.

In light of these results, Tasmania Police undertook to continue a trial to 2 April 2025. During this second phase, in Hobart another 42 searches were conducted with 9 dangerous articles seized, in Launceston 41 searches were conducted with 11 dangerous articles seized, and in the north-west 29 searches were conducted with 4 knives and other dangerous articles seized.

We are all aware of the tragic consequences of knife crime in Tasmania and throughout our country. It is imperative that the government and parliament do all they can to minimise those risks and to curb the incidence of knife crime.

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

[12.13 p.m.]

**Ms BUTLER** (Lyons) - Honourable Deputy Speaker, I start by paying my respects and gratitude to Laraine Ludwig, who is here today, mother of Reid Ludwig, who tragically lost his life when he was fatally wounded in Blackmans Bay. I also pay tribute to Mr and Mrs Beasley, who are here today from Queensland. Thank you very much for your tireless efforts over so many years to make sure that this preventative legislation has been brought into every state and territory across Australia except the Australian Capital Territory. Thank you very much for the work that you have done.

I must apologise for my voice as well, if I sound a bit croaky, but I will persist through.

Today, I would also like to mention Reid Ludwig's children. Matilda was in the House about a month ago when this legislation was tabled. She is an absolute credit to her family. She has been through a lot for a young person of her age and she has dignity and grace, and I am sure that comes from them. Also, to Jimmy, who is Reid's 12-year-old son, who has had to grow up without a father. That, to me, really represents why it is so important that we do everything we can to create a culture in our state where the carrying of dangerous articles and knives is not acceptable.

This is what this legislation does. It creates an onus of preventative measures. It puts in young peoples' and older peoples' minds the concept that if they go out into the public with an unlawful weapon, there is a good chance that that weapon will be seized. That is a really important preventative measure at the basis of this legislation.

We support this bill because this bill is our policy. We released this policy and our intention to release this policy on the Friday we met with Laraine Ludwig. We also met with the former Queensland police minister, Mark Ryan. Mark Ryan had come here with the Beasleys to discuss the importance of Jack's Law with our Tasmanian police minister, minister Ellis. We know that Ms Ludwig had also been attempting to have the Tasmanian government and the Minister for Police and Emergency Services positively look at this legislation and these bills, and what was happening in Queensland over a number of years. We know that on a number of occasions, Ms Ludwig was ignored. We know that there was no indication by this government that they were willing to introduce this bill and these laws at all.

We had heard through the then Queensland Police Minister that the response in the meeting was that, 'Oh, there is no way Labor would ever support these laws.' We were not even included in those discussions. I met with the Queensland police minister straight after your meeting, and I said to him, 'Well, that is absolute rubbish. Why wouldn't we look at introducing



these laws? These make sense. We know that this has worked really well in Queensland.' That Queensland police minister at the time was just about to go into a state election, and unfortunately, he is not the Queensland police minister anymore because they are not in government anymore. I know how much he respected Mr and Mrs Beasley and the close relationship and how he has pushed to have those laws introduced across Australia, not just in Queensland, but across Australia in respect of Jack.

We know that the work that you have done and the Queensland police minister did at that time is really important, and to learn that when he came down here, nothing happened. It was largely ignored. There was a media release. There was an opportunity for Mr Ellis to do what he does very well and that is to stand in front of cameras and talk a big game, but nothing was done. Again, it was ignored.

I do not think it is of any accident that we are now the last state to introduce these laws. This could have been introduced a long time ago and it took us; doing the consultation, going to the Police Association of Tasmania, going to the United Workers Union, going to the Community and Public Sector Union, going to the Tasmanian Hospitality Association, working with Ms Ludwig, and working with the Queensland Police Minister. We got a lot of assistance out of their office in relation to this and also our leader, who, straight away when he met with Ms Ludwig, then contacted me and said, 'We have to do this. This is a really good thing to do. This is the right thing to do.'

It is of no consequence to me, and it will always be bittersweet to me that I believe that the only motivation for you to introduce these laws in the first place was political advantage. I am sorry, but you had years. You really had years to introduce these laws and you made no moves on these laws until we came out on the Friday, had a press conference, said this was our intention, had done our homework and then on the Monday out rolls the Liberal Party PR machine. It was disgraceful because your motivation was not goodwill. Your motivation was not to do the right thing. Your motivation was political opportunism. I will never forget that because it said so much about you.

That said, we will definitely support these laws because these are our policies. This is a policy that we would have introduced ourselves if you still had not moved on this, and only took you two days after years.

We do feel that you have missed a few things within this legislation though. We do feel that there could have been opportunity for review within this, and I believe there will be some amendments passed in relation to this bill. That review has been introduced in every other state in relation to these laws, and we think that would be a matter of due process and good governance.

We also believe that in other states they have included the statistics in their annual reporting. We also think that that would be a good concept for inclusion.

We do support the bill being suspicion of an article, not about suspicion of a person. Therefore, we also would agree that suspicion is an appropriate term to be used here when making the deliberations around those knife searches.

We know that a reasonable suspicion, as opposed to reasonable belief - there is a precedent that has been provided already in Tasmanian legislation and that is the *Family*

*Violence Act* which uses belief, suspicion or knowledge and also the *Road Safety Alcohol Drugs Act 1970* causes to reasonably suspect that a prescribed illicit drug, if we use the same - and this was described very well in the briefing that I received yesterday and thank you very much for the briefing, that we use suspicion as the base or the rationale or the reasoning underneath our breath test analysis that police conduct on a regular basis to members of the public.

When they pull a car over and a breath test is provided, there is a suspicion and that is the reasoning behind that. I do not see any reason why the wands would not be perceived in the same way. Wands are basically an additional tool for our Tasmanian police officers. It is an additional tool on the belt for our Tasmanian police officers. It also provides our police officers with another layer of security when they conduct searches so they are able to then detect metal, not having to do invasive searches and pat downs as a first step when there is reasonable belief or suspicion to believe that the person may be carrying a dangerous item.

To us, it has always been logical. If you walk into a cricket match, you are scanned as you walk in. Our police who have discretionary power and who also have the appropriate training to conduct those searches, should be able to have that additional tool on their belt. To us, that seems like a logical step.

We understand that trials have been successful that were enacted after we announced our policy and then the minister announced his policy two days later. We believe, through the information that we have received in our briefing, that body worn cameras will be activated as a matter of normal police process and procedure when those searches are being conducted and we have also been provided with assurances at Section 24 of the *Youth Justice Act 1997* which overrides this law when it comes to dealing with youth issues or potential youth offenders. We are happy that there is that protection there.

We also understand that there is opportunity for the public to forfeit those weapons to the Crown and we believe that was one of the main success motivators for the laws in Queensland where people had the opportunity to forfeit those weapons and therefore creating a safer environment where they were and helping to assist with that culture of prevention. There is a good chance if you wear your pocket knife out into a certain district tonight or in public transport or in a night spot, there is a good chance you will lose that weapon. That is also a really good deterrent.

We questioned whether or not this legislation had enough opportunity for police to be able to conduct searches upon the outer garments or a bag. In Queensland, police have the opportunity - so it is not only close proximity, but it is also things that the suspected offender may be carrying. That would be a good opportunity for police. They do have to go in and do those searches within bags and they are not to put their hands into bags and so forth. This legislation does not clarify that as well as the Queensland legislation. This only has 'in close proximity,' other and close proximity. You have missed an opportunity there; having that opportunity to waive those wands over backpacks or bags could have also been introduced into this law to make sure it does not leave any grey areas.

I will move on to areas for search. A lot of the questions that we had for the minister were really well explained yesterday in the briefing, so we do appreciate that. We know that there is not any information provided within this legislation which provides any guidelines to police or us as lawmakers to suggest where wands and searches should be concentrated, so it does read very much as an omni.

Our policy relied on known hotspots for illegal weapons and night spots where knife crime had previously occurred, like retail areas and public transport. We very much based ours on the lessons learnt from Queensland. I would like the minister to place on the record the reasoning for this, but I would assume that the extension of those areas included in the remit is based on examples in other states where trials of handheld wands have been successfully rolled out. Is that the reason why we did not go into a trial and then have designated smaller spots such as night spots and public transport or retail areas as a starting off point? We have jumped all of that and we have gone for an omni-solution, Can the minister provide some reasoning behind that?

Other members in the House and I have questioned that there is not really anything in this legislation which provides a process for what happens once that metal is detected on a person. I received some answers to that yesterday, but if the minister can talk through in a practical sense what happens if a person is wanded and metal comes up on the detection device. What is the next step in that process for the police officer and what is the next step in that process for the person being wanded? I think it is good to have on record what the actual, everyday process will look like for police officers and members of the public when these laws come into fruition.

Regarding the timelines of those searches, the bill says, 'as required', and I think there is a certain limitation on how long police can hold a person for without issuing an arrest warrant or laying charges, but it states in the bill that it is for a 'reasonable' period. What is reasonable? What is the length of time that the police officers can hold people - or not hold people, but stop people and have them searched using those wands?

In Queensland, there were clear guidelines about the process and the conversation that would happen for the suspected member of the public - that they would be scanned. There was information where the police officer would provide them their name, would provide them a badge number, and would then run through the process of what the scan was about, providing that clarification. This legislation does not have anything like that. We understand that within police procedures and regulations in Tasmania there is a process. Can the minister also provide what that conversation would look like and what the requirements would be for our Tasmanian police officers when they are undertaking a search and what information the member of the public will be provided?

In Queensland, the law states that if reasonably practicable, the police officer must be the same gender as the person as well. We do not have any of that clarification in this bill, Can the minister talk to that as well?

We are quite happy that the legislation does not impinge upon the usage of lawful knives, especially tools of trade, or knives or perceived dangerous articles for religious reasons. There is enough, I believe, in the existing legislation which covers that. Could the minister provide for the House assurances that people who are carrying weapons for lawful reasons, such as recreational hunters or, say, a chef who is walking through a night precinct after finishing a shift, will not be subjected to a search, or, if they are subjected to a search and they say, 'These are my work tools,' that they will not be assumed to be carrying unlawful weapons because they are seen to be rejecting the wish to be scanned? Could the minister run through how police will be able to differentiate between those?

I believe an example was provided yesterday in a briefing where there is a person who, say, works on a farm and, as they are coming home from their job, they might have a pocket knife on them and they might be walking into a Coles supermarket and they could be scanned for that. Under these laws, it is my understanding that the person will not be prosecuted and the use and the carrying of that weapon, or that knife, is lawful. If the minister can provide some more clarification around that, we would be appreciative.

We discussed the issue of net widening yesterday, and it is something that has been certainly brought on by other members of the public and groups such as the Tasmanian Council of Social Services (TasCOSS) when they were talking about what those searches may actually find. We do not know whether that is such a bad thing. We do not know whether widening the net and providing our police with the powers that they need to be able to keep the public safe is such a bad thing.

We do want to make sure that there is not an unconscious bias by Tasmania Police officers when they are identifying groups which they suspect may be carrying unlawful weapons. In Queensland, a whole training and education program was also included within the legislation, and that is lacking from this legislation. That is something certainly which really backed in the cultural change and community safety, and we feel that is lacking.

We know that there have been very big cuts to the police budget of \$35 million over the next four years, and we know that funding for such education programs could have been an issue. Could the minister provide examples or some reasoning for why that co-education program was not included, which was very much the flag of Jack's Law in Queensland? Other states have also introduced those education programs and they are rolled out through schools and different community areas; they target hotspot areas as well. I know that it really complements the police powers to have that education program, so why was that overlooked and not introduced? That is something that if we had tabled this legislation, we would have included in our policy, because we know it works and it is successful in other states.

We believe that a review of this act will be necessary. We believe that this is very new and a review would be prudent. We know other states have introduced a review of their laws and that has worked quite well. Having the statistics that the police have already reported back to us on the phase 1 and phase 2 trials that they conducted from December to January - 50 searches in the Hobart division with 10 seizures, 43 searches with 15 seizures in the Launceston division. We know that from January to 2 April there were 42 searches with nine seizures in Hobart, and 41 searches with 11 seizures in Launceston. We know that the north-west has also done trials. That is good information, especially for the public to know, about the good work Tasmania Police is undertaking, and the importance of making sure they can keep the community and police officers as safe as possible. Therefore, we do not understand why there is not a mechanism within this legislation for that reporting to happen because it would probably be good news stories. We think that is something that may have been overlooked. The minister may be able to clarify that for me.

I reaffirm that we support this bill because this was our policy. We know you had many years to bring this policy to fruition. We never ignored Ms Ludwig and her supporters, but we know you did for a number of years. That is not good enough. This is something that could have been implemented 12 months ago. It is a pity that it was only political opportunism for you to finally do the right thing and introduce these laws. On matters of integrity, matters of making a difference, do not ignore good people, especially when every other state is rolling it

out, especially when you have met with all the key stakeholders, when you have had families in front of you explain what it feels like to have grandchildren who have lost their fathers, when wonderful bills like this are sitting there ready to implement.

I am disappointed that you waited as long as you did, but we do support this bill. I am pleased at us supporting this legislation as an opposition, and I suppose that is what an opposition is meant to do. Our job is to hold you to account, be better than you and keep you on your toes. I am glad you and your department and your team finally decided to introduce these laws. I wish you had done it a long time before you did, but we will be supporting this bill. Thank you.

[13.06 p.m.]

**Ms BADGER** (Lyons) - Honourable Deputy Speaker, I echo the condolences shared by other members to Reid's family. I also thank the minister's staff and the members of Tasmania Police who offered quite an extensive briefing yesterday. That was appreciated.

Tasmania needs justice reform and we should be on the path to preventing crime and diverting people away from the criminal justice system. If we truly want to reduce crime then we need to address the root causes. We have heard a lot today about the politics behind this bill. It is a shame there was not more debate on some of the issues, particularly regarding youth, and some of the policies and systemic changes that could complement such a piece of legislation. In the past, the Liberals put forward a hooning and knife crime crackdown. Could the minister clarify whether that prior proposition is now going to be replaced with this current bill or whether there will be other pieces of legislation?

**Mr Ellis** - I tabled that this morning, the other legislation.

**Ms BADGER** - What you tabled this morning is for hooning and knife crime?

**Mr Ellis** - Hooning.

**Ms BADGER** - Hooning, but not knife crime as well?

**Mr Ellis** - This is the knife crime.

**Ms BADGER** - So they are separate now. Thank you, minister.

What this bill proposes, in broadening police powers via wand searching and through relaxing the threshold for such searches, it will result in more people getting caught in the justice system, but not necessarily a reduction or deterrent of people with knives in public places. This is what the statistics from other states have demonstrated. We have heard a lot today about the 2022 Griffith University, the review of the Queensland Police Service wand searching trial. On examination of wand searching and knife crime on the Gold Coast, the study found that:

The evidence to date does not suggest any deterrent effect that can be attributed to wand searching whereby fewer people are carrying knives.

I would also like to quote from the media release of the Australian Lawyers Alliance on 26 November 2024 which said:

Extra police powers will do little to help solve the problem of violence and will likely lead to the risk of people being searched based on racial or cultural stereotyping. This means vulnerable people in our community will be disproportionately targeted.

Any decision to increase police powers must be based on research and evidence, as well as community need. Concerns have been raised that these laws will have a net widening impact, bringing more people into contact with the law. Police powers involve acts that can significantly impinge on fundamental human rights. That includes the right to liberty and the right to privacy. TasCOSS articulated the possibility of unintentional consequences these broader powers could lead to. In its submission on the bill, TasCOSS said:

Care needs to be taken to ensure that wandering does not lead to a bypassing of reasonable suspicion safeguards, and net-widening among minor offenders who are not carrying weapons but, nevertheless, come to police attention purely because of wandering. The entry of larger numbers of people into the formal criminal justice system could have more adverse flow-on effects.

Other stakeholders, such as Community Legal Centres Tasmania, have raised concerns that these laws will disproportionately affect vulnerable groups: young people, homeless people and people from non-English speaking backgrounds. These concerns are valid. The Griffith University findings raised concern about equality - or the lack thereof, under the Queensland legislation. There was evidence of gender bias as well as some inappropriate use of stereotypes and cultural assumptions that was just made by a small group of officers in determining who to wand.

Minister, what specific training will be provided to Tasmanian police to address how the use of wands can impinge on human rights and personal freedoms, and the implications of the use of stereotypes that can help guide their decision-making further?

The minister, in his second reading speech, made mention of the government's Youth Justice Blueprint 2024-2034 and spoke about the government's commitment to this blueprint. This blueprint is all about prevention, early intervention and diversion. That leads us to some of the commission of inquiry recommendations. Members of the community have raised questions in terms of the commitment and prioritisation of this bill, consistent with both of those, that are far and above about prevention and diversion. To quote from TasCOSS's second submission on the bill:

The Tasmanian government has committed to implementing recommendations from the commission of inquiry which are focused on reducing, not increasing, the number of children who are involved in the criminal, legal and detention systems - we are concerned this reform is not aligned with those objectives.

The 2025 Productivity Commission Report on Government Services shows the proportion of youth offenders who are streamed into diversion programs. Under this government, the proportion of these youth offenders subject to diversion has declined virtually every year, from 54.4 per cent in 2014-15 to 35.6 per cent in 2023-24.

In New South Wales, in 2023, tougher laws and programs included operations such as Operation Foil and initiatives like Operation PIVOT, which has seen police engage with over 3200 at-risk youths to deliver anti-violence presentations to over 987 schools, educating over 180,000 students.

Tasmania Police has an illicit drug diversion approach, which we heard a lot about yesterday, that provides discretion for police. We are wondering if there is going to be a distinct approach for children and young people as far as knife crime is concerned. Minister, could you explain what mechanisms are in place, or are going to be in place, from a systemic policy or program perspective to actually deter youth or educate youth beyond just the increased police search powers?

From the Tasmanian wandering trials phase 1 and 2, statistics were available for the overall searches and what was found. What was not statistically available was how searches went for young people, if there were any, what was found and what percentage of those searches they made up.

With police being granted additional powers and the possible impingement of human rights this brings, in the absence of a human rights act in Tasmania, and having recently had the commission of inquiry with all its recommendations committed to being adopted, the Greens want to make sure this bill gets it right.

We know we do not only cut out crime by being tough on crime, we have to focus on justice reform. We will be proposing amendments about youth being subjected to the extensive police powers and a lot of the 'reasonable belief' versus 'reasonable suspicion', that has been changed and the comparison between the *Family Violence Act* and the drug and alcohol act. I would like members to reflect on the severity of both of those issues, not only in Tasmania but across the nation and how loosely some of that comparison can be used, particularly around the *Family Violence Act*, that is a national epidemic.

Is the penalty that is being proposed here fit for the crime? As the draft bill currently stands, the maximum penalty for having a knife in a public place would be a maximum of three years imprisonment. That is greater than if you possess or use a firearm for which you do not have a licence, for which the maximum penalty is two years imprisonment.

South Australia, as we have heard, did pass new knife crime legislation recently. I want to point out how different their wand powers are and how concentrated they are. We heard member for Lyons, Ms Butler talk a lot about the public places. In South Australia police can carry out wand searches at declared shopping centres, declared public transport hubs and on public transport. The police can carry out wand searches for up to six hours in any public place where there are reasonable grounds to believe an incident of violence or disorder may take place in the area and that the exercise of powers is reasonably necessary to prevent the incident. Police also have the power to conduct wand searches at any time at licensed premises specifically, and I know from the briefing yesterday that is something that is incredibly important or has been highlighted as an issue for Tasmania Police.

Information that also has not been provided is the number of times that police have not been able to conduct a search for knives or other weapons under this bill under the existing threshold of reasonable belief. We are wondering if that data is available, data which underpins the loosening of the threshold to reasonable suspicion. I will foreshadow that if that data is not

available, the Greens will consider moving further amendments when this bill gets to the other place.

Back to the list of places: that is unjustified at the moment, the list that we have in front of us. It will increase police exposure to vulnerable groups in our community. It is specifically concerning around schools and the education facilities, because what we do not want to see, as an unintended side effect of this legislation, is that young people, particularly vulnerable young people, are not attending school because they are afraid of having interactions with police. We will be moving amendments to the list of public places to remove schools, education and training facilities, and this will bring Tasmania into line with the list of places that wand searching can be conducted with most other states in Australia. I note that Mr Garland has circulated multiple amendments and I would like to particularly highlight the need for the review of the legislation if passed and this amendment in particular, is very important and we hope that the statistics similarly will be reported through Tasmania Police's annual report as well. We would like to highlight our full support for that amendment from Mr Garland.

The 'tough on crime' approach is not working and increasing police powers alone is not the deterrent that is required. We need far greater resourcing directed into dealing with the underlying causes of crime. We need education, we need job training and mental health support. We have to address the root causes as well as reintegration and rehabilitation to prevent re-offending.

While the Greens cannot support the bill as it is, we hope that with some amendments and in particular with the guarantee of other policy, systemic training and education, that will actually underpin this legislation and make it something that better aligns with the justice reform that is needed in the state, particularly around youth, off the back of the commission of inquiry, that then we can move forward.

[12.52 p.m.]

**Mr O'BYRNE** (Franklin) - Honourable Deputy Speaker, I rise to provide my contribution on the Police Offences Amendment (Knives and other Weapons) Bill of 2025, and in doing so, I acknowledge Laraine and the Beasleys and their advocacy. With Tasmania being the small place that it is, I knew Reid, and our daughters were close friends during school. I understand the profound impact that incident has had. While a piece of legislation such as this having a name being put to it is very powerful, we know there are more than Reid who have been impacted by this. More families across Tasmania have been impacted by crime in this manner, in this form. Our debate here today needs to be mindful and be respectful of those people who have been victims of crimes of this nature, and completely respect and honour the advocacy of both the Beasleys, across the country, and Laraine and her family. I pay my respects to them and thank them for their advocacy.

I would not be described as a 'tough on crime' politician. I am not that sort of person. However, I think there are amendments - I will indicate at the outset that I will support the bill - and I look forward to debating a number of amendments and their content as we go through, no doubt, in the committee stage. As I said, I do not believe I am a 'tough on crime' kind of politician. I believe there are holistic measures governments and communities need to take to ensure that certain behaviour is modified. Certain individuals are, by virtue of their actions, protected from themselves, and people are protected from them. There is a reasonability and a balance in all of these things.



I do believe civil liberties are important and we have seen recently, around the globe, countries which have very strong authoritarian kind of governments taking actions which impinge on civil liberties, democracy, et cetera. I do not think a debate around this law is anywhere near comparable to that. I believe we have to be mindful of civil liberties, but we also have to be mindful that when there is a change in circumstances - where there is a change in trend of crime or a certain activity which impacts on people's personal safety and their actual safety, broadly speaking, as they move around our community - as legislators, we need to respond in an even-handed and responsible way. Other states have moved swiftly on this action. We are now moving and having an appropriate debate about these laws. I did ask the minister a question in parliament which seemed to spark a whole range of activity on both sides of the House about it - you know, success has a thousand parents. I am glad we are all here trying to work through this difficult matter in a way that is constructive and can make a difference.

In one respect, you do need to completely respect people's civil liberties, but you absolutely have to respect people's right to go about their business and life in society without the fear and the threat. Whether we like it or not, there are some people - and I am hearing some of the debates in public - there are some people who are fearful in the community and feel that they need to carry a dangerous weapon - a knife or some sharp implement or instrument. I understand if it is a genuine feeling of fear, but we also know that there are people who are carrying around these knives and these sharp objects with an intent to cause harm, with an attempt to threaten, with an attempt to intimidate others. As legislators, we need to respond.

I remember growing up in a society where knives were not commonplace, in terms of threats or violent acts or things that happened in our community. However, we need to acknowledge that there is an increased use of these kind of weapons to intimidate, to threaten, to hurt, to harm, and to kill, and we know the consequences of that. I want to thank Tasmania Police and the department for their briefing on this matter, and to hear the results of the trial that has been undertaken, which has led us to this place. Seeing some of the weapons that were discovered with these new powers and with this 'wandering' equipment, it is actually quite frightening when you actually see the visual representation of what is out there in the community, but also what else is being discovered out there - not by Tasmania Police but by other people, by security in hotels and nightclubs, et cetera, and some of the images are frightening.

