



**PARLIAMENT OF TASMANIA**

**LEGISLATIVE COUNCIL**

**REPORT OF DEBATES**

**Tuesday 8 March 2022**

**REVISED EDITION**



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**Tuesday 8 March 2022**

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

## **PETITION**

### **Salmon Farming in North-West Tasmania**

[11.02 a.m.]

**Ms Forrest** presented a petition signed by approximately 515 citizens of Tasmania and an e-petition from 508 citizens of Tasmania who are deeply concerned about the proposed expansion of the ocean-based salmon farming industry into the north-west of Tasmania and beyond.

**Petitions received.**

## **QUESTIONS UPON NOTICE**

[11.04 a.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council)(by leave) - Mr President, I have the answers to four questions on the Notice Paper.

I have the answer to question number 6 from the member for Mersey with regard to the Tasmanian government entities. I have number 7 for the member for Launceston regarding government boards, I have the answer to number 9 for the member for Nelson regarding the Arm End Golf Course, and I have number 11 for the member for Nelson regarding gaming policy.

Mr President, I seek leave to table the answers and have them incorporated answers into the *Hansard*.

**Leave granted.**

## **6. TASMANIAN GOVERNMENT ENTITIES**

**Mr GAFFNEY** asked the Leader of the Government in the Legislative Council, Mrs Hiscutt:

- (1) Can the Government provide a list of current Tasmanian Government entities, namely:
  - (a) government business enterprises;
  - (b) state-owned companies;
  - (c) statutory authorities; and
  - (d) any other government-controlled entities, commissions, boards and committees?

- (2) With reference to the entities detailed in (1)(a) to (d) above:
- (a) What are the number of board members allowed in each of the named entities;
  - (b) Which of those entities have board and committee members appointed by the minister; and
  - (c) Which of those entities have board and committee members appointed by process independent of the minister?
- (3) How many of the listed entities, boards and committees have been initiated by the Hodgman/Gutwein Liberal Governments?
- (4) Is it envisaged that additional entities be established during this current term of the Government?
- (5) How does the Government determine which organisational structure provides the best framework for each entity?

**See Appendix 1 for incorporated document (page 75).**

## **7. BOARD MEMBERSHIP OF GOVERNMENT BUSINESS ENTERPRISES, STATE-OWNED CORPORATIONS AND OTHER GOVERNMENT BOARDS**

**Ms ARMITAGE** asked the Leader of the Government in the Legislative Council, Mrs Hiscutt:

- (1) For each government business enterprise, what is the breakdown of board membership by region in Tasmania?
- (2) For each state-owned corporation, what is the breakdown of board membership by region in Tasmania?
- (3) For each additional government board, what is the breakdown of board membership by region in Tasmania?

**See Appendix 2 for incorporated document (page 80).**

## **9. ARM END GOLF COURSE**

**Ms WEBB** asked the Leader of the Government in the Legislative Council, Mrs Hiscutt:

Regarding the proposed Arm End Golf Course:

- (1)(a) Can the Government confirm the site for the proposed development is on crown land, which was leased to the project's owner and developer, Mary Ann's Island Pty Ltd in 2014; and
- (b) If so, provide a copy of that crown land lease agreement?

- (2) In reference to the crown land lease agreement between the State and Mary Ann's Island Pty Ltd, can the Government detail whether at the time of negotiating and finalising that lease agreement:
- (a) a director of Mary Ann's Island Pty Ltd was a Mr. James Groom; and
  - (b) if so, clarify any familial relationship between that Director and the then-responsible minister, the Honourable Matthew Groom?
- (3) If there was a familial relationship between a director of Mary Ann's Island Pty Ltd and the responsible minister at the time:
- (a) Did the minister declare a conflict of interest and recuse himself during the agreement development, decision and finalisation stages of that lease agreement involving access to crown land, in accordance with the Ministerial Code of Conduct conflict of interest provisions; and
  - (b) Can the Government provide evidence of any such declaration of a conflict of interest and subsequent recusal from proceedings?
- (4) Can the Government provide a current status update of the proposed Arm End golf course project on the leased crown land, and any ongoing state Government involvement with the project?

**See Appendix 3 for incorporated document (page 82).**

## **11. GOVERNMENT MEETINGS WITH LOBBYISTS**

**Ms WEBB** asked the Leader of the Government in the Legislative Council, Mrs Hiscutt:

- (1)(a) Can the Government advise if, since May 2021, the Premier or any ministers met with:
- (i) non-industry and community stakeholders;
  - (ii) gaming and hospitality stakeholders; and
  - (iii) registered lobbyists to discuss any aspect of gaming policy including the Gaming Control Amendment (Future Gaming Market) Bill 2021; and
- (b) if so, can the Government provide diary details including meeting dates, times and names and positions of all attendees?
- (2)(a) Can the Government advise if, since May 2021, the Premier or any ministers met with:
- (i) non-industry and community stakeholders;
  - (ii) industry stakeholders; and

- (iii) registered lobbyists to discuss any aspect of vocational education skills and training policy including the TasTAFE (Skills and Training Business) Bill 2021; and
- (b) if so, can the Government provide diary details including meeting dates, times and names and positions of all attendees?
- (3)(a) Can the Government advise if, since May 2021, the Premier or any ministers met with:
  - (i) non-industry and community stakeholders;
  - (ii) industry stakeholders; and
  - (iii) registered lobbyists to discuss any aspect of container and waste management policy including the Container Refund Scheme Bill 2021; and
- (b) if so, can the Government provide diary details including meeting dates, times and names and positions of all attendees?

**ANSWER**

- (1)(a) As would be expected, members of the Government consult widely with many and varied stakeholders on a regular basis. This includes stakeholders from the non-government and not-for-profit or community sectors, business, industry, and volunteer-run organisations. It is important to note that stakeholder engagements may canvass a range of matters and are an essential part of delivering good government.
- (b) This would be very difficult and resource intensive as members of the Government meet regularly with many and varied stakeholders on a wide range of matters.
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- (b) This would be very difficult and resource intensive as members of the Government meet regularly with many and varied stakeholders on a wide range of matters.

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council)(by leave) - Mr President, before I move on, I have one more answer, to number 12, which I neglected to put into the other ones for the member for Nelson, regarding Tasmania Law Reform Institute, and I seek leave to table that and incorporate into *Hansard* also.

**Leave granted.**

## **12. TASMANIAN LAW REFORM INSTITUTE**

**Ms WEBB** asked the Leader of the Government in the Legislative Council, Mrs Hiscutt:

Recognising that historically the Tasmanian Government has received independent law reform advice from advisory commissions, commissioners and institutes in one form or another since 1974, can the Government detail the following in relation to the Tasmania Law Reform Institute (TLRI):

- (1) Any funding support allocated to the TLRI from the Solicitors' Guarantee Fund, or any other government source for the financial years 2020-21 and 2021-22; and
- (1) Whether the Government intend to renew the current renewal agreement between the Government of Tasmania, the University of Tasmania and the Law Society of Tasmania, referred to as the parties, beyond its current expiry date of November 2022?

### **ANSWER**

- (1) The Tasmania Law Reform Institute (TLRI) was established on 23 July 2001 by agreement between the state Government, University of Tasmania and the Law Society of Tasmania.

In April 2015, the partners to the institute agreement finalised a renewal agreement extending the agreement for five years, until November 2019. The parties agreed to continue the operation of the TLRI by entering into an amended agreement for a further term of three years, commencing November 2019.

Under this agreement, the Tasmanian Government provides \$50 000 per annum for the activities of the TLRI, with the University of Tasmania Faculty of Law providing in-kind support for staffing, amenities and funding administration. Grants for specific projects are also provided from sources such as the Solicitors' Guarantee Fund (SGF), in addition to the Law Foundation and the MAIB Injury Prevention and Management Foundation.

It is important to note that the principal purpose of the SGF is to compensate clients who suffer losses due to the misbehaviour of their lawyer. If the SGF is in surplus (which occurs when the balance is in excess of \$11 million), the Minister for Justice may invite Tasmania Legal Aid, the Law Society of Tasmania and other legal assistance bodies to make applications for grants from the fund.

The recurrent trend of low interest rates (exacerbated by the impact of COVID-19) has had a significant effect on the balance of the SGF, meaning that there is not currently a surplus available to disburse as grants.

Therefore, due to this lack of SGF surplus and given the pressures on the legal assistance sector due to the COVID-19, our Government committed \$8.8 million over four years in the 2021-22 Budget to fund grants to organisations in the legal assistance sector. Expressions of interest for funding from this source have been received and are currently under consideration.

- (2) I am aware that the University of Tasmania is currently seeking to undertake a review of the TLRI to consider and make recommendations about the structure, governance and funding as the state's peak law reform body.

I understand that the object of the review is to ensure the continuing success and sustainability of the institute.

The Department of Justice is actively engaged in this process, including providing input as appropriate into the draft terms of reference for the review, and I look forward to being afforded the opportunity to have input into the review in due course.

## **TABLED PAPERS**

### **Parliamentary Standing Committee of Public Accounts - Report Review of the Auditor-General's Report No. 11 of 2018-19: Performance of Emergency Department Services in Tasmanian Hospitals**

[11.06 a.m.]

**Ms FORREST** (Murchison) - Mr President, I stand to present the Parliamentary Standing Committee of Public Accounts review of the Auditor-General's Report number 11 of 2018-19 into the performance of Tasmania's four major hospitals in the delivery of emergency department services. I move that the report be received.

**Report received and printed.**

## **MESSAGE FROM GOVERNOR**

### **Resignation of Member for Huon - Dr Bastian Seidel**

**Mr PRESIDENT** - Honourable members, I have received the following communication from Government House dated 7 January 2022:

Dear Mr President,

I enclose the resignation of Dr Bastian Seidel as a member of the Legislative Council which was received by Her Excellency the Governor on 7 January 2022.

Her Excellency has asked the Tasmanian Electoral Commissioner to take the appropriate action to fill the vacancy.

Yours sincerely,  
David Allen, Official Secretary.

The letter reads, dated 7 January 2022:

Your Excellency,

In accordance with Section 15 of the Constitution Act 1934, I hereby tender my resignation as Member of the Legislative Council for the electoral Division of Huon with effect from today, Friday 7 January 2022.

It has been an honour and a privilege to be the elected Member for Huon.

signed the honourable Dr Bastian Seidel, MLC member for Huon.

## **STATEMENT BY LEADER**

### **Ministerial Portfolio Changes**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I wish to inform the Council of ministerial portfolio arrangements as a result of recent changes. They now are:

Hon Peter Gutwein MP

- Premier
- Treasurer
- Minister for Climate Change
- Minister for Tourism

Hon Jeremy Rockcliff MP

- Deputy Premier
- Minister for Health
- Minister for Advanced Manufacturing and Defence Industries
- Minister for Mental Health and Wellbeing

Hon Elise Archer MP

- Attorney-General
- Minister for Justice
- Minister for Corrections
- Minister for the Arts
- Minister for Workplace Safety and Consumer Affairs

Hon Michael Ferguson MP

- Leader of the House
- Minister for Infrastructure and Transport
- Minister for Finance
- Minister for State Development, Construction and Housing
- Minister for Local Government and Planning.

Hon Nic Street MP

- Minister for Sport and Recreation
- Minister for Heritage
- Minister for Science and Technology
- Minister for Community Services and Development

Hon Madeleine Ogilvie MP

- Minister for Racing
- Minister for Women
- Minister for Small Business
- Minister for Hospitality and Events
- Minister for Disability Services

Hon Jacquie Petrusma MP

- Minister for Parks
- Minister for Police, Fire and Emergency Management
- Minister for the Prevention of Family Violence

Hon Guy Barnett MP

- Minister for Primary Industries and Water
- Minister for Resources
- Minister for Trade
- Minister for Veterans' Affairs
- Minister for Energy and Emissions Reduction

Hon Roger Jaensch MP

- Minister for Aboriginal Affairs
- Minister for State Growth
- Minister for Skills, Training, and Workforce Growth
- Minister for Environment
- Minister for Education, Children and Youth.

## **COMMITTEE MEMBERSHIP**

### **Government Administration Committee A Government Administration Committee B**

**Ms FORREST** (Murchison)(by leave) - Mr President, I move -

That the following revised ministerial portfolios be allocated to the Legislative Council Government Administration Committees A and B.

This is as a result of a ministerial portfolio changes.

Committee A:

- I. Premier
- II. Treasurer
- III. Minister for Climate Change
- IV. Minister for Tourism

- V. Deputy Premier
- VI. Minister for Health
- VII. Minister for Mental Health and Wellbeing
- VIII. Minister for Advanced Manufacturing and Defence Industries
- IX. Minister for Local Government and Planning
- X. Minister for Infrastructure and Transport
- XI. Minister for Finance
- XII. Minister for State Development, Construction and Housing
- XIII. Minister for Parks
- XIV. Minister for Police, Fire and Emergency Management
- XV. Minister for the Prevention of Family Violence
- XVI. Minister for Sport and Recreation
- XVII. Minister for Community Services and Development
- XVIII. Minister for Heritage
- XIX. Minister for Science and Technology

Committee B:

- I. Attorney-General
- II. Minister for Justice
- III. Minister for Corrections
- IV. Minister for Workplace Safety and Consumer Affairs
- V. Minister for the Arts
- VI. Minister for Small Business
- VII. Minister for Hospitality and Events
- VIII. Minister for Women
- IX. Minister for Racing
- X. Minister for Disability Services
- XI. Minister for Primary Industries and Water
- XII. Minister for Energy and Emissions Reduction
- XIII. Minister for Resources
- XIV. Minister for Veterans Affairs
- XV. Minister for Trade
- XVI. Minister for Aboriginal Affairs
- XVII. Minister for State Growth
- XVIII. Minister for Education, Children and Youth
- XIX. Minister for Skills, Training and Workforce Growth
- XX. Minister for Environment

**Motion agreed to.**

**LEAVE OF ABSENCE**

**Member for Prosser - Ms Howlett**

[11.12 a.m.]

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

That the Honourable Member for Prosser, Ms Howlett, be granted leave of absence from the service of the Council for this week's sitting.

**Motion agreed to.**

## **MOTION**

### **Sitting Times**

[11.13 a.m.]

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

That for the period commencing on and from this day through to and including Wednesday 22 June 2022, whenever the Council is sitting at 4 p.m. on Tuesday and Wednesday, the sitting will be suspended for 30 minutes.

I would like to speak to that motion. This motion comes from the President's office and some members have been spoken to about this. This is to provide a relief for Independent members in the afternoon, if they need a break. I know we are party people and can do a little bit of shuffling.

I do not have any issue with this but I remind members we may have to work later on those nights to make up for the 30 minutes. I have done the timings and we do need a little bit of extra time, so be aware of that.

It is still my intention on Thursdays, for members travelling north, to try to finish at about 6 p.m. or 7 p.m. Bear that in mind before you make your decisions but we will not be opposing that and probably welcome it. Thank you.

**Motion agreed to.**

## **RECOGNITION OF VISITORS**

**Mr PRESIDENT** - Honourable members, before we move on with our day's business, I personally welcome, for their first sitting in Parliament, Stewart and Renley Forrest joining us in the President's Reserve, to see what their grandma, Ruth, gets up to when she is in the Chamber. And, of course, being ably attended there by Rob Woolley who is a regular visitor to our Chamber.

## **STATEMENT BY PRESIDENT**

### **New Staff Members**

**Mr PRESIDENT** - I also formally and warmly welcome the new staff of the Legislative Council you can also see sitting in the President's Reserve, Simon Scott and Kurt Joyce.

Simon commenced in the role of committee secretary on Monday 7 February. Among other duties, Simon is undertaking the role of Secretary to the Parliamentary Standing

Committee of Public Accounts. Simon has qualifications in law, management and applied corporate governance and is a graduate of the Australian Institute of Company Directors.

He has a wealth of experience in the public sector at local, state and federal level. Simon was previously employed by the Tasmanian Audit Office as Senior Manager, Corporate Services and Strategy and brings a solid understanding of public sector finance and administration to his role as committee secretary.

Kurt has been appointed electorate officer to the member for Nelson. He commenced his role on 28 February. Kurt has a Bachelor of Business in Marketing. He completed his studies in 2019 and has worked for Carers Tasmania, Enterprise Centres Tasmania and most recently Catholic Education Tasmania. He has strong communication, administrative and community engagement skills, which he brings to the role.

On behalf of all the members of the Legislative Council, I am sure they will be thrilled by both your appointments and we welcome you to the service of the Legislative Council and hope that you have long and successful careers with us.

**Members** - Hear, hear.

## **SPECIAL INTEREST MATTERS**

### **The Low Head Pilot Station Museum**

[11.16 a.m.]

**Mr DUGAN** (Windermere) - Mr President, it is lovely to be back and it was a good break. It is my pleasure to speak about one of our great volunteer organisations today, an organisation that looks after an important slice of Tasmania's maritime history. It is an organisation that I am pleased to say has been recently recognised for the value it brings to the state and the George Town, Low Head region more particularly. The organisation is the Low Head Pilot Station Museum.

It is a collection of buildings and artefacts that can trace its heritage to the very early 1800s, but just as importantly as that, it is an organisation of 40-plus volunteers who bring that history to life. If you have not been, the Low Head Pilot Station Museum is on the site of Australia's oldest continually operating pilot station, with operations stretching back to 1807. It is a collection of heritage maritime buildings, Norfolk pines, set around a central green, an area where I am told the pilot used to graze his cattle, which is a nice idea. There are stories of sealers, of whalers and of pirates and of course, the evolving story of shipping on the Tamar River as Launceston became a busy and vibrant port.

One of the headline acts of the museum up the road at the Low Head Lighthouse is the Low Head foghorn. Originally installed in 1929 and restored in 2000, it is thought to be the only operational one of its type in the world and at 12 noon, every Sunday, the volunteers let it rip and the sound can be heard up to 30 kilometres away. It is apparently 126 decibels in volume, which is a lot, and the sound has been likened to the roar of 1000 elephants. Because of an old family connection, I have had an anecdotal knowledge and a bit of a soft spot for the pilot station museum, in particular the wireless station building. It is the place where the first electronic messages passed between Tasmania and the mainland and if you pause to think about

the volume of electronic traffic that passes between us now, and how heavily we rely on the passing of that data - last Thursday, was it, is a good case in point with that disruption. It is remarkable to think that it all began with a few dots and dashes of Morse code. I did look up what the first message was and it is a bit dry, so I will not bother repeating it.

As I say, I was peripherally aware of the museum and its contribution to the visitor experience at Low Head. I was very pleased late last year when the George Town Chamber of Commerce held its business excellence awards and in the tourism category the Low Head Pilot Station Museum got the gong. The award was well deserved and as I found out, was not the only award being bestowed on the museum and its team of people. As mentioned, the museum is an all-volunteer affair. More than 40 people giving their time to meet and greet visitors, to tend the grounds and maintain the buildings. It is not one of those attractions that only opens for a couple of hours on the weekend. This is 10 a.m. until 4 p.m., seven days a week, 364 days of the year. The museum is not open Christmas Day.

For the past 20 years, Rita Miller has been a museum staple: front desk, meet and greet, tour guide, occasional broom pusher, whatever needs to be done. Rita was involved in the clean-up of the *Iron Baron* oil spill. She even wrote a popular children's book about the incident. I am pleased to report in December last year, Rita was recognised as municipal volunteer of the year and, at 93 years of age, that is a fair effort.

At 86, Don Heather is a relative spring chicken and another of the museum volunteers. Don has given his time to a huge range of groups in the area: Probus, Scouts, the senior citizens club and, for the past 12 years, the museum. Don's work life included a stint as senior fireman on the steam-driven *Ponrabbell II* bucket dredge that operated up and down the Tamar for 50 years. He was pivotal in the restoration of one of the old barge's engines you can watch operating on most Wednesday afternoons. In January, Don was awarded George Town Council's Australia Day Citizen of the Year. I add my congratulations and thanks to Don, to Rita, and to the volunteer staff of the Low Head Pilot Station Museum. If you find yourself in that beautiful part of the world, do drop in. They would love to see you.

### **Summerdale Primary School - Wall of Fame**

[11.21 a.m.]

**Ms PALMER** (Rosevears) - Mr President, a simple question to ask to start my special interest matter: what do a reality TV star and radio presenter, a CEO and dynamic advocate for all-ability sport and a lieutenant commander in the Royal Australian Navy have in common? It is not a joke, all three were students at Summerdale Primary School and now all three grace the school wall of fame.

Last year, I was contacted by Principal Adam Eastley and asked if I would be the community representative on the selection committee. Chaired by Principal Eastley, the committee members were Assistant Principal Toby O'Connor, Andrea Moir, Tina Lockhart, Bec Spencer, and myself. We met, and were all presented with a number of nominations for us to have a look at and have a chat about.

One was Belinda Kitto, nee Hanson. Belinda graduated from primary school in 1992 and went on to become the CEO of New Horizons Tasmania, providing sport, recreation, and social opportunities for Tasmanians with disabilities of all ages. Her achievements are beyond



notable. National and state coach for Special Olympics Australia, Tasmanian Local Hero finalist in the Australian of the Year Awards, Australia Day Young Citizen Award, and graduate of the Tasmanian Community Leaders program. But if you ask Belinda of her achievements, she is most likely to tell you of one of her clients making the National Cricket Inclusion Championships. With the introduction of the National Disability Insurance Scheme and a change in how disability services are funded, this became very difficult for New Horizons. Belinda has spent the last two years lobbying well beyond what her job description warrants to ensure adults with disabilities have every opportunity to play any sport or participate in any recreational activity they want.

Some years later, Summerdale Primary School farewelled another grade 6 student: Jane Trustum, nee Stephens. I wonder if the then-12-year-old imagined what adventures her life would bring. Over 18 years of service to the Royal Australian Navy, Jane achieved the rank of lieutenant commander. There are more achievements I can add to that, Mr President. Chief of Joint Operations Group Commendation, Chief of Navy Gold Commendation, Australian Operational Service Medal - Border Protection, Australian Defence Medal, Defence Long Service Medal. It is quite an impressive resume, and a story of great achievement for the little girl who graduated in 1996.

From the wide-open seas, we head to the stage in a spot of reality TV. Matthew Garwood became the star of a hit show, *The Voice*. He spun the chair at Ricky Martin and quickly became known as 'the Tattooed Tenor'. The combination of his raw talent and his body art reached out to thousands across Australia, with the success of his album *The Tattooed Tenor* hitting the charts. He has starred in numerous theatre productions, winning Best Lead Performer at the Tasmanian Theatre Awards and is also a very popular radio broadcaster. While you may think his greatest gift is that of his voice, it is very well known in our community it is his generous heart that maketh the man. He is a huge supporter of many charities and was last year's musical director of the Launceston Carols by Candlelight, raising funds for *The Examiner* Empty Stocking Appeal and the families of Hillcrest Primary School.

