



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 23 November 2021

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Tuesday 23 November 2021

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

ABSENCE OF MINISTER

Minister for Sport and Recreation - Hon Jane Howlett MLC

Mr GUTWEIN (Bass - Premier) - Mr Speaker, I advise the House that the honourable Jane Howlett MP will be absent from the House this week due to the changed sitting times of the Legislative Council. I will take questions on the minister's behalf relating to the portfolio of Sport and Recreation, Racing, Women and Small Business.

QUESTIONS

James Griffin - Civil Litigation

Ms WHITE question to MINISTER for HEALTH, Mr ROCKLIFF

[10.02 a.m.]

The deeply confronting decade long case involving serious child sexual abuse by the former Launceston General Hospital paediatric nurse, James Griffin, left a tragic trail of survivors across Tasmania's north. As Health minister you are by now very well versed in this dreadful chapter in history. Now, in the fall-out, two women and a teenager are attempting to sue the Tasmanian Health Service for this alleged abuse by Griffin but it has been reported your department has said it did not agree with any claims any of them had been abused by Griffin.

The THS has filed defences in the Supreme Court in these three cases challenging their evidence and refusing to admit any responsibility for Griffin's abhorrent ongoing behaviour. These survivors have been brave in coming forward. It must have taken extraordinary courage. Why are you challenging the claims of these survivors and actively attempting to prevent them from obtaining justice?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for her very important question. I understand the context in which the question was asked.

The Department of Health is fully and actively supporting the commission of inquiry providing all relevant information to assist the commission in its investigation of the management of allegations of child sexual abuse and has formed a dedicated commission of inquiry and response and formed a team for this purpose. All requests for information and documentation relating to the commission of inquiry have been coordinated through this team. To date, all requests for information from the commission of inquiry have been met on time. The team is also implementing reforms across the agency where it is identified that improvement could be made on existing practices. Communications have been provided to all

Department of Health staff on a regular basis and staff are continuing to be encouraged to report any allegation of child sexual abuse either current or historical of which they are aware.

The Department of Health has a clear responsibility to ensure the health and safety of workers and others by providing a safe work environment and systems of work. Information on reporting obligations and how to manage a report of suspected child sexual abuse is available to all staff.

Ms White - What about these survivors, minister?

Mr ROCKLIFF - Thank you, Leader of the Opposition. The Government is aware that a number of civil litigation claims are currently being considered in the Supreme Court concerning the actions of the late Mr Griffin. We acknowledge that these are very sensitive matters for those involved and also there is considerable community interest. However, as these are current litigation claims, I am unable to comment further on the specifics of these cases. I note that victim survivors do have the option of seeking compensation through the National Redress Scheme which is designed to avoid civil claims and has a much lower threshold in terms of burden of proof in regard to proving allegations.

These current litigation claims must be allowed to go through the usual process for civil claims which is managed by the office of the Solicitor-General on behalf of the state.

James Griffin - Civil Litigation

Ms WHITE question to ATTORNEY-GENERAL, Ms ARCHER.

[10.05 a.m.]

Why is your Government dragging the survivors of James Griffin's sexual abuse through the courts to prevent paying them compensation? It is also being reported that your Government is relying on the limitations period to deny access to justice for these survivors. How much has your Government spent to date on lawyers and how much do you intend to spend on legal costs to deny survivors justice and compensation?

ANSWER

Mr Speaker, I reject the premise upon which that question was put: we are not dragging people through the courts. I urge the Leader of the Opposition to be careful with the language she uses in relation to legal proceedings.

As the Minister for Health and Deputy Premier has outlined, there is a process to go through and the National Redress Scheme is designed so that civil proceedings can be avoided. Our Government has pursued enormous law reform in response to the Royal Commission into Institutional Child Sexual Abuse, one of which was to ensure that the limitation period did not apply.

In relation to her question on costs, I will have to seek that information.

What I will say about civil litigation matters is that I am aware that there are some civil litigation claims currently being considered in the Supreme Court. I acknowledge that these

are very sensitive matters, as they always are. There is considerable community interest, which our Government accepts. They are current litigation claims as the Deputy Premier has quite rightly pointed out, so I am unable to comment on the specifics of these cases.

I note that victim survivors have access to the Redress Scheme and counselling and everything that we have put in place by way of supports. Those supports exist for all victim survivors, regardless. As an added protection, we have instigated as a result of these being complex, legal and factual issues that need to be considered in these cases, we have model litigant guidelines that were put in place in 2019 to ensure that the conduct of civil claims is managed fairly, efficiently and appropriately in these cases. This is to reduce the stress and delays that are so commonly involved with taking civil proceedings. I accept, and the Government accepts, that some victim survivors will want to pursue civil action against their alleged perpetrators, on the basis they do not want to pursue the avenue of National Redress.

At the time, I note that Opposition members wholeheartedly supported our signing up to the National Redress Scheme because that is a scheme that reduces the stress involved. There is a lower threshold for victim survivors and in a lot of cases it is not about the quantum of damages. No amount of damages can compensate a victim survivor for what they have endured and continue to endure.

The Leader of the Opposition knows that civil proceedings need to run a particular course. At the very first instance, a statement of claim in defence is often required as a matter of formality to establish the facts of a case and then early mediation is always encouraged by the court. As outlined, we have put in place model litigant guidelines for the office of the Solicitor-General to follow and I know they are following that closely.

COVID-19 - Vaccination for Under 12s

Dr WOODRUFF question to PREMIER, Mr GUTWEIN

[10.10 a.m.]

When you open the borders on 15 December, the Delta variant will circulate within Tasmania. People without high levels of vaccination will be most at risk of infection and could then transmit the virus to vulnerable others. Nearly a quarter of Tasmanians will not be fully vaccinated by 15 November. This group includes all children under 12.

The Commonwealth Government is expecting to green-light vaccines for five- to 11-year-olds in January. We understand plenty of vaccines would be available in the national stock. Meanwhile, you have been silent with parents about your Government's plan to protect their children from Delta infection. Where is your plan for prioritising the vaccination of primary school-aged children and how will you reassure parents that you will keep children safe when Delta arrives?

ANSWER

Mr Speaker, I thank Dr Woodruff, member for Franklin, for that question. It is a very important question for parents.

First, let me touch on a couple of matters regarding the over-12s. We have recognised that we need to do more and, if you like, throw the kitchen sink at that issue. This is why we provided the incentive program on Friday to encourage more to come forward. I encourage every parent of a child currently eligible for the vaccination to bring their child forward. There are plenty of opportunities and state-run clinics. We are rolling them out to schools; there are GPs, pharmacies and we will continue to do more reach-in clinics.

The five- to 11-year-olds are a key issue. My latest advice, as of yesterday, is that we would expect that, if the vaccination is approved for five- to 11-year-olds, that will occur in probably late January, maybe even early February.

Ms O'Connor - Delta will be here by then.

Mr GUTWEIN - The process that needs to be followed is that laid down by the Therapeutic Goods Administration (TGA) and the Australian Technical Advisory Group on Immunisation (ATAGI) -

Ms O'Connor - The choice you have is about the date of opening.

Mr SPEAKER - Order. This is not a two-way conversation.

Mr GUTWEIN - The evidence is very clear across the country that the illness is not as severe for the vast majority of children as it is for adults. It is not as -

Members interjecting.

Mr SPEAKER - Order.

Mr GUTWEIN - It is not as severe for young children. That is the medical evidence we are seeing at the moment.

In terms of the steps we will take and prioritisation, as soon as, and when and if, bearing in mind that the trial conducted in the States was a very small sample - that point has been made to me on a number of occasions by the chief medical officer of this country and also the secretary of health at a national level - a very small sample - somewhere between 1500 and 3000 children - we will see what occurs with that vaccination roll-out over coming months in how it impacts and protects younger children. We need to wait until we get that approval from the TGA. We will ensure that we then prioritise the vaccination roll-out to focus on those five- to 11-year-olds, should that approval be given.

I have already indicated to the secretary of the Department of Education that if we need to, we will look at the starting date of the school year to ensure we can get that vaccination level up to as high a level as possible.

All of the advice I have received to date is that the impact on younger children is much milder, much less severe than the impact on adults. That is evidence we are seeing from all around the world.

We will prioritise the vaccination program for five- to 11-year-olds when that becomes available. I am hopeful that will be some time in January. We will take every step to ensure

that we can vaccinate that cohort as quickly as possible once we are advised that the vaccination is safe for them.

COVID-19 - Costs of Tests for Travellers

Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF

[10.14 a.m.]

We continue to receive a large number of inquiries regarding testing requirements for families planning to reunite for Christmas. For example, Deirdre Brown's two adult children are planning to come home for Christmas with their families, a total of nine people. The most recent estimate they received was that this would cost them nearly \$2000 in COVID-19 tests. Can you confirm this is correct, or will free tests be available for travellers through state-run clinics?

ANSWER

Mr Speaker, I thank the member for her question. I understand the reason it was asked. When it comes to our preparedness for December 15, this Government makes no apologies for the measures we put in place to ensure, as best as possible, the safety of Tasmanians. When it comes to testing, the PCR test is the recommended test and that is the test we will continue with at this point in time.

There is an enormous amount of work being undertaken when it comes to our borders opening across a range of areas. We are focusing on a number of key pillars of preparedness. The Premier has mentioned and will continue to mention, as I will, the importance of high vaccination coverage. Tasmanians have done well but we must continue and be vigilant. I encourage all Tasmanians who have not yet had the jab to please do so. I am particularly concerned, if my figures are correct, that the latest figures show around 8000 Tasmanians aged between 12 and 15 have not yet had the first dose. I encourage carers, parents and young people to book for a test. Go into a state clinic: walk-ins are available and bookings are available on the COVID-19 website.

Regarding public health social measures, increased testing capacity is a key pillar of preparedness; tracing; isolation; quarantine; triage models of care for positive cases; increased hospital capacity across our major hospitals and our rural and regional district hospitals. Escalation management plans are ready to go should that be required. Hospitals are now in the preparation stage; they are at escalation level one. Increased ambulance capacity; state PPE; ventilators - we have 367 ventilators available; 114 ICU beds; pharmaceutical stockpiles.

Public and key stakeholder communications is essential, leading up to the opening of the borders on 15 December. I met with a number of stakeholders last night, including the Pharmacy Guild, the AMA, the ANMF and other key stakeholders across the health sphere who are actively engaged, and are being actively engaged, when it comes to our preparation. We will next meet with the stakeholders on 6 December, then 13 December and my expectation is 20 December as well. We are meeting with key stakeholders, and when I say 'we', me as Minister for Health, the health commander and health secretary, Kathrine Morgan-Wicks, deputy secretary, Dale Webster, and chief medical officer, Tony Lawler. Communication and working with key stakeholders is key.

I commend all our vaccination staff and all people actively engaged in the vaccination process. We have 400 full-time equivalents actively engaged. That is 700 people. It has been an incredible effort and I cannot reinforce enough the importance of being vaccinated. It is the best line of defence against COVID-19: the best line of defence when it comes to protecting yourself, your loved ones, your family and your community.

Reconnecting Tasmania - Border Reopening Plan

Mr ELLIS question to PREMIER, Mr GUTWEIN

[10.20 a.m.]

Can you update the House on how the Liberal Government is delivering our plan to secure Tasmania's future, especially in relation to the Reconnecting Tasmania plan to safely reopen our borders and the importance of vaccination in that plan? Are you aware of any alternative approaches?

ANSWER

Mr Speaker, I thank the member for his important question. In just over three weeks' time, Tasmania will reopen its borders. Our Reconnecting Tasmania plan allows our state to reopen while ensuring we have the health and safety nets in place to keep on top of COVID-19. Our plan is based on advice from Public Health, the State Health Commander, the State Controller and relevant agencies. Just as we have done throughout COVID-19, we are taking a sensible and cautious approach to reopening, and we are ready.