I am all for people's civil rights, but if you are carrying around these kinds of weapons and we know people are and there are a number of incidents in my electorate in Franklin, where this is pretty frightening and people are genuinely frightened because it is the reality. We are not talking about an abstract civil liberty concept about what may or may not happen. We are actually talking about what is happening in our community at the moment and this is quite concerning.

There will be a longer debate in the committee and I do not want to hold up the House getting into committee. I will indicate that I will support the bill. There are a number of amendments, some of which I have sympathy with and some of which I will support. There are some reasonable suggestions, others I am willing to hear the argument and to the debate. This is important legislation. The wand in the proposed format that is being used is non-invasive. That is why I prefer the wand to greater search powers. The wand is a non-invasive approach with reasonable suspicion and in certain circumstances as defined by the bill. Tasmania Police are able to ensure that these areas are safe and people are safe from people who have an intent to harm, hurt, and in the most extreme cases, kill.

I support the bill and I look forward to the debate in the committee and again pay my respects to the families who have committed so much of their lives to fight for change in the name of their loved ones. Thank you.

[12.59 p.m.]

**Mr STREET** (Franklin) - Honourable Speaker, In the minute or so that I have before lunch, I will start by acknowledging Ms Laraine Ludwig and her family. I thank Laraine very much for being here today, but also to her family for their compelling advocacy following the tragic loss of Reid. I also acknowledge Brett and Belinda Beasley, who have been in pursuit of national reforms and action on knife crime after losing their son Jack. I understand you have travelled all the way from Queensland for this. We very much appreciate your presence here and the sacrifices you have made to be here today. Thank you very much.

It is in the shadow of unimaginable acts of violence that we stand here today to highlight a principle that we all should stand by, and that is the safety and wellbeing of our communities must always be a top priority for any government. The Tasmanian government, as part of its broader vision -

**Sitting suspended from 1.00 p.m. to 2.30 p.m.**

**POLICE OFFENCES AMENDMENT (KNIVES AND OTHER WEAPONS)  
BILL 2025 (3 OF 2025)**

**Second Reading**

**Resumed from above.**

[2.30 p.m.]

**Mr STREET** - Honourable Speaker, I was saying before the lunch break that it is in the shadow of unimaginable acts of violence that we stand here today to highlight a principle that we should all stand by, and that is that the safety and wellbeing of our communities must always be a top priority for any government.

The Tasmanian government, as part of its broader vision for a safer Tasmania has introduced the Police Offences Amendment (Knives and Other Weapons) Bill 2025, which will become known as Reid's Law. The bill is a direct response to the rising concern over the possession and use of dangerous weapons in our state, particularly knives, which have become increasingly prevalent in our communities. It is designed to strengthen the capacity of our police to keep our streets and public spaces safe, while also enhancing the penalties for those found carrying these dangerous articles without a lawful excuse.

At the heart of this bill is a commitment to protecting the safety of all Tasmanians, regardless of where they live or work. A safe community is one where individuals can go about their daily lives without the fear of encountering violence or threats, and where businesses, schools and public spaces are free from the dangers posed by knives and other weapons.

I note that the speaker before me, Mr O'Byrne, raised the issue of civil liberties and the protection of civil liberties, and I completely agree with him, as much as it annoys me to agree with him at times.

What we are confronted with right now is a set of circumstances where the situation that the police face on the street is dramatically changed from the time in 2015 where Tasmania Police laid a total of 225 charges for possessing or using dangerous articles in a public place. In 2024, that number has more than doubled at 515 charges, including a significant increase among youth offenders with, in fact, a 300 per cent increase over the last decade in youth offenders. These statistics are not just numbers. They represent a disturbing trend that threatens the security of our communities and we must empower our police officers to help reverse this trend. We are all too familiar with the tragic consequences that can arise from knife violence. The loss of Reid Ludwig's life in 2019 in Blackman's Bay, the stabbing of a retail employee in Moonah in 2023 and several other violent incidents are stark reminders of the dangers posed by weapons in our society.

These acts of violence not only devastate the victims and their families, but they also have a ripple effect throughout our communities, leaving people feeling unsafe in their own neighbourhoods and workplaces. Whilst I, in no way, want to make this about me, I can speak personally to this as Reid Ludwig lost his life less than 200 metres from my home in Blackmans Bay and my parents live within 200 metres of me as well. I know, as naive as it may sound, there was a loss of innocence for the suburb of Blackmans Bay with the loss of Reid's life. Blackmans Bay is a very quiet suburb generally; one shopping centre and the service station. There are not that many gathering places in Blackmans Bay and for something like this to occur that devastated the community and led to long term feelings of bringing it home to people that this can actually happen anywhere to anyone at any time. That is why it is so important that we do all we can to empower the police to deal with these situations.

This bill represents the government's determined effort to address these issues head on with the goal of reducing the occurrence of knife-related crime and preventing further harm. It will provide our police with the necessary tools to detect and seize dangerous articles more effectively and will introduce stronger penalties for those found carrying these items without lawful reason.

By tightening the laws around the possession of dangerous articles in public places, this parliament has the opportunity to send a clear message that knife and weapon crimes are not tolerated in Tasmania. A central element of this bill is the introduction of provisions to better support the use of electronic metal detection devices, commonly known as wand devices, which will allow police to conduct non-invasive searches in public places when they hold a reasonable suspicion that a person is armed. In addition to the general change to the existing provisions of the *Police Offences Act*, Reid's Law provides for prescribed places where large numbers of people gather and where the potential for violence or harm is heightened, such as schools, public transport hubs, shopping precincts, licensed premises and places of worship.

The purpose of these searches is not to intrude on people's privacy, but to ensure that weapons are not being carried into places where they pose a risk to the safety of the community. These searches will be carried out with the utmost respect for individual rights and dignity and they will be subject to strict guidelines to ensure they conduct it fairly and professionally.

Reid's Law will give our police the tools they need to proactively protect the community without a requirement to wait for an incident to occur. We are ensuring police have a greater opportunity to detect and remove weapons before they can be used to harm someone. This preventative approach is essential to ensuring the safety of our community and minimising the risk of further violent incidents. In addition to providing new powers for police, the bill also

increases the penalties for those found possessing or using dangerous articles in public. While this increase in penalties reflects the seriousness of the offence, it is important to note that the court will still have the discretion to apply appropriate sentences, particularly in cases involving young offenders.

Speaking of young people, it is essential to acknowledge the significant rise in youth involvement in weapon-related crimes. While these amendments are designed to protect the public, they also offer an opportunity for early intervention. By identifying young people who may be involved in carrying dangerous articles, we can connect them with the necessary support services, diversion programs and preventative measures to help steer them away from criminal activity. The Tasmanian government is committed to its Youth Justice Blueprint, which focuses on early intervention, prevention and rehabilitation. It is through this holistic approach that we can address the root cause of youth offending, while also ensuring the safety of the broader community.

We must be clear, however, that these proposed changes are not about increasing the burden on young people or unfairly targeting them. They are about providing an opportunity to intervene early to prevent harm and to reduce recidivism by offering support and diversion from the criminal justice system. This approach strikes a careful balance that both protects the community and helps young people who may be at risk of becoming involved in crime.

A safe community is a thriving community. When people feel secure, they are more likely to engage with one another, contribute to their neighbourhoods and live their lives without fear. We cannot afford to wait for another tragedy or violent act to occur before we take action. The risks posed by dangerous articles are real and the consequences of inaction are too great. This bill is a vital step in ensuring that our communities remain safe places to live, work and raise families. The Tasmanian government is committed to not only protecting the safety of our communities but also fostering an environment where every person, regardless of age, can feel secure in their surroundings. This is why we are introducing these amendments to enhance public safety, to empower our police and to send a clear message that knife and weapon crimes will not be tolerated.

Before lunch, starting my speech, I acknowledged the presence of Laraine Ludwig and Mr and Mrs Beasley in the gallery today. I am not a parent, so I can only imagine the grief and difficulty that has come with losing a child under those circumstances. I thank you for the advocacy you have provide and the bravery you have displayed in advocating for these laws. I can only hope that, under similar circumstances, I would have the courage to stand up for what I believe in and advocate for the change that is necessary following the loss of a child. I commend you very much for the time and commitment you have made to making sure these laws arrived in this place today. Thank you very much.

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### **Recognition of Visitors**

**The SPEAKER** - Before calling the next member, I acknowledge in the gallery the Campbell Town Primary School students who have joined us for the day. They have been meeting some of their local members, and I am sure they are enjoying what is a much quieter and calmer contribution than they were probably expecting when they visited parliament.

**Members** - Hear, hear.

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**The SPEAKER** - I commend members for the respectful nature with which the debate has taken place and add my voice to that of the member for Franklin and Deputy Speaker to the families.

[2.39 p.m.]

**Mr JENNER** (Lyons) - Honourable Speaker, this is close to my heart. I taught at the police academy for six years, so I know what the police have to go through, let alone the public. I have also seen in the UK as a magistrate, the issues of knife-carrying by youngsters, mainly. There is no denying that in recent years knife crime has soared both in Tasmania and across the nation, and the statistics make that clear. Since 2015, statistics from Tasmania show there has been a 200 per cent increase in the number of adults who carry knives and a staggering 400 per cent increase in youth carrying knives. These are shocking statistics and it is obvious that something needs to change, which is why I will be supporting this bill wholeheartedly.

I have reservations only on the aspect of the bill regarding its implementation, the how, and I am sure we can work around that. I understand that this bill is largely focused on giving police more powers to be able to search people in prescribed public places, which I have no issues with. I agree that giving the police these powers will ultimately deter people from carrying such weapons without lawful excuse. What concerns me, however, is that the validity of the person's lawful excuse is entirely at the discretion of a single officer. What one officer deems acceptable, another officer may reject. The discrepancy could potentially be the difference between an innocent person walking away or going to court to face a jail sentence of up to three years. I understand this scenario is unlikely, but it still remains possible due to the lack of the safeguards in the legislation.

My division of Lyons is a rural electorate and, for many of my constituents, carrying a knife is a routine part of daily life. It is just a simple fact of rural living. I know many people who carry a Leatherman knife from the moment they wake until they go to bed. It is not a weapon to them. It is just an essential tool. My concern is that if a person carrying a Leatherman throughout their work day, as many do, then stops off at the pub or the supermarket afterwards, they could unknowingly find themselves in legal trouble. If they are searched and found to be carrying this, which the legislation classifies as a dangerous weapon, they could face up to three years in prison entirely at the discretion of the police officer. This raises serious questions about fairness, consistency and practical application of this law.

I fully understand that the legislation is intended to grant police greater powers to search individuals they have reasonable suspicion of carrying a weapon, which I do not disagree with at all. However, my concern lies with the potential unintended consequences of this law. Without clear safeguards, there is a risk that an ordinary law-abiding citizen, particularly those in rural areas who are routinely carrying tools like a Leatherman for work, could unfairly be caught up in this enforcement. The broad discretion given to an officer could lead to inconsistency in how the law is applied, resulting in severe penalties for individuals who have no criminal intent.

After saying that, I am sure there will be things in place to stop that happening and I am sure the police officers are well versed with that. I know they are. I know enough of them. However, that was just raising the concern. If someone is coming home, they have the Leatherman on their belt from work, they go into a pub, come out - and I know as a magistrate - let us say they get into a bit of a ruckus or they get done for drunk driving. They

are then searched and they have a knife found on them. Will that go from disorderly conduct to disorderly conduct while carrying an offensive weapon? That is my only concern.

[2.43 p.m.]

**Mrs BESWICK** (Braddon) - Honourable Deputy Speaker, I rise today to speak on the Police Offences Amendment (Knives and Other Weapons) Bill 2025. I acknowledge the family members who are here today. It takes great courage to fight for change in the wake of a personal tragedy. I thank you for your passion and dedication, and I second your words, Deputy Speaker, spoken so well just a moment ago.

I am closely connected to a family who was terrorised on the north-west coast late last year, where a mother was held at gunpoint and a father was shot in the leg and almost lost his hand in a machete attack. These are serious, vicious crimes and we cannot take lightly the role our police play in protecting us all. This bill focuses on reducing the risk of unprovoked attacks in public places and allows police to use devices which have metal detection capability and to do this in a targeted place, similar to random breath-testing on our roads.

This will be a significant adjustment for Tasmanians. I imagine that it can be quite confronting to be selected to be screened for knife-carrying in a public place. Although we are all used to this in our airports and when attending some events and attractions, I hope we never need a police search on the way into church on a Sunday morning. I would hope our police will be very understanding and careful in how they approach searches, particularly with those less able and with ability impairments.

Throughout the department briefing we raised a couple of questions, including why the wording of the proposed legislation is so specific. The bill states 'electronic metal detection device.' I understand the currently tested tool is electronic and it is only required to be in a short distance of a person, without touching, to detect the metal. However, we know that technology is always changing, so I would like to ask whether the description contained in the legislation allows for that change. Are there ways to detect non-metal weapons, such as 3D-printed knives?

I wonder whether terminology such as 'non-invasive metal detection' or just withholding the word 'electronic' may allow for changes of device design without requiring change to law. Minister, could you confirm the rationale for the language and how this enhances the legislation?

I support the police being able to search for knives in schools. Only in February this year, Emerald State High School in Queensland was plunged into a lockdown for almost two hours as classmates tried to disarm a student with a knife who was threatening classmates during a brawl. I have some questions about future-proofing this legislation, but as it stands, I support the Police Offences Amendment (Knives and Other Weapons) Bill 2025 and commend the minister for bringing it to the House.

[2.46 p.m.]

**Mr GARLAND** (Braddon) - Honourable Deputy Speaker, I start by acknowledging that knife crimes are cowardly and deplorable. I do not dispute that there is public apprehension about knife crime, particularly in the wake of a spate of recent violent offences involving knives. Other jurisdictions around Australia are also sadly grappling with the same problem.

I too acknowledge the presence of those here in the gallery who have been impacted by knife crime. I cannot possibly understand the pain of a family who have lost loved ones through knife attacks, but I do understand their desire for justice and for action by the state, and I commend them for the work they are doing.

When the action that is demanded of this parliament involves decisions that will take away the liberty of others, those decisions must be taken carefully and cautiously, informed by experts and, most importantly, informed by evidence, because liberty is easily lost and is very hard to win back.

The question this parliament needs to address is whether these laws will lead to a reduction in the amount of knife-related violence, and if they do, will the reduction be justified by the price to be paid, which is giving police unchecked power to search us almost anywhere, at any time? There is a balance that needs to be struck between public safety and individual rights, which this bill in its current form fails to get right.

I want to start by highlighting what the experts are saying about giving police this new power and whether it will be effective in reducing knife-related violence. In Queensland, Professor Ransley co-authored the Griffith final report reviewing the wandering trial there, which was a much longer, more in-depth trial than what occurred in Tasmania. At the end of that trial, Professor Ransley said the only publicly available evidence found no reduction in violence as a result of the use of these scanners, adding further that what is needed to reduce knife crime is evidence-based government programs addressing underlying causes like mental health, poverty, child maltreatment and domestic and family violence. Wandering has no impact on these factors.

The Tasmanian Law Reform Institute (TLRI) referred to a submission from Michael Cope, President of the Queensland Council for Civil Liberties, stating that all the evidence from the United Kingdom would suggest that wandering will make little or no difference to the sort of crimes that it is meant to be dealing with: violent crime and assault.

The TLRI go on to say that multiple studies from the United Kingdom suggest that suspicion-less stop and search powers are ineffective in dealing with violent crime and are harmful to the relationship between the community and the police, undermining trust and in some instances causing long-term trauma.

The other obvious point to make is that according to Tasmania Police statistics, from 2023 to 2024, over 56 per cent of violent offences occurred in private locations - a sad fact this bill will do nothing to address.

The bill has been severely criticised by the Tasmanian Council of Social Services (TasCOSS), the Children's Commissioner, the Law Society, Tasmanian Aboriginal Legal Service, Community Legal Centres Tasmania (CLC Tas), and Tasmania Legal Aid, as well as a number of other members of the public who sent in submissions. I expect other members will speak to those submissions, so I will go on to raise my own concerns.

My first concern with this bill is the increase in maximum penalty for unlawfully possessing a weapon in a public space. I understand it is meant to punish and deter, and in doing so, reduce the rate of offending, but people do not consider the maximum penalty when they decide to arm themselves with a knife. For that same reason, people do not consider the

maximum penalty before they assault someone. The point is very well made in the Community Legal Centres Tasmania's submission. From 1 July 2021, the maximum penalty for this offence was increased from no imprisonment to two years' imprisonment and the maximum fine was increased by five times. If this sort of response by the parliament worked, we should have seen a significant drop in persons carrying a dangerous weapon. You would assume if this had worked, the minister would not be coming back to the parliament asking us to rubber stamp another increase in the maximum penalty.

The maximum penalty in New South Wales for this offence is 12 months' imprisonment, as it is in Victoria, although in Victoria, unlawful possession of larger knives such as machetes attracts a maximum penalty of two years. Let the record show that changing the maximum penalty will have no impact on this offending.

There is a legal principle called proportionality, which simply means the punishment should fit the crime - it should be proportionate. The submissions from the Law Society and Tasmania Legal Aid both commented that the maximum penalty proposed by this bill is completely disproportionate to the seriousness of the crime. This amendment will not make us safer.

The minister has told us these amendments in the bill are similar to those introduced in other jurisdictions in Australia, but in the minister's words, they take a uniquely Tasmanian approach. This 'uniquely Tasmanian approach' has been to remove the checks and balances, get rid of the guardrails and give police unchecked, unrestricted power. This becomes very clear when you look at the approaches taken in those other jurisdictions. That is why I will be moving a series of amendments to put those guardrails back on, but I will speak to those amendments later.

First I want to read into *Hansard* what those other jurisdictions are doing, and then I have a question for the minister. Let us start with the search power itself. There are no legislative rights or safeguards for people who are being searched in this bill. I want to contrast this with the four other jurisdictions referred to by the minister, being New South Wales, the Northern Territory, Queensland, and Western Australia. I am going to read out the Queensland provision, which is pretty much replicated in New South Wales and the Northern Territory:

...

- (2) The police officer must exercise the power in the least invasive way that is practicable in the circumstances.
- (3) The police officer may detain the person for so long as is reasonably necessary to exercise the power.
- (4) The police officer must -
  - (a) if requested by the person, inform the person of the police officer's name, rank and station; and
  - (b) if requested by the person, provide the information mentioned in *paragraph (a)* in writing; and



- (c) produce the police officer's identity card for inspection by the person unless the police officer is in uniform; and
- (d) inform the person that the person is required to allow the officer to use a hand held scanner to determine whether the person is carrying a knife or other weapon; ...

This bill has no such protection. This was of great concern to the Children's Commissioner in their submission, so I will be introducing an amendment to include these rights for Tasmanians being randomly searched by police.

Then we get to the most problematic part of the bill, section 15CAA, which allows an officer, without any evidence or any belief whatsoever, to search members of the public at any time, effectively anywhere in a public place. This is no small thing. It is a huge regression in our right to be free from interference from government. When you look at the list of prescribed places the minister is proposing, I struggle to think of an area that is not covered, except, strangely, service stations. Basically, police will have the power to search you for weapons if you go to the doctor, to school, to your church, to your supermarket, to your local sports oval, or to a playground with your kids.

What is this going to do to people who have an aversion to police - and there are plenty of them who do not want to be searched by police? Will they avoid going to the doctor? Will they avoid going to school? Will they avoid taking the bus? Will they avoid going out to the local shopping centre? Will they avoid public spaces? The breadth of this power is dystopian. A search process can be traumatising for an individual, particularly those who are frequently targeted by policing practices for reasons influenced by subjective biases such as race, age or socio-economic status. Imagine you are a teenager from a minority ethnic group and you are standing in a queue to go to a sporting event, and the police ask you to step out of the queue so they can wand you in front of the rest of the white males in the queue.

The police do not have any reason to search you with this power. They do not need it. This interaction is going to leave you wondering why they chose you. What was it about your appearance that made the police choose you? The only conclusion you will come to is it was because of the skin colour. You will feel targeted. This is not good for community relations at a time when social cohesion is fraying. This is part of the price we will pay for this amendment and it needs to be seriously considered by this parliament.

During the briefing yesterday, I asked the police if, when they are using this power in a prescribed place, they will be searching everyone. Their answer was no, they do not have the resources. That means it will be up to the officer to decide who to search and who not to search, and they will not have any guidelines or thresholds to meet when making that decision. Arbitrary searches leave room for subjective biases to influence decision-making.

In the briefing I had yesterday - and I thank the police for that briefing - the police assured me they will not target people with protected attributes. In response to that, I will read into *Hansard* the experience of Queensland with their wandling trial. This is Finding 7:

In terms of equity, wandling has been *inconsistently used across different groups in the community*. While the targeting of young people is clearly intended under legislation, and there is an evidence base for selecting more

males than females, there is some evidence of inappropriate use of stereotypes and cultural assumptions by a small number of officers in determining who to select for wandering.

This is precisely why a review is needed of the operation of this power.

I want to specifically comment on clause 4(c), which provides that a failure to undergo a wand search may constitute reasonable grounds for suspicion that a person has possession of, or carries, a dangerous article without lawful excuse. This is highly problematic. I refer to the submission of Tasmania Legal Aid to explain why: this is effectively penalising those who have an aversion or fear of police based on prior dealings, cultural backgrounds, mental illness, or simply the power imbalance. This will rapidly lead to a negative interaction with the police that can result in the suspect being charged with additional offences such as resisting, assaulting, abusing police.

Allowing the police to search anyone pretty much anywhere, any time will bring more people into contact with police, increasing the risk of negative interactions, particularly for those groups who already have difficult relationships with police, such as youths, Aboriginals, people from migrant backgrounds, homeless, and people with mental disturbances. These groups already experience disproportionate contact with law enforcement, and expanding police search powers without safeguards will only exacerbate those inequalities.

This is why other states have imposed limits on how frequently and for how long and where the police can use this power. The police are required by law to target their efforts to a time and place known to be at a greater risk of knife-related crime. That is what their parliaments have asked in return for giving them this power so why are we not asking for the same? In Queensland, applying Jack's Law, as it is known there, before police can wand someone without any reason, they need an order of a senior police officer. The order can only be made for an area in a safe night precinct or public transport area, and only where there has been a violent incident in that location in the last six months. The order only remains in place for 12 hours.

In New South Wales, a senior police officer can prescribe an area for wandering, but again, it requires a previous weapons-related offence within the previous 12 months to have been committed, and the declaration only lasts for 12 hours. In the Northern Territory, only the commissioner can declare an area as a prescribed area, and also requires a violent or weapons-related offence to have been committed in the last six months or is likely to be committed in the next 12 hours, and the declaration only lasts for 12 hours. In Western Australia, a senior police officer can prescribe an area to be a designated area, but only can do so if they are of the opinion it is necessary to safeguard people in that area. The area must be less than three square kilometres and can only last up to 12 hours, and the officer must provide reasons for why they made that declaration.

Now that we know what the guardrails are in other states that have included this power, I want to ask the minister this: what evidence do you have that knife crime is so much worse in Tasmania than in Queensland, Western Australia, the Northern Territory and New South Wales, that we should not have the same protections they have, that our police should not have the restrictions their police do? Or, do you think we do not value our civil liberties or personal freedom as much as they do, because that is what is at stake here? That is why in other

jurisdictions, lawmakers have demanded there be evidence of justification before this extremely broad power can be used and they have demanded that the power is only to be used for a short time. They were not prepared to write the police a blank cheque and neither should we.

On effectiveness in Queensland, they have undertaken 100,000 scans since the laws commenced in 2023 and have seized 900 weapons which is a hit rate of less than one weapon detected in every 100 searches. The review of the Queensland trial highlighted that there was no evidence it was having a deterrent effect on people carrying weapons. In New South Wales, the laws have been in effect since December last year and according to police, they have conducted 4147 searches over a period of three months and seized 91 weapons. Put another way, only 2 per cent of searches end resulting in weapons being located. Police in Victoria are not even required to publish data on how often weapons are actually found, limiting accountability and review.