While it is indeed a great honour for your old primary school to recognise its former students in this way, it also speaks volumes to the current students of Summerdale. It reinforces to them every time they walk past the images and the stories of these three outstanding Tasmanians that they too can sail the high seas, be a leading advocate for people with disabilities, or take on the world with their talent. I congratulate Belinda, Jane and Matthew on this wonderful achievement and thank them not only for what they have done but what they continue to do with their lives in our community. I also congratulate Summerdale Primary School on this wonderful initiative, which draws our community closer together and allows us all to share in the pride that we feel, for students both past and present at this fantastic primary school.

### **Burnie Stringalong Orchestra**

[11.26 a.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I would like to talk today about the Burnie Stringalong, the Cradle Coast Strings Outreach Program. Now in its 14<sup>th</sup> year, this unique music education program continues to offer significant opportunities for young people in Burnie.

The genre of string playing - the violin, viola, cello, and double bass - is very specialised, and while students in Hobart and Launceston - mainly in independent schools - have access to learning, there was nothing in the Burnie area until Stringalong commenced at the Havenview Primary School in 2007. In 2021, the program operated in Havenview, Montello, and Romaine Park primary schools and Parklands High School. At the beginning of the year, a total of 100 students received group teaching and ensemble experience with expert tuition from Josie Riches, who has been directing it for 12 years now.

The Tasmanian Community Fund sponsored the program from 2007 to 2011, and subsequently each of the three primary schools and Parklands High School have paid the annual cost for the teaching program. Each school has its own bank of instruments, which are available for a very reasonable hire fee or loan, if that is the preferred option for the family. Josie visits on a weekly basis with a negotiated timetable.

The weekly extension program has continued to operate on Thursdays after school, known as the Burnie Stringalong Orchestra, the BSO. This ensemble has developed substantially and afforded many of our serious students the opportunity for significant development and continues to do so in 2021. Performances at the Burnie City Eisteddfod and a Tasmanian Symphony Orchestra workshop for Ten Days on the Island, Burnie Child and Family Centre at Acton for the 10<sup>th</sup> anniversary, and subsequent performances at the end of year tour to our regular primaries and Ridgley Primary as well have all been very successful.

In October 2021 an outstanding weekend workshop was held with the TSO tutor William Newbery, and was thoroughly enjoyed by all of the BSO players, and it is hoped to make it an annual event. Another opportunity for personal extension was afforded by attendance at a week-long 2021 annual residential summer string camp at Camp Clayton in Ulverstone.

Understandably an expensive option not really affordable for some families, the Stringalong group was lucky to again receive the support from the Winifred Booth Trust Fund from Launceston, to the tune of \$4000, enabling eight of their students to access the opportunity for \$300 as opposed to \$890.

The Stringalong group's substantial program was also supported by in-kind support from Parklands High School by the use of its performing arts centre for rehearsal space and secure storage, also from the Department of Education a \$5000 payment for Josie's directorship of the Burnie Stringalong Orchestra activities, and from the Burnie City Council insurance premiums, tour bus costs and instrument and tutor book purchases. Also, The Duck House, which is an accommodation provider, gave reduced costs for two nights accommodation for Will Newbery from the TSO. There was also some income from the Bunnings sausage sizzle of \$700.

A very exciting addition to the program in 2021 was the involvement of several alumni members. So, there were Bradley Martin, Victoria Hall, and Madeline Clarke, who are all locally based now, and regular members of the Cradle Coast Orchestra, as well as assisting with tutoring at Burnie Stringalong Orchestra.

Rex Guest, one of the original players, from grade 3 at Havenview, has just completed his Bachelor of Music at the Conservatorium of Music, and he teaches in Hobart. He has been invited to audition for the Tasmanian Symphony Orchestra. Very exciting.

The Burnie Stringalong Program is highly regarded throughout the state and continues to be capably managed by volunteers. My thanks to Leanne Raw, who is the program manager, Tony Moore, who is the treasurer. He is a retired accountant, that is handy. Josie Riches, who is the paid string teacher, and of course, Lynne Price who is the volunteer program coordinator.

Congratulations to them, Mr President.

### **Gill James AM - Tribute**

[11.31 a.m.]

**Ms ARMITAGE** (Launceston) - Mr President, on International Women's Day, I speak about a dear friend of mine, and one of our female political pioneers in Tasmania, a woman who spent much of her life serving others, and doing what is right, particularly for our veterans.

I speak about Gill James AM, who was a Labor member for Bass from 1976 to 1989 in the House of Assembly. After a sabbatical from politics, Gill went on to be re-elected as a Labor member for Bass and served from 1992 to 2002, dedicating an impressive 23 years of her life to the people of Bass and their interests.

This makes Gill the longest serving woman member of the House of Assembly since women won the right to stand for parliament in 1921. Gill remains a stalwart of our community and continues to work in our community but I want to give a brief overview of her time before, during and after serving in parliament.

Gill was born in Launceston in 1934, and was educated at St Helens Primary School and then Launceston State High School. In 1961 she married and had one son, named Ken. In 1986, reports to *The Examiner* newspaper stated that:

Gill has been regarded as one of the state's best grass-roots politicians and despite coming from a family of Liberals, formed her own Labor-aligned views during her secondary education, going off to work for Labor senator, Justin O'Byrne, shortly after leaving school.

Not too long after having her son, Gill was asked to work for the deputy prime minister, Lance Barnard, for what was only meant to be a short time, in 1962. What started out as a three-week period turned into 13 years. Gill was with the deputy prime minister until his departure from politics in 1975, a precipitous event that had huge political implications of its own for prime minister, Gough Whitlam.

During Gill's time working for Lance she became highly experienced in dealing with war veterans, war widows or widowers, and other returned servicemen, to help them get war pensions. Having a husband and brother who had done their national service and a stepfather who was an ex-army man, Gill had a good idea of the issues our servicemen faced.

Lance remarried, and with his second wife, Jill Cant, the daughter of Senator Harry Cant, of Western Australia, adopted two Vietnamese orphans, Amanda, who died as an infant, and Jacqueline. Gill recalls that it was like working with one big family in the office. This became Gill's inroad into the world of our Vietnam veterans.

Gill's work in this area snowballed and she since handled thousands of those cases, and continued to work with these communities long after her political career came to a close. A deeply committed grassroots advocate for local communities in the Bass electorate.

Gill dedicated her time and effort to working with anyone and everyone. Naturally, Gill is a life member of the Vietnam Veterans' Association, has been patron of the Tasmanian Chapter of the Vietnam Veterans' Motorcycle Club, Launceston Art Society, and the Northern Tasmanian Netball Association, amongst many, many other organisations. Importantly, Gill also helped establish Launceston's first shelter for homeless men during the 1980s. Gill even spent time as patron of the Pigeon Fanciers Group but now sees more of the pigeons than the fanciers themselves, she says.

Gill became known as 'Mrs Fix-it', and got referrals for veterans from lawyers and doctors around town to help with their welfare matters. This direct contact with people in the community helped inform Gill's views on what should be being done by those in power, and in parliament.

Her hard work at the coalface, getting positive outcomes for the people who needed them, made her a force to be reckoned with. Quiet, unassuming, not necessarily high-profile but very well loved.

Gill holds some records from her time in parliament. As I mentioned earlier, this means that she is the longest serving woman member of the House of Assembly since women won the right to stand for parliament in 1921. She was also the first woman to be appointed as a cabinet minister for Tasmania, holding the portfolios of public and mental health, consumer affairs and administrative services. She held a range of party and committee positions within parliament, including that of whip, chair of the PLP and deputy chair of committees. In 1990, Gill was named as a Member of the Order of Australia and was granted the right to use the title 'Honourable' for life in April 1997. In 2005, Gill was inducted into the Honour Roll of Women.

On this International Womens Day, I pay tribute to Gill, thank her for all the work she has done to pave the way for women in public life, myself included, and, most importantly, acknowledge the hard work that she has done for those in the community and the difference she has made in the lives of so many, especially our veterans.

**Members** - Hear, hear.

### **Northbourne Park Retirement Village**

[11.36 a.m.]

**Ms RATTRAY** (McIntyre) - Mr President, I acknowledge Gill James and thank the member for Launceston for reminding us of the work Gill James has done, particularly paving the way for women to enter this parliament. So, thank you.

My contribution today is around the Northbourne Park expansion, an expansion that is 50 years in the making so it is certainly a long time coming. For anyone who knows the north-east, the Northbourne Park is an aged care residential community area. It has been revamped so it is now the Northbourne Park Retirement Village and it has unveiled its stage 2. There have been iterations over many years but this is a \$30 million development and it is

mirroring the current capacity of 68 villas on five hectares of new land. The project has been made possible with \$2.6 million funding split equally between the state and federal governments, so congratulations to both those arms of government.

Depending on where you start counting, Northbourne itself has also contributed around \$750 000, including the purchasing of a house off George St to make a very nice two-way entrance - 'grand', they are calling it - known as Peggy Parade. On the day of the opening of stage 2, where there is one villa - we might refer to them as houses but in this complex they are called villas - the land donated by the Farquhar family was talked about. It was their land and three of the daughters of Bert and Peggy Farquhar were there on the day. Really, it comes down to the generosity of Sue, Jeannie, Mary and Helen. And if John, their brother, was still with us, I feel sure that he would have been supportive of gifting that land to the Northbourne community for the north-east community to be able to build this wonderful stage 2 of the Northbourne Park Retirement Village.

It was great to see three of the Farquhar girls there on the day. Northbourne Park board chairman Robin Thompson talked about that generosity and I certainly endorse that generosity.

He also talked about the fact that this would be an opportunity to have infrastructure in to support the first 18 villas. We could see the first villa, although we were not able to go through it because it is somebody's home and they would have needed to have welcomed us. There were thanks for the civil contractor, Vaughn Cain, and his hardworking guys who worked on the infrastructure, roads and putting in the services. There was also an acknowledgement of local builder David Crack and his employee Ben Brown, who had worked on that first home and have a contract to build the next six homes over the course of two years.

What happens is that you build the home that you want - they have a selection of drawings and you build the home you want. It is on a 49-year lease with the ease of picking out a design and basically having the builder ready to start. Not sure how the products for building are going at the moment but they are there ready and you just choose the style you like most. As time passes and you no longer require it or the family decides if somebody passes they want to resell, then Northborne buys back the home while always owning the land.

We know with the growth of retirement villages comes the prospect of new jobs and that is a huge positive flow-on in this case to the Dorset community. It is suggested every six residents in retirement villages employs one person and it is certainly something to look forward to for the Dorset and north-east community.

In collaboration with the opening, a special recognition for Alf Dent and his contribution to the Northbourne Park community over many years. Alf Dent joined the board in 1976 and was awarded a life membership. However, Mr Dent passed away before he could be thanked and it was very fitting Mr Dent's daughter Carol Veil and her husband were there to accept that honour. Mr Dent was the treasurer and from all accounts a very good treasurer for many years. That helps any organisation and particularly a community organisation, so it was a wonderful opportunity to acknowledge and thank Alf Dent's work on behalf of the community on that day.

The Premier, the federal member and all manner of dignitaries were there but it was also great to see so many of the local community. The Northbourne board have residents from the current Northbourne Park Association and community members all involved. One person who

was buzzing around and I want to say a special thank you to is Donna Roach. Donna is part of the Northbourne community - Northbourne Park - she does the day-to-day bits and bobs that we all know are very valuable to any organisation. She looks after anything - if you have a leaking tap or you need something doing then Donna organises it and she also helps put people into the Northbourne community. Thank you very much, Donna, for the work you continue to do - she is the go-to person.

A sincere thank you to Robin Thompson as chairman and his board who admirably support Northbourne Park and certainly, the retirement village, as it expands into the next phase. I know the second home is being built as we speak and there will be at least four more new houses over the coming months. We look forward to seeing what they look like and who chooses what. It is a great initiative. Thank you again to the state and federal governments for their funding and the north-east community for their continued advocacy for this wonderful facility.

## **CONDOLENCE MOTION**

### **Hillcrest Primary School**

[11.44 a.m.]

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

This this House:

- (1) Expresses its deep sadness of the death of Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart, whose lives were lost following the incident that took place at Hillcrest Primary School 16 December 2021.
- (2) Acknowledges the children who were significantly injured during the incident, including Declean Brown and Beau Medcraft, and that we wish them a speedy recovery.
- (3) Respectfully tenders its heartfelt sympathies to the families and friends of these children in their bereavement and extends our best wishes to the community.
- (4) Expresses its heartfelt thanks to the first responders, teachers and school-based staff, health professionals and all those who have been impacted by the incident that took place on 16 December 2021.
- (5) Acknowledges those who are continuing to support the families, friends, and community as part of their ongoing recovery.

Mr President, on the 16 December 2021, I remember where I was. I remember being on the road to Launceston for my home near Penguin, I remember seeing and hearing our first responders on the highway. The further east I travelled, still more responders heading in the

direction of Devonport. I remember thinking, 'this doesn't look good.' And indeed, it was not good at all, a tragedy was unfolding at the Hillcrest Primary School.

Our hearts broke as the tragic circumstances became known. Even though I have lost a child, none of us will ever be able to comprehend or understand how these parents and their broader families and friends felt. To the family and carers of the six children who tragically passed away that day, we give our deepest and most sincere condolences for the loss of Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart. Mr President, today we honour and remember the six young lives lost and the children who were injured. Our condolences go to the families, and those who are affected by this event. These children will be forever remembered and their families will need support for many years to come.

We also acknowledge the first responders who had to attend this tragic occasion: the teachers, carers and all those who witnessed it unfold our thoughts and deepest condolences are with them. I say to the Hillcrest community - and in particular the families of the children who passed away or that were injured on this day - it is our commitment we will continue to have you in our thoughts. We will offer you our support, and we in the Legislative Council of Tasmania send you our deepest condolences for your loss.

[11.47 a.m.]

**Mr GAFFNEY** (Mersey) - Mr President, very rarely do I stand in this place and right from the start of my speech realise that whatever I say - the words and phrases I put together - will be largely inadequate. Very rarely in this place do I stand wishing that I and other members of parliament in both Chambers do not need to speak these words, wishing so very much, like many other Tasmanians and mainland Australians, that the tragic event which caused the death of six children and injured three of their mates did not occur. I suspect that every member who speaks here today does so with a heavy heart, a dry throat, moist eyes and a profound sadness. A parent's and a community's worst nightmare is when a child is hurt, let alone when nine children are hurt and six of those die. There are no words to express or capture the feelings of the parents, the families, close friends, and school staff who will always remember 16 December 2021. Nor will the bystanders, first responders, school personnel and hospital staff ever forget that day.

A day which should have been one of joy and excitement was actually one of trauma and tragedy. I have two vivid memories of where I was when I received news of two other previous tragedies - that is Port Arthur and New York - and now I have a third memory which will last. A phone call from the Premier's staff informing me of the Hillcrest situation as the day unfurled, and more and more news came to light. Many people in Devonport and across Tasmania will remember where they were at that very moment, the time and the place and how they felt when they heard about the Hillcrest Primary tragedy. I remember the meeting, the room, the phone call and my feeling of utter disbelief and helplessness. The loss of the lives of schoolmates, Peter, Chace, Jalailah, Zane, Jye, and Addison, and Declean and Beau were two of the injured. The tragic circumstance of their deaths and injuries have impacted on their classmates, their school buddies, the Hillcrest community and that day and moment will be etched forever into many of those young minds.

We in this place cannot truly appreciate nor fathom the sense of loss, the hurt and the pain and we will never truly understand the rhyme or reason for its occurrence. All we can do is express great sadness and sorrow in this parliament, recognising and acknowledging the hurt,

and hoping that in some small way our speeches echo those names in this place, and reinforce that all people are important and should be remembered, especially those taken so young.

This hurt was felt deeply across our community, Tasmania, Australia and the world. The hundreds of thousands of people who were shocked and overwhelmed by the event cannot and will not let it be forgotten. The concern was so clearly evident on Friday 31 December where community members, young and old gathered to assist with the careful and respectful removal of the tributes from the front of the school.

As I was speaking I watched the neighbours of Hillcrest Primary School come out of their houses to assist and no doubt the impact of the tragedy and the tributes will ever be in their memory. It was a subdued and connected crowd that lined the footpath and surrounds, all there to show their emotional support. Two large trucks were carefully and lovingly loaded with flowers and plants and wreaths. A huge van was filled with cards, photos, basketballs, balloons and candles, teddy bears, photographs, angels, poems, sparkling stars, handwritten personal letters, soccer balls, cuddly toys and even a signed skateboard acknowledging a lost mate.

Professional staff and caring volunteers were on hand to assist those grieving. Because it was being held on New Year's Eve I asked those gathered if they would like to assist the SES in ensuring all tributes were gathered. Mr President, I do not think one person left until every flower, every card, every tribute was off the ground, both in recognition of the occasion and also the desire to help the SES, the police department and other staff who were there, and they could not help but be impacted by this event.

I recall when on family Easter gatherings up at the lakes my nieces and nephews would not go to bed until uncle Mikey told them a story. Next to the outdoor fire, we would lay on our backs on the ground in a circle looking up at the sky. I would often tell magical stories, including at times the twinkling stars being like diamonds and each sibling having their very own guardian angel looking down to protect over them.

Hillcrest Primary School now has six of its very own guardian angels, caught in a moment of time and remembered forever, looking down and looking after all of the students and staff who will walk through the doors of Hillcrest Primary School, always remembered.

[11.53 a.m.]

**Ms FORREST** (Murchison) - Mr President, I acknowledge the very sincere contributions made before me.

In speaking to this motion, I express my deep sadness and offer my heartfelt condolences to the families of the six precious children whose lives were lost following the incident that took place at Hillcrest Primary School on 16 December 2021.

I note words can seem totally inadequate to express the enormity of the loss experienced by the families, friends, school and broader community on that tragic day. These six children, still at the beginning of life's journey, Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart were taken too soon from their loved ones. They will always remain a special part of the Hillcrest and north-west community. I also acknowledge the children who were significantly injured during the incident as well, including Declean Brown



and Beau Medcraft and wish them a speedy recovery from what has been a devastating ordeal and a difficult time for them and their families.

At the time I saw the news I was actually attending an end-of-year school celebration and as I read in shock and disbelief that such an incident was unfolding I found it impossible to really grasp what was happening. As other members have said, I can clearly recall where I was when I heard the news and where I was on the road to Hobart as the news continued to unfold at each point. There were no words, only deep sadness and shock, as I thought about the families and the school community, the first responders and others directly impacted.

Right across the state, the country and throughout the world people were deeply shocked by the tragic incident at Hillcrest Primary School. Messages were indeed received from around the world as the news came through. All of us were shocked and deeply saddened by what we were hearing. I personally found it almost impossible to believe what I was hearing and simply could not imagine the deep anguish and deep, deep sorrow that would be experienced by the families and those directly impacted at the time of this tragic event.

Losing your child must be one of the most dreaded and most shattering of life's experiences. My heart literally ached and continues to ache for those who lost a child in this tragedy. I simply cannot imagine or comprehend the pain and deep anguish all families and friends of these young children must have and continue to experience.

I respectfully offer my heartfelt sympathy to those families and friends of these children in their bereavement and the many people who have been deeply affected. I also add my heartfelt thanks and deep respect to the first responders, teachers and school-based staff and health professionals and all those who have been impacted by this incident that took place on 16 December 2021. I know the impact on these people will be lifelong. It will never leave them. It is clear the whole community has been deeply impacted by this tragedy and I extend my thoughts and support to the community as each member of the community individually and collectively begins and continues through the long process of healing and ongoing recovery.

I acknowledge those who continue to support and assist these families who were impacted and the school community, knowing that this work will continue well into the future. I stand with the Government in their commitment to the Hillcrest community and in particular to the families of the children who passed away and who were injured in this tragedy as collectively we continue to provide the support they need and will continue to need.

In closing I say to the children on the long road to recovery my thoughts are with you and I wish you a speedy and full recovery. To the families and carers of the six children who tragically passed away that day I acknowledge your deep and lasting grief and sorrow. I want you to know that these young lives full of potential taken too soon will not be forgotten. These precious children - Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart - will also remain in our hearts.

[11.57 a.m.]

**Mr WILLIE** (Elwick) - Mr President, I rise to speak in support of the Hillcrest families and their community on behalf of Tasmanian Labor MLCs. The tragedy on 16 December 2021 impacted the state of Tasmania deeply and today the Legislative Council will reflect and pay our respects. Whilst no-one in this Chamber or in the broader community will ever fully comprehend what was experienced that day and the days that followed by the children at

Hillcrest, the parents, carers, extended families and community, we can share our condolences for such an incomprehensible loss. We honour the six children - Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart - who lost their lives at such a young age. Their memory will live on and this parliament is united to share their stories and ensure they are remembered.

I also want to say to the three children including Declean Brown and Beau Medcraft who were injured you are constantly in my thoughts, to the three children recovering and their families my heart breaks for you and I wish you well in the journey ahead. I know the Opposition leader has written to the school association and the principal but if there is anything I can personally do to support you please reach out and I will be there to walk beside you.

I would also like to take a moment to acknowledge the first responders, firstly the police. I saw that image and it told a thousand words. I know police will carry this for many years to come. To the ambulance officers I salute you, I honestly do not know how you do your jobs and live normal lives. To the teachers and school-based staff trying to work your way through this and continue the important work making a difference through education I say thank you. Keep going, we are with you. To the bystanders and the community members who responded with courage, can I say thank you for your humanity and strength.

I lost my brother suddenly when he was 13. I was 15 at the time. To this day, I find it incredibly difficult to talk about, and when I do, I re-traumatise myself. But today is one of those few days where I want to speak about my loss, and with the advice of the chief psychiatrist, I will do so in the hope that it will help the families, and in particular the siblings who have lost a brother or a sister. I know there were people who had lost children who were able to give my family reassurance that while the path through grief is a hard slog, you can find happiness enjoying life. My family's loss impacted us in so many ways. I understand waking each day to the relentless pain of grief, but I also want to say it is a journey, and as time passes you learn to find a place for the grief and it does not consume each day. You learn to walk beside it and find joy and meaning in your life again. Even in the grips of grief it is important to find a moment in each of those days to give hope, a friend, a pet, a garden, a walk, but I do not pretend it is easy, even now. For example, following the Hillcrest tragedy, I experienced flashbacks and poor sleep.