Vaccination is our most important protection against serious illness and death from COVID-19. That is why, when other jurisdictions are opening borders at 80 per cent fully vaccinated, we set a higher threshold of 90 per cent fully vaccinated for Tasmanians over the age of 12 years. This means Tasmania has the opportunity to have one of the highest vaccination rates, not just across the country, but across the world.

The plan is working, but there is still more to do. Currently, nearly 93 per cent of Tasmanians over the age of 16 have had at least one dose, and as of today, 85 per cent will be fully vaccinated. Our 12 to 18 years cohort was lagging, which is why we are incentivising them to get the vaccine through the five-day blitz, which is still underway. For younger children, the public health advice that we have received is that the most important step we can take for them is to ensure that their older siblings and those around them in the family are fully vaccinated.

Our vaccination rate for Tasmanians aged 12 years and over is now 91.46 per cent first dose, and 83.3 per cent second dose. If Tasmanians keep turning up, we will hit our 90 per cent double-dose target - but you have to keep turning up. That is my message to Tasmanians.

I said over a month ago that the key determinant that I need to be satisfied with before we open the border is that every eligible Tasmanian has had the opportunity to receive the vaccination. To ensure this is the case, we have ensured that Tasmanians can get a vaccination at state-run clinics, GPs, pharmacies, mobile clinics and through reach-in services. Currently - and this surprised me when I received this advice this morning - we have close to

2000 appointments available almost daily across the state that are not being used. If you have not had a vaccination, I urge you to come forward.

This morning I was briefed by the State Health Commander on access to the vaccine. Based on that advice, I am confident that as of today, as a result of the spread and the rollout of the vaccination program, every eligible Tasmanian has now had the opportunity to get vaccinated. We have crossed that most important threshold. Our borders will reopen on 15 December; there is no turning back.

My message to all eligible Tasmanians is, if you have not taken the time to get a vaccination, turn up and get one. It will help protect you, your family and your community. We know from what is occurring in other jurisdictions that getting the vaccine works. The ACT has the highest vaccination rate in the country, at 95 per cent of those aged 12 years and older. As a result, serious illness and hospitalisations are barely occurring. Vaccination is our best defence against serious illness, and it is our best defence against dying from COVID-19. It is not our only defence. Our border position will remain strong, with multiple checkpoints to ensure people are complying with the rules.

From 15 December, to travel here you will need to apply via our travel app, and provide verification that you are fully vaccinated. If you are from a high-risk area you will need to have had a test 72 hours prior to travel.

There are many series of checkpoints to help ensure people are meeting the requirements. The first check occurs when you purchase your tickets, either through airlines or on the TT-Line. They will provide information regarding the travel criteria for the jurisdiction you are travelling to. That information is important not only for those coming in, but also for Tasmanians who are heading out to travel in other jurisdictions. At the point of check-in, when you get your seat allocation, you will be required to acknowledge that you meet the criteria for the jurisdiction that you are travelling to. At interstate airports and on the TT-Line, we will booster biosecurity and security staff, who will provide reminders of the requirements necessary to travel. We are going to take every opportunity to make certain people have that information. On arrival in Tasmania, every person will need to scan or clearly display to a biosecurity officer their digital COVID-19 or paper vaccination certificate.

If travelling without double vaccination pre-test, you will be ordered to quarantine until a negative test is produced. If you are not vaccinated you will be quarantined in a hotel, or you will be asked to go home. People caught deliberately flouting the rules could face an on-the-spot fine of \$1557 for failing to comply. Police will have powers to arrest people, or they could be summonsed and charged with a penalty of up to \$17 000 or six months in prison.

We continue to take a safe, sensible and cautious approach to COVID-19. With high vaccination rates and strong border management processes, we believe we can safely reopen our borders on 15 December. I know from the number of the questions raised in this place on COVID-19 and the reopening - and I am pleased that questions are starting to be asked. This is the right place to ask those questions and, importantly, we will provide the information because we want Tasmanians to understand what is in front of them. We do not want silly politics played, as they have been in the past by those opposite.

We want to ensure that Tasmanians have the necessary information to understand the reopening plan, to understand that we are acting on Public Health advice, and that we will

continue to do so. It is our intention on this side of the House to ensure that we can reopen, and reopen safely.

Commonwealth Religious Discrimination Bill - Effect on Tasmanian Anti-Discrimination Act

Ms JOHNSTON question to PREMIER, Mr GUTWEIN

[10.28 a.m.]

The federal religious discrimination bill seeks to weaken section 17(1) of the Tasmanian Anti-Discrimination Act by allowing humiliating, intimidating, insulting, ridiculing and offensive behaviour in the name of religion. This will have particular impact on people with disability, who make up the biggest proportion of complainants under Tasmania's act, who too often experience humiliation and intimidation in the name of religion.

The federal bill also reportedly seeks to allow discrimination against LGBTIQI+ people by faith-based organisations, which has been against the law in Tasmania for almost a quarter of a century without public concerns being raised against it. Tasmania is the only state that prohibits humiliating, intimidating, insulting, ridiculing and offensive behaviour, and the only state that prohibits discrimination against LGBTIQI+ staff in faith-based organisations.

It is no exaggeration to say Tasmania is being targeted by Canberra, because it does not like our inclusive laws. You have said publicly that we do not want to see our anti-discrimination laws weakened. What do you intend to do to ensure Canberra does not weaken our gold-standard anti-discrimination laws?

ANSWER

Mr Speaker, I thank the member for Clark for her interest in this matter. I will start by saying that, ultimately, the proposed religious discrimination bill is a federal matter. However, the Tasmanian Government has provided feedback on its position as part of the consultation process, and has made our views well known. We have given careful consideration to the second draft of that bill and how it interacts with Tasmanian law, which we understand the Commonwealth intends to introduce later this year.

Our Government is committed to free speech, allowing all Tasmanians to express their views reasonably and respectfully, in accordance with their views. In addition to the discussions with the Commonwealth during the consultation process, the Attorney-General has previously written to the federal attorney-general to indicate that the Tasmanian Government is of the view that every member of our community should enjoy full freedom of religious belief and freedom of expression.

It remains important that the laws strike the right balance between providing protection from discrimination and unlawful conduct while still allowing for the responsible expression of beliefs, public debate and discussion on important issues. In particular, the Attorney-General has made it clear that it was the Tasmanian Government's view that the bill as drafted would diminish the opportunity of the Tasmanian Anti-Discrimination Tribunal to deal with certain complaints. We have advocated for no weakening of Tasmania's anti-discrimination laws. We understand that these types of reforms can be contentious in conflicts which is why

we have taken the time to thoroughly consider the draft bill, which Tasmanians would expect us to do. We have conveyed our views to the Commonwealth directly.

COVID-19 - School Year 2022 Start Date

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.31 a.m.]

Parents are worried for their young children who cannot be vaccinated against COVID-19. If vaccinations to protect Tasmanian children under 12 from COVID-19 have not been made widely available before school returns next year, or if it has and the vaccination rates remains concerningly low, are you considering changing the date for the beginning of the school term 1 for 2022?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for that interesting question based on the response that I recently gave. We will follow public health advice. Dr Veitch and Public Health have been outstanding in their efforts from the beginning of this pandemic. Even when you, in the middle of last year, were calling for us to depart from Public Health advice, I stayed firm and I will stay firm.

As I explained to the first question I received, there is no approval of a vaccination for five- to 11-year-olds. We do not know whether the TGA will approve that, whether they will find it safe. It is a very small sample that was conducted in the States. If that vaccination is approved we will roll that out as quickly as we can through January to that five- to 11-year-old cohort.

I understand that parents are concerned, but the most important threshold we have to pass is whether the TGA will approve that vaccination. If and when they do we will take every step we can to ensure that cohort receives the vaccination as quickly as possible.

As I said to the previous question, if it means we need to delay a start to the school year by having children turn up to get vaccinated as opposed to going to their classrooms then we will do that, if that is the Public Health advice. I want to make it clear to parents that we will do everything we possibly can if we have a vaccine to ensure that their children are vaccinated, to ensure that we give them every opportunity.

The advice we have received and continue to receive, and the empirical evidence of what is occurring, is that COVID-19 is much milder in its impact on younger children. The Public Health advice is that the best way to protect younger siblings is to ensure that the older siblings in the family unit are vaccinated. We will continue to take Public Health advice. I will take every step that we can to ensure that if that vaccination is approved we provide the opportunity for those children to be vaccinated before they go back to school.

Securing Tasmania's Future - Efficient and Effective Justice System

Mr STREET question to ATTORNEY-GENERAL, Ms ARCHER

[10.34 a.m.]

Can you update the House on how the Government is delivering on our plan to secure Tasmania's future in the area of justice and across the Attorney-General's other portfolios to deliver an efficient and effective justice system? Are you aware of any alternatives?

ANSWER

Mr Speaker, I thank the member for Franklin for his question and ongoing interest in providing strong, fair and efficient justice for all Tasmanians.

We are delivering on our plan to strengthen and improve our justice system. This includes the Magistrates Court, which is at the coalface of our justice system in Tasmania.

I am pleased to announce the appointment of Ms Marica Duvnjak as a permanent full-time magistrate to replace magistrate Glenn Hay who retired earlier this year after many years of dedicated service to Tasmania's legal and justice system. I thank him and wish him well.

Since May 2018, Ms Duvnjak has served as the chair of the Resource Management Planning Appeal Tribunal, and now deputy president of our newly created Tasmanian Civil and Administrative Tribunal. As a magistrate, Ms Duvnjak will be stationed in Hobart and her appointment will commence on 17 January next year.

In addition, from today, we are seeking expressions of interest for the appointment of two permanent full-time magistrates. One position will be based in Burnie and is a replacement for former magistrate Tamara Jago who recently resigned following her appointment to the Supreme Court of Tasmania as the seventh judge.

The other position, which is newly created with additional funding from our state Budget for a 17th magistrate, will be based in Launceston or Devonport and travel between the two locations on a weekly basis. It was originally intended that this position would be based in Hobart. However, after consultation with the Chief Magistrate, relocating to Launceston or Devonport will enhance the court's capacity to manage its case load statewide. This is particularly important, given that our appointment of a sixteenth magistrate in June 2020 in Hobart has greatly assisted the court's capacity to address the backlog of criminal matters.

It is my desire that we will see very strong applications from across Tasmania as well as interstate. We have a wealth of experience across the state and living in the north is a very attractive proposition to many if not already living there, as my northern colleagues will no doubt attest.

These appointments will mean the Magistrates Court will have 17 permanent full-time magistrates, which is the highest number ever, with an equal number between the south and the north and north west of the state.

We are providing our courts with the additional resources they need by appointing more judges and magistrates and modernising court buildings. Our new Tasmanian Civil and

Administrative Tribunal, talked about for 20 years, has now opened its doors and is hearing cases. We are committed to securing Tasmania's future by redeveloping the court complex that houses the Burnie Supreme and Magistrates Courts, both civil and criminal jurisdictions.

Only our Government has a plan to deliver for the people of Burnie and the north-west with facilities that will ensure access to an efficient and effective criminal and civil justice into the future. It is disappointing that Labor is still failing to get behind vital infrastructure projects like this in the north-west of the state. They cannot even agree between themselves whether they support this.

As Minister for Corrections, I have already legislated for alternative sentencing options, including home detention, as well as allowing for a condition of electronic monitoring of parolees. We are supporting our correctional officers' health and wellbeing through our new dedicated wellbeing support program.

As Minister for Workplace Safety and Consumer Affairs our Government is taking action to help primary producers in the agriculture sector to improve safety in their workplaces through our \$2 million Primary Producer Safety Rebate Scheme. This delivers the commitment we took to the 2021 election and provides cashback rebates of up to \$5000 for primary producers who implement safety measures that help reduce work-related injuries and fatalities in the agriculture sector. More than \$640 000 has been paid out to primary producers.

As Minister for the Arts, I am heavily committed to Tasmania's vibrant art sector. We have established a broad range of programs and committed over \$17 million in support across the arts and screen sectors since March 2020, during what has been a challenging period for the cultural and creative industries. The Government's \$1 million Live Performance Reactivation Program is assisting our live performance sector to get back into theatres and onto stages around the state.