Tasmania's bill lacks similar oversight, meaning we may never know whether these expanded powers are being used effectively or equitably, although according to 2025 research conducted by Liberty Victoria using right to information requests, 1 per cent of searches in Victoria conducted with these powers uncovered any banned substance or item. Tasmanian Law Reform Institute reminds us that if the government is wanting to take away our rights to be free from arbitrary searches by police by expanding police powers, they need to justify this increase in power is necessary. The rhetorical question they might rightly pose is where is the evidence that police cannot effectively protect us with their existing search powers.

What is interesting is that police have been using these wands with their existing search power for the past four months. They have performed over 100 searches in circumstances where they held a reasonable belief that a search was necessary and they located around 25 weapons. This is what I was told in a briefing yesterday. I am sure the police minister will correct me if I am wrong on those figures, but the point I am making is that a one in five success rate is a much more acceptable and a much better use of police resources than a one-in-50 or a one-in-100 success rate. That is why I will be proposing amendments to this bill requiring data to be captured by police about how this power is being used and how effective it is, and to require an independent statutory review, so the operation of this power is subject to some oversight.

In Queensland, where they did run an extended independently evaluated trial of the use of this power, there were some important findings which I want to read into *Hansard*.

- Finding 1. In the Surfers Paradise SNP but not in Broadbeach SNP, the wandering trial contributed to increased detection of knife carrying.
- Finding 2. This variability and outcome between the two sites suggests that any continuation of wandering should be targeted at only those areas where data shows a proportionally higher prevalence of knife offences occurring over a sustained period.

In other words, the evidence suggested that to be effective the wandering needs to be targeted, not just administered anywhere. This was also the recommendation of the TLRI in their submission for a targeted, evidence informed approach, which this bill does not have.

In conclusion, I want to dispute an assertion made by this minister in his second reading speech. The minister claimed this bill was part of the Liberals' commitment to address knife crime under their Strong Plan to Crack Down on Crime. Let the record show that there is no mention of knife crime in the Liberal Strong Plan to Crack Down on Crime. I urge the minister to correct the record in his reply speech. I have a copy of the Liberal Strong Plan to Crack Down on Crime, which I got from the Liberal website yesterday. I am happy for the minister to review it if needed, but I do want to make the point that the Liberal Party did not take this policy to the election. It is not part of their Strong Plan and they have no mandate for it.

I cannot support the bill in its current form.

[3.04 p.m.]

**Ms JOHNSTON** (Clark) - Honourable Deputy Speaker, I rise to make my contribution on the Police Offence Amendment (Knives and Other Weapons) Bill. I want to begin, as others have done, by recognising family members in the gallery today and to also thank members of Tasmania Police for the thorough briefing that I and my staff received last week.

I want to preface my comments on this bill by saying I believe that as legislators, we have a responsibility to protect and promote the rights of all people in the community, particularly including children and young people. I also recognise that the possession of dangerous weapons in public places can pose a serious risk to community safety, and I am respectful of the desire to reduce knife crime in the interest of safe communities. I note to that extent that this bill deals with an offence under the *Police Offences Act* in relation to possession of a dangerous item and not in relation to violent knife crime, which is charged and prosecuted under the *Criminal Code*.

However, if we are committed to safeguarding the rights of all people, any measures we enact to address risk to community safety must be necessary, reasonable and proportionate to the aim of maintaining community safety, and there must be appropriate safeguards in place. I have real concerns about aspects of this bill and I note the strong concerns of an array of expert bodies, including the Tasmanian Law Reform Institute, the Law Society, Legal Aid, the Commissioner for Children and Young People and the Community Legal Centres Tasmania. It is my strong view that we have not seen the evidence that this bill is necessary, the measures are not proportionate to the problem it is trying to solve and the safeguards proposed are not enough to protect infringements of human rights.

Before I talk in more detail, it is important to note that this bill is being introduced before the winding trial wraps up, and I understand that that trial concludes tomorrow. We have not seen the results of the trial or had the trial evaluated from a variety of angles, such as the impact on children and young people, Aboriginal Tasmanians and other marginalised or disadvantaged groups who the evidence suggests are disproportionately impacted by laws like these, nor have we seen whether the trial increased community safety, however that may be defined, or various other aspects such as whether the searches were conducted with appropriate human rights safeguards. This is yet another example of this government showing a wilful disregard for evidence, which explains some of the various provisions in this bill, which I will speak to now.

Several submissions to the bill point out that while highly distressing, the number of results involving knives is quite small. Committee Legal Centres point out according to Tasmania's Police Crime Statistics Supplement, the number of results involving a knife in 2023-24 was 4 per cent, in 2023 it was also 4 per cent, in 2021-22 it was also 4 per cent and in 2020-21 it was only 3 per cent.

The Tasmanian Law Reform Commission also says, to the best of our knowledge, no data has been presented to justify the expansion of police search powers to detect knives and similar dangerous weapons. For example, they could not find evidence in the Department of Police, Fire and Emergency Management's (DPFEM) crime statistics data to show an increase in knife violence in public places or the possession of knives in public places and that for assaults, 80 per cent of assaults did not involve a weapon, 4 per cent involved a knife and 1 per cent involved a firearm with, as independent member for Braddon pointed out, 56 per cent of these occurring in residential rather than public areas.

Figures that have been broadly consistent over the last five years are figures on assault and armed robbery that suggest:

- (a) There has been no increase in the use of knives or other dangerous weapons in violent assaults over the last five years.
- (b) Only a slight increase in armed robberies.

With regard to homicides, 56 per cent occurred in residential locations and 38 per cent were family and domestic violence related, sadly. In short, Tasmanian Law Reform Institute says:

There are no indications that new police powers to search individuals in public places reduce homicide related offences involving knives.

They also point out that police officers already have the power to search people where they have reasonable grounds to believe that the person is in possession of a dangerous weapon under Section 15C of the *Police Offences Act*. This begs the question: what is the problem that this bill is trying to solve?

The bill lowers the threshold and to give a police officer the power to stop, detain and wand someone from the higher threshold of belief to the lower threshold of suspicion and I thank again the officers who provided their briefing and I have some understanding of why this is necessary. However, should a person not comply with a request to be wanded, it allows the police officer to conduct a personal search, a much more invasive procedure.

The bill goes even further, though, by not even requiring a reasonable suspicion in areas that are prescribed public places. As other speakers have indicated, the list of prescribed places is so broad, the list will probably be shorter if it included only places that were not prescribed. There is broad concern this will result in stereotyping and we will still see already over-policed and marginalised people getting caught up in the criminal legal system.

Tasmania Legal Aid said in their submission that:

It is unclear from the proposed bill what constitutes a reasonable excuse in the context of non-compliance with a search that can occur without reasonable suspicion that a person is carrying a knife. Vulnerable disadvantage of minority groups such as youth, Aboriginal and Torres Strait Islander people homeless, those with mental health issues or impacted by drugs and/or alcohol, and people who do not speak English may have very little understanding of why they must comply with the search and/or the consequences for not complying.

For example, an individual may have a legitimate reason for declining a search, such as cultural sensitivities, trauma or a mistrust of police. It is particularly concerning with regard to young people and Aboriginal Torres Strait Islander People. Regarding young people, the provisions in the bill go against the commission of inquiries recommendations to prioritise strategies that divert children and young people from the youth justice system and from detention, and to minimise risk to Aboriginal children and young people in detention, the substantial over-representation, detention and in the broader youth justice system must be urgently addressed through strategies underpinned by Aboriginal self-determination.

It also goes against the government's own youth justice blueprint and main goal of which is to reduce the number of children and young people entering the youth justice system.

The potential targeting of Aboriginal people is also inconsistent with two key aims of Closing the Gap: Target 10 - Reduce the rate of Aboriginal and Torres Strait Islanders adults held in incarceration by at least 15 per cent; Target 11 - Reduce the rate of Aboriginal and Torres Strait Islander young people 10 to 17 years in detention by at least 30 per cent. Last year's Productivity Commission report showed while there was an improvement in the imprisonment rates for Aboriginal young men and women nationally, Tasmania was an exception. The report also highlighted that in Tasmania, for youth aged 10 to 13 years, when they first entered the youth attention had increased.

This bill will only make these statistics and the lives of Aboriginal Tasmanians potentially worse. As numerous submissions pointed out, a review of similar laws in Queensland found that there is yet to be any evidence of a deterrent effect or statistically significant reduction in the number of violent offences using a knife.

As the Tasmanian Law Reform Institute notes, the report also found that wandering has been used inconsistently among different groups in the community, with some evidence of inappropriate use of stereotypes and cultural assumptions by a small number of officers in determining who to select for wandering.

The Tasmanian Law Reform Institute report points to Queensland police data which show that over approximately a year in early 2023 to early 2024 under laws enacted after the trial, about 2500 had charges laid, with just over 400 related to weapons offences and almost 1400 related to drug offences.

Under Tasmania's proposed laws, a refusal of a search can trigger a reasonable suspicion that allows a personal search and a person could be found to have no dangerous weapon but be found to have a small amount of an illicit drug. It would be a perverse outcome if this bill becomes a law and we see an increase in young people being caught up in the criminal legal system, not for possessing a dangerous weapon, but for possessing a small amount of marijuana.

At a briefing on the bill, Tasmania Police said they can use their discretionary power to simply issue a warning in such circumstances. The fact remains that a person has now come to the attention of the police and evidence suggests that there is a higher likelihood of that occurring again as a result.

Tasmanian Law Reform Institute also says that the professor who co-authored the Griffith final report reviewing the trial legislation said the only publicly available evidence found no reduction in violence resulted with the use of these scanners. The professor also said what is needed to reduce knife crime are evidence based government programs addressing underlying causes like mental health, poverty, child maltreatment and domestic and family violence. Wandering has no impact on them.

The Commissioner for Children and Young People, also said that: -

I note that criminal justice measures alone do not address the complex reasons for carrying dangerous articles in public places. The evidence indicates that effective approaches to crime prevention are multifaceted and involve collaboration across public health continuum, as recognised in the Youth Justice Blueprint 24 to 2023.

The Commissioner goes further and says: -

This bill is inconsistent with the government's commitments under the Youth Justice Blueprint.

By saying:-

In 2024 the Tasmanian government released its 10 year Youth Justice Blueprint which makes a commitment to contemporary rights based, individualised, therapeutic and integrated approaches to youth justice. It is frustrating then the draft bill does not reflect this endorsed framework. I believe there's a reason to pause and consider, that the draft bill does not reflect this endorsed framework. I believe there is a reason to pause and consider holistically how isolated pieces of legislative reform, such as is proposed by the draft bill, fit within broader whole-of-government goals and commitments. It is imperative that endorsed frameworks such as the Youth Justice Blueprint and the Youth Justice Model of Care, which applies to police, are considered in the drafting process of any future legislative changes in this space.

I note that in South Australia's version of the bill, which was passed in February, the Attorney-General can, on his own motion or on the recommendation of the commissioner of police, declare certain public areas, such as public transport stations and shopping centres, as public precincts for a specified period of up to six hours where the police have additional powers such as those in this bill. Before declaring an area to be a public precinct, the Attorney-General must be satisfied that there is a reasonable likelihood of conduct posing a risk to public order and safety in the area, and that the inclusion of a public place in the area is reasonable, having regard to that identified risk. This, to my mind, would be a more modest and justifiable approach to expanding police powers. The Tasmanian Law Reform Institute also supports the approach of limiting additional powers in space and time. It makes sense to target the finite resources of Tasmania Police in this way.

The minister's second reading speech wrongly states that the proposed search powers align with the Tasmanian Law Reform Institute's views in an unrelated report on arrest laws in Tasmania. At the start of his speech, the minister only referred to one submission on this bill,

which was from the Australian Retailers Association. If he had bothered to read all the submissions to this bill, he would know that the Tasmanian Law Reform Institute is concerned that the bill creates an unwarranted expansion of police powers and there is a lack of data justifying an expansion of that power.

As I said before, the Commissioner of Children and Young People's submission also points out the defects in this part of the bill, including putting no conditions or requirements on police officers when conducting wand searches. It includes no legislative safeguards to protect the human rights of community members, such as are commonly found in other jurisdictions. It is especially important that there are safeguards for young people. In my briefing with the police, they said they are covered by the requirements for these searches in the *Youth Justice Act*. The act only applies to searches of young people in correctional facilities, not in public places. Safeguards for young people must be legislated if this bill is to be passed.

For all these reasons, I cannot support this bill in its current form. However, I understand a number of people do, so I am keen to see improvements made to this bill as much as possible, particularly its impact on children, young people and the Tasmanian Aboriginal people. I support the amendments proposed by Mr Garland, but think further amendments need to be made to safeguard the rights of children and young people. I urge colleagues in the Legislative Council to consider the safeguards proposed by various organisations who have made submissions. These include:

- That there must be legislative rights and safeguards for searches of children and young people in public places to mirror those in the *Youth Justice Act* that apply in correctional settings.
- That police are required to keep reports of searches of young people, including what, if anything, is found, for review by independent oversight bodies.
- Legislate a review of the act for 12 months after it passes.
- Safeguards to be added to require that suspicion be based on a totality of circumstances, not just on a refusal to comply.
- Additional police powers to be limited in space and time, such as the South Australian legislation does.

This bill is an opportunity to think more broadly about community safety and what is required to support everyone in the community to feel safe because we cannot legislate our way to safety. What we really need to see is a much greater focus on prevention, diversion and early intervention, reducing poverty, supporting struggling families, working with children and young people who need support to stay positively engaged with their families, school and the wider community, and better resourcing of programs to support people with drug, mental health and behavioural challenges. These are all things we need to be doing much more of to keep our community safe. Thank you.

[3.20 p.m.]

**Mr ELLIS** - Honourable Deputy Speaker, I thank colleagues from across the Chamber for their contribution. I know there are a variety of views on this important matter and a number



of questions raised. It is important that we work through those and I am happy to provide a general summary in response.

First, we were asked what is to stop prescribed places for these powers being expanded with amendments to the regulations? It is acknowledged that the bill amends the *Police Offences Regulations* to allow for these wandering areas to apply in prescribed places. There will be no amendment to these prescribed places without clear advice from Tasmania Police following the introduction of these wandering provisions and appropriate public consultation, just as we do in the usual way. Other places are prescribed in regulations, in other acts, such as places where liquor can be consumed. This is, broadly speaking, the appropriate location for these types of places to be prescribed.

We were asked: is there no guidance as to where wand searches should be conducted or concentrated, why the area is being extended, particularly knowing it being based on other jurisdictions where there were trial operations? In relation to the prescribed places, development of these provisions was informed by the instances of knife crime we have seen in Tasmania but also across the country. I spoke about a number of different crimes that have happened. They are horrendous tragedies, and they happened in a range of different locations. It is important that we keep people safe in all of those locations. The department, in providing advice on this matter, put a particular focus on places where people transit, where people gather, and in places where they are considered more vulnerable.

Unlike other jurisdictions where there must be criminal offending as a precursor, Tasmania is taking the initiative and prescribing places before further offences occur. Just because there has not been a stabbing in a particular location does not mean that it is not vulnerable to that kind of behaviour. We would not want to see some of the tragic incidents we have seen around the country having to be the prompt for us to take action that we know needs to be taken.

They also address places where risk-taking behaviour is likely, such as licensed venues or where alcohol is consumed, which we know can be a driver of violence if used in the wrong way. You will see these in the amendments to the regulations, prescribing places where the wandering powers are expected to be particularly useful in improving community safety.

We were asked why there are increased penalties for dangerous article offences. This was part of the original bill we proposed, the hooning and knife crime bill, which I think we consulted on in September last year, which probably leads into another conversation we will have as well. One of the key reasons for this amendment is to create a deterrent effect within the community to those who are considering doing the wrong thing. I expect that the higher end of the penalties would be used in more serious examples of offending or in circumstances where there is repeated disregard for the severity of this offence. Again, this is about increasing the options available to the courts at the point of sentencing and illustrates the seriousness with which parliament views these offences.

Carrying a machete in a public place is the equivalent of carrying a loaded gun. Carrying a loaded gun in a public place currently has a higher penalty, but both can take a life. One of the reasons you could be carrying them in a public place would be to take a life.

We were asked a question about farmers who carry pocket knives. Leatherman multi-tools include a knife or a blade. I have been there, done that myself as a plumber going

into people's properties with knives, reciprocating saws, angle grinders - a whole range of things that are, if carried for the wrong use, dangerous, but if carried for the right use, are important tools of the trade. These laws do not target those who go about their lawful business. We already have those protections in place in Tasmania, so there is no change. Mr Jenner had some concerns about a potential change to those lawful excuses. There is no change under this law. It still remains the case that there are protections and this bill does not shift that. Lawful excuses under the current legislative provisions include the following:

- The pursuit of a lawful occupation, being a plumber, farmer, a whole range of things. A duty or activity using that dangerous article.
- Participation in a lawful sport, recreation entertainment.
- Using that dangerous article for lawful collection.
- Display or exhibition of that dangerous article.
- The use of the dangerous article for the lawful purpose for which it was intended.
- Religious observance, noting our small but important Sikh community in Tasmania.

I note that self-defence is specifically excluded from being a lawful excuse, that is, you cannot carry a knife in a public place for self-defence. That is an important thing for our community to recognise and acknowledge. I also note that lawful excuses are intentionally broad and not exhaustive. The list is not exhaustive because a parliament cannot think of every lawful excuse. That is why the police and the courts have discretion, and to date I think the police have done an outstanding job in utilising that discretion. I reject Mr Garland's characterisation in that space. It is also backed up by the data - Tasmania is Australia's most trusted on all three measures of community perceptions of police integrity, and we expect that high standard to continue.

Depending on the circumstances where a person is found to have dangerous article in a public place and provides a lawful excuse, police will conduct enquiries to determine the validity of the excuse provided, and police may seize the dangerous article in question while such enquiries are undertaken. Mr Jenner seemed to be under the apprehension that the police officer's decision is final. We have the courts that would review any matter as well, if it did get that far.

A question was asked: does this legislation have enough opportunity for police to search an outer garment or bag? As mentioned during the bill's second reading speech, it is intended that the existing provisions under the dangerous article provisions sufficiently apply to outer garments, or belongings in a person's possession or something that they are carrying, including for example a backpack that a person is wearing or similar items.

The wording provisions fall within the existing dangerous articles section where the offence related to 'use, carry or possess a dangerous article' is based. As these new provisions

relate to the same offending, it necessarily follows that the search provisions are the same, that being bags and other items in possession of the person being searched.

Ms Butler made a contribution about who should be taking credit for these laws. Mr O'Byrne's contribution was accurate - this is the kind of bipartisan cross-parliament thing that we should all be embracing. Indeed, I note your question on that, Mr O'Byrne. I am disappointed that we would use a serious matter to try and score political points - obviously, preparation for the wandering trial had been underway for months. Indeed, we literally consulted on our bill in September last year called the Hooning and Knife Crime Bill, which was very focused on some important provisions that are still within this act.

It is disappointing that we would have this kind of discussion in this place. I know that there is important commitment from all sides, but I take issue with the character assessment, Ms Butler. The fact that we were able to start a wandering trial a couple of days after you guys announced your policy is a demonstration that we were actually doing the work and we physically had the wands available to us, let alone the bill that had been consulted on for months. Anticipating government announcements does happen from time to time.

What is the process and what happens once the metal is detected? Wandering provides a positive indication that a person has metal in their possession. A conversation then occurs where the officer enquires about whether they have a lawful excuse. If there is not one, the item is then seized. The person will likely receive a summons. The destruction of the article is then either consented to or a court file is prepared and an order from the court sought for its destruction.

Where an item is voluntarily offered up to police when asked, the item is seized and it is either surrendered or destruction is authorised. Depending on the circumstances and the context of the interactions, what will follow is a caution or verbal warning, and likely a summons will follow if they are proceeded against. I emphasise here that there is no requirement for a charge or that the proceedings must follow, and police will still have the ability to exercise their discretion. As I mentioned, that may also address the question from Mr Jenner regarding how charging might work after the fact.

I was asked what was the length of time a person could be stopped for using the wands and what is 'reasonable'. There is no specific time period prescribed in the amendments, as the reforms are proposed to be flexible and robust enough to account for different circumstances. I note Mrs Beswick also talked about changing technology. However, I should state that it is not intended that an officer be able to ask a person to, for example, wait while the officer goes and retrieves a wand that they do not have in their possession. It is intended that a reasonable time is justifiable in the circumstances and the context of the interaction with police.

I also note that these powers and the use of them will all be subject to review from Professional Standards, which is an important safeguard, including the use of body-worn cameras capturing incidents. Further, during any prosecution process that may follow, the court has the opportunity to appropriately scrutinise or interrogate the use of the power.

Broadly speaking, the operation of wands is quite brief. The search is non-invasive, it is quick, and it is highly efficient. That is part of the reason why this technology is an important step forward - it enables searching to be done in a manner that is particularly non-invasive compared to current searching methods.

I was asked: why lower the threshold from 'reasonable belief' to 'reasonable suspicion' for the exercise of police searches for dangerous articles? The Police Powers and Responsibilities Act proposal paper produced by the Department of Justice aligns with the Tasmanian Law Reform Institute's final report, 'Consolidation of Arrest Laws in Tasmania', in that both state that the power to search a suspect for evidence should be exercised at the time that the person is suspected of being in possession of evidential material.

Further, the paper suggests that in the context of a consolidated police power, the higher threshold of reasonable belief is too high, as police would be empowered to arrest a person once they form a reasonable belief. It follows that reasonable suspicion is an appropriate threshold for a non-invasive search.

Again, I stress that the particular change to the method of search means that this is a much more acceptable pathway to go down with this methodology. It is like a breath test in a car; it is like having metal detection scanning at an airport or a large sporting event, which we all consent to on a regular basis as just part of living in a modern society.

A search conducted must be considered a preliminary action to a decision to proceed against a person, with arrest an action of last resort. The power to search with reasonable suspicion also serves an immediate safety role for not only the community, but for the officer who is conducting the search - particularly where the offence may involve possession of a weapon or implement that may be used to cause harm. It is part of the reason why we are getting such good feedback from our officers about the increase to officer safety undertaking these searches. That is meaning that they are able to do more searches and to do it in a safer manner. This is getting knives off the street, and of course, every one of those is potentially a life saved.

I mentioned before that the threshold of reasonable suspicion is consistent with other jurisdictions. New South Wales is reasonable suspicion; Queensland is reasonable suspicion; Western Australia is reasonable suspicion; the Australian Capital Territory is reasonable suspicion; and the Northern Territory reasonable suspicion. We are following a well-trodden path here, particularly with the work of the Jack Beasley Foundation across the country.

I was asked: are there clear guidelines about the process and conversation that will happen for the suspected member of the public? As Ms Butler noted, existing police procedures step through this process already. This is a well-known path; this is nothing new. There are specific provisions in section 25H of the *Youth Justice Act* that relate to information a youth must be provided with before any search is conducted. Relevantly, these include informing them that a search is being conducted; informing them that the youth may surrender an article that is in their possession; and giving the youth an opportunity to surrender any article in their possession.

There is a broader question about conversation that must occur. It is a matter of police training, and there are guidelines that will be contained in the Police Manual where these provisions will be accounted for. The Police Manual is a very important document and by enabling police practice to be contained within, there is opportunity for flexibility. That is important as situations change. I note Ms Johnston's comments regarding whether it is in a custodial setting or not.

Members spoke about the concern that there are insufficient safeguards in place. Safeguards exist both within the legislation and within Tasmanian police procedural guidance to ensure that there is appropriate accountability and prevention against the misuse of police power. I am advised that the Tasmanian Police Manual clearly prescribes the conduct and the manner in which searches of a person are to occur. All searches are to be conducted in the least intrusive manner, which is part of the reason why this is such an important step forward - with wand technology and with reasonable action taken to minimise indignity, trauma, distress or other harm. That is part of the reason why these wands are such an important tool.

Where practicable, searches are to be conducted by a police officer of the same gender as the person being searched, with additional consideration for people who are non-binary, transsexual, transgender or intersex.

In addition to these search requirements, Tasmanian police wear body-worn cameras. It is mandatory policy that police officers commence body-worn camera recording when acting in an enforcement capacity, conducting a search, or where a person is stopped in a public place due to a reasonable suspicion that the person has, is or is about to commit an offence. The activation of body-worn cameras applies an additional layer of accountability for our officers and protection to any person subject to search. Police officers are required to record and report all searches that they conduct. That is an important safeguard that we have invested strongly in Tasmania.