But these days, I accept it as part of my life's journey. I have learnt that at these times, I need to make a little more effort to focus on the moment in front of me, and the things that give meaning to your life. I want to say to the siblings who have lost a brother or a sister, we all process grief differently, but I know some of the questions you may ask yourselves as a consequence of your loss. I often found it hard to be kind to myself and live life to the full. The journey ahead is not easy and you will be surprised in the ways this loss will affect you, but I want to make it clear, you can find joy again. It is a journey that led me to the Legislative Council. I think it is important to say, at times, I was very lost, but looking back, I can see it is these moments that help me grow and find meaning and purpose in my life. I am here now because of the experience I had, and I often tell myself my brother Jonathan would be proud of me and the person I have become. He would want me to live a happy life.

Hillcrest community, I realised as I watched your tragedy unfold, I was walking in different sets of shoes, trying to understand an incomprehensible tragedy. I naturally thought of the siblings. I want to give you my love and support. I do not think you can have a similar trauma of your own and not draw on that experience. Parents, I was thinking about you. I used

to see the pain of grief etched into my parents' faces. I offer my love and support. Friends of families affected, I was thinking about you. I know how important my friends were to me in my time of loss. They are still with me today and I thank them for their lifelong support. To the friends of the Hillcrest families, you have an important role in their healing. I offer you my love and support.

I am a former primary school teacher. I could not stop thinking about how I would feel being witness to such a tragedy. Teachers and support staff, I imagine walking in your shoes. Teachers and support staff care so much for kids. I am sorry for your loss. I offer you my love and support too.

And here I am, shadow minister for education, and I felt for the minister and the Department of Education in the midst of such a huge tragedy and the huge responsibility they have in helping the school community heal. Healing is going to take a long time. It is my commitment to the Hillcrest Primary School community to walk beside you and to offer my support if you need me. To the whole Hillcrest community, I offer my heartfelt condolences for your loss.

[12.05 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I, too, rise to pay tribute to those children who tragically died on that fateful day in December last year, just nine days before Christmas. Such an absolute tragedy. I acknowledge the deep grief that their families and friends and those present on that day will have experienced. It is really hard to fully imagine.

The children who lost their lives on that day were Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart. Yes, their names have been repeated a number of times today and probably will be in other speeches, and will no doubt go on being repeated well into the future. They will not be forgotten. They will be repeated as their special characters come to mind and perhaps the moments being recognised when they may have earned that special nickname or something special they may have done that set them apart.

Words really are not enough to describe how the parents, families, friends and schoolmates of those children must be feeling as a result of the events on that day, the daily routines that will no longer be the same without them there, whether it be at home, at school, in the sports team, playing their favourite game or with a friend or two at the beach.

We want you all to know that, while we may never know or fully understand what you are going through, we stand with you, not only now but in the months and years to come, as you try to come to terms with the death of that special person in your life.

I, too, acknowledge those who were significantly injured on that day, those who had the trauma of realising that they had come so close to losing their lives. My heart goes out to them and their families today, including Declean Brown and Beau Medcraft. You are in our thoughts as you work to recover from your injuries. Your strength in all of this, under such difficult circumstances, must be amazing.

To the teachers and school staff who were there on that day, the stress you must have experienced as the reality of the situation unfolded is very difficult to imagine. You are also very much in our thoughts, not only now but into the future as well.

I am sure my colleagues in this Chamber will join me in acknowledging the actions of the first responders, whether those without any form of training for such an unfolding event - who may have just happened to be in the vicinity - or the trained police and paramedics, all who had to cope with the events on that day. Thank you for what you did, the comfort you were able to provide to those who looked to you on that day for assistance in that all-important first aid. I am sure we all understand that, trained or not, there would have been feelings of trauma and distress that accompanied the role you played on that day. I wish you every strength as you work to come to terms with that over time. We are so thankful for your service.

In closing, to those who are injured and their families, to Declean and Beau, we are with you on your journey to recovery. For the family and friends of Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart, our love and support is with you. It is with you all as you try to cope without those special people by your side and in your lives ahead.

[12.08 pm]

**Ms WEBB** (Nelson) - Mr President, I rise to join my colleagues in supporting this motion and expressing my deep condolences to the families of the children whose lives were lost in the tragic incident at Hillcrest Primary School in Devonport on 16 December 2021.

This is a time where no matter how hard we search for them, words will never be enough to convey our thoughts and feelings. The events of that day have left an indelible mark, an unthinkable depth of pain and sorrow, that must be felt by the families of the children who lost their lives and by so many throughout the Hillcrest community, throughout our state and by those loved ones who are outside Tasmania.

Where words fail us, please know that the love and care in our hearts knows no bounds. We cannot take away the pain of this loss. Please know that all of us will continue to hold you in our hearts, our thoughts and our arms. Together we mourn the loss with you. Six precious Tassie kids: Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart. We honour their lives, today and into the future. We know their memory will be cherished by so many and that their loss will be felt forever.

I also acknowledge today the children who were significantly injured during this incident, including Declean Brown and Beau Medcraft. We hold them and their families in our thoughts and hearts, and wish them well for a speedy recovery.

I also acknowledge the first responders, the teachers and school-based staff, the health professionals and the community members who responded on the day of the tragedy with bravery, strength and care. Thank you to all those who acted in response and provided support through an unthinkable set of circumstances. No doubt it has taken a toll on all of you. I hope you have been comforted and supported, and will continue to be so.

I pay tribute to the extraordinarily close-knit community of the north-west, where we have seen such a sharing of grief and a rallying of support. I acknowledge those who continue to support the families, friends and community through these difficult times. Again, I offer my deepest condolences and extend my love and support to the families, their loved ones, the students, the staff and the Hillcrest community who have been touched by this tragedy.

[12.12 p.m.]

**Ms ARMITAGE** (Launceston) - Mr President, I rise in support of the motion and with deep sadness for this terrible tragedy that was felt across the world. As a mother, my heart broke when I heard the news. I do not believe we could ever fully appreciate or understand what the families and the loved ones of these children must feel. The grief attached to the loss of six young lives would be all-consuming. Tragedy on this scale cannot be assigned meaning and it can never be explained. I know it must be torturous to the families and the loved ones of the children who are no longer with us.

I do not personally know the people who have been so closely touched by this heartbreak but since it has happened, they have been in my thoughts and prayers. I want them to know that they are not alone and they never will be. They will never be forgotten.

I extend my sincerest love and kindest wishes to the families, friends and the loved ones of Peter Dodt, Chace Harrison, Jalailah Jones, Zane Mellor, Jye Sheehan and Addison Stewart. I also extend my love to the children injured, including Declean Brown and Beau Medcraft, and wish them the very best for their ongoing recovery.

To the Hillcrest school and community, I wish you healing thoughts and sincerely thank all the first responders for their work to help.

Our children are the best parts of us and they are central to any parent's identity. The loss of these young people in the lives of their families, caregivers, friends, loved ones, Hillcrest school and community is deep and permanent. I offer my heartfelt condolences.

The trauma surrounding these circumstances will remain for a very long time. I want all those affected by this event to know that we are here for them, and we always will be.

**Mr PRESIDENT** - I thank all members for their contribution and ask all members to stand for one minute of silence as a mark of respect.

**Motion agreed to nemine contradicente.**

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

That a copy of the foregoing resolution together with the transcript of the debate be forwarded to the families of the Hillcrest tragedy.

**Motion agreed to.**

## **MOTION**

### **Tasmanian Wine Industry**

[12.16 p.m.]

**Ms PALMER** (Rosevears) - Mr President, I move a motion in my name:

That the Legislative Council:

- (1) Notes the importance of the Tasmanian wine industry and that Tasmanian wines are highly regarded both nationally and internationally;
- (2) Notes the key role in Tasmania's agrifood sector that wine continues to play with a contribution of more than \$200 million to the State's economy and provision of over 2000 FTE positions representing 10 per cent of total employment in the agriculture, forestry and fishing sectors in Tasmania;
- (3) Notes the continuing efforts by the Government to support the Tasmanian wine industry including a \$50 000 grant from Biosecurity Tasmania for enhanced biosecurity preparedness; and
- (4) Acknowledges that the efforts of Wine Tasmania complement Biosecurity Tasmania's strategy to keep Tasmania free from unwanted pests and diseases.

The Tasmanian wine industry sits in the heart of our agriculture and tourism sectors contributing more than \$200 million to the local economy annually. Wine supports regional communities through its agricultural manufacturing and tourism activities with vineyards, winery and cellar doors. I should know as the electorate of Rosevears is the heart of the Tamar Valley wine region. So many of my constituents are the small business operators, some of whom I have spoken about in this place. They work long hours and their hearts and souls are poured into these ventures. The sector has a clear, long-term strategy to sustainably grow. We have seen the results of this in significant investment by not only existing wine businesses but also the new players.

Tasmanian wines have also generated global demand and have attracted some of the highest value for our wine grapes and bottled wine. Our wine industry has contributed significantly to Tasmania's reputation as a destination for fine gourmet experiences. The contribution this sector, these small businesses, these families are making to Tasmania is to be commended. I am delighted the Tasmanian government continues to support the industry now and into the future.

I acknowledge the important contribution the industry has made to the economy through job creation and, in 2020 in particular, through job retention. The Tasmanian wine sector has built a strong platform over many years which has been critical in mitigating the negative impacts of COVID-19 over the past year and positioning it for recovery. There can be no denying COVID-19 has had a substantial impact upon our wine industry. It has disrupted the global and local marketplace, it prevented visitors from coming to our state, but it also put resilience and agility front and centre for all our businesses. However, even while experiencing the impacts of COVID-19 growth has continued during 2020 with new winery and cellar door facilities, as well as vineyard plantings.

The support of the Tasmanian and Australian governments has also assisted businesses and the broader Tasmanian wine sector through these very challenging times. Resilience and agility are the core philosophies of the Tasmanian trade strategy. The strategy focuses on our collective strengths as a state, expanding opportunities in existing markets and growing the awareness of Tasmanian quality in new markets. Through this government strategy we will continue to support those producers who wish to sell their wine in Australia and overseas.

Some of the activities the Government is supporting include launching a wine sector trade plan; recruiting three trade advocates in the US, Japan and Singapore, all solid export markets for Tasmanian wine that are willing to pay a high price for a good drop; providing funding to Wine Tasmania through the Trade Alliance Program to investigate collaborative freight and logistic arrangements for Tasmanian wine producers and potential establishment of a mainland collaborative Tasmanian freight and logistics hub; expanding our Trade Grant Program to further accelerate support for businesses selling into both mainland and international markets; investing \$100 000 to assist with improving resilience in the wine sector and fund emergency smoke testing. This is part of the \$10.2 million new Ag-Protection Package to futureproof Tasmanian agriculture and manage risks to primary industries; and the provision of \$4.2 million for practical strategies to improve productivity and profitability through the supply chain to support agricultural sectors which is expected to support the wine sector.

Tasmanian wines are highly regarded, not only around Australia but around the world and it is crucial we support the industry as it continues to grow. The Tasmanian government has a long relationship working collaboratively with the wine industry to support growth and I commend Wine Tasmania, the peak body representing Tasmanian wine producers. The board, chaired by Martin Rees, and CEO, Sheralee Davies, do an excellent job to support local winemakers and promote Tasmanian wine globally. It has not been an easy time for them, trying to navigate their way through the past few years, so I sincerely thank them for their efforts and commitment. Established in 2006, Wine Tasmania works with its wine producer members and key stakeholders, including government, to help build Tasmania's reputation as a cool wine region. Membership encompasses 95 per cent of Tasmania's wine producers, with 115 business members, 104 associate business members and three life members, and it would be remiss of me not to mention our life members. While they are no longer professionally involved in the wine sector, they have given outstanding service to Wine Tasmania and the Tasmanian wine sector more broadly. Congratulations to Andrew Hood, Graeme Lynch and Scott Dawkins.

As I mentioned earlier, Tasmania's wine sector conservatively contributes more than \$200 million to the state's economy, placing it in the state's top 10 sectors. All Tasmanian wine produced is in the niche premier wine sector, retailing above \$15 equivalent. This segment represents just 7 per cent of Australia's total wine production, but 28 per cent of its value. Tasmania's total wine production represents less than 1 per cent of the total national wine grape production, but 7 per cent of the premium wine segment. Tasmania has 160 individual licensed wine producers throughout the state, with vineyards covering more than 2000 hectares. In addition to increases in vineyard plantings, significant expansion by existing wine producers and external investors has included new processing facilities, packaging and bottling, cellar door, restaurant and tourism infrastructure. This was recently demonstrated with the official opening of the expansion of Devils Corner Cellar Door. As celebrated by the Premier, Peter Gutwein, this outstanding addition to the east coast visitor experience is a testament to the confidence in our regions and I, too, commend the Brown Family Wine Group for its vision to create an exceptional cellar door and visitor experience.

The wine industry in Tasmania has excellent growth prospects and the ability to increase employment and economic benefits to the state. While relatively small, the industry is high-value and high-profile, quality all the way. The Tasmanian wine sector directly supports 2063 full-time equivalent positions, which represents 10 per cent of total employment in the agriculture, forestry and fishing sector in Tasmania. Ninety-five per cent of Tasmania's wine is sold within the domestic market, predominantly through the key sales channels of direct

cellar doors or online, and on premises, restaurants, wine bars and independent retail. Prior to COVID-19, the export value of Tasmanian wine was tracking well, having increased by 4.4 per cent as higher demand for premium wines off set a decrease in the overall wine export volume. According to Australian Bureau of Statistics export figures, Tasmania's total wine exports in 2019-20 was \$4.2 million, with the top five markets being the United Kingdom, United States, Netherlands, Japan, and China.

That is why the Tasmanian Government is investing \$50 000 through Biosecurity Tasmania for enhanced biosecurity preparedness to help protect the industry. Wine Tasmania received a grant to implement a biosecurity emergency response program, with a focus on controlling the potential problem of phylloxera, an unwanted insect not currently in Tasmania that feeds on the roots of grapevines. These infestations can eventually cause them to die.

The grant program complements Biosecurity Tasmania's strategy to keep Tasmania free from unwanted pests and disease and includes detailed information for the wine tourism sector on how best to deal with them. It also includes vineyard signage, educational videos, workshops, and scenario planning, to help growers and members of the public understand the importance of biosecurity.

I thank Wine Tasmania and Biosecurity Tasmania for the vital work they are doing to ensure Tasmanian wine continues to tantalise tastebuds around the world. Biosecurity plays a critical role in growing Tasmania's agricultural production and exports, supporting jobs and growth in rural and regional communities. The Tasmanian Government has a clear plan to have strong biosecurity borders to support our agricultural industry, to grow the value of Tasmanian agricultural production to \$10 billion by 2050. Strong biosecurity combined with Tasmania's unique island status is key to remaining free from the world's most invasive pests and diseases.

The wine brand is strong. I applaud the spirit and drive demonstrated by Tasmania's wine industry and the unique individuals, the families and businesses who make this their life. And while not appropriate literally in this place, I do hope we can certainly raise a glass to their continued success.

[12.27 p.m.]

**Ms ARMITAGE** (Launceston) - Mr President, we certainly are lucky here in Tasmania being a state which produces some of the best food and beverages in the world. Our pristine environment, temperate climate, and rich soils help us to grow nutritious, balanced, and delicious natural products. Beyond what we grow in the ground, what we feed our cattle and sheep also helps to make incredible by-products like cheese and wool and meat which is exported all over the world as a luxury product. Even our bees produce some of the world's best honey and help pollinate our fruit orchards, tea plantations and, of course, our vineyards. According to the Wine Tasmania website, Tasmania's first recorded vineyard was planted in 1823 and Australia's first sparkling wine was made in Tasmania in 1826. Tasmanian wine was exhibited in Paris in 1848, although it took until the 1950s for the industry to really take off.

Noting the similarities in climate between Tasmania and certain parts of Europe, some European migrants put their own skills and knowledge to use here and from then until today, Tasmania's reputation as a grower and exporter of boutique wine has gone from strength to strength. According to the Wine Tasmania website, Tasmania produces an almost even split



between red and white varieties, with pinot noir, chardonnay, and sauvignon blanc comprising about 80 per cent of the varieties grown in our little state. About 30 per cent of the wine grapes are harvested from the Tamar Valley, which to me indicates that our air, soil, sun, and water simply must be some of the best in the state. The wines which come from our fabulous vineyards in that region prove this. I encourage everyone here to pick up a bottle of a Tamar Valley grown and produced wine the next time they are looking for a drop.

As of 2020, in Tasmania there were 185 licensed wine producers, 230 individual vineyards, 95 cellar door outlets and over 2000 hectares under vine. It is no wonder then that the viticulture and wine industry in Tasmania plays a key role in Tasmania's agrifood sector and contributes more than \$200 million to the state's economy. The wine industry is also resilient. Many vineyards, cellar doors and local restaurants and bistros rely on tourism dollars and local spending to survive and thrive. It was vital that over the past two years that we ensured they would be adequately resourced to make it through the pandemic and continue to be able to grow, produce and export their high-quality products across Australia and throughout the world.

My husband tried wine growing at one stage. Bruce, as we know, was a publican and tried to grow some wine with some partners but found that it was much easier to purchase the wine for sale than it was to grow it. I think his exploits into wine growing were very short-lived and he found there were many problems associated with vine growing and producing a very good bottle of wine. So I am very pleased to say he left it to the experts.

Protecting our wine industry also means protecting our environment. Our pristine and geographically isolated environment, unused to external pollutants, is perhaps less resilient to invasive species of insect or plant blight. I concur with the member's motion that the wine industry be supported through biosecurity preparedness. Whether you enjoy a drink, or not, Tasmania's wine industry is important to us all through the jobs it provides and the contributions it makes to our economy. Tasmanian-grown and produced wines are boutique and are highly regarded both nationally and internationally and truly sell Tasmania's brand as a luxury tourist destination. I concur with the member's motion and I thank her for bringing it on.

[12.32 p. m.]

**Ms FORREST** (Murchison) - Mr President, I do not intend to make a long contribution on this, because the members for Rosevears and Launceston have outlined the history of our wine industry quite well and its importance to Tasmania and our economy. It is important to reflect on the vast success that our industry has had and I know that there have been awards given to some of our sparkling wines particularly that would challenge the Champagne district in France. I say it, with great fear and trepidation in case there is a French person outside who is about to lynch me on the way out the door -

**Mr Valentine** - It is true though, is it not?

**Ms FORREST** - Our sparkling is up there. Some of the high-quality sparkling, particularly from the House of Arras and places like that and Andrew Pirie's sparklings have international acclaim. It is important to acknowledge and note that. I do admit to another faux pas once, being in Melbourne - this is pre-COVID-19 - going to a beautiful French restaurant, one of our favorites, it is called France-Soir in South Yarra, and you are packed in like sardines - well you were on the day - and it is very French. We had the most beautiful table at

the front of the restaurant, looking out onto the street. I was a bit tired, it was a pretty hectic time over there in Melbourne. I wanted to have a glass of sparkling, or champagne, it was champagne because it was a very French restaurant. I said to the very French waiter - I meant to ask him, what was the difference between the champagne and the sparkling wine that were offer on the menu in terms of taste, dry, sweet, that sort of thing. Without thinking, I said 'Can you tell me what the difference between the champagne and the sparkling is?' I cannot demonstrate to the full effect the impact on this Frenchman in this restaurant, but effectively it was, 'champagne is champagne!' I cannot do the French accent either, but he was most put out that I would suggest that anything other than champagne was of 'the best quality'.

So, it is important to note that some of our Tasmanian sparklings are right up there and actually being recognised around the world as being of the quality of the French champagnes, the best of, in the quality and the taste and all the other things that wine connoisseurs refer to. That said, we do need to acknowledge that.

The other thing I have noticed driving around this state, it is incredible where you see new vineyards popping up.

I know that wines take a significant amount of water to grow and part of the success of our growing wine industry has been the role of irrigation and the access to water. Clearly, a bipartisan approach has created that. It started under the former Labor government and was continued by this Liberal government. I commend them for using our fantastic resource of very good water sources and clean water, as well as our climate. I think, sadly, climate change has a positive impact on our wine sector.

**Mrs Hiscutt** - I am sure the member for Murchison who travels along the Bass Highway would have seen a new one going out on the eastern end of Ulverstone?

**Ms FORREST** - Yes, I know the one you mean.

**Mrs Hiscutt** - It was only planted in the last few months.

**Ms FORREST** - It is incredible. We are also seeing a lot more berries planted in your electorate. These things would not have been possible without the investment in water infrastructure and maximising the opportunities our climate gives us. Sadly, the impact of climate change has a positive effect on our wine sector and we will probably be able to grow some of the heavier reds with more success than in the past. We need to maximise those things, but be very conscious of the impact overall.

It is a high-quality, high-value industry and we are known around the world for our pinots and many of our whites. It also challenges that 'little country across the ditch' stereotype on some of those whites. I acknowledge the significant contribution made by the wine industry to Tasmania and all those involved in it. The member for Launceston has rightly pointed out, it is not quite as easy as it looks sometimes. There is an enormous amount of soil and climatic testing, even the way the vineyard is oriented on the land can make a difference as to how well the vineyard succeeds. An enormous amount of science goes into planting a vineyard and it is important to acknowledge through that work and innovation used by this industry, we have seen great success.

I commend the member for bringing forward this motion.

[12.37 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I thank the member for bringing the motion on. Most can say they have enjoyed a glass of Tasmanian wine over the years. I certainly have - in moderation of course. There is no question it is a really important industry for the state.

Our wine industry used to be known for its cool climate wines in particular, but now climate change is happening we are finding the big producers like Brown Brothers are coming to the state. They can see the writing on the wall. They can see there are going to be areas on the mainland they may have to end up forsaking because of the climate. The irrigation scheme certainly plays a major part in that and the area between Richmond and Midway Point on the back road has massive vineyards going in with a big building there to process the grapes. We have some massive developments across the state.

The really important thing about the Tasmanian wine industry is it is very collaborative. A lot of people in the industry help each other out. We have seen it and know it exists. With whisky we see it quite often in the press where there is some new whisky or gin producer starting up and how they all come together to help those people out, to make sure they give them good advice and to get it off the ground. It is so important for an island like this with limited resources to be able to have that collaboration. I can only encourage the big players as they come into this state to be generous with their time, to help those starting out in the industry to be successful, because success breeds success. Collaboration, helping others to get off the ground and find their feet can only benefit every producer in the state.

It is fair to say, as the member for Murchison has already pointed out about climate change, we are going to be more focused on this. It is important we recognise it is an upside to climate change for us, but a downside for the nation. We certainly need to be paying attention to the potential idea of addressing climate change. It is something we will benefit from, but not to encourage us not to do anything about climate change.