I was pleased to attend Theatre North's opening of the 2022 season last week in Launceston. This program will support 12 productions to proceed, with 205 performances to occur around the state to audiences of over 37 000 people. It will support 822 Tasmanian artists, arts workers and technical staff.

While members opposite remain entirely focused on themselves and oppose everything that the Government does, only our Government has a strong and detailed plan to invest in Tasmania's justice and workplace safety system and our arts sector.

Public Housing Availability

Ms O'CONNOR question to MINISTER for STATE DEVELOPMENT, CONSTRUCTION and HOUSING, Mr FERGUSON

[10.40 a.m.]

Last week you announced the construction of luxury apartments for the wealthy at Macquarie Point, disappointing the locals with a complete lack of vision for the site. Almost every day of the week our office is contacted by Tasmanians desperate for a place to live. As two examples of many, a pregnant, single woman with three children escaping family violence

and another with four children, one of whom has a disability also escaping family violence. Both families are homeless.

We formed the view over months that your office does not want to know about these people. You have set up a new system where our efforts to help constituents to find a home are now funnelled to the department. Instead of homes for people we get updates. With your predecessors we had much more help and even success securing accommodation for desperate Tasmanians.

Are you and your office too busy planning apartments and cafes for the wealthy to be bothered helping desperate Tasmanians find homes?

ANSWER

Mr Speaker, I encourage the member to leave her jibes at home. Housing Tasmanians is a serious matter and the Government takes it seriously. I will deal with the elements of the question one-by-one.

First I will address the point in relation to the Macquarie Point Development Corporation's very exciting securing of Milieu that is activating \$100 million of development at Macquarie Point. It has been long-awaited and well-earned. That is entirely consistent with the master plan that I thought was bipartisan in this place. There is a lot more to come. I noticed in a letter to the editor today that one reader has written in and is of the view, for example, that this now sets aside all the other things that were promised for Macquarie Point. It shows that some people have misunderstood and have got it wrong.

The Antarctic and science precinct, the park and the development of the district are all still part of the master plan. The Milieu development is just 10 per cent of the site and the corporation is getting on with the job and doing a great job.

We are delivering more housing for Tasmanians at a pace that has never been seen by any previous government. I would only carve out of that, possibly since the post-Second World War, housing schemes that were put in place for veterans and their families.

If the member who asked the question would dare like to compare her record with this Government, we are outpacing her record by miles in building more homes. Ms O'Connor likes to talk about housing demand. Housing demand was down under the Labor-Greens government because people were leaving the state looking for work. That is a fact. It is not a record she should be very proud of.

Ms O'CONNOR - Point of order, Mr Speaker, on relevance. Our staff are suffering vicarious trauma from this -

Mr SPEAKER - What is the point of order?

Ms O'CONNOR - The point of order is, for the people who are contacting us could the minister explain why his office is so obstructive in finding homes for people? That was the question.

Mr FERGUSON - I would like to note that the member got very prickly when her record was brought into this House. It shows just how defensive the Greens are on their record.

Ms O'Connor - I defended it because we built more in four years, than you have so far.

Mr FERGUSON - We are building houses at a rate that outpaces the member who interjects by miles. I have two further points to make for the House, if members would like to listen to what I have to say. I have deliberately put in place a new and better process for people like you, Ms O'Connor and every one of Tasmania's MPs and senators to get better and faster information from my department. Ms O'Connor, you know that because I told you that at Budget Estimates and you told me -

Ms O'Connor - I am telling you, it does not work.

Mr FERGUSON - You told me that would be very welcome. I am very pleased that that system has been put in place

Opposition members interjecting.

Mr FERGUSON - Excuse me, if you just have a go at listening -

Mr SPEAKER - Minister, in order to prevent interjections can you put your comment through the Chair, please. I ask other members not to interject.

Mr FERGUSON - Mr Speaker, one of the frustrations I had as the minister receiving correspondence from colleagues, was that I recognise that there was a time delay and there was opportunity for a more efficient way for people to get better and quicker information out of my department without it needing to come back and forth through my office. That does not prevent -

Dr Woodruff - Mr Ferguson would not want to be touched.

Mr SPEAKER - Order.

Mr FERGUSON - Mr Speaker, if members want to highlight a serious concern with a constituent that is in front of them they continue to be welcomed by my office. They will continue to be welcomed to write to me or to phone my office. I reject the assertion made by Ms O'Connor because it is political. Where members of this House - Ms Haddad, Mr Willie, Ms Johnston and more recently you, Ms O'Connor - have raised specific and concerning instances of people who need a better deal we will continue to receive them and do our best to work with you. I am disappointed that you bring it into the House in the way that you have.

The Government recognises that MPs are seen as people to whom constituents can bring their concerns. I encourage that. I am very disappointed, Ms O'Connor, in the way you have brought this question forward because I do not think that the record fairly reflects the service and the intervention -

Ms O'Connor - It absolutely does and we waited -

Dr Woodruff - That is disgraceful. That is so revolting.

Mr FERGUSON - Excuse me, the service -

Dr Woodruff - Why do you not find a house for those two women? They are escaping domestic violence.

Mr SPEAKER - Order.

Mr FERGUSON - and the intervention that this office is prepared to make where the system has occasionally not given people the best service that is required.

I want to update the House that the August 2021 dashboard shows that since the commencement of the Affordable Housing Strategy in 2015 we have built 1124 new long-term homes, 991 social housing properties and 133 units of supported accommodation, including 296 in the past year. There are more than 500 homes under construction right now and approximately 200 due for completion at the end of next month.

The Government is investing. We are building and we are delivering. If individual constituents and MPs need extra intervention and support they continue to be welcomed by my office.

COVID-19 - Risk Assessment by Businesses

Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF

[10.47 a.m.]

On Friday, the Premier announced that businesses will be required to undertake a risk assessment with regard to vaccine mandates for their staff. He stated businesses must then implement a lawful and reasonable direction to staff in line with that risk assessment. Why is the responsibility for vaccination policies being outsourced to individual businesses? In the absence of the state Government taking charge will it not be likely that some hospitality workers, for example, will be subject to a vaccine mandate and others will not?

Are you certain that small businesses will not be subject to costly unfair dismissal claims? Why, with just 22 days to go until our borders reopen, do increasingly busy business owners still not have clarity on what the Government will require of them if there is a positive case at their premise?

ANSWER

Mr Speaker, I thank the member for her question. A lot of work is being done on this matter through Public Health and others. In answer to your last question there will be clarity provided this week on Friday, as I understand.

Mr Gutwein - As was announced.

Mr ROCKLIFF - As was previously announced. Vaccination is our greatest safeguard against COVID-19. We know from the experience of other jurisdictions that vaccination works and will keep people safe. That is why a lot of work is being done across the state in every

region of Tasmania to ensure we get that message out there. It will enable us to open up the community and support the businesses that you advocate for.

For this reason, in areas where there is a high risk of super spreader events, or where we know there are people with particular vulnerabilities to COVID-19, we have decided to mandate vaccination. The mandatory vaccination is implemented for disability workers, aged care and across our Tasmanian Health Service. My latest advice is less than 1 per cent of employees across the Tasmanian Health Service are non-compliant and that amounts, the figures I last saw, 124 non-compliant members of staff against 16 141 employees across the state.

Most recently, we have decided, along with lifting the caps on indoor-outdoor events and activities, to require vaccination of staff and patrons at festivals, nightclubs and venues where there are people standing up drinking and dancing. We will prepare Public Health directions requiring -

Ms DOW - Point of order, Mr Speaker, standing order 45 on relevance. The minister has not gone anywhere near the question. He is talking about mandatory vaccination policy across the health system. The question is in relation to the Government's risk assessment mandate for vaccinations across -

Mr SPEAKER - You have mentioned standing order 45 on relevance. I do not uphold your point of order. The minister has the right to answer it in any way he feels fit. He has not concluded his answer yet.

Mr ROCKLIFF - We will prepare a Public Health direction requiring patrons attending these events or venues from 6 December 2021 onward to be double vaccinated and that staff working at these events or venues from 15 December 2021 onward will also be double vaccinated.

We will not be introducing orders for mandatory vaccination in other non-government areas at this time. Businesses will be directed to undertake a risk assessment as part of their COVID-19 safety plans and to implement a health and safety policy that addresses the issue of vaccination.

In the State Service, as I have spoken about, it has already been mandated: vaccination for all workers in healthcare settings, residential aged care facilities, workers who provide intensity support to NDIS participants and who provide in-home care and community aged care services, and workers in quarantine facilities and quarantine transport services.

People with a medical exemption documented under the Australian Immunisation Register will be exempt from the vaccination requirements as I have said.

Ms Finlay - Do you have any idea what it is like to operate a small business without clarity leading up into the season -

Mr ROCKLIFF - Thank you very much for that interjection. As I have said, we will be releasing further advice to business on Friday 26 November about their obligations under the COVID-19 safe workplace framework.

Securing Tasmania's Future - Tourism, Hospitality and Events Sector

Mr TUCKER question to MINISTER for EDUCATION, Ms COURTNEY

[10.53 a.m.]

Can you update the House on how the majority Liberal government has been delivering our plan to secure Tasmania's future in 2021, including the crucial role played by tourism, hospitality and events sectors in re-connecting Tasmania?

ANSWER

Mr Speaker, I thank the member for his question. This Government has continued to deliver on our strong plan for Tasmania as we work through what is one of the most extraordinary times ever for our state. It has been a privilege to serve Tasmanians through this time but there is more to be done and we will continue to deliver.

In my Education portfolio, the Government has delivered significant increases in support to our learners and young people at the same time as creating new pathways and opportunities which benefit all Tasmanians. Tasmanians are people -

Opposition members interjecting.

Mr SPEAKER - Order. The members on my left will stop muttering into their microphones and listen to the answer, please.

Ms COURTNEY - Mr Speaker, Tasmania's young people need a diverse range of high-quality educational supports, skills and training to thrive in life and keep pace with the changing needs of employers, industry and the economy. This is why in 2021, we have recruited another 89 new teachers ready for the 2022 school year and extended another nine schools to year 11 and 12 including Brooks, Queechy, Exeter and Riverside High Schools, as well as bolstering support for those students who have been impacted by trauma.

Education is an enormous focus of this Government and we have a big agenda to invest in our schools and our school systems and in 2022, this is going to continue. Our plan to ensure TasTAFE is on a fit for future footing is continuing to roll out with our strong support of industry and local businesses. Recent progress on our TasTAFE investment this year include the release of tenders for the new WET Centre and Freer Farm as well as a brand-new recruitment campaign I launched last month to start delivering on 100 additional teachers.

Our strong action to help grow our workforce includes a \$2 million job ready fund which is helping eligible jobseekers meet the cost of essential licences or equipment necessary for a new job, as well as a Tasmanian employer bonus fund and youth navigators project support for year 12 leavers for further education training and employment opportunities, as well as expanding our successful job matching service to place more jobseekers with employers who need staff as well as the establishment of a new Jobs Tasmania unit within State Growth.

The Government has been clear that the safety of our children must be our highest priority. This year in the Children and Youth portfolio we have taken further strides to ensure we have the right framework and programs in place to promote the safety of our vulnerable young people. We have taken the decision to close Ashley Youth Detention Centre and embark

on a major systemic change in our youth justice system to give our young people a better chance of gaining the supports they need so they can be in a better position to rehabilitate, and to live better and more productive lives.

This year has also seen important legislative changes to enable participation in a National Child Safety Information Initiative, commencement of the development of an accreditation framework for out of home care, and an increase in the number of families accepted into the intensive family engagement service on top of the 72 places already filled. With regard to Disability Services, as at September there are just over 11 000 Tasmanians in the NDIS, an increase compared with the 12 months prior, and our budget includes more than \$1 billion over the next four years to help fund Tasmania's NDIS contribution.

We have also seen the initial public consultation commence on the review of the Disability Services Act 2011 through the release of a discussion paper some weeks ago. We will continue to run our election commitments in that space so that we can have an inclusive community.