Members spoke about net widening concerns and whether these laws will disproportionately affect members of particular community groups, such as youths or people who are homeless. I will respond sort of collectively because it has been raised by a number of different people. In dealing with youths, police still apply the principles as provided in Section 5 of the *Youth Justice Act 1997*. These principles include, but are not limited to:

(b) that the youth is not to be treated more severely than an adult would be;

...

(g) detaining a youth in custody should only be used as a last resort and should only be for as short a time as is necessary;

...

(i) any sanctioning of a youth is to be appropriate to the age, maturity and cultural identity of the youth;

(j) any sanctioning of a youth is to be appropriate to the previous offending history of the youth.

And:

(c) that the community is to be protected from illegal behaviour;

That is an important counterbalancing measure.

The government is obviously committed to the Youth Justice Blueprint that provides a holistic approach with a range of support options for young people and their families alongside other therapeutic initiatives. This will reduce antisocial behaviour and reduce offending while also maintaining our responsibility to public safety.

I was asked whether this will mean more young people interacting with police. Yes, this may well be the case, considering knives and other weapons offences involving young people have increased by more than 300 per cent over the last decade and young people commonly congregate in prescribed places.

However, these amendments are designed to enhance public safety and the government is steadfast in that approach. It is clearly a part of the problem that we are seeking to address. We need to get these knives out of the hands of people of all ages. Where youths are carrying knives, it is in fact young people who are often most at risk from other young people doing that. We have to remember that when we are thinking about the interests of young people, we cannot forget the interests of young people who are victims of these crimes, particularly when they are perpetrated by their peers.

Interactions with police and youth should not be viewed as a negative, as they present an opportunity for respectful communication and relationship building - as we have seen in other jurisdictions, particularly Queensland - as well as the early intervention of young offenders and diversion away from the youth justice system. It is better to pick them up carrying a knife in a dangerous place than to have to pick them up some hours later on a murder charge.

A 2022 review by Griffith University that we have spoken a lot about into the Queensland wandering trial indicated that the police involved felt their interaction with young people seemed to have improved, with feedback generally considering the wandering initiative as a positive step towards enhancing community safety. The Griffith University review also identified that referral services for vulnerable people were enhanced. I will repeat that again: the referral services for vulnerable people were enhanced, such as those suffering mental illness or homelessness.

This will afford an important opportunity for early intervention, underpinned by the Youth Justice Blueprint, focused on prevention, intervention and diversion pathways. As I mentioned, this is about getting on top of a serious crime before it is committed. It is still a serious crime to be carrying a weapon in a public place, but compared to the outcome of that offence, which could be murder or serious assault, it is far better for us to be able to take this action before it becomes something even worse.

Not only was there no evidence in that review to suggest significant community concerns with wandering operations, but there was actually some evidence of improved perceptions - I mentioned this before - both of police and of community safety. I was asked whether it will disproportionately affect homeless people for police to exercise their search powers. Under the act, a person in a public place must be in attendance at a prescribed place, presumably along with other members of the public who are also subject to search, when they are reasonably suspected by police of being in possession of a dangerous article. Regardless of your background, you should not be carrying a dangerous weapon in a public place that could be used to take a life and fundamentally change the lives of other people forever. It is important that we work through that. Police receive training regarding vulnerable community groups to prevent against unconscious bias and help fight the stigma of homelessness.

We have spoken before about net widening. There is an opportunity through this process - it has been noted during wandering trials that both drugs and stolen property have been found incidental to the initial search for dangerous articles. However, this is not necessarily an undesirable outcome. The police then have the opportunity to interact with the public regarding illegal activity, including by utilising the therapeutic approach of drug diversion processes, or the youth justice cautioning and conference process, when suitable. Both of these provide intervention and support services. That is important to note. Where people are picked up, it actually leads to more help, not less. That is key. It is also an opportunity for a conversation and diversion for youth away from the youth justice system. It is proactive.

It has also provided the opportunity for police to identify other offences which cause community harm, such as shoplifting. It is worth noting, of course, that these metal detectors will not detect, for example, bags of cannabis or other drugs, if they are not volunteered by the person, as they are not metal.

We spoke about funding for education programs. It is the government's position that this bill is not the be-all and end-all of initiatives in this space being taken to address knife crime. It is important that we focus on the opportunities that may exist there, particularly with the Department of Education, Children and Young People. Following the passage of the bill, Tasmania Police will continue to educate the community regarding knife crime and other offences. This includes maintaining a website that provides clear advice to the community, developing educative resources as required, and continuing to provide 24 hour advice and assistance on 131 444.

There are other important opportunities for us to work with victims and other advocates. I know that those conversations are already underway. It is a separate matter to the bill, but it is an important complement to it.

I was asked about the differences with South Australia's wandering powers. The approach of South Australia and some other jurisdictions is, by the nature of what they have introduced over there, reactive and restrictive in its application. They are still good laws, but under their approach I am advised that wandering powers are triggered after the fact. It responds to an incident that has occurred or when something is:

Expected to happen, for example, based on police intelligence.

It is the government's view that we should not be waiting for a tragedy to occur for a police response, like the tragedies that have already occurred. To be clear: it is the government's view that one knife crime, one life lost, is too many.

A mechanism for reporting on the outcomes of a knife crime trial it is considered during draft that the existing mechanism for Tasmania Police reporting on these processes, outcomes and data were considered sufficient for the amendments. Section 36 of the *State Service Act 2000* requires that the heads of agency report to the minister the performance of the functions and exercise of the powers conducted by the agency or its employees or officers, but of course, we will be working through those amendments and appreciate the work. Broadly speaking, we are very happy with proactive data disclosure and we have seen significant uplift in terms of Tasmania Police's reporting in the last couple of years. We are happy to work with colleagues in the committee stage.

Ms Badger sought clarification on circumstances where police have not been able to conduct a search under the existing provisions. That is under the threshold of reasonable grounds to believe. Ms Badger also sought statistics on how many offences would otherwise not have proceeded, save for the wandering power. As I am sure you know when you are asking the question, statistics are not recorded or captured for when police do not use a power or do not exercise an authority. They are countless and that is just the nature of these interactions. Broadly speaking, the vast majority of people police interact with or talk to do not present with any suspicion that they have a dangerous article. That is a good thing.

Tasmania Police talk to and engage with hundreds of emergency incident taskings every day and then all the follow-up and engagement activities. These contacts do not result in searches currently and will not result in searches going forward. Just having contact with police does not give rise to the requisite level of suspicion to be searched. We clearly do see from searches under our current powers where we are collecting a knife or a dangerous article in one in every four searches, enhanced powers will enable us to increase the number of articles that we are finding, even as, of course the percentage goes down as we broaden that.

Comparison between firearms offences - provisions versus knife crime, it is noted that the proposed increase in penalties does actually align with section 111 of the *Firearms Act*, which creates an offence for the possession of a loaded firearm in a public place. That is part of the reason why we brought in this bill. That is 100 penalty units or imprisonment for three years or both. Metal detection wands will be able to pick up firearms, and, indeed, we have heard in other jurisdictions where that has happened as well. I would think that reducing the number of firearms being carried illegally in a public place would be a good thing and certainly also present a very high risk as do some of the knives that are carried.

Responding to various contributions made by members which I will characterise as a perception of an unconscious bias in police officers when they use their wandering powers or selecting people for wandering search, I have already mentioned that all of the data and report of government services shows that Tasmania Police have the highest ratings for integrity across the country in relation to treating people with dignity, respect, equity and fairness. Persons cannot be selected for searching on the basis of a protected attribute. We have a robust conduct and complaint investigation process and the police manual requires the use of a body-worn camera when exercising power or authority which ensures a high degree of accountability for police. All the people in this room may be subject to those kinds of searches, just as all of the people in this room may be subject to other police searches that happen from time to time on our roads.

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## **Motion**

### **Allow Extra Time for Minister's Contribution**

[3.50 p.m.]

**DEPUTY SPEAKER** - Minister, you only have 20 seconds left. Do you need more time?

**Mr ELLIS** - Let me double check.

**DEPUTY SPEAKER** - I could get somebody to move that you be heard for a further five minutes.



**Mr ELLIS** - Yes, I think that might work. Do you need me to move anything?

**Mr O'BYRNE** - Deputy Speaker, I move -

That the member be afforded extra time to complete his conclusion and summary.

**DEPUTY SPEAKER** - I just need you to specify an amount of time.

**Mr O'BYRNE** - I hate doing this. Let us say five minutes.

**Time extended.**

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**Mr ELLIS** - Mr Garland mentioned a range of amendments he is intending to move in the committee stage. I can indicate some interest in some of those amendments, particularly looking through the review matter and the data matter. I am very open to discussion about that, and forgive me while I am rationing my time here.

Mr Garland mentioned that people move between public and private places. The bill does not address incidents that occur in private places. That is correct. Not all bills can address all crime, but we know that we have seen unspeakable tragedies happen in a public place. If we are able to take action in those areas, we will continue to work in some other areas as well. Indeed, I only tabled legislation today that was the second part of the original Hooning and Knife Crime Bill that includes provisions, for example, to increase penalties for common assault and common assault on pregnant women and we are always looking to do more in this space more broadly.

That aligns with our 2030 Strong Plan to Crack Down on Crime. This particular matter was not noted in the release part of that, but we do not want to be prescriptive. I mentioned the increase in penalties for people assaulting pregnant women. We did not take it to an election, but I am really glad we are bringing it back into this House. That is the nature of these discussions. If there is something that we can work through as a group to take action to keep people safe, then we should do it and it broadly aligns with our 2030 Strong Plan to Crack Down on Crime.

Mrs Beswick mentioned the definition of an electronic metal detection device in response around definitions. The Office of Parliamentary Counsel (OPC) advice informed the drafting approach taken. It is the government's intention to provide for the specific type of scanner available to Tasmania Police today. We acknowledge that the wands will not detect 3D-printed items of non-metallic material, but it is worth noting that during the wand trials conducted by Tasmanian Police there were no seizures of plastic dangerous articles. We have taken other action in other bills regarding cracking down on 3D-printed firearms and other matters. We also have the power to search, regardless of using a metal detection wand, for other matters that are of concern but are not metallic.

We have spoken about a few of those matters, and forgive me, members, while I paraphrase. Mr Garland talked about the evidence of whether knife crime is worse here or in other states. I have already spoken to the fact that nearly one in four of the searches conducted during our trial yielded a dangerous article. We do have some of the same safeguards. Some of the safeguards are enshrined in existing legislation that I have already referenced, such as the

*Youth Justice Act*, internal policy documents, the commissioner's instruction and orders which are compiled into the Tasmanian Police Manual.

Regarding specific mention of Tasmania Police body-worn cameras, members must commence body-worn camera recording in the following circumstances unless there are legal or operational reasons not to do so, including when a member could be reasonably expected to act in an enforcement capacity, including attendance at all operational incidents and where a member decides to conduct the search of a person. There are a broad range of legislative acts around the country, but we are seeing a continuing trend towards locking-in a more straightforward approach on these because the initial bill, Jack's Law, was a trial and I know the Queensland government has been working through legislation that will be, broadly speaking, in line with Tasmania's legislation.

Ms Johnston mentioned assaults involving knives being consistently about 4 per cent per annum; 20 per cent of all assaults involve a weapon, with 4 per cent being a knife. That is why it is 'knives and other weapons.' It equates to approximately 800 assaults with a weapon each year; 165 assaults with a knife. This is an important area that we need to take action on and it is important to do so. Fifty-one per cent of armed robberies also involved a knife.

**Bill read the second time.**

## **POLICE OFFENCES AMENDMENT (KNIVES AND OTHER WEAPONS) BILL 2025**

### **In Committee**

**DEPUTY CHAIR** - There are a number of proposed amendments that have been circulated regarding this bill. In accordance with the Standing Orders, I require that these are dealt with in the order in which they appear in the bill. With that, where would the committee like to start?

**Clauses 1 to 4 agreed to.**

#### **Clause 5 -**

Section 15CAA inserted - Use of Electronic Metal Detection Device

**Mr GARLAND** - Chair, I move -

That the following two amendments be read together.

After page 5, I propose -

**DEPUTY CHAIR** - As I just mentioned, you will have to move your first one and then there is another amendment and then your second one because they have to be done in the order in which they are in the bill. You will just be talking about your first amendment at this stage.

**Mr GARLAND** - I will do my first amendment.

#### **First amendment**

Page 5, proposed new section 14CAA, subsection (1), after the definition of *electronic metal detection device search*.

*Insert the following definition:*

*Personal camera has the same meaning as in the Police Powers (Surveillance Devices) Act 2006.*

## **Second amendment**

Page 6, proposed new section 15CAA, after Subsection (3) -

**DEPUTY CHAIR** - That is your second amendment. You can speak to the intent. You can speak to what you are trying to do with both of these amendments, but at the moment you can only move the first one. You can speak to them but you cannot move the second part.

**Mr GARLAND** - Okay. I am moving this amendment brings the bill into line with other jurisdictions from which the bill was modelled. The first amendment seeks to add the definition of 'police camera,' which relates to safeguards required in the second amendment. These safeguards are found in Queensland, Section 39H of the *Police Powers and Responsibilities (Jack's Law) Amendment Act 2023* providing certain restrictions, which is called 'safeguards for exercise of powers.' In New South Wales, this is found in Section 45O of the *Law Enforcement (Powers and Responsibilities) and Other Legislation Amendment (Knife Crime) Act 2024*. In the Northern Territory, this is found in Section 116KH of the *Police Legislation Further Amendment Act 2023* and in Western Australia, this is found in section 61A of the *Police Legislation Amendment Act 2024*.

My amendment mirrors those restrictions or rights. If passed, my amendment would impose a legal requirement on the police exercising this new search power to do so in a way that reduces the impact of the search on the person's liberty and dignity.

The amendment will also require the searching officer to provide the person they proposed to search with enough information for that person to understand what is happening to them and to identify the officer who is exercising this power over them so they can make a complaint should they wish.

It also requires a search to be recorded on body worn video or personal camera as it is defined in the police legislation. This is particularly important to ensure that there can be scrutiny or oversight of the exercise of this power so that it is not just one person's word against another. The police minister will no doubt say that we do not need these protections. We have the most trusted police in Australia. Does that mean we do away with the safeguards? No, it does not.

The minister will also say the Tasmanian Police are subject to the police general orders found in the Police Manual, including orders similar to those included in this amendment. While that might be true, it is important to distinguish between a rule of conduct and the law.

A right, a safeguard, should be legislated so that it is known and it has the force of law. It is a legally enforceable right. If it is breached, the police officer is acting illegally rather than improperly. It is a statement by this parliament to the police that we will give you these powers,

but we expect you to comply with the obligations we have imposed on you when you exercise these powers, rather than leaving it up to the police to make up their own internal rules.

**Mr ELLIS** - I note that there are a couple of amendments that we are dealing with here, and shortly, I will make some general comments that apply to both.

Broadly speaking, the suggestion in relation to the Tasmania Police Manual is as many of the proposed amendments are already established professional practices that are contained in orders or guidelines under the Tasmania Police Manual which has effect on police exercise of authority across all legislation. That is, this is effectively a safeguard that we apply across many different things.

Further, the *Police Service Act 2003* provides the statutory basis for the Police Code of Conduct and police observing orders in the Police Manual is required by the Code of Conduct. Establishment of a police service and conduct of police officers is controlled by the *Police Services Act 2003*. Section 93 of that act requires that the Commissioner publish a Police Manual. The section says:

- (1) The Commissioner must cause a document known as the Police Manual to be published;
- (2) The Police Manual is to contain:
  - (a) any orders, directions, procedures and instructions issued by the Commissioner as the Commissioner considers appropriate; and
  - (b) any other matter the Commissioner considers appropriate.

The Code of Conduct at section 42 requires compliance with the Tasmania Police Manual and any other lawful direction or instruction. This is not an exhaustive list, but as an example:

- (1) A police officer must behave honestly and with integrity in the course of his or her duties in the police service;
- (2) A police officer must act with care and diligence in the course of his or her duties in the police service;
- (3) A police officer must comply with:
  - (a) all orders in the Police Manual; and
  - (b) any lawful direction or lawful order given by a senior officer.

I emphasise that the Tasmania Police Manual and the Code of Conduct apply to the behaviour of all police officers and in the execution of all police authorities or duties across all of the specific enabling legislation because of the *Police Service Act*. It is actually a key part of what we do and it is a substantial document.

I will not use a prop, of course, but this is the Tasmania Police Manual. It is significant and it is a weighty body of work. It contains a range of safeguards that protect the public and

also ensure proper conduct from our police. We could legislate everything that is in there, but we do not because it is important to provide flexibility on the matter of inserting a definition of 'personal camera.' The government does not support the inclusion of body-worn camera definitions generally. We believe this amendment is unnecessary because of that. It appears to be an amendment to introduce the term 'personal camera' to apply to subsequent amendments. You mentioned there are two parts of this. Police already deploy and are required to activate body-worn cameras as part of their duties that I have already outlined through these arrangements.

We are satisfied with the safeguards already contained in a range of other legislation. We have already given commitments on the requirements of police to operate their body-worn cameras as part of this bill specifically, referencing their broader requirements. We do not think the amendments are necessary and we will not be supporting it.

**Mr O'BYRNE** - I have a question, minister. I understand your argument about the replication of the manual, essentially, into legislation, but 'a personal camera' needs a definition and making it clear in terms of this power. Is your objection to the amendment on the basis that it would set a precedent if we, all of a sudden, start dragging in elements of the Police Manual into legislation? Or is it that the definition is more flexibly updated, depending on technology, in that document and that creates a break between the document and the legislation; that the definition and the wording used may actually create a problem with the activation or the power of the law?

**Mr ELLIS** - Broadly speaking, that is right. It is about the precedent it would set. It clearly is a breakaway from the Police Manual being where we operate body-worn cameras when we do a whole range of policing work, for this offence and this type of search, but all of the other types of searches and all the other types of offence. Yes, there is that flexibility as things change, but there is the consistency and continuity that is important as part of that definition. I hope that answers your question.

**Mr O'BYRNE** - It kind of does. I need to clarify by way of explanation. The power, of itself, in all of the other uses of a personal camera on Tasmania Police officers, the source is not in the legislation but it is in the manual, and every other power or every other statute refers to the manual, which is the document that creates the accountability measure. Is that right? Would this be an exception to how it is dealt with in every other crime in use of personal camera?

**Mr ELLIS** - I cannot say for certain that there are no other examples. We are double-checking whether that is and we will come back to you. However, we do not think there is. Currently, the Police Manual refers to all searches requiring it, so currently all searches operate under that requirement through the Police Manual.

**Mr O'BYRNE** - Okay.

**Ms BUTLER** - Minister, would you be able to provide us with the dates and the timeline of when the police processes and procedures in that manual were last updated?

**Mr ELLIS** - This document says as of 8 April 2024, but I will double-check whether that is an update.

That looks like it is an old copy because it is actually regularly updated. It was updated as recently as last week and contains a range of different updates. The provisions for body-worn cameras were initially brought in when the body-worn cameras themselves were brought in in 2018. They are subject to change and there has been in this place, as part of the Weiss review, a matter that required an update to the Police Manual, so it is very much a living document, regularly updated.

**Ms BUTLER** - It just seems, as far as when the police procedures are made publicly available, because I think what you see on the police website if you do a search at the moment it seems that it is still the former commissioner who has signed off on that.

**Mr ELLIS** - Which procedures?

**Ms BUTLER** - It was the police procedures, as many police procedures as were put together by Darren Hine, the former police commissioner. I am wondering whether there are means by which the public can access that document. It has been updated since the former commissioner.

**Mr ELLIS** - Every time the Police Manual is updated, and it is updated regularly, the police then cause an update through Right to Information provisions. It is then published. Obviously, there are some matters that need to be redacted because they are operational or confidential, but it is publicly available and regularly done.

**Ms BUTLER** - In relation to Mr Garland's amendment, we believe that the use of body-worn cameras by Tasmania Police does not have any reason to differ in relation to these searches as they conduct to a really high level in their current searches, so we will not be supporting this amendment.

**Ms JOHNSTON** - Thank you very much minister, for the clarification about the updating of the Tasmania Police Manual. You note that it is updated regularly and published on the website where the public can visit it. The issue Mr Garland has raised, in particular, is the ease of which members of the public can understand their rights. We are talking about a bill for prescribed public places which means police have relatively unfettered powers of search in terms of wandering. They do not need to form a reasonable suspicion. They can wand without reasonable suspicion. Therefore, it is important that the safeguards in other jurisdictions are clearly articulated in legislation that gives police those very extensive search powers so that members of public can understand what they can expect from Tasmania Police in the conduct of those searches and what the safeguards are.

I fully accept, as the minister has indicated, that they are contained in the Police Manual. However, if that is a live document that is regularly updated, it is reliant on members of the public to go back and check to see whether changes have been made. For the sake of clarity for members of public and also for the protection of police, it is important that these measures are listed in detail as safeguards in the legislation where we are extending police powers to such an extent.

**Mr ELLIS** - That would be an argument against having anything in the police manual. I concur with Ms Butler's comments around this aligning with other forms of searches and it being the appropriate way in which we manage these things.

**DEPUTY CHAIR** - Any further speakers on the amendment? Mr Garland, do you wish to speak?

**Mr GARLAND** - Yes. This amendment is about requiring the police to exercise its power. Does the parliament wish to have that control and impose legal rights and obligations, or is it content for the police to regulate themselves? Why is it that other jurisdictions have sought to impose these legislative safeguards or protections? The answer is because, as a parliament, they bestow legal rights and obligations, and we should do the same.

If police are required to already deploy body-worn cameras during searches through their internal rules, where is the harm in including this as a legal obligation and a legal protection in this bill, as they have in other jurisdictions?

**DEPUTY CHAIR** (Ms Finlay) - The question is -

That the amendment be agreed to?

**The Committee divided -**

**AYES 9**

Ms Badger  
Mr Bayley  
Mrs Beswick  
Ms Burnet  
Mr Garland  
Mr Jenner  
Ms Johnston  
Dr Woodruff  
Ms Rosol (Teller)

**NOES 22**

Mr Abetz  
Mr Barnett  
Mr Behrakis  
Ms Brown  
Ms Butler  
Ms Dow  
Mr Ellis  
Mr Fairs  
Mr Farrell  
Mr Ferguson  
Ms Haddad  
Ms Howlett  
Mr Jaensch  
Mr O'Byrne  
Ms O'Byrne  
Ms Ogilvie  
Mrs Pentland  
Mrs Petrusma  
Mr Rockliff  
Mr Street  
Mr Winter  
Mr Willie (Teller)

**Amendment negatived.**

**Ms BADGER** - I just want to triple check that all members received the amendments. They were emailed around. I am pretty sure everyone has them now. I move -

Page 6, clause 5, proposed new section 15CAA, subsection (2), after "any person"

*Insert ", other than a youth,"*

The new proposed section would read:

A police officer in a prescribed place may, without a warrant, require any person, other than a youth, within that prescribed place to undergo an electronic metal detection device search.

Essentially, what the amendment is doing is preventing unbiased discrimination or pulling young people out and making them possibly feel as though they are exposed by ensuring that they cannot, or that they will not, be subjected to the new police powers of the metal detection searches, most importantly, in that list of prescribed public places.

It is absolutely not preventing the metal detection search under the authority of other provisions, but that relevant threshold for the search does still apply. This is really important in the context of trying to reduce our youth's connection with the criminal justice system when we are trying to divert young people away, not just when they come into contact with police, but also before that. What we have seen in other states, and I raised this in my second reading speech, was concentrated investment into police, into education and into diversion programs that complement the legislation that those states have put in place, which is not what we are seeing proposed here today.

Off the back of the commission of inquiry, we know how important it is to be focusing future legislation in this state on diverting youth away from that justice system, but also to be concentrating very heavily on other principles - policies and systemic change. This amendment is purely to help protect our youth, but it does not remove all the police powers by any measure to ensure that youth can still be searched, being that by the metal detection, wandering or other means.