I acknowledge what the wine industry is doing for the state and that there will be challenges when it comes to water. I acknowledge there will be challenges associated with run-off and the like into our rivers and streams and we might have to be careful about how we handle those sorts of things. If that is handled correctly, it could be a great positive for us as it continues to grow in this state. All power to those who are out there, especially the small producers, developing those small batches of wine which occasionally make it right to the top and put our state on the wine map. Congratulations to those who have done the hard yards in helping to make Tasmania the producer it is in the wine industry.

[12.43 p.m.]

**Ms PALMER** (Rosevears) - Mr President, I thank members for the contribution they have made to this motion, showing their support for this important industry we have here in Tasmania. In particular, I thank the member for Launceston for those marvellous historical facts. I enjoyed them and your encouragement for other members to pick up a bottle from the Tamar Valley any time they so desire. Thank you also to the member for Hobart. It is true what you say about the collaborative nature of the wine industry. As you say, success breeds success and some of the best results come when the best minds come together with the passion and enthusiasm that so many in this industry have.

To the member for Murchison, I congratulate you on your courage for comparing champagne to sparkling in this place. Should you meet a French man on the way out the door I would have your back!

**Motion agreed to.**

## **MOTION**

### **Gender-Responsive Budgeting**

[12.44 p.m.]

**Ms WEBB** (Nelson) - Mr President, I move -

- (1) That the Legislative Council notes:
  - (a) The Organisation for Economic Co-operation and Development (OECD) and Council of Europe defines gender-responsive budgeting as: "Gender budgeting is an application of gender mainstreaming in the budgetary process. It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality";
  - (b) In 2019, the International Monetary Fund stated, "Gender equity, achieved through gender responsive budgeting, is more than a human rights issue. It's an economic imperative"; and
  - (c) Gender Equity Victoria defines the three key areas of gender budgeting as:
    - (i) gender-informed resource allocation whereby individual policy decisions and/or funding allocations take into account the impact of the decision on gender equality;
    - (ii) analysis at the sectorial level of the impact of decisions on gender equality within that sector or industry; and
    - (iii) assessment of the impact of the budget as a whole is subject to some degree of gender analysis.
- (2) That the Legislative Council further notes:
  - (a) Australia was recognised as a pioneer and global leader in developing an analytical gender lens to evaluate economic infrastructure and outcomes, by including the nation's first Women's Budget Statement in the 1984- 85 Federal Budget;

- (b) The national gender budget statement stopped being produced in 2014, but was reinstated by the federal government in the 2021-22 Federal Budget Papers;
  - (c) Victoria has produced a Gender Budget Impact Statement as part of its state budget papers since its introduction in the 1986-87 budget year; and
  - (d) Gender-responsive budgeting would provide another tool within the state legislative and policy framework to facilitate improved economic security for, and economic participation of, Tasmanian women and gender-diverse communities.
- (3) That the Legislative Council calls upon the Tasmanian Government to:
- (a) Develop genuine whole-of-government gender-responsive budgeting processes; and
  - (b) introduce an analytical Budget Gender Impact Statement as part of the 2022-23 state budget papers.

Mr President, this motion focuses upon the role of and the need for gender-responsive budgeting and a gender budget impact assessment - a public policy tool that I and others here have previously called for and raised on many occasions in this place. However, this debate might be the first opportunity provided to this Chamber to formally consider such an initiative and its potential contribution to our state.

As luck would have it, the parliamentary sitting schedule has provided the opportunity to have this important debate today, on 8 March, which is, in fact, International Women's Day, a very appropriate alignment for us to be considering this motion.

**Ms Forrest** - I note you are wearing all the colours - the violet, white and green: give women the vote. The colours of suffrage.

**Ms WEBB** - Indeed, I am wearing the suffrage colours with pride today. A very appropriate alignment, Mr President. The 2022 International Women's Day theme here in Australia is #BreakTheBias. This campaign theme is further developed by the International Women's Day organisers on their website as follows:

Imagine a gender equal world. A world free of bias, stereotypes and discrimination. A world that's diverse, equitable and inclusive. A world where difference is valued and celebrated. Together we can forge women's equality. Collectively we can all #BreakTheBias.

The campaign then asks us to consider taking responsibility every day for breaking the bias in our communities, workplaces, schools, colleges, universities and communities.

Taking responsibility means taking action. When it comes to breaking the bias in the structures of our governance, it means implementing purposeful, evidence-based, effective initiatives within the mechanics of our policymaking and resource allocation.

We would all agree that we have come a long way in many key aspects of society since the earliest celebration of an International Women's Day, which was in 1911. The pace of progress has certainly picked up since International Women's Day was first celebrated on this particular date by the UN in 1975. Despite this progress, there remain some fundamental aspects where we have simply not come far enough, not yet.

In this regard and within the context of the motion before us, it is useful to revisit and reconsider the original goals behind the establishment of this international day. Its inaugural year as a United Nations celebration, 1975, saw a world conference on women held in Mexico City, from which evolved the UN Decade for Women and a world plan of action agreed to by UN member states. This action plan aimed to eliminate discrimination and promote the status of women globally, and specifically to integrate women into the development process and increase women's involvement in political life.

One specific acknowledgement was the agreement that there needed to be national machinery to advance the equality of women. By the end of that UN Decade for Women, Australia and Canada were recognised as groundbreakers in developing such national machinery. Key to that here in Australia was the pioneering development of gender-responsive budgetary processes in the 1980s. This recognised that any public policy proposals, whether to do with transportation, taxation, education, health services, tariffs or whatever it may be, could not be assumed to be gender-neutral.

It acknowledged that public policy could be better understood in terms of gender impact through a formalised process of review as part of the policy development process overall. A leading Australian academic, Marian Sawer, described it at the 2005 UN expert group meeting on the role of national mechanisms in promoting gender equality and women's empowerment, as follows:

Previously [to the 1975 World Conference on Women] public servants had assumed that policies [that would benefit men would also benefit women] a presumption most blatantly displayed in overseas aid policies where development policies targeted at men notoriously increased the workloads of women left behind in the subsistence farming sector.

That is an example that was provided at that time and we have seen an internationally celebrated day, a decade focused on women's equality and the elevation of awareness globally of the need to structurally tackle discrimination experienced by women play out.

However, despite all of that recognition and action, where do we find ourselves in terms of continuing progress? Moving forward or losing ground? It is broadly recognised globally and nationally here, and even locally, that women have been disproportionately affected during COVID-19. Many warned over the last two years that the pandemic risked seeing social cracks and divisions calcify and become entrenched. I note that we are also hearing similar warnings in the context of climate change and its likely equity impacts.

Last year, the World Economic Forum's Global Gender Gap Report for 2021 assessed areas that included economic participation and opportunity, educational attainment, health and political empowerment. It found the influence of the COVID-19 pandemic the preceding year meant that the time it would take to close the gender gap had increased by 36 years, from the

previous projection of 99 years to achieve equality to 135 years hence. Effectively, globally, under COVID-19 in one year, we lost a whole generation of equality.

Let us pause to absorb those figures. By that estimate, gender parity will not only not be seen in our lifetimes but our children will not see it in their lifetimes, nor perhaps their children in theirs when we look at a horizon of 135 years hence. That breaks my heart.

Despite those goals and aspirations of recent decades, some gender-based inequalities remain entrenched, stalling our progress and keeping us vulnerable to not just not progressing but in some cases to going backwards. When it comes to a lack of progress or a vulnerability to losing ground, we have to ask ourselves if it is by design, the result of complacency or continued, misplaced assumptions of gender-neutral public policy. Maybe it is all three to some extent.

Today's International Women's Day theme, #BreakTheBias, demands that we bear witness to and recommit ourselves to tackling those ongoing challenges we have before us in a meaningful way. We are prompted to ask ourselves: Have we the best tools in our toolkit? And are we employing world's best practice when we are seeking to meet this challenge?

There are many ways that the current Government and previous governments of this state have sought to make progress in tackling discrimination faced by Tasmanian women and girls, through structural reform, targeted investment and public education. We can point to a very positive history of action and leadership in this space, and I want to acknowledge the work that has been undertaken by previous and this current state Government towards levelling the gender playing field in that sense.

It must be acknowledged that improvements in equality for Tasmanian girls and women, and also more recently for non-binary identifying members of our community, have not been accidental nor incidental over the years. I acknowledge the work undertaken in the Tasmanian Women's Strategy 2018-2021 and reported in its 2019 progress report. I also acknowledge the Leadership and Participation for Women Action Plan 2021-2023, which, among other things, seeks to ensure the impacts of the COVID-19 pandemic upon Tasmanian women are addressed.

Clearly, there have also been gains in women's representation in the private and public sector. This Government can and, I am sure, will note today too the good progress that has been made in appointing women to government board positions and encouraging women's leadership. We have seen a great deal of progress in political leadership in this state, including two female governors of our state and a state parliament where female representation sits well in excess of 50 per cent. Genuine efforts have been made by all governments over the years. It does not undermine any of those achievements or ongoing efforts, to pause, to reflect, and to agree that more can be done and that there are additional government levers which could be pulled, particularly in ensuring our machinery of governance has gender equity built into its design. Policy development and budgetary processes, as the fundamentals of our machinery of governance, are a ripe opportunity for more progress.

Some may ask, what would a gender budget impact assessment and statement do? In a nutshell, a gender budget impact statement is a formal reporting of a gender-responsive budgeting process.

In 2017, the OECD report, Gender Budgeting in OECD countries, introduces gender budgeting as:

the application of gender mainstreaming in the budgetary process. Given that the budget process is the gateway for resource allocation as well as a key determinant of the standards and qualities of public policy formulation, it is natural that the budget be considered for its likely impact on gender-responsive public governance.

An established definition of gender budgeting [from the Council of Europe 2009] refers to 'a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality'.

This tool, and this description, recognises that every policy initiative in the budget has the potential to impact men, women, and non-binary people differently, even if the policy is intended to be gender-neutral. It further recognises that these unintended consequences can mean that a policy may result, inadvertently, in worsening the gender gaps that government in other ways is striving its best to close.

A 2021 report prepared for the Queensland Council of Social Service, QCOSS, by Dr Leonora Risse, described it thus:

Gender responsive budgeting involves analysing all policy measures to identify the ways in which the policy can either advantage or potentially disadvantage different cohorts of the Queensland population on the basis of gender.

These gender-based differences arise not necessarily by intent, but because of the different industries, different occupations and different roles in the household, organisations and wider community that men and women tend to take throughout their life path.

The QCOSS report then goes on to say:

Gender impact analysis involves asking the following questions and arriving at answers that are informed by data, evidence-based insights, and objective analysis: Who is likely to benefit most from this policy? Who is most at risk of being disadvantaged by, or overlooked by, this policy? How do particular cohorts of women stand to benefit from, or potentially be disadvantaged by, this policy? In its net effect, is this policy contributing towards closing gender gaps?

While the report applies in the Queensland jurisdiction we can equally recognise it as applying here.

Adopting gender-responsive budgeting and producing a public annual gender budget impact statement would ensure Tasmania's policymakers and legislators are reliably and factually informed on how proposed budgetary measures will impact all Tasmanians. Such an annual piece of governance infrastructure will also ensure key indicators are developed against



which actual progress, or regress, can be identified and measured consistently. There will be scope to evaluate and identify any potential policy contradictions or risks of perverse policy outcomes.

Let me provide an example that demonstrates such a risk where we can consider how a gender-responsive approach to policy may have assisted in averting some negative outcomes. I am sure we would all recall that as part of the initial COVID-19 support initiatives, the federal government allowed people whose finances were adversely impacted by COVID-19 to access up to \$10 000 of their superannuation between 20 April to 30 June in 2020 and then a further \$10 000 in the second application period from 1 July to 31 December 2020. Indisputably, many Australians regarded this early access scheme a lifeline during those early stages of the COVID-19 pandemic. However, at the time, concerns were raised by commentators and advocates that the positive and/or negative ramifications of this scheme would be inflicted inequitably across the population due to gender. In particular, it was raised that it held a potential risk for further widening the gender gap in retirement incomes.

A recent report by the Grattan Institute titled, *Women's work: the impact of the COVID crisis on Australian women*, indicates that although the full impacts of that scheme remain unclear and are yet to be fully assessed, the concerns raised were justified. Specifically, the Grattan Institute report highlights the following:

Men had a higher take-up than women across all age cohorts and men withdrew more from their super in dollar terms than women through the scheme but women withdrew a higher proportion of their total savings because of their lower starting balances.

We know that currently women generally have lower superannuation balances than men.

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

## QUESTIONS

### **Phasing out Single-Use and Problem Plastics**

**Mr VALENTINE question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER**

[2.32 p.m.]

Mr President, in a statement released 16 August 2021, the Premier noted the Tasmanian Liberal Government was undertaking work to phase out single-use plastics by 2023, with a commitment to do so particularly in government and council facilities and at events held on publicly owned land across the state. A broader commitment was made to phase out problematic and unnecessary plastics by 2025. The Premier promised an investment of \$1 million over four years to implement the single-use plastics commitment, including \$100 000 to encourage innovative ideas from small businesses to start this journey.

Noting the Premier's comments in his Address on targets to phase out single-use and problem plastics in Tasmania by 2025, will the Leader:

- (1) Please advise if the target for phasing out single-use plastics, in particular, is still to be achieved by 2023?
- (2) Will the Leader please provide an update as to what work is taking place to realise each of the phasing out targets and provide specific detail as to how and where the \$1 million is being utilised in support of these commitments?
- (3) Will the Leader also please provide an update on results seen so far from the Report Rubbish initiative, which allows members of the community to report via smartphone or computer instances of littering or dumping? And progress of the innovative plastic reprocessing projects being undertaken by the recipients of the \$11 million-funded Recycling Modernisation Fund grant initiative?

## **ANSWER**

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

- (1) The Tasmanian Government has committed to phase out problematic single-use plastics, PSUPs, from events on public land and government and council facilities by 2023. We have also committed to a phase-out of problematic single-use plastics statewide by 2025, consistent with the Australian Government national target. This phase-out approach was designed to ensure that organisations, government departments and local councils can learn, prepare and adjust to a ban of PSUPs in 2025.
- (2)(a) A project officer has been engaged and business planning is underway to achieve the phase-out. We are considering various matters in relation to the phase-out. For example, what plastic items will be included in the phase-out, understanding how compostable alternatives to PSUPs, such as paper plates and bamboo cutlery, will be managed. Ensuring that the collection points and bins, transportation and composting facilities are in place is essential for ensuring compostable alternatives to PSUPs do not end up in landfill where they will contribute to greenhouse gas emissions.
- (b) The \$1 million funds the project over four years, and this funding includes staff for the project, a specific allocation of \$100 000 to assist business transition to the phase-out of PSUPs, consultants to undertake research and analysis and a communications and awareness campaign.
- (3)(a) Report Rubbish has been in operation since October 2019. As of the 9 February 2022, 47 reports have been made and automatically forwarded to the responsible public land manager for them to manage in accordance with their normal policies and procedures.
- (b) The Recycling Modernisation Fund included \$5.5 million provided by the Tasmania government and \$5.5 million from the Australian government. Further matching funding, or better, is being provided by the successful project applicants, which will result in over \$20 million being invested into Tasmania's plastic recycling and re-manufacturing capacity. Three successful projects have been selected, which will focus on reprocessing various types of plastic materials into products, such as compost decking, pelletised plastic and injection moulded products. The successful applicants are -

- Timberlink
- Enviroinex
- Mitchell Plastic Welding

All projects are under way and further details of the projects have been made available on the Department of Natural Resources and Environment Tasmania website.

**Mr Valentine** - Point of clarification on that answer, Mr President, if I might. You said problem plastics would be phased out by 2023 and single-use plastics would be phased out by 2025. I am wondering whether that answer is the round the wrong way, because originally single-use plastics were going to be phased out by 2023 and it seems that has now been put out to 2025. Can I have some clarification, and if could you come back with that clarification it would be appreciated.

**Ms PALMER** - Yes, I will seek clarification and get back to you.

### **Investigation of Breaches of Collections for Charities Act 2001**

**Ms RATTRAY question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER**

[2.37 p.m.]

Mr President, following on from questions I have previously asked relating to the Collections for Charities Act 2001 and in regard to the response, that is -

The Director of Consumer Affairs and Trading may also undertake an investigation in certain circumstances.

- (1) Could the minister please detail the certain circumstances where the director would conduct an investigation.
- (2) Should an alleged breach of the act be reported to the Department of Justice, the Commissioner for Corporate Affairs, and if so, does the Department of Justice on-forward the matter to the Tasmania Police for investigation if it is deemed outside the circumstances mentioned above in question (1) regarding the director conducting the investigation?
- (3) In relation to the answer to a previous question, where an organisation had its status revoked, could the minister please advise firstly, which body instigated the proceedings and secondly, which body conducted the investigation.

### **ANSWER**

Mr President, I thank the member for her questions.

- (1) The director may commence an investigation based on the nature of the allegation, the offence provision within the legislation and the information provided.

- (2) The commissioner may in some circumstances refer matters to Tasmania Police, depending on a number of factors, such as the nature and severity of the allegations and offences.
- (3) It would be inappropriate to make specific comments or provide details regarding individual matters.

### **Pumphouse Bay and Jonah Bay Land Management**

#### **Ms ARMITAGE question to DEPUTY LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Ms PALMER**

[2.40 p.m.]

Mr President, regarding the land formerly managed by the Bothwell Tourism Association at Pumphouse Bay and Jonah Bay:

- (1) Can the Leader please confirm this land is now managed by Hydro Tasmania?
- (2) Is this land being redeveloped? Can the Leader please give specific details on the nature of these redevelopments, how long they will take to complete, and when the area will reopen?
- (3) My understanding is when this land was managed by the Bothwell Tourism Association, it was leased per each annual fishing season for fishers to erect temporary shacks and then take them away again at the end of the season. Can the Leader please confirm if this is planned to continue under Hydro Tasmania's management
- (4) Beyond the next fishing season, can the Leader please indicate whether those to whom the shacks have previously been leased will be offered a lease renewal for their same spots and with the same contractual terms?
- (5) If the answer to (4) is no, can the Leader please advise if the long-term leasing of land will be available in the future?

#### **ANSWER**

I thank the member for Launceston for her question.

- (1) The lease agreement between Hydro and the Bothwell Tourism Association ended on 13 November 2021 and management of the sites now sits with Hydro Tasmania's internal operations.
- (2) Hydro Tasmania has confirmed that these two camp sites will remain as public camp sites into the future. Recent public safety and structural audits undertaken by Hydro Tasmania have identified necessary requirements to improve the amenity and facilities at the sites, Hydro Tasmania is currently developing a works plan for both sites which will address these actions. The minister has been advised that in order to undertake these works, which are critical to bring the sites up to a minimum standard, both sites will be temporarily closed for one season, between May 2022 and August 2023. Hydro

has committed to ongoing engagement with the current camp site users and has been in regular communications about the changes.

- (3) Bothwell Tourism Association entered seasonal agreements with campers and also provided short-term and overnight camp sites. Some campers did erect more substantial annexes to their caravans, but it was always a requirement under the terms of the lease between Hydro and the Bothwell Tourism Association and a condition of the agreement between the Bothwell Tourism Association and the individuals that these sites were to be packed down at the end of the season. Hydro Tasmania is still reviewing the longer term management principles for the sites. Hydro Tasmania wants to ensure the sites are compliant with relevant requirements so they are safe to enjoy.
- (4),(5) The sites are public camp sites and the advice is there are no permanent shacks erected within their boundary. Hydro Tasmania is currently considering how to best ensure there are fair access arrangements in place, including through the use of seasonal passes or other shorter term arrangements. The minister has been advised camp sites have never been offered on a permanent basis to individuals, although some individuals have had a long association with some of the sites. Hydro Tasmania is committed to ensuring there continues to be opportunities for people to experience staying at this prime Tasmanian fishing and camping location and consultation with current campsite users will continue through this process.

**Ms Armitage** - If I could seek a little more clarification, the word used by the Deputy Leader was 'permanent'. In my question, I have never used the word permanent and as said it was leased each annual fishing season. I have had discussion with quite a few of these people who have been erecting them and taking them away. The question really is - as you have said, there have been negotiations, but these people have not had any negotiation, they have had no answers and they are questioning what is going to happen - is it likely that they will be able to get an annual lease as they have had in the past? They have had annual leases each year - as has been mentioned, they erect and then they take them away, so they are not permanent, but they have had them in the same spot. Many people have been up there and they have had an annual lease. The concern is whether that will continue, an annual lease, not an overnight public area.

**Ms PALMER** - Mr President, I will take that on notice and seek some advice.

## **LEAVE OF ABSENCE**

### **Member for Murchison - Ms Forrest**

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

That the member for Murchison, Ms Forrest, be granted leave of absence from the service of the Council for the remainder of today's sitting, tomorrow's sitting and Thursday's sitting until 1 p.m.

**Motion agreed to.**

## MOTION

### Gender-Responsive Budgeting

**Resumed from above.**

[2.46 p.m.]

**Ms WEBB** (Nelson) - Mr President, picking up where we left off prior to lunch we were discussing examples of opportunities for gender analysis of policy with early access to the superannuation scheme at the beginning in the early stages of COVID-19, and some of the gender-related differences in impact that we saw as a result of that scheme. We were noting the Grattan Institute which had reported that women had withdrawn high proportions of their total savings. We know that women generally have lower superannuation balances than men, leading to lower retirement incomes which the Grattan Institute also warned causes, and I quote:

... the increased risk of poverty in retirement for low-income and otherwise vulnerable women, especially single parents and those renting in retirement. There are already more women in poverty and financial stress in retirement than men.

It may be that had the federal Treasury at the time been required to produce a gender impact assessment of the proposed fiscal policy, including those emergency provisions such as the early superannuation access scheme, it is possible that different decisions may have been made. Possibly active monitoring mechanisms may have been put into place as well as additional short, medium or longer term remedial or assistance schemes to mitigate any entrenching or calcification of pre-existing financial gender inequalities.

While we do not know what may have eventuated in an alternative scenario where gender impact assessments were undertaken as a routine element of public policy, we do know that despite the short-term benefits, one outcome from this particular policy decision has seen women who took it up use a higher proportion of their retirement savings and leave themselves at higher risk of falling into poverty by the time they reach retirement age. In fact, another aspect of that same initiative - to continue the example with it which has relevance in terms of the opportunities in a gender impact assessment process for policy - is the intersection that it had with another issue experienced largely by women, and that is family violence.