For local tourism, hospitality and events, the Government has made it very clear that this will be one of the backbones of our recovery. We have committed more COVID-19 financial support to businesses per capita than any other jurisdiction, helping tens of thousands of Tasmanian businesses including this year delivering a third tranche of intrastate travel vouchers on top of the Tassie Holiday Voucher program to encourage visitation from South Australia, Western Australia and Queensland.

The Government has also worked closely with the Commonwealth on the \$13.5 million recovery for regional tourism program providing mental health support and business mentoring programs for the hospitality sector in partnership with the THA and TICT. We will continue to work with those important industries.

We are also looking to kick start 2022 with the help of our world class event's sector, reconnecting Tasmania in partnership with iconic events such as the Taste of Summer, Mona Foma, Dark Mofo, Ten Days on the Island as well as realising the projects such as the Wooden Boat Centre experience enhancement.

We know firsthand that these initiatives are making a difference to people's lives and livelihoods, driving the economy and giving tourists even more reasons to come to see our amazing state after being unable to for so long. We will continue to support Tasmanians to reconnect in every way possible as we move into 2022 and will continue to deliver on our commitment for Tasmanian people.

As we go into what will be one of the most challenging periods of COVID-19 we are a strong united team with a plan. On that side of our House all they do is come in here and complain and create fear. They have backed down on their plan not to politicise the pandemic. We know that they are not the failed workers according to Tim Jacobson. They are a rabble of disunity. We have a strong united team here with a plan to keep Tasmanians safe.

Ms O'CONNOR - Point of order, Mr Speaker. I was about to cite standing order 48 because the minister spoke for six minutes on a Dorothy.

Tamar Valley Power Station - Decision on Future

Mr WINTER question to MINISTER for ENERGY and EMISSIONS REDUCTION, Mr BARNETT

[11.00 a.m.]

Last month when I asked you about the mothballing of the combined cycle gas turbine at the Tamar Valley Power Station, you said:

There is no mothballing of the Tamar Valley Power Station or the combined cycle gas turbines at the Tamar Valley Power Station. Hydro Tasmania's acting CEO said that on the public record. Our Government is backing that decision ...

Tasmania Gas Pipeline has written to us to highlight that your answer was simply untrue. They said Hydro Tasmania's decision, which you are backing, will result in the combined cycle gas turbine being withdrawn from the Tasmanian energy market and mothballed. Why did you mislead parliament? Will you now correct the record? Will you reverse your dangerous decision to mothball the combined cycle gas turbine, a key component of energy security in Tasmania?

ANSWER

Mr Speaker, I thank the member for his question. Clearly, the member has not been listening. He asked a similar question two weeks ago and two weeks before that. He has now become the chief scaremonger for the Opposition. You have not learnt your lesson. You are out of your depth. You are still on those trainer wheels and you were cautioned at that time.

You know that those discussions and negotiations with Hydro Tasmania and Tasmania Gas Pipeline are commercial in confidence. We have a political party in this state that is reaching into commercial-in-confidence negotiations.

You criticise the Government in terms of energy security. Energy security is not at risk. In fact, our energy future has never been more secure. On Monday, our dam levels were at 52.8 per cent, the highest it has been since 2013. This is good news and consistent with our plans to secure Tasmania's future and ensure that energy supply is secure. On top of that, we have our 100 per cent fully self-sufficient in renewable energy at November last year and we have now legislated across the parliament to go to 200 per cent and, guess what? We are on track.

We have said prior to the election and again, week in, week out, that the Tamar Valley Power Station is not for sale. The Premier has said it and I have said it: it is not for sale. You have done too much scaremongering and you now have a reputation as the chief scaremonger for the Opposition.

We have the windfarms: Cattle Hill and Granville Harbour. Granville Harbour hit the record, 57.3 per cent capacity. That is terrific. With regard to our plans for wind, they are coming on. We have never had a more energy-secure position.

You misquote me and you misquote the acting CEO of Hydro. He was quoted in *The Advocate* on 26 October saying: 'Hydro had no plans to decommission the combined cycle turbine.' He has put Hydro Tasmania's position on the record.

These are commercial-in-confidence negotiations. We will continue to monitor those negotiations as a state and always ensure that the best interests of Tasmania will be protected. I caution the Opposition spokesman for energy. You are going too far by reaching into commercial-in-confidence discussions and negotiations. Be very careful.

This is an Opposition - what is your track record? Prior to the election you paid for advertisements that said we are going to privatise the Hydro. Guess what? No. What else did the Opposition say prior to the election? They said power prices under our Government would go up. What has happened? They have gone down. You were misleading and scaring the Tasmanian public and you are at it again. You have not changed your stripes. You are the chief scaremonger. You are out of your depth and you should know better.

Securing Tasmania's Future - Update

Ms OGILVIE question to PREMIER, Mr GUTWEIN

[11.05 a.m.]

Can you update the House on how the majority Liberal Government's clear plan to grow our economy and secure Tasmania's future is working? Are you aware of any alternative approaches?

Recognition of Visitors

Mr SPEAKER - Honourable members, as the Premier comes to the lectern, I welcome the St Patrick's College and Scotch Oakburn College, winners of the 2021 parliamentary debating shield competition to the gallery.

Members - Hear, hear.

ANSWER

Mr Speaker, I thank Ms Ogilvie for that question. It is great to have the experts in the House this morning. Welcome.

The plan is working and the state accounts released on Friday last week clearly demonstrate that. During 2021, Tasmania's economy grew 3.8 per cent, the second-fastest rate in the country, and it outstripped the national economy, which had only 1.5 per cent growth. This represents the fastest growth since 2007 and it is nearly double the growth we had forecast in the Budget.

Gross state product grew to nearly \$35 billion while we battled a global pandemic. Private investment was up, government investment was up, and consumption was up. Private investment alone grew 6.9 per cent, demonstrating that there is real confidence in our business sector and in our consumers in this state. We are seeing this confidence in our towns and

suburbs, we are seeing it in the new houses being built, the businesses investing and the businesses hiring. Government investment over the period grew 4.3 per cent and we make no apology for that. We needed to invest and we did invest at a time when the state needed it, because we had the balance sheet to enable us to do it.

The economy has roared back to life. Household consumption is up nearly 2 per cent over the year. The best litmus test for your economy is retail spending because it demonstrates that you have broad confidence right across your economy.

The jobs market in Tasmania is at near-record levels. Our unemployment rate is 5.1 per cent, the second equal lowest rate in the country; job vacancies are nearly 70 per cent higher. If you want a job in Tasmania right now you can get one. Wages are growing well. The wage price index last week demonstrated that wages grew one per cent in the September quarter alone, the equal fastest in the country. Over the year wages grew 2.7 per cent overall and 3 per cent in the private sector - the fastest wage growth, both public and private, in the country.

I welcome the commentary by economist Saul Eslake. He said that Tasmania's per capita household disposable income of \$52 000 last financial year was just 3.3 per cent below the national average. When I came to the parliament, when Labor was in power, it was 20 per cent below the national average. We have been working, confidence has been growing, people are investing and, importantly, they are employing Tasmanians.

This advice in the national accounts follows off the back of the economic news we had on Thursday from the credit rating agency Standard and Poor's that indicates Tasmania, through a global financial crisis - a global pandemic, that is a different story: you guys did not manage that one all that well - we maintain our strong AA+ credit rating with a stable outlook and S&P noted that Tasmania's economy is outperforming the national average, is recovering from COVID-19 because of the Government's strong financial management and its swift response to the pandemic.

Tasmania is in good shape. Those on that side of the House will never admit that but, as I have said on many occasions, whingeing is not a policy, complaining is not a platform, although they are doing their very best to make both of them into those two things.

On this side of the House, we will continue to work very hard to ensure that Tasmanians have the confidence to employ, invest, and importantly, to continue to spend right across our economy.

With our Reopening Tasmania plan - we heard the whingeing and whining from next door, Mr Speaker - our plan is clear. Tasmanians understand where we are heading, and I reiterate that I am now confident that every Tasmanian who is eligible has had the opportunity to receive the vaccine. Our borders will reopen on 15 December, and I encourage anyone who has not yet had the vaccination to go and get it. It is your best defence.

Tasmanians understand that this Government will do what is right, and we will base our decisions and our actions on public health advice, which has stood us in very good stead for the past 20 months.

Tamar Valley Power Station - Decision on Future

Mr WINTER question to MINISTER for ENERGY and EMISSIONS REDUCTION, Mr BARNETT

[11.11 a.m.]

You are now trying to muddy the waters by talking about decommissioning, or not selling, the Tamar Valley Power Station. As you well know, that is a completely different issue. Why are you finding it so hard to admit that your policy is to mothball the combined cycle gas turbine at the Tamar Valley Power Station? Will there be gas available to the combined cycle gas turbine on 1 January 2022?

ANSWER

Mr Speaker, I thank the member for his question. You have come back to the well for more. You have not been listening to the answers that have been provided by me and the Premier in the last many weeks. You simply refuse to listen. You have been cautioned about interfering, reaching into a commercial-in-confidence negotiation between Hydro Tasmania and the Tasmanian Gas Pipeline company. You are acting in a very concerning way. I caution you from continuing to do this. You have to be acting in the best interests of your community and the state. Acting for and on behalf of just one party is a great concern.

Then you highlight this, you wrap it all up and you conflate it with energy security as being at risk. It is not at risk. It has never been more secure. Let me urge and assure all Tasmanians that our energy future has never been more secure.

We have advice from Hydro Tasmania, and from the department. We are acting on that advice, and we are absolutely secure, on not only our gas supply into next year, but also our energy supply more broadly.

You are coming from a base where, under your Labor-Greens government, it was at 65 per cent increase. Of course, there were your fearmongering claims of Labor saying prices would go up under us. That is what you said. You paid for those ads prior to the election. The Labor Party said power prices would go up under a Liberal government. What has happened? The exact opposite. You cannot be believed, and you have no credibility. What is more, you said we are going to privatise Hydro. You said it again and again. I am looking at the member for Bass. Never to be trusted.

Mr WINTER - Point of order, Mr Speaker; standing order 45, relevance. The specific question I asked the minister was: will there be gas available to the combined cycle gas turbine at the Tamar Valley Power Station on 1 January 2022?

Mr SPEAKER - Standing order 45 goes to relevance, but it does not give you the opportunity to re-ask the question, thank you. I do not uphold your point of order. The minister has the opportunity to answer the question. I also ask the minister to start winding up.

Mr BARNETT - Yes, absolutely. They do not like the answer. They are doing everything they can because they have no credibility whatsoever. They say one thing and the exact opposite occurs. They said power prices are going up and they are going down. They said we are going to privatise the Hydro and that is wrong. You cannot be believed. The

Leader of the Opposition, you stand accountable - and you are standing, trying to provide protection for the Leader. It will not work. The facts are on the record. Our energy future has never been more secure.

Time expired.

TABLED PAPER

Standing Committee of Public Accounts - Review of the Auditor-General's Report

Mr Street presented the report of the Standing Committee of Public Accounts Review of the Auditor-General's Report No. 8 of 2018-19: Student Attendance and Engagement: Years 7-10.

Report received.

HOUSING LAND SUPPLY AMENDMENT BILL 2021 (No. 51)

OPCAT IMPLEMENTATION BILL 2021 (No. 49)

JUSTICES (VALIDATION) BILL 2021 (No. 52)

REPEAL OF REGULATIONS POSTPONEMENT BILL 2021 (No. 59)

**TRAFFIC AMENDMENT (PERSONAL MOBILITY DEVICES) BILL 2021
(No. 57)**

Bills agreed to by the Legislative Council without amendment.

CONDOLENCE MOTION

Carmel Maude Holmes - Former Member for the Electorate of Denison

[10.20 a.m.]

Mr GUTWEIN (Bass - Premier) (by leave) - Mr Speaker, I move

That this House expresses its deep regret at the death on 7 November 2021 of Carmel Maude Holmes, a former member of the electorate of Denison from 25 June 1984 until 8 February 1986; and further, that this House respectfully tenders to her family its sincere sympathy in their bereavement.