**Mr ELLIS** - We will not be supporting the Greens' amendment. In Tasmania, tragically, in 2019, Reid Ludwig, who these laws are named after, was stabbed to death at a public place in Blackmans Bay by a youth carrying a knife. In 2023, an employee of Harris Scarfe in Moonah was stabbed by a youth. This matter is still before the courts. In 2023, a man was stabbed in a shopping plaza in Launceston following a verbal altercation with some youths. In 2015, Tasmania Police laid 225 charges for offences against section 15C of the *Police Offences Act*. This included 199 adults and 26 youths. Nine years later, in 2024, police laid 515 charges, being 408 adults and 106 youths. That is a doubling of the adult offending and a fourfold increase in youth offending.

No other person, as an absolute, excludes police from being able to enquire into the possible commission of an offence simply because a person may be from a class of persons. That is how fundamental that shift would be. Let me say it again: no other person as an absolute excludes police from being able to enquire into the possible commission of offence simply because a person may be from a class of persons, in this case a youth.



To briefly recap contributions I have made: in Tasmania, there is a comprehensive youth justice framework that is underpinned by the *Youth Justice Act 1997*, which includes the general principles of youth justice at section 5. Further, at section 24, the power of police to arrest the youth is limited only to circumstances where it is necessary to do so.

You talk about the work of other states. We have already done it in a lot of cases in Tasmania. The Tasmanian Police Manual has requirements for persons to be afforded dignity and courtesy when being searched. See the response I made to Mr Garland. Further, special provisions apply to the searching of youths who are in police custody. It is the practice of Tasmania Police and the intention in implementing the Tasmanian government's amendment bill without this amendment to continue to divert youths away from the criminal justice system in all cases where it is appropriate to do so, and the bill does not disturb these principles.

I note that in other states, for example, under these laws in Western Australia, a youth is actually excluded from receiving a caution for offences against the *Weapons Act 1999* over there, meaning that they have to go down a harsher justice approach by a requirement of that act. This is not the approach that we are taking in Tasmania. We get the balance right and we will not be supporting this amendment.

**Ms BUTLER** - I thank Ms Badger for bringing this amendment to the House. We only received this amendment a matter of minutes ago. However, I can say that we will not be supporting the amendment. We, through our briefing process, learned that the *Youth Justice Act 1997* supersedes this law and these powers under section 24, and it is a limit on power to arrest. It says:

A police officer may only arrest a youth in relation to an offence if the arresting officer believes the offence is serious enough to warrant an arrest and also believes, on reasonable, grounds that -

- (a) the arrest is necessary to prevent a continuation or repetition of the offence or the commission of another offence that, if it were committed by the youth, would be sufficiently serious to warrant the youth being arrested in relation to the commission of that offence; or
- (b) the arrest is necessary to facilitate the making of a police family violence order, within the meaning of the *Family Violence Act 2004*, an application for a family violence order under that Act or an application for a restraint order under Part XA of the *Justices Act 1959*; or
- (c) the arrest is necessary to prevent concealment, loss or destruction of evidence relating to the offence, or
- (d) the youth is unlikely to appear before the Court in response to a complaint and summons.

We believe that that safeguard is enough that this amendment is not required.

It is also important to note that \$35 million is being cut from the police budget. There are huge efficiency dividends going across all of our agencies, and that includes Youth Justice. In

an ideal world, we would all love for Youth Justice to be properly funded. We would all love proper intervention programs, because that is what Youth Justice is meant to do - run proper intervention programs, drug and alcohol rehabilitation programs as well through our health system - but we know that it is really lacking in all those areas.

At the moment, Tasmania Police are picking up heaps of those gaps, especially in areas of youth. Tasmania Police do diversion programs. They are not responsible for intervention programs.

First, I do not think that it is practical at the moment in light of what is happening in budgetary concerns in this state to assume that Youth Justice will be appropriately funded to pick up proper youth intervention programs. We know that barely any work has been undertaken already in relation to the closure of our youth correctional facility, and what those new processes will look like and what the new model will look like. We know that all that work is lacking and we know that this government is looking to slash funds wherever they can at the moment, so we need to be practical about that.

We believe that the *Youth Justice Act 1997* will supersede this act, and the information we have been provided is that it will. It should provide enough protection to young people.

**Mr O'BYRNE** - This amendment has been circulated quite widely, I understand. I have been aware of it and have given it really good consideration, and thought, in a normal set of circumstances, ensuring that there is a more holistic approach to dealing with youth as they interact with Tasmania Police and the criminal justice system is something I support, but we are not dealing with normal times. The incidents that the minister has referred to - the incidents that I have become aware of, particularly on the eastern shore recently - have been building and increasing over the last few years.

Whilst I would normally support the intent in terms of dealing with youths in this environment, in terms of the situation that Tasmania Police are facing and the community is facing I think that the power in the amendment bill that has been proposed is appropriate. Therefore, unfortunately, I am unable to support the amendment.

**Ms JOHNSTON** - As I understand it, and I hope, Ms Badger, you can correct me if I am wrong, the amendment merely affects the searches of young people within a prescribed place where there is no reasonable suspicion required. A person can be a young person. They can be wanded without reasonable suspicion, but it still provides that a young person can be wanded if there is a reasonable suspicion in any other place other than a prescribed place, if that is my correct understanding.

It importantly provides that young people can still be searched but it just requires a higher threshold. It requires a higher threshold of reasonable suspicion, rather than nothing or no grounds for wanding, and that provides an additional protection. I take note of the Commissioner for Children and Young People's submission and their concerns about the application of the *Youth Justice Act*, noting that those protections apply to custodial settings and not out in general public places where young people would be wanded under a prescribed place, and noting the concerns of the TLRI as well in relation to this.

It is contradictory to commitments made following the commission of inquiry's recommendations that we will comply with those, in addition to the government's own new

justice blueprint. I fully support the amendment put forward by Ms Badger, recognising that it will still allow young people to be wanded and searched, but there would be some safeguards around that in terms of the way they do it and a threshold applied where an officer must have reasonable suspicion at the very least to do that.

The amendment, if it does not pass, allows a young person to be wanded and searched without any suspicion, without any recognisable ground for conducting such a serious infringement on a young person's right. We absolutely need to ensure that young people do not come into interaction with police and that they have the appropriate safety mechanisms in place. I support the amendment.

**Ms BADGER** - In response to some of the members' contributions: in short, to Ms Johnston, the member for Clark's question, yes, 100 per cent what you said. This is very important in terms of youth rights and the human rights of a young person as well, in lieu of a human rights act in Tasmania, which we have to be considering, which we know is the outcome of the commission of inquiry, which we know is part of the Youth Justice Blueprint. It is about deterring, which is why it is disappointing to hear Labor simply back down because the funding is not there at the moment, when instead we could be doing the job of the crossbench and the Opposition in holding the government to account and making sure there is concentrated money in the upcoming Budget to put that forward, because that is our obligation in ensuring that this government does implement all of the recommendations and the principles and legislation that back the commission of inquiry.

I can absolutely say I have in front of me an email that went to all members at 9.04 a.m. with these amendments.

**DEPUTY CHAIR** (Ms Finlay) - The question is that the amendment be agreed to.

**The Committee divided -**

**AYES 7**

Ms Badger  
Mr Bayley  
Ms Burnet  
Mr Garland  
Ms Rosol  
Dr Woodruff  
Ms Johnston (Teller)

**NOES 24**

Mr Abetz  
Mr Barnett  
Mr Behrakis  
Mrs Beswick  
Ms Brown  
Ms Butler  
Ms Dow  
Mr Ellis  
Mr Fairs  
Mr Farrell  
Mr Ferguson  
Ms Haddad  
Ms Howlett  
Mr Jaensch  
Mr O'Byrne  
Ms O'Byrne  
Ms Ogilvie  
Mrs Pentland

Mrs Petrusma  
Mr Rockliff  
Mr Street  
Mr Winter  
Mr Willie  
Mr Jenner (Teller)

**Amendment negatived.**

**Clause 5 agreed to.**

**New Clause A**

**Mr GARLAND** - I move a further amendment to insert new clause A to follow clause 5 -

**A. Section 70 inserted**

After section 69 of the Principal Act, the following section is inserted in Part IX:

**70. Information be included in annual report**

**(1) In this section -**

*Electronic metal detection device search* has the same meaning as in section 15CAA.

**(2) The Commissioner must ensure that the annual report submitted to the Minister by the Secretary of the Department under section 36 of the *State Service Act 2000* in respect of a 12-month period includes the following information in relation to that period:**

- (a) the number of people who were required by a police officer to submit to an electronic metal detection device search;**
- (b) the number of knives or other weapons that were detected by police officers conducting electronic metal detection device searches;**
- (c) the number and the nature of the charges made against persons as a result of electronic metal detection device searches undertaken by police officers.**

**(3) The information specified in subsection (2) must not include any information that identifies, or is likely to lead to the identification of, an individual.**

The purpose of this amendment is to require the police to capture and report on an annual basis statistical data related to the exercise of this power to enable the public to assess the effectiveness of the exercise of this power. It is linked with the fourth amendment.

It is important to note this requirement has been imposed on the police in other jurisdictions. In Queensland, see section 88C of the *Police Powers and Responsibilities (Jack's Law) Amendment Act 2023*. In New South Wales, see section 45P of *Law Enforcement Powers and Responsibilities and Other Legislation Amendment (Knife Crime) Act 2024*. In the Northern Territory, see section 116KO of the *Police Legislation Further Amendment Act 2023* and in Western Australia, see Section 61F of the *Police Legislation Amendment Act 2024*. The Police minister might say this will make life harder for police and that they should just be allowed to go about their business without having to waste time capturing data. In response to that, I say that if they can do it in all other jurisdictions, why cannot they do it here?

I also make the point that this is a significant new police power being asked for. We do not know if it is going to be effective, but we should at least be informing ourselves with evidence as to how it is being administered so we can assess whether this infringement of our right to privacy is justified. A number of submissions made this recommendation. A key role for law enforcement is transparency, which is what this amendment seeks to achieve.

**Mr ELLIS** - Chair, I thank Mr Garland for bringing up this amendment. I have already made some general comments about the way the Tasmanian Police Manual works in relation to providing safeguards. We discussed that for the last amendment as it relates to body-worn cameras. I hope I do not need to go through that again, but am happy to take any questions. I will address my comments, in particular, to the matter of making legislation with the searches to be least invasive.

The requirement of searches to be conducted in the least invasive way practicable is a superfluous requirement. It does not enhance community safety or police accountability because it is an already well-established professional police practice across all searches under all legislation. I have mentioned that the use of body-worn cameras is provided for in the police manual. Prior to and during any situation where a member exercises a legislated or common law police power in the performance of their duty, they are required to refer to it. It is not required to be inserted specifically into this narrow section of the *Police Offences Act* because it applies broadly and we spoke about the precedent.

As to the safeguards on search powers, section 2.35 of the Tasmania Police Manual prescribes the practices and principles to be applied to searching. This includes:

## 2.35 SEARCHING OF PERSONS

### 2.35.1 General Principles

- (1) The power of police to search people is prescribed through State and Commonwealth legislation. Any search is limited to the legislation authorising it and members should be guided by that. In some situations, however, an adult may voluntarily consent to being searched where no legislative power exists (e.g. to eliminate themselves as a potential suspect). Police searching via consent should nevertheless apply the same principles of sensitivity as outlined in this.

Section 3 of that:

- (3) The type and manner of search conducted should be the least intrusive possible to achieve the legitimate objectives of the search.

That is the key section. That applies across all of our searching and we do not believe, similar with the last amendment, that it makes sense to narrowly focus this prescription in legislation in this one particular category of searching this one act.

I also mentioned clause 5 of that section of the Police Manual:

- (5) Reasonable action should be taken to minimise indignity, trauma, distress, or other harm to any person during the conduct of the search.
- (6) Searches should not involve more force than is reasonable and necessary in the circumstances.

I make a general comment, too, that this particular form of -

**DEPUTY CHAIR** - Minister, this is A that follows (5), not the clause (6). There is a clause A that was to follow clause 5 proposed by Mr Garland.

**Mr ELLIS** - Let me just check with my team. Sorry about that. I will double check with you to make sure that we have got our list right here for the future, Mr Garland.

**Dr Woodruff** - I know sitting in this Chamber for a while does weird things to our heads, but sometimes it is not just us.

**Mr ELLIS** - Great to get all that on record. I will double-check with you about any - just to make sure that we have our list right here for the future, Mr Garland. As far as the annual report can broadly indicate, it is not something that we have included particularly in this legislation, but I understand where you are coming from. As I have spoken about in the course of this bill debate, and in general, we really want a posture of disclosing as much as we possibly can, particularly this kind of data. We provide a range of data on other searches. We do that as part of routine disclosure. That is actually more regular than an annual report. We had not considered bringing it as part of legislation because we considered just disclosing it as standard business practice. Indeed, we have already disclosed the results of the first trial and the current results of the existing trial. That being said, if it is a matter the House views as important, then we are happy to consider this amendment.

**Ms BUTLER** - We will support this amendment. We think it makes sense. It is all about transparency and accountability. It is also a great way to communicate with the Tasmanian public about some of the wonderful measures that Tasmania Police are taking to ensure their communities are as safe as possible and also to ensure that police officers are as safe as possible when they are conducting their searches. We support this motion and thank you for bringing it on.

**New Clause A to follow Clause 5 agreed to.**

**Clause 6 agreed to.**

## New Clause B to follow Clause 6

Mr GARLAND - Deputy Chair, I move a further amendment to insert new clause B to follow clause 6 -

### NEW CLAUSE B

To follow clause 6.

#### B. Section [X] inserted

Before schedule 1 to the principal Act, the following section is inserted in Part IX -

#### X. Review of provisions relating to electronic metal detection device searches

##### (1) In this section -

*independent review* means a review carried out by persons -

(a) who, in the Minister's opinion, are appropriately qualified to that task; and

(b) the majority of whom are not employees of the State or of any agency of the State.

(2) The Minister is to cause an independent review of the operation of the provisions inserted into this act by the *Police Offences Amendment (Knives and Other Weapons) Act 2025* to be completed within 6 months after the first anniversary of the commencement of that Act.

(3) The Minister is to cause a copy of the review to be tabled in each House of Parliament within 10 sitting-days of that House after it is given to the Minister.

The purpose of this amendment is to require an independent review of the operation of this new police power within 12 months. This will enable an independent reviewer to assess if the power is achieving the desired outcomes and whether it is leading to undesirable outcomes.

The reviewer will be able to rely on the data captured by the body-worn camera, first and second amendment, and statistics captured by the third amendment. It is important to note a review has been required in each of the other jurisdictions that have given police this power. In Queensland, they had an extensive independent evaluation of a trial of this power by Griffith University before the power was legislated. In New South Wales, they required a review after two years, see section 45Q of the *Police Powers and Responsibilities (Jack's Law) Amendment Act 2023*. In the Northern Territory, they required a review after two years, see section 116KP of *Police Legislation Further Amendment Act 2023*. In Western Australia, they required a review after three years, see section 61G of the *Police Legislation Amendment Act 2024*.

This was a recommendation made by the TLRI in their submission. What it does it is it shows the community that this parliament is not simply giving away their rights without regard to the evidence. All good policy should be based on evidence. This will ensure that restrictions on liberty will only be imposed when they are necessary and effective.

I urge members to support this amendment. I should note that when I informed Tasmania Police of this amendment during the briefing I had yesterday, they were supportive of it.

**Mr ELLIS** - Thank you, Deputy Chair, and I thank Mr Garland for bringing this amendment. That is correct. Broadly speaking, we are supportive. It aligns with other legislation that we have brought into this place. I think Ms Badger asked me about the TAFE review or the second TAFE review. I think that has three statutory reviews in the act and that has actually just gone live on the website in recent days.

As standard practice, we do think it is good to be reviewing what we are doing. We would have reviewed it anyway, but if it gives the House comfort, then we are more than happy to formalise that.

**Mr O'BYRNE** - I support this review. I think this is more than just a process issue and stuff that you have done in other areas of legislation or implementation of changes to various acts. Given there is a fair bit of concern that has been raised about these laws, that does not mean we do not support them, but a review is important not only to ensure that they are effective, that they are achieving the goals that we are seeking, but also that Tasmania Police can provide that level of confidence to the community that the act and the powers the amendment bill provides are being used in good conscience.

**Ms BUTLER** - I thank Mr Garland for bringing this amendment on. We were going to introduce the same amendment, so we are very supportive of this. It is really important that we test and assess and are transparent in an authentic fashion, whether or not these search laws are working, whether or not the training that has been undertaken through the police department of new recruits in relation to unconscious bias has been put into motion and whether or not the research capabilities with the wands are effective. We certainly support this and thank you for bringing it on.

**Ms BADGER** - We indicate, as I indicated in my second reading speech, the Greens will be supporting this clause and the amendment. It is incredibly important that we review how this bill is actually performing out in the community when it becomes legislation, but that is particularly important in lieu of some of the training and programs that have spoken about that other states have had, so that we can assess what outcomes this is achieving and where it could be better so that we can see from statistics and data that we currently do not have in front of us while we are debating this, how other programs can be complementary to this piece of legislation to improve it to make sure that there is not that unconscious bias happening in our community, that no vulnerable people are being targeted, but also that this bill is actually achieving its intended outcomes, which is keeping Tasmanians safe.

**Amendment agreed to.**

**New Clause B to follow Clause 6 agreed to.**

**Clause 7 agreed to.**



## **Clause 8 -**

Regulation 8A inserted

**Ms BADGER** - These amendments relate to the list of public places. We have heard a lot today about how that list was generated and its scope. When we are looking at comparisons with other states and their list of public places where they have comparable search powers, similar legislation, please correct me if I am wrong, minister, but we are just wondering, as far as we can tell, no other state has search powers such as these with the wand searches at such a threshold in schools and education facilities.

There are two amendments to remove education facilities and then the second is just relating to removing that definition as a point of procedure afterwards because we do not want to see –

**DEPUTY CHAIR** - Can you read the amendments to the Chamber, please?

**Ms BADGER** - The amendments will be firstly to page 7, clause 8 proposed new regulation 8A sub regulation (1), leave out the definition of education facility. The second is to page 10, clause 8, proposed new regulation 8A, sub regulation (2), leave out paragraph (h) and that paragraph (h) is just education facility in that list of public places.

There are concerns that were raised in the submissions to the bill, and we have had other stakeholders reach out to the Greens in recent weeks as well, that we do not want to see an increased police presence in schools to discourage students from attending, vulnerable students who might have had difficult interactions with police in the past, not because of anything that that the police have done, but because of the circumstances that they might be suffering in other parts of their lives, perhaps. There are multiple reasons that they might feel intimidated or be dissuaded from attending those public places.

Schools, in particular, is of serious concern because obviously we want all Tasmanian children to want to go to school, to feel that that is a welcoming environment for them, not one where they might feel targeted. As far as I can tell - again, minister, correct me if we are wrong here - but there has been no evidence presented for these search powers with this lowered threshold in schools. How does that look, compared to the current existing powers? If we are not lining up children or getting youths and children at the gate and searching them under this new lowered threshold, you could quite well, if there was an incident or a report in the actual school, go and search this child or the person under other pieces of legislation. It does not have to come under this with schools specifically being a prescribed public place.

I now formally move the following amendment. Can I do both at once?

**DEPUTY CHAIR** - It is up to you.

**Ms BADGER** - They are both intertwined, so if everyone is happy that I do both for the sake of time, I move -

### **First amendment**

Page 7, clause 8, proposed new regulation 8A, subregulation (1), definition  
*of education facility*

*Leave out the definition*

## **Second amendment**

Page 10, clause 8, proposed new regulation 8A, subregulation (2), paragraph (h)

*Leave out the paragraph*

**Mr ELLIS** - I appreciate the amendment as proposed by Ms Badger and I go back to first principles about why we chose the list that we did. As I referenced in my summing up remarks, we asked the department to provide advice on this matter that puts particular focus on where people transit, where people gather, and in places where they are considered more vulnerable.

It is not suggested that the police will be conducting wandering, for example, at the entrance to a school. However, importantly, it does provide an avenue and an opportunity for early police intervention in response to reports, or actionable police intelligence, or, for example, at the request of the relevant facility.

Where we receive information that there may be those kind of potential threats in these locations, it is important that there are some powers for police to take action. We do not imagine that it would be broadly used. However, it is important to remember that when we are talking about schools, the likely victims of a tragedy of this nature are children, so removing that protection that we would have in other places we do not think makes sense.

More broadly, the proposed definition of an education facility also includes universities, TAFE facilities and vocational education facilities which relate to adults. We believe that both adults and children should have that protection; the protection of removing knives from the public place that they are in.

I have spoken already about the kind of rubric that we used and where people are gathering. That is, sadly, a place where these kinds of acts can have enormously tragic consequences, so, I do not think we would want to remove that protection from children in their schools. We would hope that we never have a threat like that, but we do know of incidents where knives are sadly brought to schools in Tasmania and have had tragic consequences. I appreciate your comment about not wanting to deter children from going to school and we mentioned before the review that happened in Queensland actually demonstrated that there was a measurable improvement in relations between police and children. We want to have that good educative kind of opportunity for those interactions and that is what was found in Queensland and other jurisdictions.

Tasmania Police is often looked up to by young people and admired. My boys are probably the world's biggest fans of PAW Patrol, but there are plenty of other children who really love police officers and really respect the work that they do. We should not necessarily categorise it too narrowly. We want to get the balance right. We think that including protection for children and adults who might be attending public education facilities is important.

It is also important to note that there are parts of those facilities that are open more broadly to the public, things like sporting facilities and others where people may still be able to gather and where a threat may exist depending on actionable intelligence.

**Mr O'BYRNE** - Just a point of clarification in your answer in terms of the amendment. It says for justification that if there is intelligence, a call or an incident and members of Tasmania Police attend the school they would have the power anyway under the current amendment bill. If you could expand more and assist us in working through what you mean by that, because, in the instance that you gave, this amendment would still allow that power. The amendment deals with a prescribed place if that is my understanding. If I am wrong, please inform me.

**Mr ELLIS** - Thank you, Mr O'Byrne, for the very good question. If there was specific information about a specific person with a specific threat, police would be in that school or education facility searching them under the current powers. What this relates to are two categories.

First, where there is non-specific information - you have to link the information with a particular person as opposed to hundreds of people at a particular school. For example, if there is information that there might be a knife fight after school but you are unable to identify who those people might be, that is very difficult to establish under the current rules.

There is also a proactive element. I spoke about two elements. The other one is a proactive element. If, for example, a principal identifies that there is a concern with a growing knife culture in the school, but not necessarily able to identify particular children who are carrying - again, this could be other facilities as well, it could be an RTO, TAFE, wherever - they are able to bring them in as an educative process to demonstrate that this is not the right thing to be doing, bringing knives into these facilities, that there are powers of search to deter people from doing that again and to have those conversations that we spoke about that have happened in other jurisdictions that help to increase the community's understanding and awareness and trust of police through the search process.

Again, these are searches that are non-invasive. It is simply the wand passing over you. We believe it gets that balance right where you are able to action non-specific intelligence, but that could still very likely result in terrible and tragic outcomes. It also allows us to be proactive and preventative with policing work in these locations.

Again, I will stress that one of the areas is for people under 18, the school, TAFEs, universities, other training organisations over 18 as well. This will remove all of our powers across the board.

**Ms BUTLER** - My question is similar to the one raised by Mr O'Byrne. If this amendment was successful, for example, and there was an altercation at a school where police were asked to attend, would they be able to use their wands as a first step still in that school as it has been taken out? Would they still be able to use those wands or would they, therefore, then have to go straight to more invasive search methods if they were in a school or a TAFE or another educational facility? What would be the ramification for withdrawing education facilities from this act?

**Mr ELLIS** - You mentioned specific altercations. We currently have those powers as is. The current legislation that would enable a pat-down search based on the current suspicion would still enable a wandering search because, again, it is less invasive and maintains all those other important interests that the person being searched has under the Police Manual but broadly this is about the areas where it may be non-specific intelligence that we are then able to action with this particular form of search and also the preventative side of things. If it would enable a pat down search currently, it would enable a wand search in the future, but again, there are particular forms of search that are not really practical under the pat down method that are enabled through the wandering.

**Ms BUTLER** - Just for clarification on this, if there was reason for suspicion - and that would be different from reason for belief - so reason to believe, that is a pat down, still with the in so far as search, and the wand bit is for suspicion. This is just to clarify in relation to schools and education facilities.