We know from local and national research that there was an escalation of family violence during the COVID-19 pandemic. We know that a common aspect of family violence is financial abuse and control. At the time the initiative was rolled out consumer groups warned that providing early access to superannuation lump sums would create a new opportunity for financial abuse through perpetrators forcing or coercing partners to make withdrawals and then taking control of that money. In fact, data released recently by the Australian Institute of Superannuation Trustees (AIST) just last month has looked at the uptake of that early superannuation access initiative and cross-referenced it with data that we have about the prevalence of the financial abuse during COVID-19. Their estimate is that it is likely about 70 000 Australian women may have been coerced or forced into the early withdrawal of their superannuation through that scheme by an abusive partner. A gender impact analysis of that proposed policy at the time it was being formulated would likely have revealed risks such as

these and provided the opportunity at that point to respond to and to mitigate and to attempt to minimise those risks as part of the planning.

Without a structural approach of a gender analysis built into the process we continue then to play catch-up. Instead of being forewarned and forearmed, we are left trying to manage and to fix the negative consequences after the damage has been done. A proactive structural approach is sensible, effective policymaking.

Part (1) of the motion before us lists recent national and sub-national examples of gender budget impact statements. As mentioned, Australia was once recognised as a global pioneer in developing this sort of tool. Hopefully, the re-emergence of the federal Budget Gender Impact Statement for last year's 2021-22 Budget was not a one-off, but will continue as a pattern.

Members may be interested to know that currently the Women in Tasmania website provides information regarding the benefits of gender analysis and gender budget statements. It also discusses and provides details of international models that are in place, including those in place in Canada and the Netherlands, as well as some interstate models, including Queensland and South Australia.

It is rather ironic and it is a distinct shame, in my view, that the state government website cannot yet point us towards our very own Tasmanian gender analysis and responsive budgeting model as a best practice example. In fact, on that side it relies on referring back to the Tasmania Together goals from times past as the main example of the Tasmanian government's commitment to furthering the implementation of gender analysis.

The Women in Tasmania website also details the fact that New Zealand cabinet papers follow a template which includes a gender impact statement. In fact, currently, along with a general legislation impact statement, New Zealand's cabinet document template also includes a requirement for a gender impact statement, a human rights assessment, and a disability impact statement. Unlike most Australian jurisdictions, our trans-Tasman cousins have a culture of proactively releasing cabinet papers, minutes and decisions, so examples of the template that I am referring to here are readily available on the New Zealand Department of Prime Minister and Cabinet website.

Let us bookmark for another day a broader discussion of such laudable public transparency and accountability practice from an executive government, such as we see in New Zealand, and return now to the matter at hand.

A gender impact assessment statement applied to policy proposals brought to the Tasmanian Cabinet for consideration and approval would fit really well alongside the current requirement for an economic impact assessment, and would complement an annual state budget gender impact statement.

To recap, the role of budget gender impact statements is to interrogate and test any assumptions of gender neutrality in the policy and budget process in a systematic and formal manner and to report on the findings and any recommendations derived from that examination.

Should a proposal proceed despite there being acknowledged gender impacts, the decision to do so would be done knowingly, and hopefully with additional safeguards and

mitigation measures. It will help render the too often invisible ramifications, to be visible for the active consideration of our decision-makers. How can that be anything but a good thing?

Crucially, another fundamental goal of gender-responsive budgeting is to work towards ensuring consistency and cohesion across economic and social policy. Too often, it is realised after the fact, or warnings were deliberately ignored at the time perhaps, that policies may have perverse outcomes on women or girls or others who identify as non-binary genders.

While nothing is a panacea in a complex, shifting sand environment of public policy, gender-responsive budgeting and gender budget impact statements will at least give pause for decision-makers to double-check whether there are serious contradictions between social and economic policies proposed and our aspirations for positive change when it comes particularly to gender equity.

If we could turn to the text of the motion before us, what I have attempted to provide in section (1), is a series of succinct summaries of the role and the contribution of gender budget reporting. These statements in section (1)(a) and (1)(b) speak for themselves, but are notable for being made, not by any of the perceived usual suspects necessarily or indeed certainly not by radical activist organisations but instead by conservative and pragmatic entities. Nobody could call the OECD or the IMF radical or militant feminist activists, generally. This tells us that gender-responsive budgeting is considered a mainstream responsible budgeting process to the degree that this process not only makes human rights sense, it also makes economic sense.

In section (2) of the motion, I have detailed a quick timeline of key Australian actions at both national and sub-national levels. As outlined, Australia has a track record of utilising this equity tool to some degree. Gender-responsive budgeting and policy impact assessment processes have also been adopted across a range of corporate and NGO organisations, as well as departmental and local government arenas across the nation.

The Queensland Office for Women provides a gender analysis online platform that equips organisations to apply a gender lens to their own activities, which is an incredibly useful tool for the community.

It is interesting to note that the Women in Tasmania website, under the heading, 'Why use gender analysis?', states that 'the use of gender analysis helps planners in being aware of historic and current differences in order to produce more effective gender-inclusive policies and programs for both women and men', as well as pointing to examples nationally and internationally. The site also has a page that outlines a stage-by-stage approach for a typical gender-inclusive model. Our state Government, through that website, clearly expresses the value of this approach for progressing gender equity. What we have there is the knowledge and resources we need to implement this form of national governance machinery.

While both parts (1) and (2) of the motion present statements and factual matters, part (3) could be described as the pointy end, or 'ask'. This component provides the Chamber with the opportunity to send a request to the Government to enshrine gender impact statements as an integral component of this state's legislative and budgetary policy framework.

Some of you may wonder whether the proposed time frame of including such an impact statement in the 2022-23 state Budget is too tight. I do not believe so. This proposal and idea



have been raised with Government on many previous occasions by me and others. Indeed, it is pointed to as a best practice process on the Government's own Women in Tasmania website.

The Grattan Institute report I referenced earlier says: 'Governments should make gender analysis part of their budget development processes to reduce the risk of women being overlooked or suffering unforeseen consequences from policy decisions.'

Section (3) of the motion articulates an analytical budget gender impact statement as well as a genuine gender-responsive budgeting process. It may be useful to reiterate what gender-responsive budgeting is not, for the purposes of clarity. It is not unusual to see governments collate any women-specific initiatives and policies into a women's economic statement, or a budget list of matters relating to women, or to highlight how a particular budget invests in programs specific to the needs of women and girls. These sorts of lists, statements and groupings of policy initiatives, while laudable and valuable, are not the same as a gender-responsive budgeting process or an analytical gender budget impact statement. They do not provide the same outcomes that are being called for with those mechanisms.

For example, while welcoming the Queensland Government's 2020-21 Women's Economic Statement, as part of that jurisdiction's state budget process, commentators such as QCOSS stressed that this was not a gender impact statement, nor an example of gender-responsive budgeting, laudable as it was to include it.

This is clarified further for us by the UN, which states:

Gender-responsive budgeting is not about creating separate budgets for women, or solely increasing spending on women's programs. Rather gender-responsive budgeting seeks to ensure that the collection and allocation of public resources is carried out in ways that are effective and contribute to advancing gender equality and women's empowerment. It should be based on in-depth analysis that identifies effective interventions for implementing policies and laws that advance women's rights. It provides tools to assess the different needs and contributions of men and women, and boys and girls within the existing revenues, expenditures and allocations and calls for adjusting budget policies to benefit all groups.

I would add into that 'men and women, boys and girls, and people of other genders or non-binary genders'.

It is also important to note that genuine gender-responsive budgeting and gender budget impact statements must also be an analysis for men and boys, for people of diverse genders.

Parental leave for fathers is an example of a belated policy recognition of an inequitable assumption about caregiving. More broadly, gender-responsive budgeting also facilitates breaking down traditional stereotypes and notions such as masculinity that may constrain men and boys, and redressing some of that. In turn, tackling those stereotypes may help address other systemic social problems, such as violence against women and girls.

Lastly, on this point of what constitutes genuine gender-responsive budgeting, I echo the view of public policy and academic commentators that attempts to provide only self-congratulatory PR-style party political policy highlights packaged up as a gesture towards

budget gender impact statements will simply not cut the mustard. Any such eventuality would not be in good faith and would not honour the sentiment and tenor of this motion and its call to action, and certainly would not meet community expectations.

To conclude, I once again revisit today's 2022 International Women's Day campaign, which challenges us to take the necessary action, stating:

Whether deliberate or unconscious, bias makes it difficult for women to move ahead. Knowing that bias exists isn't enough; action is needed to level the playing field.

The current state Government is very open about its intent to be aspirational for our state. Gender budget impact initiatives, as proposed by this motion, are a key tool to delivering on that aspiration in a way that puts gender equality and the advancement of all Tasmanians on an equal footing. This proposal is consistent with state Government objectives in this public policy space, and its stated aims and goals on inclusion and equality.

To borrow QCOSS's assessment of Queensland's efforts at ensuring policy gender equity:

There is immense scope for the Queensland Government to lock in and consolidate the progress it has already made on gender equality initiatives by establishing a formal process of Gender Responsive Budgeting in its policymaking. Taking this step to legislate Gender Responsive Budgeting, and invest in the capacity to undertake this process in subsequent budgets, would not only strengthen the Government's prospects of achieving its gender equality goals - it would also preserve this current Government's legacy ...

That was put forward in relation to Queensland but it would equally apply here in this state to our Government and its legacy. As stated in the Government's Tasmanian Women's Strategy 2018-2021, 'A person's gender should not be a barrier to opportunity or participation'.

Formally committing to implement gender-responsive budgeting and the provision of a formal budget gender impact statement is consistent with the Government's commitment as stated in that strategy, 'to making Tasmania a state where all people have equal opportunities to participate in Tasmania's social, political, economic and cultural life'.

I also note that one of the welcome recommendations made by the Premier's Economic and Social Recovery Advisory Council in its final report last year was for the Government to adopt the United Nations' 17 sustainable development goals (SDGs) as a policy framework. As members may be aware, SDG number 5 is gender equality. Hence, the recommendations detailed in part (3) of this motion would be both consistent with, as well a tangible mechanism by which to deliver that particular SDG in accordance with the PESRAC recommendation, which we are given to understand the Premier has accepted in full on behalf of his Government.

Mr President, it would be very fitting for this Chamber on International Women's Day to collectively do our bit to #BreakTheBias by taking action that is available to us here and now, by voting for this initiative to call for the establishment of a quality-focused machinery of governance. Such a vote would, in good faith, encourage further action by the Tasmanian Government to deliver Tasmania's own state-based, gender budget impact assessment process

and statement. Let us put the building blocks in place to support our aspirations for this state and the people of Tasmania, and vote for meaningful action and structural reform. I commend the motion to the House.

[3.07 p.m.]

**Ms SIEJKA** (Pembroke) - Mr President, I rise in support of the member for Nelson's motion on this International Women's Day. I appreciated the information, the extensive detail provided by the member in her speech and correspondence to help consider this motion.

We do not need to look far to see evidence of continuing inequality for women. We are all well aware of women's greater responsibility for unpaid care and domestic work, and the existence and impact of the gender pay gap. According to the World Economic Forum, sadly none of us will see gender parity in our lifetime, nor likely will many of our children, and as the member for Nelson depressingly highlighted, it is possible our grandchildren will not either. Sadly, it is believable, that is the problem.

We are also well aware of the differences in working conditions and pay in our female-dominated industries, such as child care and hairdressing, to other more male-dominated industries such as construction. The Women in the Workplace and the Global Gender Gap Report provide further evidence of where women are at on the long road to equity. Unfortunately, as has been widely reported, COVID-19 has left women - more than men - economically disadvantaged through unemployment, underemployment, lowered incomes, less secure work, greater household and family demands, and increased risk of domestic violence. There are also many examples that we can see of gender bias, both conscious and unconscious.

Unconscious gender bias remains a significant barrier for women, and it is also difficult to identify and prevent. Unconscious gender bias refers to the unintentional and automatic mental associations made on gender stemming from traditions, norms, values, culture, and/or experience. These automatic associations feed into decision-making, enabling a quick assessment of an individual according to gender and gender stereotypes.

As the member for Nelson outlined, gender-responsive budgeting analysis is a public policy tool to evaluate economic infrastructure and outcomes on a disparity such as this. There is also plenty of evidence of budget gender impact statements having positive impacts on decision-making affecting women. With the first Women's Budget Statement introduced by prime minister Bob Hawke, continuing on to those under the Gilliard-Rudd governments, light was shone on the economic impact of women's greater responsibility for unpaid care work, and in raising awareness of the different impacts of policies on women and men. It is argued that positive changes occurred as a result of this increased awareness, which was made possible through the process. As these policy and budgetary commitments were reported, it meant that in some instances they were improved. Federally, we no longer have such a women's budget report, but other jurisdictions here and internationally do. In Victoria, a report has continued to be published since 1986, so we do not need to look far for guidance about the positive impact that these can assist.

Mr President, as International Women's Day reminds us, the rise of women is not about the fall of men. Everyone can play a role in forging gender parity and in understanding bias. Gender balance is not solely a women's issue, but also an economic issue. Inclusive mindsets and tangible action are needed from all. I believe, a whole-of-government gender-responsive budgeting process, and the inclusion of a budget impact statement will help as a tool as we

strive for gender equity and provide positive impacts for Tasmanian women, the wider community, and our economy. I support this motion.

[3.09 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I thought that was a great statement from the honourable member for Pembroke.

**Ms Siejka** - Straight off the website.

**Mr VALENTINE** - Is that right? No, it was a great quote: the rise of women does not mean the fall of men. We need to focus and understand how obvious some of the issues are, outlined very ably by the member for Nelson. It does not take much to change. It means we have to recognise there is a need for change and what is in this motion is certainly bringing that to our attention. The theme today for International Women's Day is #BreakThe Bias. I am wholeheartedly for that. Too often we tend to compartmentalise things and there really should not be a need for that. We definitely need to break the bias.

That statement the member for Nelson brought out about gender parity will not be seen in 135 years - I find that very hard to understand and would like to sit down with you at some stage and actually go through that. You did explain it, but I was not quick enough in writing it.

**Ms Webb** - I will give you the link to the report.

**Mr VALENTINE** - It seems ridiculous it should take that long. How hard can it be for us to do the analysis for each budget. One of the statements made was the person's gender should not be a barrier to their future or similar. When we had our first child in 1977, my wife had to resign from her teaching position to have our son. She had to resign. There was no such thing as accouchement leave back then and that meant her super could not continue. We were forced to take her super and do something with it - put it in the bank or whatever. We actually put it into a new kitchen, but the thing is that immediately impacts on her long-term superannuation situation. That means she would have to work longer to be able to get exactly the same level of security that I would, or any other male might, working over the same period of time. That has been changed now, but that is the sort of thing we are talking about. Recognising that those sorts of things simply have to change. It is not equitable for that to be the case. It is not equitable that people should have to have resigned - that females had to resign to have children.

**Ms Rattray** - Thankfully, that has changed.

**Mr VALENTINE** - It has changed, but it is incremental. I cannot see that taking 135 years. We need to make that happen faster. I am not quite sure where the points are there and that is why I will sit down with you and talk.

**Ms Webb** - It is interesting, it has changed, but it was only 45 years ago it changed. We also have to think what happened during COVID-19. Who stayed home? Whose work was impacted most? Things changed, but also some things sort of stayed the same.

**Mr VALENTINE** - Yes, that is right. It is so true, when the statement was made, more women in stress during retirement than men. Quite often that came through the fact that they

do not have the level of super that men have, they might have gone through a breakup and their resources are split, and the statistics show that women live longer than men. Quite clearly, more women are in stress during retirement than men. You do not have to be Einstein to see that might be the case.

**Ms Rattray** - It would be interesting to know how many women were not able to access any of their former partner's superannuation. It was not done back in the 1980s and 1990s. You would seem like you were a very poor person if you did that.

**Mr VALENTINE** - They do now, and that is another change that has occurred. The member for Nelson pointed out the early superannuation access program. Why should women be forced to access their superannuation to access a forced financial situation they are in today, because it is probably through no fault of their own. Why should they be forced to have to this? At least the government is giving them an opportunity and it might help them out. The fact they are actually impacting on their future capacity to support themselves is really difficult and policies need to look at that side of it. I agree with the observation made there.

The fact the Women in Tasmania website points to other jurisdictions regarding gender-responsive budgeting was the statement made as well, and one expects that in itself is advocating for gender-responsive budgeting, yet our own state does not step up in this regard. Clearly, if you have a portfolio advocating for it already, it should definitely be focused on by our own government. That needs to be put to right.

And you think, when could we start, as this will take a lot of organisation. We just had a rearrangement of the Department of Communities and Education portfolios. You can bet your life Treasury bean counters are up there drilling right down now trying to separate all those different line items we all have to look into during the Estimates process. Why not get the structure in place now? You might not be entirely able to do it by the time the budget comes down, but it is definitely there for the following year. There needs to be a conversation somewhere and not to put it off year after year, but really examine the opportunity right now because those line items in budgets are definitely going through some turmoil.

**Ms Rattray** - Is that what you call it, turmoil?

**Mr VALENTINE** - Well, what would you call it.

**Ms Rattray** - Constant change.

**Mr VALENTINE** - Constant change, well it does make it difficult for us to compare and contrast when portfolios get moved around. Not so much portfolios getting moved around, but when departments change and line items are put into this department or that new section. It is very difficult for us to make sure we are on the money and we can follow it all.

I encourage the Government to give this some close thought and hope we can see it in place, if not this year, next year. It would be great to see some thinking and structure being put into the budget process to be able to do proper gender-responsive budgeting. I commend the member for bringing it forward for debate. It has passed its time and I encourage the Government to give it some very serious thought and put their hand to the wheel or their foot on the pedal.

[3.19 p.m.]

**Ms RATTRAY** (McIntyre) - Mr President, a brief offering from me. First, I thank the member for Nelson for bringing this forward and also the opportunity to debate it on International Women's Day. I acknowledge the member for Hobart was exactly right, #BreakTheBias, conscious and unconscious, was the theme for International Women's Day. Some members in this House, the members for Rosevears and Launceston and I attended a fundraiser for the International Women's Day last week in Launceston for the Clifford Craig Foundation.

**Mr Valentine** - I went to the International Women's Day Breakfast this morning.

**Ms RATTRAY** - My assistant, Melissa, attended a function celebrating International Women's Day in the north-east on my behalf today. It is entirely appropriate we are discussing this here today and I will be supporting the motion. I know there are going to be some difficulties for Government with this, but as we see from the information provided by the member for Nelson, it is done elsewhere and it is not something new. How Treasury puts their mind to actually doing it - I am sure they are very smart people and see no reason why there could not be a start to this. I do not expect it will all be available in the first or the second budget, or perhaps even the third or fourth, but at least a start to look at these important issues.

When you hear it is going to be 135 years before we get equality, it is quite astounding, you cannot comprehend it. We have come a long way in society, but still have a long way to go and it is important we consider to continue to take the opportunity to discuss these important matters.

The International Women's Day is an important event. In a radio interview, the member for Murchison said she felt every other day of the year was an international men's day. I am not sure whether she still thinks that or not, but that was the comment she made - every other day is for men, but this is one for women.

I support the motion and again thank the member for taking the time to research this particular issue. It encourages - as others have - the Government to look at what they can do, even if it is small steps in the initial stages.

[3.23 p.m.]

**Ms ARMITAGE** (Launceston) - Mr President, I rise to make a brief contribution to the member's motion, which has been mentioned on International Women's Day. As a female parliamentarian, I believe is an important topic to be discussed. It is undeniable that as stated in the 2019 statement of the IMF, gender-responsive budgeting is an economic imperative, as much as it is a human rights issue. We know countries that do not prioritise gender equality and the rights of women perform more poorly than countries which do. We know that societies that oppress women are far more likely to be more violent and less stable. According to an article in *The Economist* from September 2021, the obstacles females face begin in the womb; families that prefer sons may abort daughters. This has been especially common in China, India, and the post-Soviet Caucasus region. Thanks to sex-selective abortion and the neglect of girl children, at least 130 million girls are missing from the world's population, by one estimate. In fact, I know of a well-known Launceston lady of Chinese descent who is very open about the fact her birth mother was told she was a boy incorrectly. Her birth mother had had five previous abortions between her middle sister and her, because they had all been girls and they were so desperate for a boy. Had the doctor not gotten it wrong, she would not be

here today and would have been aborted. Fortunately for Tasmania, she was born a girl and as the family did not want to keep her, she was adopted to a loving family in Tasmania.

This is everyone's problem. In a country that has as much wealth and privilege as ours, it is up to us to continue to encourage good practices that promote gender equality. We know that societies which fail women fail themselves. Following the destruction of the Taliban in 2001, primary school enrolment of Afghan girls rose from zero per cent to above 80 per cent. Infant mortality fell by half and forced marriage was made illegal. We saw with horror those gains coming undone in August 2021, which goes to show how important it is to fiercely guard the high standards we have in Australia.

In that same *Economist* article, it is established that researchers at Texas A&M and Brigham Young universities have compiled an index of pre-modern attitudes towards women, including sexist family laws, unequal property rights, early marriage for girls, patrilocal marriage, polygamy, bride prices, son preference, violence against women and other similar benchmarks. Perhaps it will not surprise many here that these factors correlate significantly with violent instability in a country.

Policymakers and lawmakers can learn lessons from these benchmarks. They can tell us what we should do just as much as what we should not do. If we approach policymaking with normative standards in mind, such as those that promote gender equality, then we can improve outcomes for everyone. As a measure of society's advancement we can look to many types of benchmarks. However, one undeniable feature which is common to all advanced, functional, and prosperous societies, is that women's rights and gender rights are prioritised through measures like budget statements, robust discrimination laws, education and health care. Policymakers who fail to consider the interests of half the population cannot possibly hope to adequately represent them, nor lawmakers to properly legislate for them.

I thank the member for bringing the motion on.

[3.26 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank the member for Nelson for bringing on this important motion. I welcome the discussion on how initiatives such as gender budgeting can help us in our commitment to achieve gender equality in Tasmania.

Gender equality is a term that is often discussed but I want to take this moment to put into *Hansard* exactly what we are talking about when we talk about gender equality. Gender equality means women and men enjoying the same rights, and a couple of speakers have talked about that. It means women having equal opportunity for economic participation and decision-making and their aspirations and needs being equally recognised, supported and valued.

In practice, it means that women should be paid the same as men for doing the same work. It means women should not be over-represented as victims of family and sexual violence. It means women should not be more likely to work in lower paid occupations, undertake the majority of domestic and caring duties, and have to work so much harder than men to get ahead. Gender equality is good for everyone. Societies with greater gender equality have stronger economies, healthier populations, lower reporting of violence against women and higher levels of female education and workforce participation.