Mr Speaker, I rise today to celebrate the life of former member in this place, Carmel Maude Holmes. Carmel Holmes (nee Clark) was born in Winnaleah in the north-east of Tasmania where her parents and grandparents farmed and had a dairy. She attended St Thomas More's Ladies College in Launceston. Carmel showed an entrepreneurial flair early on and at the age of 19 started her own business in recruitment, later marrying Charles Holmes, moving to Hobart and expanding her business. Outside her parliamentary career, Carmel was known as a prominent and astute business and marketing professional, also succeeding in a number of ventures in property development. Carmel was awarded Tasmanian Businesswoman of the Year in 1982.

Carmel was elected to the Tasmanian House of Assembly in 1984 as a Liberal member for Denison in a count back following Max Bingham's resignation. At the time of her election in 1984, Carmel has the singular distinction to be the only female Liberal member in a government in Australia as part of Robin Gray's Liberal government. She was only the sixth woman elected to the Tasmanian Parliament, the third Liberal and, at 38 years of age, the equal youngest elected at the time along with Labor's Mary Willey.

Carmel's election paved the way for more Liberal women to be elected in this place, including the future lead and dear colleague, Sue Napier, the first woman to lead any major political party in the state. Her Liberal parliamentary colleague at the time, Peter Hodgman, has reflected on Carmel's time in parliament saying that Carmel had a strong character and stood her ground on issues, and that she was liked by both sides of parliament. Peter mentioned that Carmel's campaigning was distinctive; that she ran it herself in creative ways. Her understanding of marketing as part of an election campaign clearly came from her professional business experience.

In her first contribution in this place, Carmel brought that business experience to the fore in a speech that focused on business, job creation and employment in Tasmania. She said:

We also have what even the media describes as a sound budget for 1984-85.

And, not a lot seems to change:

On the other hand, we have the Opposition saying the budget is no good for Tasmania, the economy is in a mess and, of course, the government is to blame. Is that conducive to maintaining a high level of business and consumer confidence?

She raised a number of issues in her first speech, including her concern about levels of youth unemployment and the true cost of employing workers including the on-costs for employers at the time. It was a time of much less flexible employment and working conditions. In particular, Carmel showed a strong understanding of how important confidence is when it comes to a stronger economy and how strong economic management provided certainty to business and builds confidence in the labour market among consumers.

Carmel also called for stronger action on improving retention rates for school students, and I quote:

... we should improve the retention rate of pupils in the education system by - increasing the minimum school leaving age to at least 17 years - and I would prefer 18.

This approach is now part of Government policy, something I am sure Carmel would have been pleased to see implemented.

Unfortunately, Carmel lost her seat at the next election in 1986 but she made a strong contribution during her time here and advocated in many different policy areas especially small business, education and employment. As a successful small business woman, she understood very well the concept of competition.

Carmel was well-known and a very competitive participant in dog shows in Tasmania, including boxers and Afghan hounds. She was very successful. She was recognised as a top breeder and exhibitor. I am advised by a fellow exhibitor that Carmel knew all the tricks of the trade. I am also told at that time a certain product known as Magic Silver White was a popular enhancement potion for white-coated dogs. It was a bluish liquid. You added it to a quantity of water, gave the dog's coat a rinse and the magic took shape. Unfortunately, in one show in front of an international judge from Sweden, it was clear to observers that one of Carmel's Afghans had probably had a little bit too much of a touch-up from the Magic Silver White as it was displaying more of a Liberal bluey-purple colour. It did not bother the Swedish judge, however, who I am told, stated, 'I do not care what colour the dog is, I am putting it up'. Carmel's Afghan was the best dog in the show and it duly won.

Carmel was a down-to-earth person and was always a part of her local community. I am told she loved her fish and chips and was a regular at the Rokeby General Store, which she claimed at the time had the best fish and chips around.

I extend my condolences to the family and friends of Mrs Carmel Maude Holmes particularly her children, Philippa and Andrew, and her grandchildren, Nikki and Jessie, on her passing on 7 November. I recognise her service to the Tasmanian parliament and to the Liberal Party as a former member in this place.

[11.25 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I rise on behalf of the parliamentary Labor Party to pay our respects to the late Mrs Carmel Holmes and recognise her work both in this place and in the broader community.

While I did not have the opportunity to meet Mrs Holmes, in reading about her life I have been struck by the energy with which she dedicated her time to improving our state, whether it was through her efforts in private enterprise and her accomplishments as a successful entrepreneur and business consultant through to her charity work and her contribution in this place as a member of the Tasmanian parliament.

I read back through Mrs Holmes' inaugural speech. From that, her passion for increasing opportunities for our young people was evident. I would like to share some of the passages from her inaugural speech with members. She said:

Mr Speaker and members, our young are our future. They may not cry as loudly or as long as other articulate groups. I ask you to support any actions that will improve their prospects towards the dignity of life.

There are other passages from her inaugural speech which I also think are relevant today and important for members to know about Mrs Holmes. I will read those as well:

I would also ask the government to give consideration to the establishment of a management secretariat to be attached to the Tasmanian Development Authority. ... The role of the secretariat would be to seek out skilled yet unemployed people, assess their work and business skills and assist them to develop a potentially profitable business cooperative. The secretariat would provide entrepreneurial business management and marketing advice, plus financial guarantees until the newly developed business was viable.

It seems that Mrs Holmes was ahead of her time. These are initiatives that successive governments have supported since then. I am sure Mrs Holmes watched those developments with great interest while she was alive.

She also spoke about something else which is still present in our society. It was of much interest to her and I will quote this from her speech:

I also note - and one of the previous speakers mentioned this - the lack of rental accommodation in the Hobart metropolitan area. There is also a housing shortage in the lower to intermediate price range. May I suggest the secretariat could coordinate the management of future business enterprise: act as a guarantor for the financing of the purchase of a block of land and the supplementary finance for the building of a home for sale or for renovating a home. Out of the profits of the sale, repayments of finance would be made and a proportional management fee would be paid to the Tasmanian Development Authority.

Again, that is similar to what we now have in Homeshare. The Government has stepped in and adopted an idea that Mrs Holmes flagged in her inaugural speech. Again, a woman before her time. As the Premier already noted, Mrs Holmes' inaugural speech also mentioned her advocacy to raise the school leaving age to 18. That was in 1984. Again, a woman before her time and something that has come to pass.

It is clear from reading her first speech that Mrs Holmes was adept at identifying problems and providing ideas for solutions. It struck me that Mrs Holmes was a problem-solver, a deep thinker and determined to find a way to make things work better for society, in particular, for young people and the unemployed. While I imagine we might not have agreed on how we tackle some of these challenges, what I have been impressed by in researching her life is how strong and capable she was. I have no doubt that upon her election to this place she ruffled a few feathers and shook the place up a bit. The Premier referenced some of Mr Hodgman's recollections that seem to attest that was the case.

Her election made her the first female to sit in this place in 20 years. That would have been a culture shock for the men but no doubt also for her. It would have required all her strength and skills to negotiate to see improvements in the policy settings for those areas that she identified as requiring reform.

In 1984 I had just turned one. Today I stand in this place with you all, and the majority of members are females. How things have changed since Mrs Holmes took her position in this place as the first female to do so in 20 years. I wonder how she felt about that and if she ever took time to reflect on whether her time in parliament would have been different if there had been at least one other woman standing here with her.

On behalf of the parliamentary Labor Party, I pay tribute to the late Mrs Carmel Holmes and thank her for her service to the people of Tasmania. I convey our deepest sympathies to her family, in particular to her children, Philippa and Andrew, and her grandchildren, Nikki and Jessie.

[11.30 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, on behalf of the Tasmanian Greens, I also celebrate the life and acknowledge the contribution, albeit too brief, in this place of the late Mrs Carmel Holmes.

I listened with great interest to the Leader of the Opposition's contribution and felt, as a woman in this place, very thankful for pioneers like Carmel Holmes. Is it not the case that when Mrs Holmes was elected - it was not that she was the only female MP. Was she the only Liberal MP, or the only female in the -

Ms White - The first one in 20 years to be elected to the Tasmanian parliament.

Ms O'CONNOR - First Liberal?

Ms White - No, she was the third Liberal.

Ms O'CONNOR - Have we not come a long way in a relatively short period of time? In 1984, I was in grade 11 and here we stand. Women in this place now have a majority in both Houses, which is a very good thing. It is in significant part because of the women who came before us like Carmel Holmes, Sue Napier, Fran Bladel, Judy Jackson and Christine Milne. It is really important that we reflect on the experience of women like Carmel and those others I have named in a time when parliament was a much more masculine, professional environment, where there was no televising of the proceedings of parliament, and women in those times sure did cop it. That is absolutely a political statement. Women across parties were subject to some really sexist behaviours in here.

When I read Carmel Holmes' inaugural speech, I was struck by a woman with a very fine brain and a clear sense of purpose, who understood the difficulties that business can face but also had a real heart for people, particularly young people. In many ways, Mrs Holmes' inaugural speech, as Ms White said, was setting the agenda for policy changes that came after Mrs Holmes was no longer the member for Denison. I appreciate Carmel Holmes's clarity of vision. I am thankful, as a female MP, that she sought election, was elected and endured.

On behalf of the Tasmanian Greens, I pass on my love and condolences to Carmel Holmes' family, husband Charles, her children Philippa and Andrew, and her grandchildren Nikki and Jessie. I did not know Carmel Holmes but, through everything I have read, I acknowledge a strong, community-minded, compassionate, animal-lover Liberal woman who helped to pave the way for other women and girls to come into this place and also make a contribution to public life. Vale Carmel Holmes.

[11.34 a.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Speaker, I concur with the remarks of the Premier, the Leader of the Opposition, and the Leader of the Greens. I wish to also pay a tribute to the late Carmel Holmes, who passed away this month, and to extend my deepest condolences to the family, her children Andrew and Philippa, and also grandchildren, Nikki and Jessie, and all those people who have had their lives enriched by Carmel Holmes and by knowing her as a wonderful woman.

I came to know her when I was studying law, so I was very much out of nappies, at law school in Hobart, as a member of the Lyons electorate and the Liberal Party, and got to know

her through the Liberal Party in the early 1980s. Subsequently, when I worked for Robin Gray as a senior adviser in 1988 and 1989, she was still involved in the Liberal Party and a wonderful community advocate. She was Small Businesswoman of the Year in 1982 and a great advocate for small business. She was a real champion for her community and, at that time, had a very successful business. It was in the arcade off Morrison Street, and I visited there on a number of occasions. The business she ran was a recruitment business and she was keen to get people into work, she was very keen to support young people into work, and she was a real advocate for her community.

She took over from the then deputy premier, Max Bingham, who was deputy to Robin Gray at the time. Robin Gray came in in 1982 through to 1986, and then deputy premier, Max Bingham, resigned and she filled that casual vacancy in 1984 and continued to the end of the term in 1986.

Yes, she was a fierce advocate for her community. A member for Denison at the time, now the Clark electorate, she had special interests in employment, youth affairs, small business, community welfare and she was a real advocate.

She was, I am advised, the first woman Liberal parliamentary member in 20 years and the third, I understand, in Australian history, so a trailblazer in that time but as she expressed to me and others in the Liberal Party and the community, she never wanted to use her gender to achieve a particular objective or outcome. I would like to note that. She was interested in women's issues and a strong advocate, but she did not want to be slotted into a particular role because of her gender. She was clearly a trailblazer in many respects.

Outside of parliament she was, as I say, an astute business professional and she founded that prominent Tasmanian recruitment company and was involved in a range of businesses since then as well.

I pay tribute to Carmel Holmes and say thank you to her family for allowing her to speak up and speak her mind. She was very strong in speaking her mind from time to time. Yes, she did follow government policy but she was very strong on expressing her views and ensuring that they were heard. Rod Scurrah, the president of the Liberal Party, paid a tribute to her in recent days. Thank you, Rod, on behalf of the Liberal Party for doing that, to say thank you to Carmel Holmes and express our sympathies to the family.