**Mr ELLIS** - Just to clarify, where there is suspicion or belief, you will be able to search with a wand. The particular thing about wandering is that you will be able to do it in a prescribed place without the suspicion. That is, I suppose, the crux of the question. Where we are not able to establish suspicion because it is intelligence that is general in nature, it does not apply to particular people among a very large cohort of people, as we often see in education facilities, that is where the rubber hits the road. If we were to remove the ability to prescribe universities, TAFEs, education facilities - sorry, RTOs and schools - we would then only be able to search on suspicion, if that makes sense.

**Ms JOHNSTON** - This amendment really goes to the heart of the threshold, I suppose, for this kind of action. As the minister has just articulated, the current circumstances are that reasonable belief is required, and the amendment bill would lower that threshold to reasonable suspicion. When I had my briefing from Tasmania Police last week, that resonated with me. That made sense in some circumstances. The difficulty of having that threshold of belief where it is very individualised and very specific information that they need to receive in order to establish reasonable belief before they conduct a search - reasonable belief is used on arrest and so it seems a little ridiculous to have reasonable belief as a power for search, which would lead then to arrest. Reasonable suspicion as a lower threshold would make sense.

It was also articulated to me that reasonable suspicion allows information of a general nature not specific to an individual, but maybe about circumstances or some of the features of a group of people - it allows police to establish reasonable suspicion if the information is of that nature. That would apply in circumstances where it is not a prescribed place, but this amendment is talking about taking out education facilities as prescribed places. It would allow still, if this amendment was successful, for searches to be conducted if there was reasonable suspicion. If there was concern from the principal for instance that there was going to be an altercation after school or on the school premises, or that a group of young people were bringing knives to school, there is enough there, I would suggest, to form reasonable suspicion to allow police to enter and use a non-invasive wand search under those circumstances.

The concern, however, if this is not amended, is that police will be able to conduct searches without reasonable suspicion on any grounds. The minister has indicated in his contribution that it is not intended that police would be wandering students as they walked into the school, but perhaps they would be coming into the school for educative purposes. My concern here, one that has been reiterated by the Commissioner for Children and Young People

and others, is that that is not a trauma-informed practice - to bring police into a setting where young people are meant to feel safe and secure.

I recognise that many young people look up to police officers, but many of them have had interactions that have been negative. They have been subject to domestic and family violence where perhaps, although the police have done absolutely nothing wrong, they are in circumstances of extreme trauma, and they relate the police to that extreme trauma. To bring police into those circumstances without reasonable suspicion only perpetuates that trauma. I am concerned that when we are trying to engage young people in schools, we want to avoid any reason for young people not to attend. The reasonable suspicion threshold is the appropriate threshold for police entering into what should be a child safe place and education facility. I thoroughly support this amendment. It still will provide the police the opportunity, if there is a principal concerned about an altercation that might occur, they still have the ability under reasonable suspicion to enter into the premises and conduct those searches. It would not create a safe haven in schools for young people carrying dangerous items.

It will certainly still be the case as in any other place. It is not a prescribed place. The police can conduct searches if there is reasonable suspicion, and remembering that that is a much lower threshold than reasonable belief.

**Mr ELLIS** - I will reiterate what I said before, which was correct. For example, if there is intelligence that there may be a knife fight after school, then that is where we need these powers and we will be able to act.

You mentioned before about people having trauma in their lives. An event like this occurring at a school is a trauma that we cannot imagine, but it is one that can happen in schools. You say people should feel safe in schools. That is absolutely right, and they should also be safe, and that is exactly what these powers are about.

I will stress again that children are some of the most vulnerable people in our society. This is about taking action so that we can protect them from being victims. We are talking about the most serious crimes you can possibly imagine. We have the power as part of this bill to protect children in the place that they spend, frankly, more time than anywhere else except for home, and to not have that power to act on particular intelligence matters in a way that might be able to address a matter when we do not have specific names, dates or locations.

Even more than that, to not be able to be preventative and proactive - Tasmania Police go into schools for a whole range of things each and every day right around our state. It happens all the time. It is not a current situation and it is not a status quo where no police officers go to schools because of the effect that they might have on children. Police officers go to school for the right reasons. It is to educate young people, it is to support them and it is to keep them safe, and this is not something new. It is an extension of their existing work - the powers to actually make a difference for what could be the most traumatic day of a young person's life.

**Ms BUTLER** - We will not be supporting this amendment. Our reasoning behind that is that we believe that it is not a bad thing to have education facilities included in these areas. We have not even discussed yet our teachers and their safety in some of our schools, especially in some areas.

The basis of this legislation has always been about reducing and preventing knife crime, and creating a different culture around that. If we talk about young people, yes, I acknowledge that there will be some young people who have been raised in a culture themselves where they do not trust police officers. I understand that. There are instances where that happens, but I do not see those young people, when the security guard at the cricket wants to scan them before they go into the cricket, say, 'Oh I am not going into the cricket now because you want to scan me to see if I have got any weapons.' We will certainly not support this amendment, but I thank Ms Badger for bringing it on.

**Ms BADGER** - For the record, Deputy Chair. Yes, indeed, this amendment is just about the threshold within education facilities. That is, it would require reasonable suspicion to, for example, go into the classroom rather than reasonable belief.

We heard an example from the minister talking about, for example, sometimes sports are played in school grounds of the weekend. That is already captured under the legislation with the lower threshold. The place where sport is played, for example, there are car parks and set down areas.

There are other provisions in this. What we have not heard from the minister is back to the original point. How on earth that lower threshold, which is only if it is about someone in a specific coloured jacket is the only piece of information that police have at hand, rather than the full details of who that person is, to easily or readily identify that person to be able to conduct the search? How does that look in a crowded classroom when you are going to do that search?

It is going to mean that - does everybody get searched to avoid any kind of bias against people? That is not just like going to the cricket but that is in your school, that is in your classroom, that is in your safe place of learning. Otherwise, it is captured outside of this amendment in other parts of the bill. That is an important definition to make, that under the definitions and that list of places, the bill under just the lower threshold, not completely eliminating wand searches at all, is still captured.

**DEPUTY CHAIR** (Ms Finlay) - The question is -

That the amendment be agreed to.

**The Committee divided -**

**AYES 8**

Ms Badger  
Mr Bayley  
Ms Burnet  
Ms Johnston  
Mr O'Byrne  
Ms Rosol  
Dr Woodruff  
Mr Garland (Teller)

**NOES 23**

Mr Abetz  
Mr Barnett  
Mr Behrakis  
Mrs Beswick  
Ms Brown  
Ms Butler  
Ms Dow  
Mr Ellis  
Mr Fairs  
Mr Ferguson

Ms Haddad  
Ms Howlett  
Mr Jaensch  
Mr Jenner  
Ms O'Byrne  
Ms Ogilvie  
Mrs Pentland  
Mrs Petrusma  
Mr Rockliff  
Mr Street  
Mr Winter  
Mr Willie  
Mr Farrell (Teller)

**Amendment negatived.**

**Clause 8 agreed to.**

**Clause 9 agreed to.**

**Title agreed to.**

**Bill, as amended, reported.**

## **SUSPENSION OF STANDING ORDERS**

### **Third Reading Forthwith**

[5.36 p.m.]

**Mr ELLIS** - Honourable Speaker, I move that so much of the Standing Orders be suspended as would prevent the bill from being read a third time forthwith.

**Motion agreed to.**

## **POLICE OFFENCES AMENDMENT (KNIVES AND OTHER WEAPONS) BILL 2025 (No. 3)**

### **Third Reading**

**Bill read the third time.**

## RESIDENTIAL TENANCY AMENDMENT BILL 2024 (No. 27)

### Second Reading

Resumed from 26 November 2024 (page 113).

Quorum formed.

[5.39 p.m.]

**Mrs PENTLAND** (Bass) - Honourable Speaker, I rise before you to speak about the revised Residential Tenancy Amendment Bill 2024. Almost 69 per cent of Australian households have a pet; 48 per cent own a dog and 33 per cent own a cat. As a dog owner and someone in a short term accommodation industry, I understand the desire for pet friendly rentals.

However, the Residential Tenancy Amendment Bill 2024 raised significant concerns for me and property owners, many of whom felt they were not adequately consulted and lacked essential protections under the proposed changes. While the building's intent was clear to make rental properties more accessible to pet owners, it introduced challenges that could create unintended consequences for both tenants and landlords.

My concern was that in addressing one issue, we may inadvertently create new problems that could destabilise the rental market further. Constituents raised three major concerns with me:

1. Mandatory pet acceptance without clear guidelines, without a structured framework, landlords could have faced disputes. What is reasonable in terms of pet types, numbers and conditions?
2. Landlords were concerned about the financial risk of pet related damage that can be costly with repairs averaging six and a half thousand in the ACT and many insurers capping payouts are just over \$3000. This provided an unacceptable risk to landlords.
3. In Tasmania, deep cleaning and carpet replacement can exceed \$1900, the costs often borne by the landlords.

Something that concerned me personally was the potential reduction in rental stock. In the ACT, similar laws coincided with a loss of 5000 rental properties as landlords sold or moved to short-term accommodation. In Tasmania's tight rental market, we must avoid a similar outcome.

A review of the current rental listings in Tasmania shows that 15.6 per cent of properties already consider pets, a figure higher than the national average of 10 per cent. This suggests that many landlords are already willing to negotiate pet friendly arrangements. However, mandating pet acceptance without clear protections for landlords may force many to reconsider offering long-term rentals altogether, further tightening the market.

Last year, I moved a motion urging the government to conduct further consultation and revise the bill to strike a fairer balance between tenant rights and property owner protections.



I was pleased that the government listened, although I would like to see a detailed breakdown of who was consulted, the feedback received and how this has influenced the current version of the bill.

I support amendments that introduce reasonable safeguards, including landlords retaining the right to refuse dangerous dogs without the decision being overturned by Tasmanian Civil and Administrative Tribunal, TASCAT, a structured approval process where tenants must seek written consent before bringing a pet into a rental. If consent is refused, a clear appeals mechanism is in place.

A landlord has 14 days to approve or refuse a pet request. If refused, and they must lodge the matter with TASCAT which would determine if the decision were reasonable and the tenant cannot bring the pet into the property until the process is complete. Tasmania has an opportunity to learn from other states' experiences and I am happy to support this amended Residential Tenancy Amendment Bill.

**Quorum formed.**

[5.44 p.m.]

**Mr ELLIS** (Braddon - Minister for Police, Fire and Emergency Management) - Honourable Speaker, I appreciate the House's understanding on my brief absence there. I am happy to discuss any further matters with colleagues in the Committee process because it has been a little while since we had this debate originally. It is important for us to follow up.

I was asked by Mrs Pentland with regard to who was consulted. I am happy to write to you with a full list of the people we have spoken with. I can say, broadly speaking, affected stakeholders were spoken to during the period of time. We have had good feedback; they have broadly been supportive and that is, in many ways, encouraging - supportive on what you would say are both sides of the argument, and with both sets of interests. That is encouraging. We think that the amendment will land in the right place. As a rough guide - the Tenants' Union, RSPCA, Shelter Tasmania, the Real Estate Institute of Tasmania, Companion Animal Network, and the Dogs' Homes of Tasmania. I am happy to write to you with the full list.

In terms of questions that were raised in a previous part of the debate - I only have one, so please forgive me if it is not an exhaustive list. Again, I am happy to follow up with colleagues as part of the committee process.

Dr Broad had a question in relation to the number of pets that can be allowed. The answer is that the tenant may apply for one or more pets and the owner can consent to one, some or all of the specified pets. Similarly, if an owner applies to TASCAT to refuse consent, TASCAT will consider the specific application before it. TASCAT will consider whether keeping the specific pet or pets in the application is reasonable on that specific property. TASCAT has the power to make an order on each specific pet in the application. This is important because some pets may be appropriate in certain properties and others may not. Factors such as breed, temperament and training can be considered, as can the specific nature of the property in which the tenant is living or proposes to live.

Comments have been made that there is no 'maximum number of pets' addressed in the provisions. We think this would not be appropriate as this would vary depending on the property and of course the species of animal. A rural rental property might be a very suitable

place for a flock of chickens, like we have at our place - coincidentally all named after female country singers - and an inner city apartment is less likely to be so. These provisions have been drafted to be flexible enough to be adapted to the wide range of lifestyles and homes in beautiful Tasmania.

**Bill read the second time.**

## **RESIDENTIAL TENANCY AMENDMENT BILL 2024 (No. 27)**

### **In Committee**

**Clauses 1 to 3 agreed to.**

#### **Clause 4 -**

Section 3 amended (Interpretation)

**Mr BAYLEY** - Thank you to all members for their contribution. It is a little while since we had a conversation about this, so I think we are all trying to get our heads together. I have an amendment to clause 4 that I will read now. These are all well distributed. I move -

Page 4, paragraph (b).

*Leave out* the paragraph

*Insert instead* the following paragraphs:

- (b) by inserting the following definition after the definition of *payment period*:

*Permitted modification*, in relation to premises to which a residential tenancy agreement relates, means -

- (a) The affixing of an item of furniture to those premises for the purposes of avoiding the risk of injury or death to a person from the movement of that furniture; and
- (b) A prescribed modification;

- (ba) by inserting the following definition after the definition of "social housing provider".

*Specified modification*, in relation to premises to which a residential tenancy agreement relates, means a renovation, alteration or addition to those premises -

- (a) that can be removed or undone so that the premises are restored to substantially the same state as the premises were in at the commencement of the agreement, reasonable wear and tear excepted; or

- (b) made to those premises for one of the following reasons:
  - (i) the safety of the tenant or other people on the premises;
  - (ii) to assist a tenant in relation to the tenant's disability;
  - (iii) to improve the energy efficiency of the premises;
  - (iv) to allow access for telecommunications services;
  - (v) the security of the premises, the tenant or other people on the premises;
  - (vi) any other prescribed reason; or
- (c) that is a prescribed modification.

In some ways, I have had to jump ahead here to the toppling furniture and the minor modifications element of this bill by virtue of the fact that this is effectively a definition section, and then the substantive amendments are consequential to the passage of this definition amendment.

To quickly talk the committee through exactly what we are trying to do here - the amendment to the act to give tenants the rights to fix toppling furniture is clearly a really good amendment. We have heard and read evidence of the deaths and injuries that are caused by toppling furniture. It is a welcome step for the government to step in here and take some action to amend the act to deal with this.

This is an opportunity for this House to go further to deliver on the things that some tenants specifically need to be able to occupy their home safely and in line with their abilities. To be really clear on the effect of this amendment, it is effectively to do a similar thing as to what was provided for toppling furniture, but also to provide the ability for tenants to make minor modifications to improve their safety on the premises or the safety of other people on the premises. It is to ensure that if they have a disability, they can install the kind of accessibility infrastructure that they need, be that shower rails or a small ramp up steps or whatever it might be.

It allows for modifications to improve the energy efficiency of a household. In a cost-of-living crisis, with energy bills up and likely to go up significantly more, the ability to properly amend your house via small modifications to improve its energy efficiency can deliver really significant benefits to a tenant.

This provision would allow for the tenant to make modifications for telecommunications services. Obviously, in a digital world, the need for connectivity to the outside world is incredibly important, and there may be some minor modifications that are needed to connect a household more broadly.

Finally, the actual security of the premises - so the tenant or other people on the premises are safe. This may be minor modifications in terms of security cameras, camera doorbells and the like.

These are changes that would be done by the tenant. They would be paid for by the tenant. They would be done on the condition that the premises was restored to its original state. It is done on the basis that the tenant would pay for that restoration. These are really reasonable things for any tenant to be able to expect in their properties.

I note that communication from some of the stakeholders that the minister quoted there, including the community legal centres, COTA Tasmania, Shelter Tasmania, Disability Voices Tasmania, TasCOSS, Anglicare, Youth Network of Tasmania, YNOT, Tasmanian University Student Association, TUSA, the Tenants Union and the Migrant Resource Centre have all written to us identifying these modifications as being positive improvements to our residential tenancy legislation. They would be delivered by virtue of changing some of the terminology in the amendment bill to 'permitted modification'.

It would also provide for some of these modifications to be prescribed modifications, so that modifications not explicitly provided for could be prescribed in regulation. It replaces these as just being safety modifications. Safety modifications to prevent toppling furniture are well and good, and necessary. However, by defining them as permitted modifications and listing other modifications that could be undertaken expands the rights of renters to make changes to their house to meet their specific needs.

I am sure we all agree that some of these needs are fundamental to our rights as humans: the right to be safe, the right to have our home accessible if we have a disability, the right to manage costs incurred by living in the house, the right to be connected and to communicate with the outside world, and the right to feel secure in your property. From our perspective and from the perspective of a range of advocates in this space, there is nothing to fear here. This is all done at the behest and expense of the tenant and it is all about giving those tenants the ability to enjoy their homes safely, to their own capability, to be connected to the outside world and to ensure it increases their rights and ability to enjoy their home to the fullest of their ability.

I hope the House supports these amendments. They mirror, in many ways, the process established in the amendment bill for safety modifications in relation to toppling furniture, but they expand it a little further to ensure that those tenants with specific needs or, indeed, specific wants regarding their security, safety, energy efficiency and telecommunication services can make the minor modifications needed to deliver those benefits to them in their homes. Thank you.

**Mr ELLIS** - Deputy Chair, I thank the member for Clark. The government will not be supporting this amendment. The member, I think, incorrectly categorised this as a relatively minor change. It is not. The amendments are significant and wide-ranging. Mrs Pentland, in her contribution, indicated that changes to residential tenancy legislation can have significant adverse impacts on rental housing availability. That is spot-on and something we need to be conscious of at all times when we are working through this legislation. We acknowledge that this legislation could have some of those impacts as drafted. We believe there are offsetting benefits to it and we have consulted as part of that process. In this case, that has not happened.

I understand Mrs Pentland made reference to the Australian Capital Territory's experience with the impact on residential tenancies after reform, and that is exactly right. Any changes of this significance should be subject to a comprehensive consultation with the real estate sector, property owners and other affected stakeholders. Our government is committed to a review of the *Residential Tenancy Act* under the Tasmanian Housing Strategy Action Plan. That review is to be conducted in mid-2027. That has been agreed by stakeholders. That is the more appropriate mechanism for consideration of amendments of this nature that are complex and where the impacts may be very wide-ranging, from individual properties through to the effect on the TASCAT and that system. I welcome input from the Tasmanian Greens and all in this place with that wider-ranging review, but we will not be supporting the amendment as drafted this time.

**Dr BROAD** - Deputy Chair, Labor will not be supporting this. There are a few issues here. One is that what the Greens are attempting to do in this amendment is tack on some completely different areas to a bill that is related to pets in rentals. The intention of the bill is not to make modifications to improve energy efficiency or allow telecommunications access and so on. It is about allowing people to have pets in rental. There is a real danger when we try and bolt something onto the side. I agree with the minister that this has wide implications. It seems in the way it is drafted to be relatively simple. However, I would agree that it is definitely not.

If the Greens were serious about this, they should do this as a stand-alone bill because it needs to be drafted better for a start. There are no protections, virtually no detail. For example, if someone was to improve the energy efficiency of the place where they had a rental, it says nothing else. It does not say who can do it, the quality of work or whether it needs to be a qualified tradesperson doing it. It simply gives a tenant the ability to improve the energy efficiency of the premises, which could be a whole range of things and would be unintended. The same could be said for something like allowing access for telecommunication services. That could see tenants having the right to drill holes through walls, put cables everywhere without the requirements of any qualifications to be able to do it. It needs to be much better drafted.

It could have wide implications. There are no protections for landlords and property in the way it is put together. It simply says, 'These things become a permitted modification and go for it'. I believe this needs to be a stand-alone piece of work and not bolted onto the side of a pets in rentals bill.

**Mrs PENTLAND** - Deputy Chair, I will not be supporting the amendments either. We lack housing in Tasmania, with a vacancy rate of less than 1 per cent at the moment. If we support these amendments, I believe a lot of people might exit, the property investors might decide to sell up and leave Tasmania as an option for investment. For the reasons already stated, and I will not repeat them, I believe it lacks detail and there are not a lot of safeguards for the landlords.

**Ms JOHNSTON** - Deputy Chair, I rise to support the amendments proposed by the Greens. If I heard correctly - and please correct me if I am wrong, minister, you indicated that these are amendments you think should be considered in the review of the act, which is not scheduled until mid-2027. That is over two years away. This is an act that desperately needs reform. These are sensible amendments. They put the onus on the tenant to repair and make good any changes they make and they are incredibly important.

It is disappointing to hear that we are going to forego this opportunity to make some important amendments to the *Residential Tenancy Act* because, apparently, in 2027 we will see review. Well, we have been hearing that for years and years.

**Mr Ellis** - It will be completed by mid-2027.

**Ms JOHNSTON** - We have been hearing that the review of the *Residential Tenancy Act* is coming for years, and it has not come. I am not prepared to miss this opportunity to put right what should be done.

**Mr BAYLEY** - Deputy Chair, those contributions, with the exception of my colleague, the member for Clark, Ms Johnston, were utterly pathetic and underwhelming. This bill is not just about pets, Dr Broad. This bill has a section about minor modifications. This is not a tack-on -

**Dr Broad** - In relation to -

**Mr BAYLEY** - No, it is not. It is in relation to toppling furniture.

**Dr Broad** - Yes, due to pets jumping on toppling furniture.

**Mr BAYLEY** - This is not an attack on a piece of amendment. This is basically using that acknowledgement in this bill that more needs to be done in relation to safety and in relation to the ability for tenants to safely enjoy their home and to pick up on those things that advocates have been writing to us as lawmakers, arguing and articulating that we need reform on. We have been written to on 30 May by the Tenants' Union, TasCOSS and the Community Legal Centres, we were written to by the other groups that I referred to earlier, to reinforce the fact that while we are at this, while we are doing this reform of the *Residential Tenancy Act*, these are really significant reforms that would make a profound impact on the lives of people.

By denying this amendment, we are denying people with a disability the ability to make modifications to their home to ensure that it is more accessible, more functional and more appropriate for them. That is shameful. We have an opportunity now. What are we going to do? Leave these tenants hanging another two years while we review the *Residential Tenancy Act* and maybe then do something? Let us face it, we have been reviewing the *Aboriginal Heritage Act* for about 20 years. It is three-and-a-half years since we knew that act does not work. Just because an act gets reviewed in this place by the government does not mean that actions are actually taken forward.

The Office of Parliamentary Counsel were involved in drafting this legislation, Dr Broad, and it is based on the ACT's laws, which had a Labor government and any of these amendments need to be approved by the tribunal and it needs to be made good and repaired and restored by the tenant. This does not actually cost landlords a thing apart from a little bit of admin in participating in a process to make sure that these people, tenants, have got some of their rights and some of their needs met. Landlords are protected. The tenant can only do this if the tribunal agrees to the modifications. They would be reversible and they would be paid for by the tenant to make it happen. There is absolutely zero risk to landlords.

Dr Broad, this is effectively Labor policy. This is effectively one of the things that you took to the last election to give renters more rights, along with Airbnb, and along with a whole lot of other things that you are now no longer acting on.

I think this is an absolute travesty for tenants. This is a travesty. We have an opportunity here and now to make amendments that will really mean and really make a big difference to people's lives. It will mean that people can go about their lives in their homes with comfort, with connectivity, with the accessible facilities that mean that they can actually enjoy their home. I think this is an absolute disgrace from both the Labor and the Liberal parties in not doing this. Delaying on these kinds of reforms is only going to upset tenants further. Tenants need rights. We know that there are problems with tenancy here in this state. We know that we need to have significant controls around out-of-control rents. We need to make sure that we end no-cause evictions. We need to make sure that there are minimum standards for rental properties so that people do save on their energy bills, so that they do have some ability to actually survive in the cost-of-living crisis and of course, we need to rein in short stay accommodation.

Yes, there are challenges that I have heard articulated as part of this debate of reforms to residential tenancy, pushing landlords into the short-stay market. Yes, of course there are. They are going. There are whole homes being stripped out of the rental market every single month. Every quarter, we get getting reports from Community Building and Occupational Services, CBOS, about how many whole homes have been stripped out of the rental market and put into short-stay accommodation, so yes we absolutely need to marry these kinds of reforms to the *Residential Tenancy Act* with reforms to protect the supply of rental properties because it is supply that is talked about a lot in this place. Supply talked a lot about in this place, particularly by you, minister, in relation to building new homes, but it is for no net gain if, at the end of the day, short stay accommodation is stripping whole homes out of the market and putting them into basically short-stay pseudo hotels.