I will speak about the Tasmanian Women's Strategy of 2018-21. The Tasmanian Government is committed to achieving gender equality. Our work to achieve this is guided by the Tasmanian Women's Strategy, which sets out in detail why we need gender equality and how government can enable, lead and set the example. The strategy has four priority areas: financial security, safety, leadership and participation, and health and wellbeing. The current strategy was launched in 2018 and we have seen wonderful results from the work that has come out of this strategy. The Tasmanian Government has created partnerships with industry and pathways for women to establish careers in industries in which they have traditionally been under-represented.

We have supported women to achieve qualifications that allow them to move into leadership positions, including directorships and other board positions. We have had a whole-of-government focus on women's strategy. Just last week, the Premier announced new multidisciplinary centres to provide victims and survivors of family and sexual violence with immediate support in a safe place.

The next iteration of the family and sexual violence action plan is being developed, with community consultation now under way. This strategy has been instrumental in tackling some of the systemic barriers to gender equality. It is an exciting and critical challenge.

I will speak a little bit about the next iteration of the Tasmanian Women's Strategy 2022-2027. The landscape in which we live and work is rapidly changing. The last two years in particular have been incredibly challenging for women, who have been disproportionately affected by the COVID-19 pandemic. It is more important than ever that opportunities for women and girls are front and centre in our vision for a stronger, more resilient Tasmania. We are currently finalising the next iteration of the Tasmanian Women's Strategy. This is an opportunity to reflect on what has worked well, how women's lives have changed over the last five years and what steps we need to take to create positive outcomes and to support Tasmanian women and girls.

So, just a bit about gender budgeting. Key to the next Tasmanian Women's Strategy will be the Tasmanian Government leading cultural change to create lasting improvements in women's outcomes across the life course. During budget Estimates last year, then minister for women, Jane Howlett, is on the record advocating to include a gender budget statement as part of the Tasmanian Government's budget process. The Premier also committed to undertaking an assessment of what would be required to conduct a gender impact statement. As I just said, the Tasmanian Women's Strategy is currently being finalised and the Minister for Women, Madeleine Ogilvie MP, will have more to say about that in due course.

While I will not foreshadow what the strategy might contain, it will set the strategic direction for the Government to work towards achieving gender equality. The member for Nelson has given a comprehensive report on gender budgeting in various forms and as I said, it is something that the former minister for women advocated for and to which the Premier has committed to analyse.

It is important to note that a gender budget statement is just one initiative. Assessing how a government's action will impact or benefit particular cohorts in most instances, men, women and other minority groups, should not only be done once a year as part of a Treasury process. It should be factored into every policy and financial decision. The next Tasmanian Women's Strategy will consider what tools and initiatives can work together to embed gender



equality into decision-making processes at every level of government. We believe this should also be something that is done in every organisation, not just in government. Achieving gender equality is a collective responsibility.

Before I finish, the member for Nelson talked about women on boards. I will give you an update on that. From the most recent Women on Boards quarterly report, I can advise that in the September 2021 quarter, the percentage of positions held by women on Tasmanian Government boards and committees was 47.37 per cent. The actual number of positions filled by women increased by four, rising from 456 positions in the June quarter, to 460 positions in the September quarter. Through our Women on Boards Strategy, we have increased the number of women on Tasmanian Government boards and committees by 13.9 per cent, from 33.8 per cent in June 2015 to 47.37 per cent as at September 2021.

We are continuing our work in supporting women into leadership positions and board appointments. A critical action under the strategy is expanding the Women in Leadership Scholarship Program to support women to develop leadership skills in their early careers and areas of non-traditional employment for women. We are delivering on this commitment by increasing our investment to \$100 000 per annum through to 2025. To date, the program has reported 87 scholarships for Tasmanian women to build their governance and leadership skills by attending courses run by the Australian Institute of Company Directors. The Department of Communities Tasmania is currently working with AICD on the 2022 program which opened in February this year. The Minister for Women, Madeleine Ogilvie MP, has today opened the next round of these scholarships for 2022. I encourage anyone interested in applying to see the Communities Tasmania website for more information and sign up for this fantastic opportunity. I know that everyone in this place is passionate about achieving gender equality. We talk about mothers and wives and what have you, but my mother was of the generation that you had to leave work just to get married. That was the generation before.

I thank the member for Nelson for bringing on this important motion and the Government will not oppose the motion.

[3.35 p.m.]

**Ms WEBB** (Nelson) - Mr President, thank you very much to the members for engaging with the motion and making contributions. I very much appreciate the contributions. There is not a great deal to follow up from them. I appreciate the points that were reiterated and made, the highlighting of our shared aspirations for gender equality in this state and people's support of the intent of this motion. I particularly note that, yes, sometimes things have to be done in stages and there is the opportunity there to begin a process which might not be in its entirety at the outset but we certainly have the ability to take tangible steps to begin it.

I particularly thank the Government for their remarks about the motion and the fact that the Government will not be opposing it. I appreciate that. I am pleased that the Government has highlighted the fact that we had those two indications from the minister last year about advocacy for this process within Government and the Premier's commitment to assess what might be required to deliver it. We will wait with interest to see what comes from that.

As mentioned by the Leader in her contribution for the Government, it is not only one measure that is required and certainly none of us would be making that argument. This would be something complementary. The gender budget impact statement sits within a broad gender-

responsive policymaking framework, as I described in my contribution, and will work best if those two things are there playing together in that space.

Thank you for updating us on the Government's various initiatives and the achievements that have been made in relation to board positions and the like. They are important things for us to be acknowledging while we also understand the task that lies ahead. Thank you very much to members for engaging with the motion and for your support.

**Motion agreed to.**

## **MESSAGE FROM THE HOUSE OF ASSEMBLY**

### **Platinum Jubilee of Her Majesty Queen Elizabeth II**

**Mr PRESIDENT** - Honourable members, the House of Assembly, having agreed to the following resolution, begs now to transmit the same to the Legislative Council and to request its concurrence therein. That the following address be presented to Her Majesty the Queen through Her Excellency the Governor:

TO HER MOST GRACIOUS MAJESTY, THE QUEEN:

MOST GRACIOUS SOVEREIGN,

We, the members of the [ ] House of Assembly of the Parliament of Tasmania, in union with Your Majesty's subjects throughout Tasmania, desire to express to Your Majesty our heartfelt congratulations at this time of celebration of the Platinum Jubilee of your accession to the Throne.

We recognise with thankfulness Your unfailing devotion to the duties of Your exalted Office, particularly as Head of the Commonwealth of Nations, and we regard with gratitude Your Majesty's sustained and self-denying efforts to secure the welfare of Your people.

Signed, Mark Shelton  
Speaker  
House of Assembly  
8 March 2022.

## **MOTION**

### **Platinum Jubilee of Her Majesty Queen Elizabeth II**

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

That the message be taken into consideration forthwith.

**Motion agreed to.**

## MOTION

### Platinum Jubilee of Her Majesty Queen Elizabeth II - Joint Address

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

That the Resolution be agreed to and the 'blank' be filled with the words, 'Legislative Council and the'.

Now I would like to speak to the motion.

I rise today to pay tribute to a remarkable woman, Her Majesty Queen Elizabeth II. It gives me pleasure to do so for she is a woman whom I admire.

The 6<sup>th</sup> of February this year marked the 70<sup>th</sup> anniversary of the ascension of Queen Elizabeth to the throne as Queen of England and, of course, Australia. She has been Queen of Australia for an astonishing seven decades - more than half the time that we have been in federation.

As our longest serving monarch, she has seen 15 Australian prime ministers come and go. She has witnessed her country on its knees and recover to prevail during World War II. She lived through innumerable disasters, both natural and man-made.

When she came to the throne in 1952, the hit song of the year included *The Little White Cloud that Cried* by Johnnie Ray and, Mr President, you might be able to help me with this one, *Auf Wiederseh'n Sweetheart* by Vera Lynn. Vera Lynn was there at that stage. There was also -

**Mr Valentine** - Those of us who remember.

**Mrs HISCUTT** - I thought that Mr President with his musical tunes might be able to remember that one.

**Mr PRESIDENT** - I will sing it for you later.

**Mrs HISCUTT** - Also, *Singin' in the Rain* was one of the top movies, Robert Menzies was our prime minister and Australia's population was a mere 8 636 458. The first express trains had only just started between Adelaide and Melbourne, and Joan Sutherland made her debut at Covent Garden. It was a lifetime ago, as pointed out by the member for Hobart.

As the current Prime Minister has said, for the great majority of Australians she has been a constant presence in a changing world. A constant and reassuring presence.

At a personal level, she has experienced the normal sorts of ups and downs we all see in our lives: personal tragedies in the death of friends and loved ones; family issues both high and low, from troublesome children through to the joys of grandchildren; personal health issues and so on. We know at the moment that the Queen is diagnosed with COVID-19 and we will see how that turns out.

As Queen and Head of the Commonwealth, she has been exposed to a range of issues, pressures, responsibilities and experiences that would make your head spin. I cannot even begin to imagine how you would deal with a life lived at that level. The pomp and ceremony aspects of the job alone would almost do me in, I reckon. But through it all, Queen Elizabeth has maintained an air of unflappable dignity, responsibility, commitment and focus that is truly admirable. It is quite amazing really.

At her Coronation she made the following pledge:

I can make my solemn act of dedication with a whole Empire listening. I should like to make that dedication now. It is very simple.

I declare before you all that my whole life whether it be long or short shall be devoted to your service and the service of our great imperial family to which we all belong.

Service to the Commonwealth was her focus, just as the focus of her husband Prince Philip's life was one of service to the Queen. Well, she has certainly done that, for the past 70 years and still going.

I cannot recall anyone saying a bad thing about the Queen, be they republican or monarchist. It is a testimony to the respect and admiration in which she is held by most Australians. The republican movement itself acknowledges that any move for a referendum on the issue of the monarchy would be doomed while she remains on the throne.

Mr President, a remarkable woman indeed.

[3.44 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I rise to support the motion. I had the pleasure of conducting the Queen down Salamanca Place back in 2000. Seeing the way she handled all of the attention being placed on her by children bringing up posies and things, she would hold them long enough to make the child understand that she cared for the gift that she had just been given then would pass them back to one of her staff, who would then put them in the boot of the car, and then the next one would come. Her Majesty must have received, I do not know, around 80, I reckon. I remember her attention on those who were coming to greet her.

Later we went to dinner at Government House and Her Majesty was constantly having to meet and greet and have a word to say to each person who came forward as we were being presented. I think the Leader said it, republican or monarchist, it is an amazing tour of duty. She has been there as the Queen of Australia, Queen of the Commonwealth since 1952. That is only two years after I was born and I am 71. She has been there almost all of my life. A constant, a still point in a turning world, although some might say a still point in a churning world, the way things are going at the moment.

A lot of people have huge respect for that level of commitment and sense of purpose, as was read out when she became Queen. How she was there to serve the people and would do that for her whole life. She counts that as her duty to the people.

**Ms Rattray** - 'Long or short,' she said.

**Mr VALENTINE** - 'Long or short.' I support the motion. I wish her well with her current circumstance with COVID-19. That cannot be easy. It is not easy for anyone and I certainly wish her well and I support the motion.

[3.47 p.m.]

**Ms ARMITAGE** (Launceston) - Mr President, I rise to make some brief remarks on Her Majesty's Platinum Jubilee 2022 and support the motion.

Seventy years marks a reasonably long life; however, Her Majesty has served this period of time to her subjects and our Commonwealth. Fifty-four countries comprise the Commonwealth and whilst I congratulate and thank Her Majesty for this milestone I believe it is one in which we can all celebrate. Despite the challenges posed by the COVID-19 pandemic and the loss of her husband, his Royal Highness, the Duke of Edinburgh, Her Majesty has continued to be a mainstay during these hard times.

During these past 70 years the welfare of Her Majesty's people and the Commonwealth have always come first. This is truly a significant responsibility and Her Majesty has shown an extraordinary level of commitment and dedication to our Commonwealth. I thank Her Majesty for her devotion, dedication, ongoing concern and care and look forward to the continuing events and celebrations during the year to mark this incredible milestone.

**Motion agreed to.**

## **MOTION**

### **Platinum Jubilee of Her Majesty Queen Elizabeth II**

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

That a message be transmitted to the House of Assembly acquainting that House accordingly.

**Motion agreed to.**

## **JUSTICE MISCELLANEOUS (INDEPENDENT REVIEW AMENDMENTS) BILL 2022 (No. 3)**

### **Second Reading**

[3.49 p.m.]

**Mrs HISCUTT** - Mr President, I move -

That the bill be now read for the second time.

The Tasmanian Government does not condone any form or types of bullying or harassment in any workplace and requires all members and ministerial staff to abide by

standards of conduct necessary to ensure the integrity and ethical standards expected of a staff member in their role.

Our Government acknowledges that when it comes to preventing and dealing with workplace discrimination, workplace sexual harassment and workplace bullying we must lead by example. Any required changes to culture start with everybody accepting there is a need for change. It also requires all members in this place to accept and acknowledge our duty as community leaders and that we share common values when it comes to promoting a positive and supportive culture.

That is why last year the Premier called for an independent review to be conducted on the practices and procedures of parliament, ministerial and electoral office workplaces. The focus of this important review is to identify any gaps and potential improvements in existing policies and procedures, including complaint mechanisms, frameworks and any cultural and structural barriers to reporting misconduct. This will ensure that we have best practice policies and procedures in place, firstly to prevent or if necessary support and work through concerns should they arise. In July 2021 the Premier, in consultation with members of both Houses of Parliament, appointed Ms Sarah Bolt, Tasmanian Anti-Discrimination Commissioner, as an independent reviewer for the independent review into parliamentary practices and procedures to support workplace culture. I will call that the review from here on, Mr President.

Importantly, Ms Bolt has said she is undertaking the review under safe and supportive conditions to ensure trust and foster open engagement. In order to support and strengthen this work, Ms Bolt has identified the need for discrete legislative amendments to ensure that every single staff member, former staff member or any other individual who wishes to make a submission to or participate in the review can do so safely, confident in the knowledge that their privacy will be respected and that they cannot be personally identified through participation in the review.

Accordingly, this bill contains important amendments to the Archives Act 1983 and the Right to Information Act 2009 to achieve that aim. The changes outlined in this bill are limited to the purpose of the review, which aimed to ensure that protections apply to prevent the inappropriate disclosure of information received in confidence by the independent reviewer and to ensure the long-term protection of the privacy of participants who have contributed to the review.

I will now speak to the specific amendments contained within the bill. So, there is the Archives Act 1983. Firstly, the bill inserts a new section of 16A into the Archives Act 1983 which prohibits the State Archivist from making a record part of the review that has been deposited with the Archives Office available for inspection by members of the public for a period of 75 years after the record came into existence. The 75-year prohibition on inspection of review records deposited in the Archives Office aligns with the current maximum period that a state record can be a closed record under the Archives Act.

The amendments to the Archives Act will provide participants with confidence that the information provided by them to inform the review will be kept confidential for the maximum period of time available under the Archives Act. The bill specifies that the provisions inserted into the Archives Act prohibit records or information from being made publicly available, including records created between the commencement of the review on 27 July 2021 and commencement of the new section 16A. This ensures coverage of any information or

responses made by participants received to date. This prohibition is strictly limited to review records that are held by the State Archivist only. The bill also provides for an offence penalty of a maximum of 10 penalty units, in the event an independent review record is disclosed or inspected prior to the expiry of the 75-year period of prohibition imposed on a relevant record. This penalty provision is consistent with existing penalties in the Archives Act that apply where a record's contents has been disclosed or divulged contrary to the conditions imposed under the act.

I will turn my mind now to the Right to Information Act of 2009. The bill also inserts a new subsection (3) in section 6 of the Right to Information Act of 2009 to provide that information for the purposes of the review is exempt from the disclosure requirements under the act.

Importantly, the amendments in this bill exempting all review information from the operation of the RTI act will only apply to information provided or brought into existence for the purposes of the review. The amendment does not seek to prevent members of the public from the right to obtain other information from the government, ministers, or public authorities that they would otherwise be entitled to under the RTI act.

In addition, any review information, regardless of when it was provided, is exempt from future RTI applications. The bill also clarifies that any application for review information made before the commencement date is invalid. This is not the first time such protections have been put in place, with similar disclosure exemptions to support the important work of the current Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings.

In addition, in preparing the bill, the department noted the similar protections put in place by the Australian Government to strengthen the confidentiality of information provided under the recent Independent Review into Commonwealth Parliamentary Workplaces. Targeted stakeholder consultation has been undertaken, including providing the committee members with a draft version of the bill for consideration and comment. I believe this is an important step to ensure that the committee - comprising members of both Houses - that has been established to support the work of the reviewer, could be across the proposed changes to assist them with any work they will undertake to lead the implementation of any accepted recommendations upon the review's completion.

The minister is pleased to advise the department has also worked closely with key stakeholders in the development of the bill, including the independent reviewer and the State Archivist, who have indicated strong support for the approach taken with these amendments.

This is an important bill that supports the work currently underway, which is why the minister has prioritised its progression through parliament at the earliest opportunity, and I am sure members will agree with that. Our Government recognises that due to the unique sensitivity of the information that may arise during the course of the review, it is important that participants have the confidence that they need to be able to come forward and share their stories with complete confidence, that their experiences or personal information will not be released for public consumption.

I have not organised any briefings on this - my advisers will be here after our break - as I think the bill is quite straightforward, but if any member requires a briefing they might talk

about that during their contribution and we can break at that time. I am sure there is a member ready to go and I commend this bill to the House.

**Mr PRESIDENT** - Before I make any further calls for speakers to comment, I am waiting for a ding. We are not sure if we have our timing right for our 4 o'clock break. Hopefully, we will get a ding and then suspend from 4 p.m. to 4.30 p.m. The clock should make a ding at 4 p.m. and then the sitting is suspended. If we do not get a ding, the Deputy Clerk will probably make a small noise. When that happens, we will suspend the sitting for a half-hour period. It is just a matter now of waiting for that. If it does not ding this time, we will have the people responsible for things come in and sort it out.

**Mrs Hiscutt** - I am sure that members here will appreciate the break.

**Mr PRESIDENT** - It being 4 p.m., the sitting is suspended until 4.30 p.m.

**Sitting suspended from 4.00 p.m. to 4.30 p.m.**

## **JUSTICE MISCELLANEOUS (INDEPENDENT REVIEW AMENDMENTS) BILL 2022 (No. 3)**

### **Second Reading**

**Resumed from above.**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I commend the bill to the House.

[4.31 p.m.]

**Ms RATTRAY** (McIntyre) - Mr President, I do not have a huge offering on this piece of legislation. We need to support legislation that also supports the people who work not only in this workplace but any other workplace, albeit that this is specific to the workplace that we share here.

I certainly do not have any issue with this. When you have somebody as esteemed as Ms Bolt who has identified the need for these amendments, then I would not speak against that, in that regard.

There has been targeted stakeholder consultation, and it also comments in the second reading speech about providing the committee members with a draft version of the bill for consideration and comment, which has taken place. So, this is just the next stage of this important process.

The opening line of the Leader's second reading speech talks about:

The Tasmanian Government does not condone any form or types of bullying or harassment in any workplace and requires all members and ministerial staff to abide by standards of conduct necessary to ensure the integrity and ethical standards expected of a staff member in their role.



I think that says it all. When the Leader read that out, I did not have my notes in front of me at the time, but that certainly resonated with me.

I will be supporting the legislation, the bill, into the Committee stage.

[4.34 p.m.]

**Ms WEBB** (Nelson) - Mr President, I rise to speak briefly on this bill because I have some considerable interest in the process that it is seeking to assist, and that is the review of parliamentary workplace culture.

In fact, it was on 3 March last year that I wrote to the Premier, along with the Leader of the Opposition, and the Leader of the Greens, to put it to the parliamentary leaders that it would be an important initiative for us to undertake such a review. At that time, there were things playing out in the federal parliament and there were other state jurisdictions that were engaged in investigations into matters that had arisen in those jurisdictions within their parliaments.

As I suggested in the letter to the three leaders calling for this form of review to be put in place here, it would be positive for us to be proactive and not wait for matters to be brought forward or allegations to come to light. I was pleased with the prompt response from the Premier last year when I put that correspondence out to the leaders, and the others were supportive of that as well. I am pleased to have been involved in the working group made up of some members of parliament from each House assisting with the progress of the review.

What this bill seeks to do for privacy protections is absolutely essential for this review to be conducted with the right duty of care to the people involved. It will also ensure we can get the best out of it and that people will not hesitate in coming forward in this review to provide information and assist us with identifying opportunities for improvement. I am glad the Government has brought this to us so promptly, so we can put appropriate protections in place. I trust what we are doing is sufficient for that and can be relied upon to do the necessary protecting both now and in the future with regard to privacy.

Thank you to the Government. I would like a reassurance we have clear advice that this covers all avenues around privacy that need to be covered for participants in the review. I will be looking forward to that review continuing the protections in place through this bill.

[4:37 p.m.]

**Ms LOVELL** (Rumney) - Mr President, I will support this bill. I would be surprised if there is any opposition to this bill, because we know how important it is for people to be able to speak with the confidence that what they share in this parliamentary review is in the highest confidence, without fear of repercussions.

It is important that workers across Tasmania have a safe workplace free from bullying, intimidation, and harassment. That stands here just as much as anywhere else. More importantly, this is our workplace and the workplace of many staff, from the staff in the Chamber with us right through to the facility staff, cleaners, security guards, to our electorate officers out in our electorate offices in the community. This is an important process and I want to recognise the work of the committee, particularly the work of the member for Nelson that sparked that committee. I also recognise this is a process that has even more than tripartite support: it has cross-parliament support. I do not think there is a single person in parliament

who would not support the work of the committee and the work of the commissioner Sarah Bolt.

I argue this does not yet go far enough and this work should be extended across the public service and I hope this will be the next step in this process. We hear from public service workers that these issues being reviewed and considered under this process are rife throughout the public service. Public sector workers have the same right to a safe workplace that all of us have. I would encourage the Premier to consider extending this process throughout the public service, so all public service workers have the opportunity to have these issues brought to light and addressed. I absolutely support the work of the committee and of the commissioner and support this bill because it is an important in ensuring people can have a say in this process without any fear.

It is important to recognise this is retrospective and will apply for submissions that have already been made through this process. I hope nobody has been deterred by not feeling their submissions would be held in confidence and that this bill will go some way towards encouraging people to take part in this process. This is something that now more than ever, these are the steps that we should be taking as a parliament to ensure that we all have a safe workplace.

[4.40 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I rise to support the bill. It is important that people are able to speak freely and not have the risk of what they say being read by those who should not be reading and transmitting information where it should not be transmitted. Quite clearly, it is a 75-year period, a significant period of time in embargoing any information that is collected during the review process. One would think that this parliament, the whole of the parliament, the sitting members, the staff, everybody involved with this parliament should feel free. It should start here.