In conclusion, she certainly was an innovative, progressive businesswoman and politician and she advocated, as I say, for employment, youth affairs, small business. Small Businesswoman of the Year was an outstanding achievement, and, of course, she was a loving mother and grandmother. My heartfelt condolences to her family and friends at this difficult time.

[11.38 a.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Speaker, I rise to make a brief contribution as a female member of this place and a female member of the Liberal Party, a very proud one at that, and, of course, the electorate of Clark, which was formerly the electorate of Denison. In 1984, I was in grade 8 and recall Carmel Holmes being elected as the first Liberal member in 20 years to become a parliamentary member.

I know that she did not necessarily want to be identified as such, as someone who has broken through the glass ceiling but we like to pay tribute to trailblazers like her and others we have had in the Liberal Party and, indeed, many strong women who have taken up posts. I was very proud to become the first female Speaker in this place after a history of 157 years. It is important to celebrate those sorts of achievements so that we do not have to keep recognising those sorts of achievements based on gender. Hopefully we will not have to do that in the future but it is worthy of recognition, particularly the service of people like Carmel Holmes in this place, and for the people of Denison as it was known back then, and now Clark, and indeed Tasmania.

Many women who do break or shatter the glass ceiling, if I can call it that, aim high and, I assume, accept that failure is not a weakness - and they certainly do not procrastinate. Those are probably traits that accurately describe Carmel Holmes and her achievements.

As has been said by other members this morning, Carmel was born in Winnaleah, a small country town in north-east Tasmania, where her parents and grandparents farmed and ran a dairy herd. It sounds like she had great grounding, growing up there. To have started her own recruitment business at the age of 19, back then, is truly an extraordinary achievement.

It appears she 'saw the light' in 1976, when she moved from Launceston to Hobart. I can say that, because I was born in Launceston - I am only joking, of course. She expanded her business and opened a branch of her own consulting group, which specialised in personnel management and executive search training and development. We have heard from other members how important job opportunities, training and education of our young people were to Carmel Holmes.

We are reliably informed that she easily won the seat of Denison back in 1984, following the resignation of the former deputy premier at the time. As we have also heard, her areas of interest were employment, youth affairs, small business and community welfare. Those areas are indicative of her breadth of experience and her background, and no doubt she performed incredibly well in those areas in contributing to government and parliamentary policy.

An early election was called at some stage and Carmel lost her seat, even though she polled more primary votes. We can all identify with that at times in the Hare-Clark system, where having quite a few primary votes does not necessarily get you elected. After that, she returned to the world of business, where no doubt she still had strong connections. She went on to develop and refurbish a flour mill in Hobart and an old granary in Launceston into serviced offices.

In closing, Carmel was an astute business woman and politician. Her family, and members of this place at the time who served alongside her, would remember her for her fearless advocacy, and as a loving mother and grandmother. Also, I hope this is correct, as I have sourced it from Wikipedia, Macy was her favourite boxer and would always get a special mention.

I pay my deep condolences to Carmel's family at this very sad time, but also celebrate her achievements, as all members have done in the House this morning.

[11.44 a.m.]

Ms OGILVIE (Clark) - Mr Speaker, I rise to pay my deepest respects to Carmel Holmes. I do so, not having met her, but as the recipient of some of the good - and groundbreaking - work she did as a Liberal female politician.

I can perhaps speak a little on this, being the newest female Liberal politician, and about motherhood as well. It seems to me, in the reading I have done and particularly the photographs that I have seen of Carmel and her beautiful family, that it was the central piece of her life - and perhaps something, like a lot of us in this place, she needed to juggle with her business and with her political career.

To reach a stage in life where you have had a career in retail, small business and in politics, and to land at the end with children, grandchildren and the full family experience is really quite something. In this Chamber, we do not often talk about our lives outside the Chamber, not just what happens in here, but our full life. I would really like to pay respect to that, and the trajectory and history of Liberal female politicians, stretching back to Dame Enid Lyons - the much-loved matriarch, I think we could say, of the Liberal tradition, and the Lyons family in particular, which is still a huge family in Tasmania.

On that trajectory we have seen other Liberal women politicians step up and come forward, each with our own backgrounds and histories. The Hare-Clark system has twists and turns - and I am obviously an exemplar of what can happen in that - but it strikes me that Carmel must have had true resilience and grit to work her way through those challenges.

It has been my experience that the Liberal Party is a meritocracy. I am pleased to see women succeeding in this party. It is in part due to the foundation that women like Carmel Holmes laid back in those days - and it would have been harder then. I like to think she would have been supportive of our women's sports push and women's football, to break those new boundaries and barriers to make sure everybody gets a fair right to participate - but to do that by just being here and doing it.

Women in politics is obviously a substantial area for discussion, but I also want to talk about the softer side of things. As a dog lover myself, I was very much taken by her work with the dogs. I know it is a highly competitive area and so the fact that she was so successful in that realm is a wonderful thing.

I have, of course, deepest sadness for the family who have lost their beloved grandmother and mother. I personally express my condolences to Charles, Philippa, Andrew, Nikki and Jessie on the sad loss of Carmel - who I believe they called Carmie of Grandchildren - a lovely honorific, and something everybody can be proud of. She was clearly a beloved wife, mother and grandmother with a strong family. I believe she is a true Tasmanian, and her family and everybody in this Chamber ought to have the deepest amount of pride and respect for what she has achieved.

I close by expressing our condolences and our sadness for the family, but also our deepest respect for a life well lived, and to wish her on her journey: deep peace of the gentle night to you, Carmel.

Members - Hear, hear.

Mr SPEAKER - I ask all members to signify their support for the motion by standing for a few moments in silence.

Motion agreed to nemine contradicente.

Motion by **Mr Gutwein** agreed to -

That a copy of the foregoing resolution be forwarded to the family of the late Carmel Holmes.

MATTER OF PUBLIC IMPORTANCE

Energy Security

[11.49 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I move -

That the House take note of the following matter - energy security.

I want to talk this morning about a very important matter for Tasmania. We know energy security is critical for Tasmania's economy - any economy, of course. We need to ensure we have Tasmania's energy framework set up correctly so that businesses and Tasmanian consumers can have confidence because we know what happens when there are issues with energy security.

We saw that in 2016, after the failure of Basslink in late-2015 and all the issues surrounding the inability to import power through Basslink, low storage levels in Tasmania's dams and in the requirement from the Liberal government at the time to bring in diesel generation plus also fire up the Tamar Valley Power Station combined cycle gas unit, which effectively kept Tasmania from blacking-out during that time. That unit produced over 700 megawatt hours of energy from when it became available on 20 January until late-May to stop us from blacking out. The Government also put in place diesel generation which was not able to produce as much energy as the combined cycle gas turbine was and the energy that it did produce was hugely expensive. It was less efficient, produced less energy and it cost a lot more.

Parliament heavily scrutinised that position at the time. The Government agreed to have an energy security taskforce. The Public Accounts Committee also considered the matter. Both the expert energy security taskforce and the Public Accounts Committee had a similar recommendation: that the Tamar Valley Power Station combined cycle gas turbine should remain available to the Tasmanian energy network for the foreseeable future.

The reason I raise this today is because, from 1 January next year, that unit will not be available. The gas supply arrangements Hydro Tasmania is in negotiations about with the Tasmanian gas pipeline will lead to that combined cycle turbine not having gas available to it, from 1 January 2022. I cannot work out why the minister will not admit that. In question time today I asked the minister the specific question, 'Will there be gas available to the combined cycle on the 1 January 2022?' and he will not answer it. Perhaps he could have another crack at it this morning, when he finally admits it. The combined cycle will be mothballed against

the advice of the Government's own expert taskforce, the Public Accounts Committee: the Government is going to mothball this combined cycle unit. That is the loss of a significant public generation asset that Tasmania has had for the last five years, ready to go if needed.

The acting CEO of Hydro said it is not commercial to operate that unit all the time. I understand that. The Greens were saying in interjections earlier that this is not anywhere near as environmentally friendly as our renewable generation. We accept that as well. What is more important than energy security for Tasmania? Not much and we have seen the results. That energy crisis cost Hydro Tasmania \$180 million. We know there was load-shedding from Tasmania's major industrials. They were forced to load-shed to keep consumer lights on during that time and we appreciate them doing that during that time. Mr Brooksbank, in his op-ed in today's *Mercury*, says:

But if 2016 taught us anything it's the importance of having the five units at the Tamar Valley Power Station as back-up if required. This will not change, but the station is not expected to run for energy security or commercial reasons in the foreseeable future.

It obviously will not be available. I asked the minister to defend the position. If the Government's position is that it is no longer necessary for the combined cycle to be available, then he should explain that not just to the parliament but to major industrials, to Tasmanian consumers, and to Tasmanian business. Give us the reason, minister: why is this combined cycle not necessary? We understand from the Tasmanian gas pipeline that it could take up to two years to be restarted after this new arrangement takes place, once they have reallocated the equipment that is required to feed the combined cycle gas unit.

It is time the minister was honest about this. He should just explain the reason it is being mothballed and why he has decided that the energy security taskforce was wrong, why the Public Accounts Committee was wrong and why he is changing energy security policy in Tasmania from 1 January 2022.

Time expired.

[11.56 a.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker. thank you for the opportunity to speak on the important topic of energy security. Our energy security is not at risk. In fact, our energy future has never been more secure. I have said this publicly today. I have said it on previous occasions. I have also cautioned the shadow spokesperson to be more responsible and to be very careful when he comes into this Chamber, to express a view on behalf of a company which is in negotiations with Hydro Tasmania. You are effectively taking sides.

You are reaching in to a commercial-in-confidence negotiation and you should know better. It is more appropriate for you to acknowledge the facts for what they are. That is that our energy is secure. You have raised this time and again in recent weeks and you have now become the chief scaremonger for the Labor Opposition. You raised in this parliament a few moments ago questions about Basslink and you have conflated that with energy security. The receiver, KPMG, and the administrator have advised that it will continue to operate reliably.

You also know that the Australian Energy Market Operator has advised that it will continue to operate on a reliable basis, yet you are conflating this. You are trying to scare the

Tasmanian people. We have said on the public record that the Tamar Valley Power Station is not for sale. We have made it clear that you have been foolishly drawn into this commercial-in-confidence negotiation. We will continue to monitor the negotiations and always do what is in the best interests of the Tasmanian community. Your inexperience is showing.

I do not know whether this is cover for your leader who made those ridiculous claims prior to the election that under our Government power prices would go up. These were the advertisements you were putting in the newspaper. That is what you said on behalf of the Labor Party. You also said that we will privatise the Hydro. You do not have a shred of credibility. Why do you not come in here and apologise for misleading the community, taking them up a path that is totally wrong. You should apologise for those claims that you have made. You were part of that and now you are the shadow. You are simply conflating the argument. The Tamar Valley Power Station will continue to be available from 1 January and into the future. With regard to the opinion piece by the acting chief executive, Ian Brooksbank, in the *Mercury* today, he has identified and highlighted the importance of the Tamar Valley Power Station. He has said on the public record that Hydro had no plans to decommission the combined-cycle turbine. Seriously, what more do you want, Mr Winter, Mr Scaremonger? You have no credibility.

With regard to energy security, we are at 52.8 per cent, which is the highest level of storage since 2013 and terrific in terms of the prudent storage level. This is consistent with the Tasmanian Energy Security Taskforce report, which we have been acting on and implementing the recommendations. With regard to that 52.8 per cent, it is 12 percentage points above the November prudent storage levels and 20.3 per cent above the November high-reliability level. That is on top of the fact that we are already 100 per cent self-sufficient in renewable energy and we have legislated to go to 200 per cent.

We have two new windfarms, operating with 260 megawatts, with the Granville Harbour and Cattle Hill windfarms, and a lot more on the way. You do not recognise that and have not commented on it. That is a key part of our future; bringing on more wind will deliver more energy security.