This is an absolute disappointment on behalf of renters for an opportunity foregone here to actually improve their lives. These amendments would not cost landlords a thing apart from a little bit of administration time and it could make a significant impact and a significant difference to the lives of tenants. It is policy from the Labor Party and it is an absolute abandonment of that policy and their people and tenants to not support this kind of amendment in this kind of bill. It is really disappointing. I read the room and I see that this is going to go down, but we will be back with further reforms when it comes to tenants' rights, including making sure that minor modifications are enshrined as an ability for tenants to make their homes a better place and more suitable for their lives. Thank you.

**DEPUTY CHAIR** (Mrs Beswick) - The question is that the amendment be agreed to.

**The Committee divided -**

**AYES 7**

Mr Bayley  
Ms Burnet  
Mr Garland  
Ms Johnston  
Ms Rosol

**NOES 24**

Mr Abetz  
Mr Barnett  
Mr Behrakis  
Ms Brown  
Ms Butler

Dr Woodruff  
Ms Badger (Teller)

Ms Dow  
Mr Ellis  
Mr Fairs  
Mr Farrell  
Mr Ferguson  
Ms Haddad  
Ms Howlett  
Mr Jaensch  
Mr Jenner  
Mr O'Byrne  
Ms O'Byrne  
Ms Ogilvie  
Mrs Pentland  
Mrs Petrusma  
Mr Rockliff  
Mr Street  
Mr Willie  
Mr Winter  
Dr Broad (Teller)

**Amendment negatived.**

**Clause 4 agreed to.**

**Clause 5 -**  
Part 3C inserted

**Mr ELLIS** - I rise to move an amendment to clause 5. At the outset, can I thank everyone in advance for me ruining their day with reading the longest amendment ever. I understand it has been circulated to the House and I appreciate members' consideration and patience in relation to this very substantial amendment that seeks to get the balance right in this bill.

We have listened to the calls from stakeholders and indeed, members, and acknowledge Mrs Pentland and others who supported that motion within this place to make some changes to the bill. That is precisely what I am proposing via this amendment.

The amendment is lengthy, so I may need to seek leave from you Chair, and from the House to get through this given the time allocated. Forgive me for what I am about to do to everybody. I move -

Page 4, after "the following Part is inserted:"

*Leave out* proposed new Part 3C.

*Insert instead* the following Part:

Part 3C - PETS

In this Part -



*exempt animal*, in relation to residential premises, includes -

- (a) a dog that -
  - (i) has been, or is being, trained by an approved guide dogs institution or approved hearing dogs institution within the meaning of the *Guide Dogs and Hearing Dogs Act 1967*; and
  - (ii) is assigned as a guide dog under that Act to a person who resides at the premises; and
- (b) a dog that is being trained by an approved guide dogs institution or approved hearing dogs institution within the meaning of the *Guide Dogs and Hearing Dogs Act 1967*, if the person conducting the training resides at the premises; and
- (c) an assistance animal within the meaning of the *Disability Discrimination Act 1992* of the Commonwealth that is an assistance animal in respect of a person who resides at the premises -

but does not include an animal, specified under paragraph (c), that is determined not to be an exempt animal by the Tribunal under section 36U(1)(d);

*ineligible animal* includes the following animals:

- (d) a dog that is more than 6 months of age, if the dog is not registered as required under section 8 of the *Dog Control Act 2000*;
- (e) a cat that is more than 6 months of age, if the cat -
  - (i) is not microchipped as required under section 12(1) of the *Cat Management Act 2009*; and
  - (ii) is not the subject of a certificate referred to in section 12(2) of that Act;

*pet* means a domesticated animal, or an animal that is dependent on a person for the provision of food or shelter, if that animal is not an exempt animal or an ineligible animal.

#### 38R. Keeping animals on premises

- (1) Subject to subsection (4), a tenant of residential premises may -
  - (a) keep one or more exempt animals on those premises; and
  - (b) with the consent of the owner of the premises, keep one or more pets on those premises.

- (2) If a tenant of residential premises wishes to keep one or more pets on those premises in accordance with subsection (1)(b), the tenant is to request the written consent of the owner of the premises.
- (3) A request under subsection (2) is to -
  - (a) be in an approved form; and
  - (b) specify the pet or pets in relation to which the request is made; and
  - (c) specify whether a pet in relation to which the request is made is a dangerous dog, or a restricted breed dog, within the meaning of the *Dog Control Act 2000*;
  - (d) if the pet in relation to which the request is made is a dangerous dog, specify the manner in which the residential premises conforms to the requirements of an enclosure that complies with the prescribed requirements of the *Dog Control Act 2000*;
  - (e) be given to the owner of the premises to which the request applies.
- (4) Nothing in this section derogates from the operation of -
  - (a) the provisions of an Act; or
  - (b) by-laws made under Part 11 of the *Local Government Act 1993*; or
  - (c) by-laws made by a body corporate under section 90 of the Strata Titles Act 1998 -

that restrict or prevent the keeping of a pet on certain premises.

### **36S. Owner must not unreasonably refuse consent to keeping of pet**

- (1) The owner of residential premises to whom a tenant has made a request under section 36R(2) must, within 14 days after being given the request -
  - (a) give written consent to the tenant keeping the pets specified in the request; or
  - (b) refuse to consent to the tenant keeping the pets specified in the request by -
    - (i) giving written notice of the refusal and the reason for the refusal, in an approved form, to the tenant; and
    - (ii) if the pet is not a dangerous dog within the meaning of the *Dog Control Act 2000*, making an application to the Tribunal under section 36U(1); or

- (c) give consent under paragraph (a) to the tenant keeping one or more pets, and refuse to consent to the keeping of another one or more pets under paragraph (b).
- (2) The owner of residential premises to whom a request has been made under section 36R(2) must not unreasonably refuse that request.
- (3) For the avoidance of doubt, the owner of a residential premises to whom a request has been made under section 36R(2) may refuse to consent to the tenant keeping a pet, specified in the request, that is a dangerous dog within the meaning of the Dog Control Act 2000, without making application to the Tribunal.
- (4) The owner of residential premises may give conditional consent to a request made under section 36R(2) as specified in a written consent under subsection (1)(a) if those conditions -
  - (a) are agreed to by the tenant; and
  - (b) relate only to the pets specified in the request; and
  - (c) are reasonable in the circumstances; and
  - (d) do not require an increase to the rent or security deposit payable by the tenant; and
  - (e) do not otherwise contravene the provisions of this Act or any other Act.
- (5) An owner of residential premises is taken to have consented to a request made under section 36R(2) in respect of those premises if the owner has not given, or refused, consent in accordance with subsection (1) within 14 days after being given the request.
- (6) An owner of residential premises who reasonably believes that an animal, in relation to which no request for consent has been made, is being kept at the premises may make an application under section 36U(1) for an order that the animal may not be kept on those premises.

### **36T. Withdrawal of consent**

If the owner of residential premises has given written consent under section 36S in respect of a pet, the owner of residential premises may only withdraw consent to the tenant keeping the pet on those premises if -

- (a) the owner has given written notice to the tenant of -
  - (i) the owner's intention to withdraw consent in relation to the pets specified in the notice; and

- (ii) the reason for the withdrawal; and
- (b) the withdrawal of that consent is not unreasonable; and
- (c) the Tribunal has made an order under section 36U(2)(c) permitting the owner to withdraw the consent in relation to the pets.

### **36U. Determination of matter by Tribunal**

- (1) On application from the owner of residential premises, the Tribunal has the jurisdiction to determine each of the following matters:
  - (a) whether the owner's refusal to give consent to the keeping of a pet, specified in a request made by a tenant of those premises under section 36R(2), is on reasonable grounds or not;
  - (b) whether the withdrawal of consent by the owner of residential premises to the tenant keeping a pet or pets on those premises is on reasonable grounds or not;
  - (c) whether an animal, in relation to whom no request for consent has been made, may or may not be kept on those premises;
  - (d) whether an animal is, or is not, a pet, exempt animal (within the meaning of paragraph (b) of the definition of exempt animal) or ineligible animal for the purposes of this Act.
- (2) If the Tribunal makes a determination in respect of a matter under subsection (1), the Tribunal may make one of the following orders in respect of a residential premises:
  - (a) that a tenant of the premises may keep a pet, specified in a request made by the tenant under section 36R(2);
  - (b) that the owner of the residential premises may refuse consent to a tenant keeping a pet specified in a request made by the tenant under section 36R(2);
  - (c) that the owner of the residential premises may withdraw consent to keep a pet, specified in a request made by a tenant under section 36R(2) in relation to those premises, on the premises;
  - (d) that an animal is not an exempt animal within the meaning of paragraph (b) of the definition of exempt animal;
  - (e) that a pet, or an ineligible animal, must be removed from the residential premises;
  - (f) any other order that the Tribunal considers reasonable in the circumstances.

- (3) On making an order under subsection (2), the Tribunal may provide for conditions and any other ancillary matter, relating to the keeping of a pet on the premises, that it considers appropriate.
- (4) If the Tribunal makes an order under subsection (2)(c) or (e), the order -
  - (a) is to specify the period within which the animal to which the order relates is to be removed from the relevant residential premises; or
  - (b) if no such period is specified in the order, is taken to require the tenant to remove the animal to which the order relates from the relevant residential premises within 7 days after the tenant is notified of the making of the order.
- (5) For the avoidance of doubt, a matter specified in subsection (1) as being within the jurisdiction of the Tribunal is -
  - (a) within the original jurisdiction of the Tribunal; and
  - (b) allocated to the Civil and Consumer stream of the General Division of the Tribunal within the meaning of the *Tasmanian Civil and Administrative Tribunal Act 2020*.

### **36V. Reasonable grounds**

In determining a matter that is within the jurisdiction of the Tribunal by virtue of section 36U, the Tribunal may take into account the following grounds:

- (a) whether keeping a pet, specified in a request made by a tenant under section 36R(2) in relation to residential premises, would have any of the following effects:
  - (i) cause a nuisance on the premises;
  - (ii) cause a nuisance on an adjacent or adjoining premises or other nearby premises;
  - (iii) cause damage that is more than reasonable wear and tear to the premises;
  - (iv) pose an unacceptable risk to the safety of any person;
  - (v) pose an unacceptable risk to the safety or welfare of the pet or another animal on the premises;
- (b) any other grounds that the Tribunal considers reasonable in the circumstances.

### **36W. Rejection of application because of pet**

The owner of residential premises must not unreasonably reject an application to rent the premises on the basis that the person making the application has indicated that the person will be requesting consent to keep a pet on those premises.

### **36X. Transitional provision**

If, immediately before the commencement of section 36R, a tenant of residential premises has the oral or written consent of the owner of those premises to keep a pet on those premises -

- (a) that consent is taken to be a consent given under this Part in respect of that pet; and
- (b) after the commencement of section 36R that consent may be withdrawn in accordance with section 36T.”

I will now briefly describe the three key elements within the amendment as read.

Assistance animals. The amendment proposes to add assistance animals to the definition of an exempt animal under the bill. Importantly, the amendment proposes to adopt the Commonwealth's definition under the *Disability Discrimination Act 1992*. I take this opportunity to recognise the work of the Tenants' Union of Tasmania in their recent advocacy for this change. This will mean that under the bill, if amended, a tenant may have an assistance animal in the residential tenancy premises as a right without any requirement to notify or seek consent from the landlord.

Importantly, we propose to get the balance right in providing that the TASCAT can determine if an animal is an assistance animal. If an owner disagrees that the animal fits the definition of an assistance animal, they may apply to TASCAT and the tribunal will have the power under the amendments to make an order determining whether an animal is an assistance animal for the purpose of the Residential Tenancy Pet Provisions. There is also a small change to the definition of an exempt animal as it relates to guide dogs. This change is to ensure that a guide dog in training is not required to be wearing a distinctive coat or harness. That is a term that is used within the residential tenancy premises if the dog is residing at that premises. It is a sort of common-sense amendment.

Dangerous dogs. The next substantive change relates to dangerous dogs. The bill has introduced did not allow for the owner and tenant to come to an agreement in relation to the keeping of a pet that was declared a dangerous dog. The amendment will allow for an owner to consent to the tenant keeping a dangerous dog as a pet. Importantly, the requirements within the *Dog Control Act* remain unchanged. If an owner does not consent to the tenant keeping a dangerous dog as a pet, there is no ability to take the matter to TASCAT. In other words, the decision of the owner when it relates to a dangerous dog is final.

Notice period. This is probably the most substantial change proposed in the amendment and relates to the requirement for the tenant to seek consent of the owner for keeping of a pet. Where the bill is introduced, provided that a tenant was required to notify an owner of an intention to keep a pet, this amendment requires that permission is first sought from an owner of a residential premises. The amendment model still provides that owners can only refuse the

keeping of a pet on reasonable grounds. The grounds for determining reasonableness remain the same. Tenants are still not able to keep pets that are not permitted by other laws or regulation, and if an owner does not respond within 14 days, noting some discussion around that timeframe, but this is the amendment proposed - they are determined to have consented to the application and the pet can be kept. The primary difference with a permission-based model is that a pet cannot be kept on the premises until owner consent is provided or TASCAT orders that the pet may be kept on the premises.

In conclusion, I again thank members for their patience as we worked through those amendments in detail. I am confident that our government has got the balance right. This will ensure that a tenant does not need to choose between a roof over their head and the pet that they love.

**Dr BROAD** - I will give my comments on this enormous amendment. This is the first time I have seen such a massive amendment to a government bill that the minister takes 15 minutes to read in the amendment. That is how big it is. I think this must be humiliating, really, because the minister has amended his own bill to such an extent that perhaps these issues should have been nipped out before the bill was actually introduced in the first place.

In my second reading debate speech, I listed a number of issues to do with this bill, and the biggest was the whole idea that, if you wanted a pet, you simply had to notify the owner and then you had the pet as a right until you were told that you could not have the pet. For example, I could go to my landlord - assuming I was renting - and say I want to have a tiger, and there is literally nothing that the landowner could do until TASCAT ruled that a tiger was inappropriate, or an elephant or giraffe, or 10 dogs. Well, not 10 dogs, because the number of dogs is constrained by local government, as is the number of cats, but I could have had 10 sheep on a balcony in Battery Point and there is nothing that a landlord could have done about it.

Obviously, the bill was poorly drafted. This massive series of amendments does remove what was the biggest issue, which was the permission part, so that at least a landlord has the ability to say no and that can be challenged to TASCAT provided that it is deemed to be unreasonable. There is a reasonableness test, and 14 days has been the negotiated outcome here, so the owner has 14 days to refuse and then, if the landowner refuses, it goes to TASCAT. In the meantime the tenant cannot have the pet on the premises.

This is a far better system than what we were faced with when this bill was first tabled, and the issues that the minister raised in his summing up of the second reading in relation to my comments have largely been fixed. The time that it has taken between the tabling of this bill, the second reading and indeed today has meant that the government has had the ability to come in and fix up some of the major issues, which we welcome.

It would have been a far better process if this had actually been fixed up before, because I know that the landlords and other affected persons definitely raised massive issues with this, but the government just went ahead and started the debate anyway. The size of this amendment is proof that the government really needs to do a better job when bringing bills like this forward in the future.

**Mr BAYLEY** - I am willing, unlike the member who has just resumed his seat, to give credit where credit's due. In my second reading debate speech, we identified the significant failing of the bill in terms of providing the same rights for assistance animals as was provided

for Guide Dogs in the original bill, and it is really welcome to see that this has been picked up by government. We had amendments prepared to do exactly that and obviously we do not need them.

We are really happy for government to bring this on, and in welcoming this amendment we are signalling that we are going to support it. I acknowledge the advocacy of Ben Bartl at the Tenants' Union of Tasmania and Vaughn Bennison from Disability Voices Tasmania, and also Dariah Porter, who together did some advocacy on the lawns of Parliament House yesterday with their respective animals to make the case for this amendment. It is a logical amendment, and I thank the minister for taking up our suggestion and bringing it on.

Similarly, with dangerous dogs, we had identified that the bill was a little nonsensical in that, putting aside the dangerous nature of the dog, if a tenant and a landlord had agreed that the tenant could have a dangerous dog, the bill, as drafted, prohibited that. That is obviously an unacceptable situation, putting aside your view on dangerous dogs and whether they should or should not be part of our community. The reality is they are. They are provided for under certain circumstances, and if a tenant and a landlord come to an agreement that a tenant can keep a dangerous dog on a property, then why should that not happen? We certainly welcome the fact that this change and this amendment has been put forward to fix that up and make sure that a dangerous dog being kept in a tenanted property is not illegal and it can be accommodated. We completely understand the structure of the amendment, whereby if a landlord does not want a dangerous dog, there is no recourse in relation to that.

Last, in the context of the timing of the decision - 14 days to refuse - we have spoken to stakeholders, including the Tenants' Union, and with a significant modicum of reality check, they recognise that this is a workable system. They recognise that there are certain actions that landlords would take anyway if someone was applying to rent a property and ticked the 'Yes, we have got pets' box, and there is probably the real world situation where that tenant would not get that property anyway. We understand their compromise and their willingness to accommodate 14 days for a landlord to refuse as an appropriate level of time, and then for that to be tested and decided upon in the tribunal.

Without significantly labouring these points, I again thank the minister and his team for drafting these amendments that saved us the effort of bringing them on as flagged, and we will certainly be supporting these amendments.

**Mrs PENTLAND** - I too am going to support the amendments. I wanted to thank the government for doing the further consultation and coming back to the House with a more balanced bill. You can see from all of us tonight that they have listened and we have got a better bill to put forward now for pets in rentals. That is a good thing for landlords and, hopefully, it has a good impact on the vacancy rate with rentals at the moment - that they are not going to be taken off the market.

**Amendment agreed to.**

**Clause 5, as amended, agreed to.**

**Clauses 6 to 9 agreed to.**

**Title agreed to.**



**Bill reported with amendment.**

## **SUSPENSION OF STANDING ORDERS**

### **Third Reading Forthwith**

[6.45 p.m.]

**Mr ELLIS** (Braddon - Minister for Housing, Planning and Consumer Affairs) - Deputy Speaker, I move -

That so much to the Standing Orders be suspended as would prevent the bill from being read the third time forthwith.

**Motion agreed to.**

## **RESIDENTIAL TENANCY ACT 2024 (No. 27)**

### **Third Reading**

**Bill read a third time.**

## **ADJOURNMENT**

[6.46 p.m.]

**Mr ABETZ** (Franklin - Leader of the House) - Honourable Deputy Speaker, I move -

That the House do now adjourn.

In moving that, can I indicate that the answer to a question asked of Mr Jaensch today will be dealt with tomorrow, and I apologise to the House that we have not been able to provide the answer at this time.

## **Macquarie Point Stadium - Tasmanian Planning Commission Report**

[6.46 p.m.]

**Mr BAYLEY** (Clark) - Honourable Deputy Speaker, unsurprisingly, I rise tonight to talk about the stadium, the Tasmanian Planning Commission's (TPC) report, and the completely unacceptable blackmail that continues from the AFL.

The Planning Commission's report is utterly damning and under normal circumstances, with the government acting in the best interests of its people and with commonsense prevailing over vested interests, government would cut its losses here and now and abandon this proposal. That would save the taxpayer throwing good money after bad. It would save the community having to tackle this proposal further. It would mean we can get on with genuine urban renewal at Mac Point, development that delivers for people, that complements our city and creates a viable dynamic precinct that is accessible to all and comes with community support - like what

was previously proposed, agreed and in part contracted out to developers so that they could build houses. We shamelessly had to pay our Melbourne-based developers to not build houses at Macquarie Point to make way for the Premier's stadium folly.

In true Tasmanian style, this stadium saga has turned Mac Point into a true Tasmanian tragedy, in the suite of Tasmanian land use tragedies. Like my colleagues in the Greens and so many in the community, I have been involved in numerous land use conflicts where we, the community, battle to combat inappropriate private development on public land. Choppers, canal developments, cable cars, zip-lines - the list is long and ongoing, and the common theme is the values of the land and the fact that it should not be developed at all.

I reckon we all, to a person, agree that Mac Point is a huge opportunity as a brownfields development site on the doorstep of the CBD and a stone's throw from the waterfront. With the stadium, it is worse than an opportunity lost. Reading the TPC's draft assessment, it is abundantly clear that this stadium is a recipe for a monumental stuff-up that could change the face of the city and the state's finances for good.

It is the *Spirits* shocker show mark two, with more permanent implications. The TPC have been clear. The Tasmanian Planning Commission are unequivocal in their condemnation of the application that has been put in. The project submitted does not even meet the Project of State Significance order that was passed through this place. It excludes critical enabling infrastructure including the public access surrounds, the access road and bus plaza, the coach drop-off and parking, pedestrian infrastructure and more.

We are being asked to assess and approve a stadium that does not actually have the elements embedded in it to make it functional in our city. It will massively increase the state's debt by almost \$2 billion, costing the taxpayer an additional \$76 million to service that debt. This is on top of an already out of control debt projection, a \$500 million blowout this financial year, \$9.6 billion of debt by 2028, \$500 million each year to service it, \$16 billion estimated by Saul Eslake for 2035, and a whopping \$750 million in annual interest payments. The figures are staggering. It cannot go on. After 10 years of the Liberals, Tassie is in a bit of a mess. We have a housing crisis, a health crisis and with some of the worst schooling results in the country; an education crisis. With the Tasmanian Planning Commission (TPC) finding stadium costs outweigh benefits by \$669 million at present value, the statewide implications are profound - so profound that our credit rating is at risk. This is what the TPC report says:

The additional debt the state would take on to build the project and to fund its operating losses may trigger a credit rating downgrade.

Then there are the city and the social impacts: traffic congestion through the closure of lanes on Davey Street and maxed-out major thoroughfares; compromised pedestrian safety; significant negative impacts on heritage values in one of our most iconic heritage districts; non-compliance with longstanding planning rules and principles; predictable and unacceptable impacts on the sightlines and the reverential ambiance of places like the Cenotaph, an issue that has been raised by veterans and the RSL.

I will finish by condemning the AFL. Even now, in the face of this TPC report that says this stadium is unaffordable, will contribute to debt in the state, possibly damage our credit rating and have unacceptable impacts on our beautiful city, Nipaluna/Hobart, the AFL doubles

down and says, 'You must build this stadium to have a team, and it must have a roof.' This blackmail must stop and the Premier needs to renegotiate the deal with the AFL.

**Time expired.**

### **Australian Rowing Championships**

[6.51 p.m.]

**Dr BROAD** (Braddon) - Deputy Speaker, I rise on the Adjournment to talk about one of Tasmania's most significant sporting events which, on the weekend, saw a couple of thousand entries participate in the Australian Rowing Championships at Lake Barrington. What an event it was. It was literally the biggest Australian rowing championships in history. The number of entries and amount of people at the lake was incredible. It was by far the most vibrant nationals I have seen, and I have been to a fair few.

The lake held up well over the week. As far as I am aware, there were no cancellations and no delays. There was a little bit of a headwind here, a little bit of a tailwind there, but no cancellations. Once again, the site performed perfectly. As well as seeing thousands of tourists and athletes and their families come to Tasmania and stay for a good week, we also saw some fantastic events, especially in the interstate races, which occurred on Sunday.

I was proud to see Tasmania win the Victoria Cup, which is the interstate race for lightweight women. The lightweight races have been removed from the next Olympics, which is a massive shame. The good thing about the nationals I saw was that lightweight rowing is alive and well, especially in women's lightweight rowing. For the first time that I am aware of, there was a lightweight women's eight event. The lightweight women of Australia not only had the event, but they put on five crews. Five crews of lightweight women racing during the normal regatta was a first and it is fantastic that lightweight rowing is rallying despite the fact that lightweight rowing has been cut from the Olympics. It was a fantastic race for the Victoria Cup. The Tasmanian crew of Stewart, Robinson, Teale and Zilm led from the front and had an amazing race.