I agree with the member for Rumney, we need to look at expanding it further but if we cannot get it right for this particular place, then there is a problem. I fully support it. I hope that the review does the job that it is expected to do and that people feel free to speak without fear or favour through this process to have issues brought to light. It is very important that that happens and I think this bill certainly goes a way to do that.

[4.42 p. m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I assure you that the comments from the member for Rumney have been noted, that it does not go far enough. Thank you.

The member for Nelson asked a question about how we protect the information of people. That is done under the Personal Information Protection Act 2004, the PIP act. The collection, use and disclosure of personal information is regulated by the PIP act. Personal information will be protected in accordance with the act while the commissioner undertakes the review. For the purposes of the review, the information provided by participants to the commissioner comprises personal information. The commissioner, as personal information custodian, is bound by the provisions of the PIP act.

Any consultants engaged by the commissioner to assist with the review work are also subject to the operation of the PIP act. A personal information custodian must not use or

disclose personal information about an individual for a purpose other than the purpose for which it was collected unless an exemption applies, such as where the individual has consented to the use of the disclosure. In addition, the commissioner also routinely receives information about bullying and other conduct falling outside the scope of the Anti-Discrimination Act 1998, such as bullying, but also criminal law and family law matters. This occurs often when people make inquiries to Equal Opportunity Tasmania.

While the scope of the Anti-Discrimination Act does not extend to this type of conduct, the commissioner still stores that information in accordance with the PIP principles in the act.

**Bill read the second time.**

**JUSTICE MISCELLANEOUS (INDEPENDENT REVIEW AMENDMENTS)  
BILL 2022 (No. 3)**

**In Committee**

**Clauses 1 and 2 agreed to.**

**Clauses 3 and 4 agreed to.**

**Clauses 5 and 6 agreed to.**

**Clauses 7 and 8 agreed to.**

**Clause 9 agreed to.**

**Title agreed to.**

**Bill reported without amendment.**

**Third reading made an order of the day for tomorrow.**

**JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS  
AMENDMENTS) BILL 2021 (No. 60)**

**Second Reading**

[4.47 p.m.]

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

That the bill now be read for the second time.

The Tasmanian Government is committed to ensuring that Tasmanians have access to an effective and efficient justice system. Consistent with that commitment this bill proposes minor amendments to clarify or improve the operation of a number of acts. As members will note, a number of these amendments were considered in March 2021, prior to the state election

in May. This bill is substantially the same, with a few minor amendments that have subsequently been identified by the Department of Justice. The Department of Justice has undertaken further stakeholder and public consultation on the expanded bill, which was released for consultation on the department's website.

Mr President, I will now outline the reason behind each of these proposed changes.

Firstly, the amendments to the Appeal Costs Fund Act of 1968. The Appeal Costs Fund is established under the Appeal Costs Fund Act of 1968, and its purpose is to assist in the payment of costs incurred by litigants through no fault of their own in certain circumstances, such as when decisions are upset on appeal, or proceedings are rendered futile.

The bill amends section 5 (2) of the Appeal Costs Fund of 1968, to replace the words

other than a complaint in respect of an indictable offence, including an indictable offence triable summarily by virtue of the Act.

With:

other than a conviction or order made in the Supreme Court.

This amendment will mean there is no distinction in fee payment between indictable offences and indictable offences tried summarily and any other offence, other than a conviction or order made in the Supreme Court, and will support the efficiency of the Magistrates Court.

This amendment, requested by the Chief Justice, will allow the Court of Criminal Appeal to grant an indemnity certificate to a person who successfully appeals a conviction, except where the person has received legal aid within the meaning of the Legal Aid Commission Act 1990, in relation to their appeal. The Court of Criminal Appeal currently has the power to make an order for costs against the Crown under section 414 of the Criminal Code Act 1924, the Criminal Code, when an appeal against a conviction succeeds and the appellant does not have legal aid. However, as a result of the decision of the Court of Criminal Appeal in *Templar v The Queen*, such orders for costs will not simply be made because the appellant succeeded in the appeal; rather, there needs to be an additional reason for making the order.

Indemnity certificates can currently be granted under section 10 of the Appeal Costs Fund Act 1968 where an appeal is successful but only if the appellant has not appealed in the lower court or the Supreme Court. An indemnity certificate entitles the appellant to be paid from the Appeal Costs Fund an amount equal to the appellant's taxed costs of the appeal in the respect to which the certificate was granted and an amount equal to the costs incurred by the appellant in having those costs taxed up to a maximum of \$300. Granting an indemnity certificate would allow successful applicants an additional reason for costs against the Crown as the court, in granting the indemnity certificate, has acknowledged that the appeal has succeeded.

The bill amends section 10 of the act to provide a power for the granting of an indemnity in criminal proceedings but excludes appellants with legal aid from Tasmania Legal Aid. This is consistent with any formal agreement between the Director of Public Prosecutions and Tasmania Legal Aid, whereby costs are not sought by or against a legally aided person.

I will move on to amendments to the Constitution Act 1934. This amendment provides that the oath of allegiance taken by members of the Tasmanian parliament is deemed to relate to the sovereign and their heirs and successors, so that it is unnecessary for members to take the oath again when a new sovereign is appointed.

Currently, section 30 of the Constitution Act 1934 requires a member of parliament to take an oath of allegiance before they can act or vote in parliament. The wording of the oath in the Promissory Oaths Act 2015 refers to, 'Her Majesty, the Queen'. The bill seeks to address this ambiguity as to whether members of parliament need to retake the oath of allegiance on appointment of the Queen's successor. The amendment to section 30 reflects a similar clause in the New South Wales Constitution Act 1902.

Mr President, amendments to the Coroners Act 1995. Section 59B was inserted into the Coroners Act 1995 by the Justice and Related Legislation (Miscellaneous Amendments) Act 2017 to allow a Coroner to order evidentiary material be rendered safe or inert, or destroyed or disposed of prior to conclusion or adjournment of an investigation. The bill repeals section 59B(2) and amends 59B(3) to allow the section to operate as originally intended by permitting the Coroner to dispose of evidentiary material on their own discretion upon application from the Commissioner of Police.

This section retains the requirement for a photographic or audiovisual record of the evidentiary material and, where practicable, samples to be taken before an order of the Coroner can be actioned. This amendment was requested by the Department of Police, Fire and Emergency Management and is supported by the Magistrates Court.

Amendments to the Crime (Confiscation of Profits) Act 1993. The bill amends section 28(3) of the Crime (Confiscation of Profits) Act 1993. Part of that act provides for the Supreme Court to make restraining orders directing that property not be disposed of where the defendant has been convicted of or has been, or is about to be, charged with a serious offence. Section 28(3) allows for the Supreme Court to make a restraining order on an application without notice but only in an urgent case. It has been identified that issues have arisen regarding the judicial interpretation of an 'urgent case'. As such, the amendment removes the term 'in an urgent case' to ensure the provision works as intended. The restraining order process remains limited by other provisions within the act, including the ability of the court to direct the applicant to give or publish notice of the application to such persons in such manner and within such time as the court considers appropriate. The amendment ensures the Tasmanian legislation is consistent with other jurisdictions.

I now turn to amendment to the Criminal Code Act 1924. The bill amends section 401 of the Criminal Code. Section 401 provides a right of appeal for a person convicted before a court of trial, and a right of appeal for the Attorney-General. The right of appeal for the Attorney-General includes a right to appeal against the sentence.

Currently, the provision refers to specific orders, namely probation orders, under the Sentencing Act 1997. Under this bill, this is amended to ensure the provision refers to all orders made under this act. The bill also removes the reference to probation orders, a term no longer used following the commencement of the Sentencing Amendment Act 2016.

The Chief Justice has also requested a power to be included in the Criminal Code for the Supreme Court to stay or suspend the operation of sentencing orders of all types pending the

hearing and determination of a criminal appeal, consistent with the powers of a magistrate under section 109(1)(c) of the Justices Act 1959, to 'stay proceedings on the order or suspend the operation thereof *ab initio*'. The bill amends section 415 and 418 of the Criminal Code to provide this power to allow it to apply to both the court and a single judge.

I now turn to amendments to the Dangerous Criminals and High Risk Offenders Act 2021. The bill addresses minor inadvertent drafting errors in the Dangerous Criminals and High Risk Offenders Act 2021, which has attained royal assent but is yet to be proclaimed. The bill amends the definition of 'relevant offender' in section 24 to clarify that it includes an offender serving a custodial sentence for an offence against the law of this state that is being served concurrently or cumulatively in relation to one or more of the other sentences of imprisonment referred to previously in the definition.

In the current act, references to 'this state' were inadvertently omitted. The amendment brings the definition into line with other provisions of the act so that the provision captures persons who have finished serving a sentence for a serious offence that remain in custody for another offence under Tasmanian or other jurisdictions' law being served cumulatively. The bill also replaces the references to 'consecutively' with the term 'cumulatively' in sections 24C(3)(iii) and 32(2)(b)(iii). As 'consecutively' is not defined in the act, the amendments will ensure the provision can operate as intended, which is to cover situations where further sentences are imposed and to operate in addition to the first sentence.

I now turn to amendments to the Evidence (Audio and Audio Visual Links) Act 1999. The bill amends section 6 of the Evidence (Audio and Audio Visual Links) Act 1999 to broaden the use of audio links and audiovisual links. The provision is currently limited to taking evidence or making submissions. However, the potential application within the court system is much broader.

This has been demonstrated during the COVID-19 pandemic, where the limited access to the court has resulted in greater reliance on audio and audiovisual methods to continue to meet the requirements of open justice. The proposed amendment will allow the use of audio links or audiovisual links for any purpose the court directs.

We now turn to amendments to the Evidence (Children and Special Witnesses) Act 2001. The bill amends section 3 of the Evidence (Children and Special Witnesses) Act 2001, to include a reference to the crime of carjacking contrary to section 240A of the Criminal Code, in the definition of 'affected child'. Currently, if a child is a complainant in or a witness to a robbery, they are deemed by the Evidence (Children and Special Witnesses) Act, to be an affected child, and entitled to a number of special measures. However, if they are a complainant in or a witness to a carjacking, they are not able to access the special measures, despite the clear similarity between the crimes of robbery and carjacking. Accordingly, the amendment addresses this apparent drafting oversight that occurred when the crime of carjacking was inserted into the Criminal Code in 2013.

We move to the amendment to the Forensic Procedures Act 2000. The bill amends the definition of 'serious offence' in section 3 of the Forensic Procedures Act 2000, to include references to section 22A and 27AA of the Misuse of Drugs Act 2001, and section 38B of the Police Offences Act 1935. These summary offences were introduced in the Justice Miscellaneous (Court Backlog and Related Matters) Act 2020, which commenced on 1 July 2021. Currently, as a result of the absence of references to these offences in the

definition of 'serious offence', police will be able to use fingerprints, DNA and other relevant material to aid in the investigation and prosecution of the indictable version of these offences, but will be unable to use such evidence where they are tried summarily. The amendment will address this omission.

We move to amendments to the Industrial Relations Act 1984. The bill amends the Industrial Relations Act 1984 to address any inconsistencies in appeal rights in relation to unfair dismissal cases. Under section 70 of the act, there is a right of appeal in relation to orders made by the commission under section 31(1), after a hearing in respect of the mode, terms, or conditions of employment or any termination of employment.

However, there is no right of appeal when an application for unfair dismissal has been dismissed without hearing. The bill ensures there is an appeal process for such decisions made under the act. The bill also enables the president or other presiding member sitting on the full bench of the Industrial Commission to make procedural orders or directions to facilitate the hearing of an appeal. Currently, such orders or directions must be made by all members of the full bench.

In amending section 71, the bill removes the logistical issues and unnecessary delays in hearing appeals associated with the current process. This bill removes the two-step appeal process under section 72 of the Industrial Relations Act 1984. This process is no longer required, as the Judicial Review Act 2000 has simplified the procedures for a review of administrative decisions. The bill amends section 72 to allow a person who wishes to challenge a decision of the full bench in respect of an appeal to apply to the Supreme Court for a review on the basis of an error of law.

Amendments to the Interstate Transfer (Community-based Sentences) Act 2009. The bill makes minor amendments to section 3 of the Interstate Transfer (Community-based Sentences) Act 2009 to clarify an omission that community-based sentences include community corrections orders within the meaning of the Sentencing Act 1997, or a sentence imposed by a court of another state or a territory that corresponds or substantially corresponds to a community correction order.

Amendment to the Justices Act 1959. The bill amends bringing forward three amendments to the Justices Act 1959 that have been requested to assist the Magistrates Court to manage court administrative processes as part of the transition to the Magistrates Court (Criminal and General Division) Act 2019, which is expected to commence in late 2022.

The first amendment is to section 55 of the Justices Act 1959, which requires justices adjourn proceedings after the first appearance for a period not exceeding four weeks, where the defendant does not plead guilty to the offence charged or another offence.

The Magistrates Court has identified that this time frame can result in cases unnecessarily returning before the court multiple times if the requirements to proceed have not been met within the four-week period.

The bill amends section 55 of the Justices Act 1959 to include a new subsection reflecting the wording of the not yet commenced section 176 of the Magistrates Court (Criminal and General Division) Act 2019, which establishes exemptions to the limit of four weeks where

either the defendant elects or the Magistrates Court determines that the Magistrates Court will deal with the matter, rather than the Supreme Court.

The second amendment is to section 60 of the Justices Act 1959, which provides for the circumstances in which a Justice must commit a defendant for sentencing or trial in the Supreme Court. The Justice Miscellaneous (Court Backlog and Related Matters) Act 2020 inserted a new subsection (4) to allow a Justice not to commit a defendant to the Supreme Court on entry of a plea of not guilty, if the Justice is satisfied that preliminary proceedings have commenced or are about to commence.

The bill amends section 60(4) to clarify that a Justice must be satisfied that preliminary proceedings had commenced, or that a preliminary proceeding order is being, or will be, sought and granted. This is to ensure that the provision may be applied consistently and does not present an unnecessarily high threshold.

The third amendment is to section 74B of the Justices Act 1959 which currently provides that, where a matter relating to a simple offence or breach of duty is not heard and determined on first appearance, and the defendant is remanded in custody, the period of remand is not to exceed 28 clear days at any one time. The Magistrates Court has identified that this requirement increases return appearances of cases and creates issues for administrative efficiency within the courts.

Section 31 of the Magistrates Court (Criminal and General Division) Act 2019, replaces section 70 and section 74B of the Justices Act 1959, providing for adjournment procedures at any time during proceedings, not just for simple offences and breaches of duty. These amendments simply bring forward the changes set to commence next year under the Magistrates Court (Criminal and General Division) Act 2019.

I will now talk about amendments to the Legal Aid Commission Act 1990 and others.

The bill amends outdated references to the Legal Aid Commission and similar names to that of Tasmania Legal Aid throughout a number of Tasmanian acts and statutory rules. While the official name change took effect in 2020 as part of the commission's new strategic plan of 2020-23, the relevant legislative amendments were not identified or progressed at that time.

The bill addresses this omission and also ensures that any commenced proceedings are not affected by the change of name throughout the affected acts.

Now we are onto amendments of the Oaths Act 2001. The bill makes an amendment to section 12(2) of the Oaths Act 2001 to reflect updated Commonwealth regulations. Under the current provision, a person is a commissioner for declarations if that person is authorised to practise as a member of a profession listed in a schedule to the Commonwealth Statutory Declarations Regulations 1993.

The amendments will update the provision to provide that a person is a commissioner for declarations if the person is a prescribed person under section 7 of the Statutory Declaration Regulations 2018 of the Commonwealth, or a member of a group or persons declared by the minister to be an occupational group for the purposes of that section.



Now, we move to amendments to the Police Offences Act 1935. The bill removes section 15C (a)(2) of the Police Offences Act 1935. The current provision allows the court to make an order for community service, in accordance with Part 4 of the Sentencing Act 1997. This subsection is now redundant, as it relates to community services orders which are no longer made under Part 4 of the Sentencing Act 1997.

Now to amendments to the Promissory Oaths Act 2015. The bill updates the Promissory Oaths Act 2015 to reflect legislative changes to the justices of the peace legislation. Section 9 of the act references section 4 of the Justices Act of 1959, which has been repealed. The bill replaces these references with the current legislative provisions, which are in section 5 of the Justices of the Peace Act 2018. The bill also repeals subsections 5-9 of section 9 of the Promissory Oaths Act 2015. These provisions have become redundant as they refer to oaths for appointed extraterritorial justices, appointed under repealed provision of the Justices Act 1959, and there is no equivalent provision under the Justices of the Peace Act 2018.

Also, there are some amendments to the Sex Industry Offences Act 2005. This amendment updates the definition of sexually transmissible infections in the Sex Industry Offences Act 2005. The current definition refers to guidelines which are no longer applicable, as they do not exist. The definition has been developed in consultation with the Department of Health and includes diseases that are commonly associated with transmission by sexual contact to assist in interpretation of section 12 of the act. Section 12 establishes requirements of both sex workers and clients to adopt safe sex practices while providing or receiving any sexual services that involve sexual intercourse or any other activities with a similar or greater risk of acquiring or transmitting an STI. The definition does not affect or impose any additional obligations in relation to the notification of STIs. The definition is only used for the purpose of section 12 of the act, under which the emphasis and focus is on safe sex practices to minimise the risk of the transmission of STIs between sex workers and clients. The definition also allows for other diseases to be added, where they are identified as sexually transmissible. It is important to note that following receipt of formal stakeholder feedback as part of the subsequent consultation on the bill, further changes have been made to remove genital warts and herpes in the prescriptive list to address stakeholder feedback and concerns.

In conclusion, the purpose of this bill is to ensure legislation remains up to date and to correct minor errors that have become apparent after legislation has been operational for some time. A number of such minor amendments have been identified in legislation administered by the Department of Justice, as well as acts administered by the Department of Premier and Cabinet and the Department of Police, Fire, and Emergency Management. Accordingly, this bill makes minor amendments to 19 acts and three statutory rules. The amendments arise from requests from various stakeholders to clarify or improve the operation of particular pieces of legislation. Those stakeholders, as well as the legal profession and the public, have informed and refined the development of these amendments through consultation. I and the minister wish to thank all stakeholders for their valuable input throughout this process.

Mr President, I commend the bill to the Council.

[5.14 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, it is a very thorough coverage of all of the changes and I congratulate those involved in putting it together. It describes very well the changes being asked to be agreed to here.

Only a couple of small questions on page 6, Amendments to the Promissory Oaths Act 2015. It says:

These provisions have become redundant as they refer to oaths for 'appointed extraterritorial justices,' appointed under repealed provisions of the Justices Act 1959 and there are no equivalent provisions under the Justices of the Peace Act 2018.

Have the provisions become redundant because extraterritorial justices are no longer appointed or simply because the provisions no longer exist? What are the circumstances for that? On page 7, right at the top, there must have been a reason why guidelines were developed in the first instance. The fact they no longer exist does not necessarily mean they are no longer needed. I am interested to know the circumstances for this also. On page 7, right at the top, it says:

The current definition refers to guidelines which are no longer applicable, as they do not exist.

There must be a reason why they do not exist. If you can explain, that would be great. I support the bill.

[5.16 p.m.]

**Ms RATTRAY** (McIntyre) - Mr President, again, a fairly brief offering on this particular legislation and the bill before us. Obviously, the member for Hobart in his contribution said it is one of the most extensive second reading speeches and it certainly outlines very clearly the amendment to each bill. Somebody has been doing a lot of housekeeping on this.

When I read it was the Department of Justice, the Department of Premier and Cabinet, and the Department of Police, Fire and Emergency Management, they have been tasked to look at - I do not know if it was every piece of legislation under their jurisdiction but they have certainly been forensic in finding parts of the current acts no longer relevant or have been superseded.

I also note in the member's second reading speech:

In conclusion, the purpose of this bill is to ensure legislation remains up to date and to correct minor errors that have become apparent after legislation has been operational for some time.

The amendments to the Justices Act of 1959 around the Magistrates Court have not even commenced yet, so that is a pretty good pick-up. It has not even commenced and yet we passed some legislation back in 2019 -

**Mr Valentine** - We could not have done our job properly.

**Ms RATTRAY** - Could not have done our job properly. Immediately, I thought of the former member for Windermere and if only he was here to tell us what we had missed. That must have been one that had slipped through the keeper at that particular time. They are, when you read through and listen to the explanation, very reasonable and quite relevant and I am interested in the response on the question that the member for Hobart asked. I do not have any

specific questions, and if someone has taken an enormous amount of time and undertaken this extensive housekeeping process, then I will trust they have done their work. As I said, if the former member for Windermere was here and could be part of this process, I am sure he would be wondering how we missed that particular Magistrates Court matter that has now been picked up before the legislation has been in operation.

It has my support, Mr President, and I acknowledge the work undertaken in very forensic housekeeping arrangements through those three departments.

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I will seek some advice.

We are talking about guidelines, and those guidelines no longer exist; that was part of the Sex Industry Offences Act 2005. The current definition of 'sexually transmissible infection' or 'STI' in section 3(1) of the Sex Industry Offences Act 2005 includes reference to diseases specified as sexually transmissible infections in table 1 of the guidelines of notable diseases, human pathogenic organisms, and contaminants issued by the Director of Public Health under section 184 of the Public Health Act 1997. The act has subsequently been updated. The current guidelines are now called 'the Guidelines for Notifying Diseases and Food Contaminants', and were issued on 18 January 2016 and do not include a table or specifications for STIs that align with the definition in the act. The term 'sexually transmissible infection' is therefore currently undefined in the act.

**Mr Valentine** - There were two questions. Page 60, amendments to the Promissory Oaths Act. I can repeat it without standing up. The provisions become redundant because extraterritorial justices are no longer appointed, or simply because the provisions no longer exist?

**Mrs HISCUTT** - Thank you, member for Hobart. Sections 5 to 9 refer to 'oaths' as appointed extraterritorial justices. The appointment provision for extraterritorial justices under the Justice Act 1959 has been repealed, and there is no equivalent provision under the Justices of the Peace Act 2018. That means sections 5 to 9 are no longer correct or relevant, and therefore repealed under this bill.

**Mr Valentine** - I am wondering why they no longer exist under the Justices of the Peace Act 2018. They become redundant because extraterritorial justices are no longer appointed? Why was that not transferred across to the Justices of the Peace Act 2018?

**Mrs HISCUTT** - I will seek some advice on that. I am told we have done a review of the Justices Act in 2018 and it was taken out.

**Bill read the second time.**

**JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS  
AMENDMENTS) BILL 2021 (No. 60)**

**In Committee**

[5.24 p.m.]