Some parties, sadly, are using the media to influence commercial-in-confidence negotiations and you, it seems, are acting as a pawn for and on behalf of this particular business. You stand accountable. You are meant to act as a responsible member of parliament, for and on behalf of your community, yet you are a political party reaching into a commercial-in-confidence negotiation. We have acted in accordance with the energy security taskforce report and recommendations.

Dr Broad - No, you have not.

Mr BARNETT - We absolutely have. We have said it is not for sale and we have also said, and the Hydro has advised, that the combined cycle gas turbine will be available post-1 January. I wrote to the director of Tasmanian Gas Pipeline on 9 November and advised the views of the Government. I will not go into the detail but it confirmed that energy security is important to the Government and we will continue to monitor this. The gas is available and will continue to be available post-1 January: so, no more scaremongering from the Labor Opposition.

Time expired.

[12.03 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, this matter of public importance is very interesting. It is asking the wrong question. The Labor Party is totally ignoring where we are on the planet at the moment and where we are in terms of fossil fuel use. It is concerning that the Labor Party has been revealing itself more and more in recent weeks to be the party that does the spruiking of the needs of industry. We have had them running cover and doing everything they can to protect Coca-Cola and Schweppes Lion Nathan in the container refund scheme, to kick that scheme down the road. They have done their best in their time in office and out of office to delay the container refund scheme. That is the attempt by Labor to prolong the container refund scheme for Tasmanians even further because it will benefit the beverage industry's needs, rather than putting the environment first.

Here we are again today with the Labor Party ignoring the reality of where we are on the planet. In case they have forgotten, we are in a code red for humanity. Yes, there was a Glasgow COP26 and our countries did agree that we have a terrible problem burning fossil fuels and it is risking the survival of all species on the planet in the not-too-distant future. We had scientists warning us of the possibility of ice-sheet collapse, thermohaline circulation reversal, permafrost melting and the loss of the lungs of the planet with the Amazon and the deforestation causing an inexorable heating of the planet. We already have 1.2 degrees Celsius above the long-term average and on the Australian mainland it is 1.5 degrees.

I see, from the smirks on the Labor Party's faces while I say these things, that it is a joke, that they do not take this seriously. If they did, they would understand that the pressure they should be putting on the Liberals, which is where the Greens are pressing, is: what is the plan for getting out of fossil fuels in Tasmania? Where is the plan? For when?

We must inevitably end our reliance on the Tamar Valley gas station. That will have to happen. When you have countries around the world coming to an agreement in one year's time, our prime minister, whoever that person will be - we sincerely hope that the Liberals are not returned but unless the Labor Party is returned with a crossbench that has the Greens holding a balance-of-power arrangement in the federal parliament - will not do anything other than continue the bidding of the coal, gas and oil industries, which is what they are doing here in Tasmania.

The Labor Party in Tasmania is doing everything it can to spruik the interests of Tas Gas Pipeline, which is in negotiations for a contract. They are not putting the interest of Tasmanians first. They are not talking about safety and security for our children. They are not prosecuting or scrutinising the Government for where the plan is to get out of fossil fuels in Tasmania. We cannot pretend that we should be putting the interest of a private company that wants to do everything it can to talk about the end of the world as we know it if they do not get what they want in their negotiations. Of course they are doing that. That is in their commercial interest but they should not have the support of the Tasmanian Labor Party in pushing them to get a commercial advantage in their favour over the best interests of Tasmanians.

This is about energy security for Tasmania. It is about security, full stop, and the security of Tasmania is best advanced by making sure that we have a plan for getting out of fossil fuels. You have never talked about the plan. We have a plan we funded, we do an alternative budget every year, we have a full set of policies and a Green new deal, which we brought to the election. We have a plan.

This is a disgraceful matter of public importance. It is the wrong question. You would have expected the Labor Party to be scrutinising the failure of the Government to talk about how we are going to end, and the timeframe for ending, our reliance on gas in Tasmania. We have to have a plan. It has to intersect with the development of a green hydrogen industry and we have to see numbers on papers instead of these endless press releases around election time, federal and state, about Marinus, Battery of the Nation: big talk, no detail.

We have to have details. We want to know what is in Tasmania's best interest in terms of the money that will be spent. The money should be spent, first and foremost, on bringing down carbon emissions in Tasmania. That means two things: we need to end the clearfelling and burning of our native forests; and we need to create sectoral targets for every single industry sector in Tasmania to 2030, to 2050 and beyond. We need to have very clear targets, because as a world we need to have 75 per cent less carbon emissions by 2030. That is what the scientists are telling us. This is our challenge and we have to work on it together.

We will be working, scrutinising the Government, asking questions, demanding a clear plan. Meanwhile, I hope the Labor Party changes their tune from spruiking the interests of big business, to putting the interests of Tasmanians on climate change first.

[12.10 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, energy security is vital for Tasmania. Energy security underpins our entire state, not just whether families can cook a meal at night or keep their heat pumps going, but it also underpins our major industrial customers and businesses like TEMCO, Bell Bay Aluminium and Grange Resources, and Nyrstar in Hobart.

Mr Barnett - It is Liberty Bell Bay, by the way.

Dr BROAD - Okay, settle down. It underpins our major industrial customers, but also our small businesses and medium-scale businesses. Hydro industrialisation has basically created modern Tasmania. One of the key aspects of that is energy certainty - that there will not be brown-outs and blackouts, and that our energy is secure.

The minister talks about being 100 per cent self-sufficient in renewable energy. Last financial year, the state of Tasmania was a net importer of electricity across Basslink; 600 gigawatt hours came across Basslink.

We know that Basslink is currently in receivership, so there is uncertainty in the Tasmanian energy sector. We have a gas contract that is currently up for negotiation, and is being negotiated as we speak. We have uncertainty around Basslink, and for the last financial year we have been net importers of electricity, 600 gigawatt hours. That is not a minuscule amount. That is quite a bit.

We hear from people like Twiggy Forrest that there is no power available at any price for a hydrogen plant. Energy security is vital. We have new wind farms that have come online, which is a good thing, and hopefully more wind farms will come online - but that does not change the fact that there is uncertainty around energy security. What happens if it stops raining? This year has been very wet. It has been a very good winter and spring in terms of rainfall, but what happens when things turn around again?

We only have to go back five years to 2016 to see what happened under this Government. There was an abject failure of policy, which resulted in the Government having to cobble together diesel generators - small-scale inefficient diesel generators that cost Hydro \$180 million. Why did that happen? The Government had tried to sell the combined cycle gas-fired turbine at Bell Bay. That is what their history is.

What we see now is the minister being at pains not to answer the question: will gas be available to the combined cycle gas-fired turbine from 1 January? He will not answer that question. You cannot run a 200-megawatt gas-fired power station without gas. If a contract is signed that means that gas is not available, then Tasmanian Gas Pipeline has said that they will take away equipment, which will potentially take years to put back in place. When they stuffed it up last time, we know that it took months to get the combined cycle going, and that drove having to cobble together a solution - which was inefficient diesel-fired small generators.

What will happen if the rainfall stops and we have another period of drought, and the new wind turbines cannot make up for it - already having said that we were a net importer across Basslink this year? If it stops raining, we will have a little bit of time, but will we have two years to get the combined cycle going again? These are the questions the minister needs to answer.

We know that the Tamar Valley Power Station gas contract actually holds up the entire gas market for the state. We know major industrial customers like Grange Resources rely on gas for their industrial processes. Grange are heavily reliant on gas. It is not just massive businesses like Grange, though. Companies like Simplot in Ulverstone also have a gas-fired boiler. What will happen to their gas contract, and what will happen to the gas contracts of all the individual households?

In this place I have argued quite strongly that gas-fired heaters should be removed from public housing, because they are horrendously expensive, and replaced with heat pumps. What happens to the gas price for them if the state Government stuffs up this gas contract and gas prices have to go up? If there is less gas being reticulated around the state, then the cost of the pipeline and the maintenance of the system will go up. Everybody who is left will be paying more, including customers who are locked into gas-fired heating, cooking, hot water. This does not just impact major industrials - it impacts the entire state economy. This is why there is such a risk with this Government. All they do is kick the can down the road. They will not answer simple questions. They put up stupid strawman arguments instead.

We have heard the minister talking about the member for Franklin, Mr Winter, reaching into commercial negotiations - as if we are the ones negotiating the contract, and we are the ones in the middle of the negotiations between the gas contract and Hydro. As if. What a stupid strawman argument.

Now he comes in and says the Government has no plans to sell the combined cycle. Well, we know they did back in 2016, because they hit up Hydro for a huge dividend - and Hydro said, the only way we are going to pay that dividend is if you let us flog off the combined cycle. That was the genesis, right at that point, of the 2016 power crisis.

What we have now is the minister saying there are no plans. What happens if there is no gas in a couple of years? Oh well, we will flog it off then - that is what the plan really is. That is the plan. You might have no current plans to flog off the combined cycle, but I bet you have

probably medium-term plans. In the next couple of years we will come into parliament and there will be a Dorothy Dixier and you will be telling us how we no longer need the combined cycle and you will be flogging it off. That is what the Government is lining up here: no gas, it will not work.

A gas-fired power station is not like a heater you can plug in. If the equipment for it to run has gone, if the gas is literally not available, then we could be in big trouble.

[12.17 p.m.]

Mr ELLIS (Braddon) - Mr Deputy Speaker, I am delighted, as possibly the only gasfitter to ever sit in this place, to speak on energy security. It has been a particularly pedestrian effort from Mr Winter today, as usual. We know he had high hopes coming into this place, but sadly a lot of his colleagues have started calling him 'disappointing Dean' because of failed motions like this - the typical scaremongering that we are seeing from those opposite, and of course the usual display of the right in here, in solidarity, the hard left nowhere to be seen, and the rest of the left out to lunch.

It could only be Labor that could be worrying about energy security at a time when our dams are absolutely chockers. We have had one of the wettest Octobers and springs that we have ever seen, and Labor comes in here and says they have concerns about energy security.

Our dams are full. It is fantastic. They have been overflowing - but more than this, we have a 200 per cent energy target. We are literally going to be producing twice the amount of power in this state than we produce. We have more windfarms coming online than you can point a stick at, and these guys are concerned about energy security. It is lazy. It is desperate. It is dishonest. It is the typical scaremongering that we have seen from the Labor Opposition.

Let us be clear. Tasmania's energy security is not at risk. The only people who think that it is are over there. There is literally only four of them who think it is at risk. In fact, Tasmania's energy future has never been more secure, and I encourage those opposite to get the facts before they start making things up to try to scare good, hardworking Tasmanians.

As of 22 November 2021, storages were at 52.8 per cent - the highest since 2013. The minister has talked about that. That is 12 percentage points above the November prudent storage levels, surpassing that benchmark that we set ourselves. It is 20.33 per cent above the November high reliability level. If that is not secure, I do not know what is. I do not know what level Labor thinks we should get to in our dams before we start selling power for some bogus vague notion of energy security.

Despite the fearmongering from Labor, the energy security risk response framework, which the Government put in place in legislation by way of amendments to the Energy Co-ordination and Planning Act 1995 is working effectively. I do not think anyone in the state disagrees with that except maybe the four people opposite.

The Tasmanian energy security risk response framework requires Hydro to hold a minimum level of energy in storage at all times. It is simple. Labor's failed effort in government was to break the budget and then flog off as much of our power to the mainland as it could possibly manage. These are the people who took the hay out of the barns, drained the dams, that cannot manage the place, cannot look after Tasmania and have absolutely no idea

of how to manage commercial-in-confidence negotiations. It is typical of the Labor Party. We have to come in here and fix up their mess.

We now have some of the highest storage levels in more than a decade. This amount of storage is called the high reliability level because it is based on having enough water to run Tasmania through a six-month interconnector outage in dry conditions. How much more guarantee do you guys want? Do you want us to not sell any power to any of our major industrials for the next six months so that we can get it to something that is even more beyond the high reliability levels?