I was also proud to see the Tasmanians in the Penrith Cup, a race I have had a fair bit of history in. They did not win. They came second, but they had an amazing race. They absolutely left everything on the course. They tried as best they could and only just fell short. That was the crew of Casey, Dean, Paynter and Birtwhistle.

It was fantastic to see Tasmania perform at the highest level. It was fantastic to see Tasmania's amazing rowing course being held in such light. Everyone was positive about the regatta, the way that the regatta was run, the amazing participation of all the volunteers, because this is largely a volunteer-run exercise. Tasmanian rowing is alive and well. We should be very proud of not only the venue but also all the people who put the regatta together and managed it, and made sure it was such a highlight for everybody. There were also amazing results from Tasmanian athletes, and the Victorian Cup being in Tassie's hands is a very good thing.

## Macquarie Point Stadium - Transport Access

**Ms BURNET** (Clark) - Deputy Speaker, last night the Tasmanian Planning Commission (TPC) handed down its interim assessment report. The proposed stadium at Macquarie Point is a case study in missed opportunities. With strategic planning and community buy-in, the project could have enjoyed widespread support, but it does not have social licence. Any project like this involving billions of dollars of taxpayers' money over forward Estimates must have the backing of the people. However, in February, EMRS told us that nearly three-fifths, or 59 per cent of respondents to their poll opposed the stadium, while an overwhelming 67 per cent in the north and 65 per cent of respondents in the north west opposed the stadium.

The TPC's interim report pokes many holes in the proposal, but I will focus on just one aspect, an important part of any stadium proposal, and that is transport. Earlier today, the Premier spoke glowingly of his recent visit to the Adelaide Oval, drawing comparisons between that stadium and this one. However, these comparisons missed the mark completely as far as transport goes. It is like comparing apples with oranges. Apart from the thousands of residents who live nearby in the inner city, Adelaide Oval is linked to neighbouring suburbs by a functioning transport system, by rail, tram and bus services. The oval has been well set up, it is central, had an existing use, and is close to the central railway station.

There are a staggering number of assumptions, excessive optimism in the Macquarie Point Development Corporation (MPDC) proposal and, conversely, an information deficit on important matters. The proposal assumes a ferry terminal and a Collins Street pedestrian bridge - another piece of kit with a multi-million-dollar price tag that is unfunded. Basic information such as a traffic plan for the entire construction phase of the project is missing. The northern access road is not funded. Its design presents problems for large vehicles. This northern access road is vital for the Australian Antarctic Division and TasPorts operations that require 24-hour access seven days a week, although the proponent proposes limited access on match and event days. How is that going to work? The northern access road links to the proposed bus plaza, which is a bottleneck that does not accommodate the projected number of patrons arriving by bus.

The TPC report suggests that all future bus stops should be disability standard-compliant, and that is fantastic. Of course, they should be. Across Tasmania, of the 3500 bus stops, only 162 - less than 5 per cent - are fully compliant. I am sure those catching buses with access issues in Launceston or Burnie would sooner have bus-stop upgrades in their neighbourhood rather than footing the bill for a Hobart stadium.

Can we imagine a world in which the state government cares about public transport as an important part of daily life in our modern city? I wonder if we can. The Macquarie Point stadium could have been a driver for increased investment in public transport, but it is apparent that the transport needs of daily commuters in greater Hobart are irrelevant to the Rockliff government, hellbent on bankrupting the state with grandiose projects we do not need and clearly do not want. I urge the public to put in their submissions before 8 May as part of the TPC Project of State Significance process.

## Macquarie Point Stadium - Implications for Government Services

[6.59 p.m.]

**Ms ROSOL** (Bass) - Honourable Deputy Speaker, I rise to speak on the situation we find ourselves in with the stadium. Yesterday, the TPC released its stadium draft integrated assessment report and it is damning. It unequivocally demonstrates that this stadium will be terrible for our state. It runs through a range of assessment criteria used to look at the stadium and identify whether it will be good or bad, whether it will work and how it stacks up. Across all of those criteria, the stadium does not stack up.

We know it will leave the state in further debt. The Premier likes to talk a lot about the benefits this stadium will bring to the state and how it will be so wonderful for the people of Tasmania and yet, in this report we see that when they look at the social and the health and wellbeing aspects of the stadium, it does not do very much for Tasmania at all.

We have the Premier and the government constantly claiming the stadium will be a great benefit, despite the fact that it will plunge us into debt and that debt will stretch long into the future.

The report goes into the detail of the stadium, but I want to step back a little bit and look at the bigger picture of what is happening in our state because while we focus on all the details of things and the ins and outs and of the different aspects of the stadium, life goes on in our state across the whole range of different parts and aspects of people's lives.

I cannot tell you how many people contact my office across the different portfolios I hold to tell me their stories of how difficult their lives are, the problems they are having accessing services, or the healthcare that they are missing out on. I cannot tell you all of the data and all of the figures that we look at in the Greens and see the gaping holes in our state with the services that we have.

While we have a government willing to plunge our state into debt and to plunge more and more money into this stadium, we also have a state that is struggling and people are suffering and they are missing out.

When it comes to health, we know that wait times are growing ever longer. Our emergency departments have the longest wait times for treatment in the country. Ambulance wait times are long. Outpatient appointment wait times are long. People constantly contact me to say they cannot get the gastroscopies they need in a timely manner. They are having to wait 18 months for essential cardiac procedures. We know that there are glaucoma patients who are having their appointment times stretched further out.

People are missing out on healthcare because this government is cutting funding to services. We have just seen in an RTI that the Greens obtained, that in our prisons there have been more than 6000 lockdowns in an almost 12-month period and lockdowns have been greater than 16,000 hours due to staffing issues.

This is a result of government mismanagement of the corrections service. It is a result of not investing enough into our prison system. It is about not valuing staff. It is about not valuing people. We say we have a corrections and rehabilitation department, but there is no

rehabilitation that I have heard of that is happening in our prisons. We are under investing in our corrections and prison service.

What about children? The children of Tasmania are going through difficult times. Children who are in out of home care are not being seen by case managers within the time frames that they should. Families are in crisis. The advice and referral line has lengthy times.

Community services do not have the money to provide the services that they need. I am constantly hearing about the lack of funding and the lack of certainty for the future. If we want to talk about the stadium, let us talk about the context of it in this state where we have great need for the people of Tasmania and instead of listening to that, paying attention to that and doing something about it, we are wilfully turning away from the people and funnelling money into a project that is going to put us into debt for the long future.

It is an absolute travesty that this government remain committed to this stadium despite this report and the Greens call on the government to take action and dump the stadium.

**Time expired.**

### **Motor Neurone Disease - Massive Open Online Course**

[7.04 p.m.]

**Mr BARNETT** (Lyons - Deputy Premier) - Honourable Deputy Speaker, it is a great honour tonight to speak about a recent, not only state leading, nation leading, but world leading initiative that will help all people with motor neurone disease (MND) and their families.

It was a wonderful initiative held at the Menzies Research Centre on Friday 21 March and I had the privilege of speaking at the event. It was a great initiative to outline a new online course, being a beacon for knowledge, information, education and hope for those affected by motor neurone disease and their families. The Massive Open Online Course (MOOC) is a freely accessible large-scale online course designed to provide education to a global audience. There are already some 700,000 who have registered and joined up and I was advised on the day by the University of Tasmania's Vice Chancellor, Professor Rufus Black that they are aiming for a million in the not too distant future. It is fantastic. This is happening right here in Hobart, Tasmania, in Australia, on behalf of all those with motor neurone disease MND around this great globe of ours.

MND is a progressive neurological terminal disease that impacts thousands of people worldwide. It gradually weakens muscles; it affects movement, speech, swallowing, breathing and causes one's death. Devastatingly, there is still no known cure and the average life expectancy after diagnosis is between two and five years. My late father, John Barnett, had motor neurone disease for about three years and passed away in 1985 - a number of decades ago, but our family has been very involved in the motor neurone disease community ever since then, and I will share more about that shortly.

In Australia alone, two people are diagnosed with MND every day and two people lose their lives to motor neurone disease. Despite these grim realities, frankly, the MOOC launch proves that we are not powerless. Working together, we can make a difference through education, raising awareness and providing those resources that we can make a real difference for the lives of those people living with MND and their families.

I just wanted to pay a congratulations to the Wicking Dementia Research and Education Centre that has developed the MOOC with the support of MS Queensland and funding from FightMND. Remember Neale Daniher's MCG ice bucket challenges to fight MND? What a wonderful effort they have done in raising tens of millions of dollars for research. Thank you so much. I have been involved in many a range of ice bucket challenges and other events to raise funds accordingly.

Prof James Vickers - an absolutely fantastic effort. What a wonderful job you have done to help make this happen. I was sitting next to Tracey Dickson from the Menzies Research Centre but I want to acknowledge Dr Sharn Perry who spoke at the event; Dr David Curd, CEO of MS Queensland; Prof Matthew Keenan, Director of Neuroscience Research Australia on the latest advances in MND research. It was excellent to hear from Matthew and catch up with him again. I acknowledge Senator Carol Brown who, likewise, has flown the flag in Canberra representing the Commonwealth Parliamentary Friends of MND, an organisation or friends' group that I was part of and co-chaired when I was involved in the Senate some time ago. I have been involved as an ambassador and received a life membership award some time ago last year and it was a great honour. My late mother was patron for MND Tasmania and it has been a great comfort to her to be able to support people with MND and their families with the support group meetings on a monthly basis over many years.

To Chris Symonds, the MND President for Tasmania, thank you for your fighting spirit and what you do to advocate for people with MND. You are amazing. To all those involved in making a difference. There are so many families affected across Tasmania and across the globe, but this is an initiative that will deliver hope and confidence for people with MND and their families. I pay tribute to all of those who are behind it to help make it happen. I thank the House.

### **Macquarie Point Stadium - York Park Stadium**

[7.09 p.m.]

**Dr WOODRUFF** (Franklin - Leader of the Greens) - Honourable Deputy Speaker, the Macquarie Point Stadium has been the hottest of hot topics on this little island, Lutruwita, for years. I want to state very clearly the Greens' position from the outset. We were involved in the negotiations with the premier at the time, Peter Gutwein, about securing AFLW/AFL teams for Tasmania and we were fully supportive and signed on to the tripartisan letter that went to the AFL and made it very clear that Tasmanians long-deserved, demanded to have access to our club, our team and be involved in the AFL, to be part of the sport and to join in, as is the right of people who have been playing for generations in Tasmania and want to be part of the national team.

We were very clear from the outset that we would not and never would support the building of a stadium. It seems that Peter Gutwein went away and obviously did make a secret deal with the AFL at the time to build a stadium, and he announced in March 2022 a \$750 million spend out of nowhere. The context when he made that announcement in the state of the state speech was a terrible crisis in our health system. We had the beginnings of what would become the ambulance ramping inquiry - enormous ambulance queues. It was a terrible situation. People were not able to get elective surgeries and could not get a bed in the emergency department when they needed. Ambulances were not coming when they were needed.

A huge number of people were evicted into homelessness in a rental housing crisis - partly the making of this government, a government that never took action on those issues and never did what was needed to build public housing over 10 years for the people of Tasmania who deserve it. In that space, we rejected the need to build a stadium. We knew that we have two perfectly good stadiums, one at Bellerive and especially one at York Park.

We have always supported the money that has now gone into this stadium into refurbishing the York Park Stadium to make it what it should be, where it should be, the home of AFLW/AFL in Tasmania. That is where we need to put our money. Where was Labor in these conversations? Well, federal Labor came out and initially made some noises about concerns about the state government spending money on health and housing.

State Labor did their own poll and they found that 67 per cent of Tasmanians opposed the stadium - 52 per cent strongly opposed it. Rebecca White, then leader, was a detractor at the time. She made strong statements against the stadium on social media. She ran a campaign to get Tasmanians who are opposed to the stadium to believe in their hearts that Labor would be there with them, standing against building an unnecessary stadium that would cost \$750 million when they knew that that money should be prioritised by a party which says it cares about people who work in the health and housing system, says it cares about people who need homes and people who need beds in hospitals. She made them believe Labor would support them and stand against the building of a stadium.

Then what happened in the 2024 state election was that the stickers got peeled off the Labor Party cars. The 'No Stadium' stickers went and instead Dean Winter took the party to that election refusing to make a commitment about the party's position on the stadium. He would not make a commitment, and in fact went to the Legislative Council elections in May last year also refusing to make a statement about it. Guess what happened? Almost before the writs were issued after the Legislative Council election, Mr Winter came out and made a strong statement in support of the stadium after he had hoovered up the votes of people in Tasmania, falsely pretending that Labor was going to stand against the stadium.

Here we have two incredibly strong reports - the Gruen report, an independent report in January, and now the Tasmanian Planning Commission - saying that this stadium is going to financially ruin Tasmania. It is going to be a millstone around our necks. Nearly \$2 billion in debt and we do not need this stadium. The Greens are going to fight it all the way through, and if the Liberals want to bring on enabling legislation, you go right ahead because we will be standing with Tasmanians who are utterly opposed to building this stadium, particularly the people in the north who are overwhelmingly opposed to it.

**Time expired.**

### **Dark Sky Protection**

[7.14 p.m.]

**Ms BADGER** (Lyons) - Honourable Deputy Speaker, I rise this evening to talk about the value of our night skies. Certainly socially, I would say that their value is astronomically far greater than that of a stadium. In fact, as a concept, protecting our dark skies, not only here in Lutruwita/Tasmania, but right across the nation, possibly indeed the world, is so well embraced by communities. Often when we see new proposals like that come up, there is



opposition; there is a bit of uncertainty and people are not really sure what it means. This is so well embraced. People are incredibly enthusiastic to get on board and do what they can, where they can, which is why I am so excited about everything that the Tasmanian communities are doing. I hope that the Liberal government will step up and play their part as well.

Last week in Melbourne there was the Valuing Dark Skies Conference, which I was very privileged to attend. It was run by the Australasian Dark Sky Alliance. Over 200 people gathered in Melbourne to discuss how we could collectively solve light pollution. I am sure at some point we will see a light pollution policy for the stadium, because that is also really important there on the waterfront.

I want to acknowledge that at the conference TasPorts did get a notable mention for the lighting policy that they have in place. Often, what we do not consider is light pollution's impact on various species such as turtles, where, if there is a big port, they can struggle to know where they are going and to get to their normal migratory places. We heard a lot about that very underappreciated species that live very commonly and are incredibly diverse, but lights have huge impacts on where they go, as they do for numerous other flora and fauna species.

We also need to consider what we can control outside of the atmosphere. This is what we are seeing in our cities, and it is easy to say, 'Just turn the lights off,' but as we are seeing an increase of satellite activity, we also have to consider what that is doing in terms of pollution. It is quite funny when we think about if we pollute this planet, we will just go to Mars or something like that, but actually, even when we are launching satellites now, it has to be done at a very specific time because there is so much pollution in our atmosphere circling that it cannot even get out. We are kind of ruining that far extreme exit point as well.

There are quite a few events coming up across the state celebrating dark skies, and as it comes into winter, it is a little bit easier to do because it gets darker earlier. The Mount Roland Land Care Group up at Gowrie Park are going to be having an event on 5 April. There is also a specific talk on bats there, so that is exciting. On 7 May, Dark Sky Tasmania is holding an event at Shambles Brewery.

To give everyone an overarching understanding of the work that they are doing, a lot here in Hobart but right across Tasmania to raise this awareness - Wellington Park are looking at becoming a dark sky area or place; on the Tasman Peninsula, the council is doing an extraordinary amount of work. They are currently doing light monitoring to protect their area. Up in Ross, that community is looking at becoming a protected dark sky area as well, and this is really important because all of these communities are early adapters, so they are going to be front and centre when we are talking about nature tourism for our state moving forward.

You will note all of these are communities and urban areas. Where is our protection in our national parks and our Tasmanian Wilderness World Heritage Area? This government could very simply, and they should very simply - I absolutely encourage them to put it in their next budget - make sure that there is a Southwest Dark Sky Sanctuary to protect south-west sky country. This is an area that is already protected from human-induced light pollution through building because it is a National Park and Wilderness World Heritage Area. This will keep us aligned; this will help us with our competitive advantage with New Zealand in terms of our nature-based tourism positioning for the world. New Zealand already has five dark sky sanctuaries, let alone all of their other dark sky places. We have to get on with it. The communities are leading the way and we need the government to step up and do the exact same thing.

I would like to leave everyone with a quote from Gavin Pretor-Pinney. He says:

It's easy to forget that you live in the sky, not beneath it but within it.

That is absolutely true. We so often forget that actually, our dark skies are very much a part - they are an environment that we need to protect and they are something that we all collectively live in every day. It is time that this government stepped up and did its part in protecting our dark skies.

**The House adjourned at 7.19 p.m.**

## Appendix 1

Petition No: 09 of 2024

### RESPONSE TO PETITION

#### TITLE OF PETITION – Evandale Heritage Triangle

*The undersigned Electors of Lyons draw to the attention of the House the need to remove the electricity power poles from Russell Street and High Street in the Historic Precinct of Evandale. Evandale has a NMC designated heritage triangle. Special planning rules are in place to protect the heritage value of the properties within the triangle. Unfortunately, the current above ground power distribution does not sit well with the heritage feel of the village. The newest areas of the village had underground power*

*Your petitioners therefore request the House to call on TasNetworks to install underground power cables in the Historic Precinct of Evandale Township.*

#### GOVERNMENT POSITION:

The Tasmanian Government understands the desire to maintain heritage aspects of Evandale and the sentiment in relation to undergrounding power lines. We recognise the importance of Tasmanian heritage and are proud of the many areas within Tasmania that offer unique and special insights into the State's history.

The costs incurred by TasNetworks for planning, building, operating and maintaining the electricity network are recovered from Tasmanian electricity customers. The Australian Energy Regulator (AER) approves the maximum allowable revenue that TasNetworks is allowed to recover, ensuring that costs are only incurred for work that is prudent and efficient. This ensures that consumers pay no more than is necessary for safe and reliable electricity.

Across the National Electricity Market, overhead powerlines are the default option for distribution, due to the lower cost of installation and easier access for maintenance. Undergrounding transmission and distribution infrastructure can be up to ten times more expensive than above-ground infrastructure. However, undergrounding can be a more preferable option in some cases, such as areas that suffer repeated power outages due to overhead wire damage. In these cases, undergrounding infrastructure increases the reliability of electricity supply, resulting in improved customer outcomes and lowered costs over the long term. The value in undergrounding electricity infrastructure is assessed on a case-by-case basis to ensure that only prudent and efficient costs are recovered from customers.

The cost of the proposed works to underground electricity infrastructure in Evandale's main street has been estimated to be in the order of \$2 million. Unfortunately, there are no safety or reliability concerns to be addressed in this area; as such, there is not a reasonable case to put forward to the AER for undergrounding, despite Evandale's heritage value. As distribution providers are only allowed to recover costs that are deemed reasonable and efficient, TasNetworks is unable to install underground power cables in the Historic Precinct of Evandale Township as there is no reasonable case for undergrounding in this instance.



Hon Nick Duigan MLC  
**Minister for Energy and Renewables**

Date: 14 March 2025

## Appendix 2

### RESPONSE TO PETITION

Petition No. 4 of 2025  
House of Assembly

Asked By: Ms Anita Dow MP

Answered By: Hon Jo Palmer MLC

The petitioners call on the State Government to:-

- 1) Review the decision of the Education and Care Unit in relation to dual-educator Family Day Care services in Tasmania and allow for the two services to continue operating as FDCs.
- 2) Support innovative FDC models in regional and remote communities where these opportunities exist to overcome the critical lack of access to early childhood education and care.

#### GOVERNMENT POSITION

To overcome constraints currently brought by National Law, the Tasmanian Government is actively investigating scope for a state-based solution, while advocating for a national solution that enables continuity of care for Tasmanian families, stability for educators and the highest standards of safety and wellbeing for children. The highest priority for the Government and the Education and Care Unit in relation to our Early Childhood Education and Care sector is always safety and wellbeing.

#### RESPONSE:

- I note the petition *Protect Critical Family Day Care Services in Braddon* raised by Ms Natalie Wall, sponsored by Ms Anita Dow, MP.
- Family day care services are vital in supporting families and providing employment for educators, and highly valued in their communities.
- The Education and Care Unit (ECU) as Tasmania's Regulatory Authority administers the *Education and Care Services National Law Act 2010*, and the *National Quality Framework for Early Childhood Education and Care (NQF)*, which ensure the safety, health and wellbeing of children.
- I understand two dual-educator model services - where two family-day-care educators provide care from the same residence - are currently operating in Tasmania. This is not compliant with the National Law, determined at Federal level.

### Appendix 3

## QUESTION ON NOTICE

### Question No. 34 of 2024 House of Assembly

ASKED BY: Dr Rosalie Woodruff MP, Leader of the Tasmanian Greens

ANSWERED BY: The Hon Madeleine Ogilvie, Minister for the Environment

#### QUESTION:

**Dr Woodruff to ask the Minister for Business, Industry and Resources, in relation to salmon biomass in Macquarie Harbour, what was the peak reported biomass in Macquarie Harbour between December 2023 and March 2024? (17 October 2024)**

#### ANSWER:

The peak biomass across Macquarie Harbour between December 2023 and March 2024 occurred in December 2023. The peak was 10,915 tonnes based on reported data.

APPROVED/NOT APPROVED



Hon Madeleine Ogilvie MP  
**Minister for the Environment**

Date: 31 March 2025

**Appendix 4**  
**RESPONSE TO QUESTION ON NOTICE**

HOUSE OF ASSEMBLY

QUESTION NUMBER: 10

ASKED BY: Vica Bayley

ANSWERED BY: Hon Roger Jaensch MP

**QUESTION:**

1. In relation to industry taxation, in the last financial year, how much in state taxes and fees did the aquaculture, mining, forestry and gambling industries pay?

**ANSWER:**

No quantification of total state tax and fees by industry across the General Government Sector is possible.

However, there are specific tax and fees that relate to the industries listed in your question which are reported through the Treasurer's Annual Financial Report.

The *Treasurer's Annual Financial Report 2023-24* reports actual collection of mineral royalties of \$51.8 million in 2023-24 and individually lists several gambling specific taxes that totalled \$132.9 million, see <https://www.treasury.tas.gov.au/Documents/Treasurers%20Annual%20Financial%20Report%202023-24.pdf>.

Further breakdowns of taxes and fees are provided by the administering agency in some cases. For example, a further breakdown of gambling taxation is made available by the Department of Treasury and Finance on its website, see <https://www.treasury.tas.gov.au/liquor-and-gaming/gambling/community-information/gambling-data/gambling-taxation>.

APPROVED/NOT APPROVED



Hon Roger Jaensch MP  
**Minister for Finance**

Date: 12/3/25

- As State Minister for Education in Tasmania, I have had discussions with the Federal Minister for Early Childhood Education Hon Dr Anne Aly MP to find a permanent solution. These discussions are ongoing. On 6 March I formally wrote to Dr Aly seeking her support to attain a solution.
- In the meantime, a temporary waiver has been granted by the ECU to allow continued operation of the two affected family day-care facilities, while each is working towards compliance. This ensures continuity of care for families, and stability for educators, while maintaining the highest standards of safety and wellbeing for children.
- Educators are being supported to transition to compliant models, either as single educators within family day care services or as part of long day care (centre-based) models.
- On 16 December 2024, I brought together stakeholders to clarify issues, explore solutions, and commit to practical outcomes for children and families. In-principle agreements have now been reached with both providers.
- The Tasmanian Government is acutely aware of our need for childcare, and the benefits availability brings to our economy, families and in particular, women. The government continues to work with the childcare sector, the Department, and the Federal Government to improve access.
- The Tasmanian Liberal Government's 2030 Strong Plan for Tasmania's Future includes commitments such as:
  - \$32 million to deliver four new supersized Child and Family Learning Centres.
  - \$10 million over four years to support schools to establish new onsite Outside School Hours Care facilities.
  - \$5 million for an Early Years Workforce Development Fund.
- The Government has also completed an audit of government land to support the expansion of ECEC services. The ECEC sector will be invited to respond to a EOI invitation to provide services on government land, in May 2025



Hon Jo Palmer MLC

**Minister for Education**

Date: 27-3-25