**Clauses 1 and 2 agreed to.**

**Clause 3 agreed to.**

**Clause 4 agreed to.**

**Schedule 1 agreed to.**

**Title agreed to.**

**Bill reported without amendment.**

**Third reading made an order of the day for tomorrow.**

**LIVING MARINE RESOURCES MANAGEMENT AMENDMENT  
(AQUACULTURE RESEARCH) BILL 2021 (No. 58)**

**Second Reading**

[5.27 p.m.]

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

That the bill now be read a second time.

The purpose of the draft bill is to enable marine aquaculture research to be conducted in Commonwealth waters adjacent to the state of Tasmania pursuant to an arrangement with the Commonwealth under the Living Marine Resources Management Act 1995.

The bill advances a long-held aspiration for state and territory jurisdictions to regulate and manage aquaculture in adjacent Commonwealth waters. Moreover, the Government is seeking to maximise the potential opportunity for Tasmania from aquaculture in offshore Commonwealth waters for all potential species, for example, finfish, seaweed and other potential species whilst realising value for Tasmanians.

The National Aquaculture Strategy, which is endorsed by Tasmania, aims to grow the value of the Australian aquaculture industry. A priority identified in the strategy is efficient regulatory frameworks modelled on established best practices that support sustainable aquaculture industry growth. The strategy recognises that in the past aquaculture has operated in waters managed by state and Northern Territory governments. However, environmental and resource access benefits and improvements in technology are making aquaculture in Commonwealth waters feasible.

The Australian Government believes this should be encouraged in the most efficient manner possible which in most cases means enabling state and Northern Territory governments to extend their existing aquaculture legislation and management into Commonwealth waters adjacent to their jurisdictions. This will ensure operators are covered by consistent regulations in adjacent waters and may reduce unnecessary compliance and planning costs.

Enabling offshore aquaculture in adjoining Commonwealth waters will require a robust legal framework to be developed by the state, in cooperation with the Australian Government and consistent with national policy and approaches. The sensible first step is to support the potential for marine aquaculture research. For example, the onset of the Blue Economy Cooperative Research Centre - the Blue Economy CRC - centred in Launceston, provides an immediate and significant opportunity for a strategic research partner to look at aquaculture farming potential and technologies adjacent to Tasmania.

This bill will enable marine aquaculture research activities which can also help inform the development of the future arrangements required for offshore aquaculture in Commonwealth waters. It seeks to put Tasmania on the first step towards realising the full potential of offshore aquaculture. Over time, we intend to develop the potential legislative and regulatory framework and administrative processes needed to provide for commercial-scale marine aquaculture industries to operate in Commonwealth waters.

The Blue Economy CRC's website describes the socio-economic potential well.

With the third largest exclusive economic zone globally, a marine territory larger than its landmass, Australia has enormous potential to use its ocean domain to increase seafood and renewable energy production. Aquaculture is the fastest growing global food producing sector, with the highest per capita consumers of seafood located in Asia. Increasing demand from Asia will only be met from aquaculture. Yet existing and emerging aquaculture industries in Australia and other parts of the world are constrained by the availability of suitable near-shore production sites. Offshore aquaculture is a solution to meet this opportunity.

This bill specifically enables the state to enter into an arrangement with the Commonwealth for marine aquaculture research to be managed according to the law of Tasmania, in waters on the seaward side of the coastal waters of the state. The bill ensures that aquaculture research can be permitted when such an arrangement with the Commonwealth is in place. In deciding whether to grant a research permit for any offshore aquaculture activity, the minister will be required to consult with the director of the Environment Protection Authority. The minister will also be required to incorporate any conditions specifically for finfish farming that the director considers necessary.

The bill will also ensure that research in Commonwealth waters is managed appropriately and consistently with state animal welfare laws for animal research activities, which in the context of research activities could, by way of example, include permit conditions relating to animal ethics approvals. These amendments do not exist in isolation from other state laws. For example, the Biosecurity Act 2019 which has express extraterritorial operation applies to all dealings with fish and fishing equipment in Tasmania's adjacent waters. This means that, for example, the Chief Veterinary Officer, the CVO, can be consulted on research proposals, and to be clear, the Government's intention is that the CVO will be consulted. The proposed salmonid biosecurity program currently under development, which will be regulated under the

Biosecurity Act 2019, would also apply to activities being conducted by research institutions for specific purposes in Tasmania's adjacent area.

The approach just outlined is deliberately designed to reflect the well-established, robust regulatory framework that applies to marine farming in state waters and is appropriate in the context and scale of enabling scientific aquaculture research activities. I note again that the intent is to develop a holistic framework that enables aquaculture research for all potential species of fish, for example, finfish, seaweed, which I find very exciting, and other potential species.

In closing, I am pleased to advise that consultation on the draft bill has included the Blue Economy CRC, the Institute for Marine and Antarctic Studies, the Tasmanian Seafood Industry Council, the Tasmanian Salmonid Growers Association, the Tasmanian Association for Recreational Fishing (TARFish), Marine and Safety Tasmania, as well as the Commonwealth Department of Agriculture, Water and the Environment.

The draft bill was released for public comment and seven submissions were received. Those submissions and a report on the consultation have been published on the department's website. Mr President, I commend this bill to the House and move that it is adjourned.

**Debate adjourned.**

## **ADJOURNMENT**

[5.36 p.m.]

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

That the Council at its rising adjourn until 11 a.m. on Wednesday 9 March 2022.

**Motion agreed to.**

Before I adjourn, I had flagged a late night but we have done exceedingly well, so I urge members to take a couple of hours to perhaps refine their state of the state. I am not going to say how long is a piece of string but I do hope to get to a couple of them and I will do mine on Thursday morning sometime.

I remind members also of our briefings tomorrow morning. At 9 a.m. we have Jess Coughlan from Neighbours of Fish Farms and Ben Lans from North-West Tasmania for Clean Oceans. Rebecca Howarth who is on your list has notified us that it is a training day and she cannot come. She asked that these other two come in her place. Then we will have Dr John Whittington, who is the CEO of the Blue Economy Cooperative Research Centre, followed by a departmental briefing on the Living Marine Resource Management Amendment (Aquaculture Research) Bill, followed by our waste recovery bill after that. So, it is 9 a.m. in Committee Room 2 tomorrow morning.

Mr President, I move that the Council does now adjourn.

**The Council adjourned at 5.36 p.m.**

## Appendix 1

### ANSWERS:

1. (a, b, c and d) Please see Attachment 1, which provides a list of the government boards and committees that are supported by government agencies and that form the database used to report on gender representation on government boards and committees.
2. (a, b and c) Please refer to Attachment 1, which shows the maximum number of board members provided by establishment documentation (eg legislation, Terms of Reference) and who appoints members (eg Governor, portfolio Minister).
3. No new Government Business Enterprises or State-owned Companies have been initiated by the Government since March 2014.


The Tasmanian Liquor and Gaming Commission was established in 2015 upon the amalgamation of the Tasmanian Gaming Commission and Licensing Board, and the Superannuation Commission was established in 2016 (formerly the Retirement Benefits Fund Board). The Voluntary Assisted Dying Commission will commence operation in May 2022.

Other boards and committees established since March 2014 include:

- Brand Tasmania Board;
- Veterans Reference Group;
- Tasmanian Civil and Administrative Tribunal;
- Premier's Youth Advisory Council;
- Biosecurity Advisory Committee;
- ShellMAP Management Committee;
- Tasmanian Game Council;
- Sustainable Timber Tasmania Board (formerly Forestry Tasmania); and
- Tasmanian Tourism and Hospitality Workforce Advisory Committee.

4. The Government has recently announced the establishment of a new statutory authority - Housing Tasmania - and is also progressing legislation to establish the Stadiums Tasmania statutory authority. While there are no plans for further entities at this time, the Government retains an open mind and there may be further entities established as a policy response in the future.
5. It is important that the organisational structure for a new entity is determined on a case-by-case basis, taking into consideration a range of significant factors such as the objectives for the entity; the entity's core activities/services; financial considerations; accountability and governance requirements; any competitive neutrality matters; and the degree of independence of the entity.

APPROVED / NOT APPROVED

  
Hon Peter Gutwein MP  
Premier  
Treasurer

Date:

7.3.22

Attachment I

	Maximum number of members	Members appointed by Minister, Governor or Other
<b>Brand Tasmania</b>		
Brand Tasmania Board	11	Governor on rec'n of the Minister
<b>Department of Communities Tasmania</b>		
Housing Review Committee	4	Portfolio Minister
Premier's Disability Advisory Council	11	Premier
Tasmanian Community Fund Board	6	Governor on rec'n of the Minister
Tasmanian Women's Council	9	Portfolio Minister
Veterans' Reference Group	7	Portfolio Minister
<b>Department of Education</b>		
Allport Library and Museum of Fine Arts Management Group	5	Minister
Non-Government Schools Registration Board	8	Minister
State Library and Archives Trust	5	Minister on rec'n of the Secretary
Tasmanian Home Education Advisory Council	7	Minister
Tasmanian Library Advisory Board	14	Governor on rec'n of the Minister
Teachers Registration Board	12	Minister
<b>Department of Health</b>		
Alcohol and Drug Dependency Tribunal	5	Governor
Council of Obstetric and Paediatric Mortality and Morbidity	10	Portfolio Minister
Fluoridation Committee	5	Portfolio Minister
Health Service Establishments Advisory Committee	7	Portfolio Minister
Radiation Advisory Council	9	Portfolio Minister
Tasmanian Pharmacy Authority	3	Portfolio Minister
Voluntary Assisted Dying Commission	Not specified	Jointly by the Minister and the Attorney-General
<b>Department of Justice</b>		
Board of Architects of Tasmania	5	Governor
Board of Legal Education	6	Portfolio Minister (Justice)
Board of the Integrity Commission	4	Governor on advice from the Minister
Council of Law Reporting for Tasmania	6	Governor on advice from the Minister
Criminal Injuries Compensation Commission	Not specified	Portfolio Minister (Justice)
Disciplinary Tribunal	15	Other
Legal Aid Commission of Tasmania	5	Portfolio Minister (Justice)
Legal Profession Board	6	Governor
Nominal Insurer	6	Portfolio Minister (Workplace Safety and Consumer Affairs)
Parliamentary Standards Commissioner	1	Governor



Parole Board	Not specified	Governor/Minister for Corrections *Board consists of four persons appointed by the Governor. *The Minister may appoint a person to be the deputy of the chairperson. *The Minister may appoint persons to be deputy members
Professional Standards Council	11	Portfolio Minister (Workplace Safety and Consumer Affairs)
Property Agents Board	5	Governor
Property Agents Tribunal	11	Governor/Minister for Workplace Safety and Consumer Affairs *President appointed by Governor. *10 persons appointed by Minister
Property Agents Trust	3	Governor
Public Trustee Board	9	Governor on rec'n of Treasurer and portfolio Minister
Sentencing Advisory Council	Not specified	Portfolio Minister (Justice)
Solicitors Trust	3	Governor
Supreme Court Rule Committee	Not specified	Governor
Tasmanian Civil and Administrative Tribunal	Not specified	Governor
Tasmanian Electoral Commission	3	Governor
Tasmanian Industrial Commission	Not specified	Governor/Minister *Commission consists of a minimum of 2 members, one of whom is the President, and one of whom is the Deputy President, appointed by the Governor *Minister may appoint additional Commissioners
Tasmanian Planning Commission	8	Governor
WorkCover Tasmania	6	Governor
<b>Department of Police, Fire and Emergency Management</b>		
Police Review Board	5	Portfolio Minister
State Emergency Management Committee	Not specified	State Controller
State Fire Commission	8	Governor, Portfolio Minister
State Fire Management Council	10	Governor, Portfolio Minister
<b>Department of Premier and Cabinet</b>		
Local Government Board	6	Up to six members. (s 210(5A) provides that Minister may appoint an additional 2 members for the purposes of a review). Five can be appointed by the Minister, and the Director of Local Government is Ex Officio. While the Minister appoints them all, two members must be nominated by stakeholders – one by Local Government Association Tasmania and one by Local Government Professionals Australia (Tasmania)
Premier's Health and Wellbeing Council	10	Premier
Premier's Youth Advisory Council	24	Premier
<b>Department of Natural Resources and Environment Tasmania</b>		
Abalone Fishery Advisory Committee	Not specified	Portfolio Minister

Aboriginal Heritage Council	11	Governor on rec'n of Portfolio Minister
Animal Welfare Advisory Committee	13+	Portfolio Minister
Biosecurity Advisory Committee	Not specified	Portfolio Minister
Community Review Committee	9	Portfolio Minister
Crustacean Fishery Advisory Committee	Not specified	Portfolio Minister
Environment Protection Authority	5+	Governor
Inland Fisheries Advisory Council	9+	Portfolio Minister
Marine Farming Planning Review Panel	9	Governor
National Parks and Wildlife Advisory Council	12	Governor on rec'n of Portfolio Minister
National Trust Board	7	Portfolio Minister
Place Names Advisory Panel	7+	Portfolio Minister
Poppy Advisory and Control Board	6	Portfolio Minister
Port Arthur Historic Site Management Authority	9	Governor on rec'n of Treasurer and Portfolio Minister
Recreational Fisheries Advisory Committee	Not specified	Portfolio Minister
Royal Tasmanian Botanical Gardens Board of Trustees	7	Portfolio Minister
Savage River Rehabilitation Project Management Council	5	Prescribed by Act
Scalefish Fishery Advisory Committee	Not specified	Portfolio Minister
Scallop Fishery Advisory Committee	Not specified	Portfolio Minister
Scientific Advisory Committee	7	Portfolio Minister
ShellMAP Management Committee	9	Portfolio Minister appoints Chair. Membership prescribed by section 8 of Agreement
State Marine Pollution Committee	14+	Prescribed by Act
Tasmanian Beef Industry (Research and Development) Trust	5	Portfolio Minister
Tasmanian Dairy Industry Authority	5	Portfolio Minister
Tasmanian Game Council	12	Portfolio Minister
Tasmanian Heritage Council	15	Portfolio Minister
Tasmanian Institute of Agriculture Advisory Board	8	Portfolio Minister in consult with Vice-Chancellor
Tasmanian Irrigation Pty Ltd - Board of Directors	8	Treasurer and Portfolio Minister
Tasmanian Racing Appeal Board	6	Governor
Tasmanian Spatial Information Council (TASSIC)	7	Portfolio Minister
Tasracing Pty Ltd Board	7	Treasurer and Portfolio Minister
Veterinary Board of Tasmania	5	Portfolio Minister
Wellington Park Management Trust	8	Portfolio Minister
<b>Department of State Growth</b>		
Forest Practices Advisory Council	12	Portfolio Minister
Forest Practices Authority Board	7	Portfolio Minister
Macquarie Point Development Corporation Board	8	Governor on rec'n of portfolio Minister
Marine and Safety Authority Board	7	Portfolio Minister
Metro Tasmania Pty Ltd Board	8	Treasurer and portfolio Minister
Motor Accidents Insurance Board	9	Governor on rec'n of Treasurer and portfolio Minister

Private Forests Tasmania Board	6	Portfolio Minister
Road Safety Advisory Council	10	Portfolio Minister appoints Chair
Sustainable Timber Tasmania	9	Governor on rec'n of Treasurer and portfolio Minister
Tasmanian Building and Construction Industry Training Board	9	Portfolio Minister
Tasmanian Development and Resources Board	9	Governor on rec'n of portfolio Minister
Tasmanian Energy and Infrastructure Workforce Advisory Committee	12	Portfolio Minister appoints Chair
Tasmanian Museum and Art Gallery Board of Trustees	7	Portfolio Minister
Tasmanian Ports Corporation Pty Ltd Board	9	Treasurer and portfolio Minister
Tasmanian Railways Pty Ltd Board	8	Treasurer and portfolio Minister
Tasmanian Timber Promotion Board	7	Portfolio Minister
Tasmanian Tourism and Hospitality Workforce Advisory Committee	10	Portfolio Minister appoints Chair
Tasmanian Traineeships and Apprenticeships Committee	7	Portfolio Minister
Theatre Royal Management Board	7	Portfolio Minister
TT-Line Company Pty Ltd Board	8	Treasurer and portfolio Minister
<b>Department of Treasury and Finance</b>		
Aurora Energy Pty Ltd Board	5	Treasurer and portfolio Minister
Hydro-Electric Corporation Board	9	Governor on rec'n of Treasurer and portfolio Minister
	3	Chair - Governor on approval of Min for Local Government Members - Governor on recommendation of LGAT
State Grants Commission		
Superannuation Commission	3	Treasurer
Tasmanian Economic Regulator	1	Minister for Finance
Tasmanian Liquor and Gaming Commission	3	Governor on rec'n of Minister for Finance
Tasmanian Networks Pty Ltd Board	8	Treasurer and portfolio Minister
Tasmanian Public Finance Corporation	9	Governor on rec'n of Treasurer and portfolio Minister
<b>TAFE Tasmania</b>		
TasTAFE Board	7	Portfolio Minister
<b>Tourism Tasmania</b>		
Tourism Tasmania Board	8	Governor on rec'n of portfolio Minister

## Appendix 2

### RESPONSE TO QUESTION ON NOTICE

#### LEGISLATIVE COUNCIL

**QUESTION NUMBER:** 7  
**ASKED BY:** Hon Rosemary Armitage MLC  
**ANSWERED BY:** Leader of the Government

#### QUESTION:

Regarding Board membership of Government Business Enterprises, State-Owned Corporations and other Government Boards:

1. For each Government Business Enterprise, what is the breakdown of board membership by region in Tasmania?
2. For each State-Owned Corporation, what is the breakdown of board membership by region in Tasmania?
3. For each additional Government board, what is the breakdown of board membership by region in Tasmania?

#### ANSWER:

1. Based on information held by the Department of Treasury and Finance and its assessment of the relevant region, the following information for Government Business Enterprise Boards is provided as at March 2022.

Government Business Enterprise	Southern Tasmania	Northern Tasmania	North-West Tasmania	Interstate	Total
Hydro Tasmania	1	-	-	4	5
MAIB	3	1	-	1	5
PAHSMA	4	-	-	2	6
Public Trustee	2	1	1	1	5
STT	3	-	1	2	6
Tascorp	1	-	-	3	4
<b>TOTAL</b>	<b>14</b>	<b>2</b>	<b>2</b>	<b>13</b>	<b>31</b>

2. Based on information held by the Department of Treasury and Finance and its assessment of the relevant region, the following information for State-owned Companies is provided as at March 2022.

State-Owned Company	Southern Tasmania	Northern Tasmania	North-West Tasmania	Interstate	Total
Aurora Energy	2	-	1	2	5
Metro Tasmania	2	-	1	2	5
Tas Irrigation	1	4	-	-	5
TasNetworks	3	1	1	1	6
TasPorts	1	2	-	2	5
TasRacing	4	2	-	1	7
TasRail	1	2	-	2	5
TT-Line	5	-	1	1	7
<b>TOTAL</b>	<b>19</b>	<b>11</b>	<b>4</b>	<b>11</b>	<b>45</b>

3. Latest data available from the Department of Communities Tasmania (Communities Tasmania) on all boards and committees, as at 30 September 2021:

Region	Members
Interstate	52
North	164
South	669
North West	74

APPROVED / NOT APPROVED



Hon Peter Gutwein MP  
Premier  
Treasurer

Date: 7.3.22

## Appendix 3

### QUESTION ON NOTICE

#### Question No. 9 of 2021

#### Legislative Council

ASKED BY: Hon Meg Webb MLC

ANSWERED BY: Hon Jacquie Petrusma MP

#### QUESTIONS:

I (*Ms Webb*) tomorrow to ask the Honourable Leader of the Government —

Regarding the proposed Arm End Golf Course:

- (1) (a) Can the Government confirm the site for the proposed development is on Crown Land, which was leased to the project's owner and developer, Mary Ann's Island Pty Ltd in 2014; and  
(b) if so, provide a copy of that Crown Land lease agreement?
- (2) In reference to the Crown Land lease agreement between the State and Mary Ann's Island Pty Ltd, can the Government detail whether at the time of negotiating and finalising that lease agreement:
  - (a) a Director of Mary Ann's Island Pty Ltd was a Mr. James Groom; and
  - (b) if so, clarify any familial relationship between that Director and the then-responsible Minister, the Honourable Matthew Groom?
- (3) If there was a familial relationship between a Director of Mary Ann's Island Pty Ltd and the responsible Minister at the time:
  - (a) did the Minister declare a conflict of interest and recuse himself during the agreement development, decision and finalisation stages of that lease agreement involving access to Crown Land, in accordance with the Ministerial Code of Conduct conflict of interest provisions; and
  - (b) can the Government provide evidence of any such declaration of a conflict of interest and subsequent recusal from proceedings?
- (4) Can the Government provide a current status update of the proposed Arm End golf course project on the leased Crown Land, and any ongoing State Government involvement with the project?

ANSWERS:

- (1) (a) The land referred to is part of the Gellibrand Point Nature Recreation Area. The lease area is publicly displayed on theLIST. The current lease commenced in December 2014. The lease was preceded by another lease and licence, issued and approved by the former Minister for Environment, Parks and Heritage, Hon Brian Wightman MP.
- (b) Crown leases and licences may include personal information, information obtained in confidence or information protected by copyright. The Honourable Member is encouraged to apply for the requested information through the independently administered Right to Information process, which enables an appropriate assessment of these considerations, and includes consultation where appropriate with affected lease and licence holders.
- (2) (a) The exact status of Mr James Groom in terms of directorship at all points in time is not held by the Parks and Wildlife Service (PWS).
- (b) It is understood that Mr James Groom and Mr Matthew Groom are brothers. This is evidenced by statements to Parliament and public releases that are matters of public record.
- For example, Hansard Transcript, 15 October 2015, states:
- Mr Groom: "In light of the fact that my brother is the chair of that company, which is a matter of public record, I have delegated all responsibilities for that development to the Attorney-General, Dr Vanessa Goodwin, and I have had no involvement in any decision-making."*
- (3) (a) Mr James Groom's involvement in Mary Ann's Island Pty Ltd led to the then Minister for Environment, Parks and Heritage, Hon Matthew Groom MP, declaring a conflict of interest, and removing himself from any decision-making associated with the proposal.
- All responsibilities were delegated to the then Attorney-General, Dr Vanessa Goodwin MLC, who exercised the relevant powers in relation to this matter.
- (b) See Hansard transcript of 15 October 2015.
- (4) The proponent has a current licence for the pipeline route and is addressing the obligations required under the approved Development Applications and Reserve Activity Assessments.

APPROVED/NOT APPROVED

Hon Jacquie Petrusma MP

**Minister for Parks**

Date: February 2022