On top of that, there is the prudent storage level and operational energy and in-storage profile under average supply and demand conditions set such that storage remains at or above the high reliability level profile following a historically low three-month inflow sequence. A minimum storage level of nine months - that is nine months of energy in the worst-case scenario possible. Our current storage levels of 52.8 per cent is well above prudent storage levels for this time of year, which is 40.3 per cent. The current storage provides an even greater buffer above the PSL. This is the party that is building Marinus Link and backing those thousands of jobs right across Tasmania, but particularly in my neck of the woods, in the north west and the west coast.

We want to create an extra interconnector so that we have even more capacity and security. The Labor Party does not know what it thinks about this massive job-creating plan for Tasmania because it is too busy getting caught up in the weeds and trying to find little ways to needle the Government and differentiate itself from the Greens.

At least Dr Woodruff had the courtesy to bell the cat that there is going to be a federal Labor-Greens deal if they get into power, typical of what we saw in the 2010-13 era federally where they broke the budget and could not run the place and in the 2010-14 era where they broke the budget, flogged off our power and destroyed a lot of the financial security our state relies upon.

Energy security is about more than dams and gas: it is also about wind. The capacity for wind generation in this state is phenomenal. We have some of the best wind resources anywhere in the world. Cattle Hill and Granville Harbour inject an additional 260 megawatts of capacity into the power system. This has helped Tasmania reach a 100 per cent self-sufficiency in renewables. That is well above our 2022 target. It was a Liberal Government that did that. We are proud because we are about building this state.

Granville Harbour windfarm is majority owned by Palisade, which also owns the Tasmanian gas pipeline. It is not rocket science. I have been pleased to see Granville Harbour windfarm operating at a record capacity as high as 57.3 per cent. It has been widely renowned as the best windfarm in the country. We welcome Palisade's contribution to bolstering Tasmania's energy security.

We have more wind generation on the way, backed by our world-leading 200 per cent renewable energy target, which is all about energy security in Tasmania.

Matter noted.

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

Second Reading

[12.25 a.m.]

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

That the bill be read the second time.

The purpose of the 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 Australia's aquaculture industry. A priority identified in the strategy is efficient regulatory frameworks modelled on established best practice that supports 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 resources 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 off-shore 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 aquacultural research. For example, the onset of the Blue Economy Cooperative Research Centre (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 off-shore aquaculture in

Commonwealth waters. It seeks to put Tasmania on the first step towards realising the full potential of off-shore 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. Blue Economy CRC's website describes the socioeconomic potential well:

With a 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.

The 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 of Tasmania. 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 Environmental Protection Authority. The minister will also be required to incorporate any conditions specifically for fin fish 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 approval.

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 (CVO) can be consulted on research proposals. The Government's intention is that the CVO will be consulted.

The proposed salmonid biosecurity program currently under development, which would be regulated under the Biosecurity Act 2019, would also apply to activities being conducted by research institutions for scientific 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. It is appropriate in the context and scale of enabling scientific aquaculture research activities. The intent is to develop a holistic framework that enables aquaculture research for all potential species, for example fin fish, seaweed and other potential species.

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 Speaker, I commend the bill to the House.

[12.32 p.m.]

Ms FINLAY (Bass) - Mr Deputy Speaker, I am pleased to speak in support of the bill and place on the record that Tasmanian Labor supports the amendments contained within this bill. I want to use this opportunity to outline the intention of the bill but also to place on record comments of support from Tasmanian Labor for a range of industries that are wrapped up within these amendments and highlight the potential these amendments provide for.

I record my thanks for the briefing that was provided on these amendments and to bring clarity for what is a simple set of amendments that will create a massive opportunity for Tasmania and for Australia.

This provides research opportunities. It does not give a green light to immediate off-shore commercial operations. For anyone who has been watching recent conversations where there has been escalating tension and commentary in the community about our aquaculture industry in Tasmania, which Tasmanian Labor is particularly supportive of, this is not about saying that we do not support the Tasmanian salmon industry as it stands.

The minister has outlined that this is the first step in a long process. It provides the opportunity for research for the Blue Economy CRC that will be able to contribute to future knowledge and understanding for the development of systems and processes that will provide an almost unlimited opportunity for the production of safe and nutritious proteins in the Commonwealth waters that are off the shore of Tasmania. It will also provide opportunities for innovative farming and productive opportunities in the areas of seaweed, fin fish and other species.

These amendments provide for a number of steps. They open up the opportunity for a Tasmanian regulatory framework to apply over Commonwealth waters to provide a clear system for that research. It also brings in areas of animal welfare and biosecurity that are already contained within regulations.

Further agreement is needed between the Commonwealth and the state for what areas the research will be undertaken within and then applications for proposals will need to be approved.

When I listened to the minister's comments in his second reading speech this is really exciting. We are really behind these initiatives. It provides a massive opportunity for the brand, for the reputation and for the opportunity of Tasmania and Tasmanians that can be involved in future clever, full-time, new and innovative jobs producing premium products in new markets. We already have an existing, exciting industry.

I will reflect on a comment that the minister made, to say that what is actually happening here:

... is deliberately designed to reflect the well-established robust regulatory framework that applies to marine farming in state waters.

We already have an incredible industry that is world-leading. People in other countries who have been farming for much longer than us look to us for inspiration and understanding of how to maintain a globally leading industry because we have well-established, robust regulatory frameworks here.

We were concerned and disappointed and the industry was shocked when not long ago in this place it was announced that a moratorium was going to be placed and a 10-year plan introduced without any pre-consultation with the industry. At the time, the industry felt that perhaps there was a suggestion from the Government that they were not operating well and needed to have greater checks and balances.

The industry says it wants to have the best regulation to match the great reputation it has. We need to take a step back and continue to celebrate the great work of an industry, particularly salmonoids, which, on the latest information available that I can find, makes the greatest contribution to the gross value of primary production in this state and also the processed food value in the state. I heard someone in the industry refer to it recently as blue food. This is the future of feeding populations around the world. We can do it from right here in Tasmania. We already have an exceptional industry that deserves our celebration and support.

It is our job in Opposition to consider any risks, negatives or where this process may have fallen down at any point. We are fully supportive of this. The only comment I could find was the consultation was quite short: two weeks for consultation. Although it is a simple series of amendments, it provides massive opportunity. Perhaps two weeks was a little under-cooked for consultation. I note that in all future steps there are consultation requirements as well. We trust that those consultation processes give ample time for people to participate and express their support or concerns with the steps.

I will read into *Hansard* parts from two documents from the Tasmanian Salmonid Growers Association. One when this bill was announced because it tells of the importance and status of the industry in Tasmania.

The Tasmanian Salmonid Growers Association welcomed the commitment to establish this framework for sustainable aquaculture opportunities in Commonwealth waters, identifying that, and I quote:

Whether it is finfish, seaweed, shellfish, new species or integrated multi-trophic farms, this provides a new frontier for responsible growth of Australian aquaculture to match the growing Australian global consumer demand for healthy farmed seafood.

The work underway by the Blue Economy CRC is providing Australian aquaculture a global advantage on bluewater offshore farming.

The salmon industry in Tasmania has always been innovative in its approach, in freshwater hatcheries and sea farming. Our industry currently operates in the world's most wild waters and we look forward to continuing to work with

the Blue Economy CRC to ensure bluewater offshore operations are good for the stock, for the environment and for the workforce that they remain safe.

I touched on earlier that is very important for this industry, and in agriculture - and we are now going into harvest season - to find people for seasonal work, part-time work, or work that comes and goes, whether it be harvesting or planting in agriculture. In our aquaculture industry, we have full-time really clever jobs in regional Tasmania. They are important jobs. Whatever we can do to continue to support the current industry - and also provide certainty for the future pathways for more and even more clever and interesting jobs in the future - is important.

From memory, at the moment, around 2000 people are directly employed in the salmon industry in Tasmania. When you take into account all the supply chain employments, there are about 12 000 Tasmanians employed in this industry, and they are spending about half a billion dollars a year in associated infrastructure and supply chain. It is critically important that opportunities like this, through these amendments, are fully taken up and are supported, because it continues to identify the importance of this industry and to also provide for the future.

It is not just about salmon and the aquaculture industry. As I understand it, the Blue Economy CRC is the only Blue Economy CRC in the world. It is incredible for me, as a member for Bass, that it is housed in Launceston - given the nature of the work they are doing, and the commercial opportunities that will spin out from it. We welcome that and are grateful for it. Given that Launceston has a great history of innovations and firsts, we know the work that will come out of the Blue Economy CRC - and its purpose and intention was, in fact, specifically for these types of activities, which is why these amendments have been brought forward. There is enormous potential here.

The minister read some comments from the national plan. I want to read in a few comments from the Blue Economy CRC website, where it says:

Taken together, Australia and New Zealand have an exclusive economic zone of over 14 million square kilometres of well-managed clean oceans that provide enormous potential to increase seafood and renewable energy production sustainably.

We have wild waters. The website goes on to say that we will need to withstand both regular and extreme weather events while being safe - because workplace safety is so important - but also economically managed and as a result of this:

... Blue Economy industries of the future will require new and highly skilled workforce.

The Blue Economy CRC has been established to address these challenges and to facilitate a step change in the economic value of Australia's new Blue Economy industries.

That we can create premium products into new markets is really exciting. One of those is seaweed, and it is listed in this.

I am new to the portfolio and I am new to understanding deeply. As a member of a community you can have a 'light touch' understanding of a whole lot of stuff. I am new to some of these things, but on the potential in positive outcomes from the research in seaweed, on the Blue Economy CRC website I was able to find some information on the dollar figures globally, and I quote from their website:

Worldwide, seaweed cultivation and utilisation is a multi-billion-dollar industry, yet Australasia plays little role in either. This is set to change, with growing interest in using our coastal and offshore waters to produce seaweeds that will ... provide high-value products for global markets ...

In preparing to close, I wanted to say that it is not an either/or here. We are not saying that this research will come to an end, that it will say all aquaculture or all activities will need to be offshore.

On the Blue Economy CRC's own website, it says one of the intended outcomes of the research is that salmon aquaculture and offshore high-energy sites will be sustainable, and it allows industry to make a choice about where they farm salmon, and a pathway for industry expansion and diversification. That choice is really important. It goes to what I was saying before about the importance of this industry to Tasmania. In the last few months we have had the opportunity to visit a number of sites of our salmon industry across Tasmania. I had the good fortune of visiting the team at the Petuna processing plant on the north-west coast. We know they have in the pipeline a significant investment along the north-west coast, which will employ a significant number of Tasmanians in really important regional jobs.

This is not about moving away from what happens now. It is about adding to and creating that choice, subject to the research showing that it can be viable and that fish welfare will be looked after. Subject to the research demonstrating that, the opportunities are limitless.

The other business that I was impressed to see, and the minister commented on, was the fact that, being in Tasmania - and with Asians being the highest consumers of fish - it was great to recently visit BioMar in Wesley Vale and see their incredible operation - and when I was speaking to David White there, hearing him comment that if BioMar was not in Tasmania, or if they did not have a facility of this kind in Australia or New Zealand, there would be no aquaculture industry in Australasia. They are providing the feed for this industry, which is leaving from Tasmania and so, we already do all these things really well here.

These amendments provide for a great opportunity into the future. Tasmanian Labor are really supportive. It is just the first of many steps. We know it provides greater certainty for the industry going forward, and continues to build up the great reputation that we have.

However, it is the first step. In order that anything can be commercialised out of this - and we are obviously hopeful and supportive that it can be - this step will inform the development of appropriate legislation, robust regulatory frameworks and administrative frameworks, both at the Commonwealth and the state level, before anything could be commercialised.

There is much work yet to be done, but to finish on a positive, just noting that there were seven submissions to the consultation. Members of industry were provided the opportunity to respond, but it is disappointing to see the contribution from the Bob Brown Foundation talk

about the fact that they do not support offshore aquaculture. They do not support it inshore, and then there are all these expectations that we might be able to go on-land, or we should all take it offshore. What we need in Tasmania is to back the industries that are backing our economy, backing our workforce and supporting both Tasmanians and Australians -

Dr Woodruff - At any cost. That is the Labor way, especially when they spend so much money donating to you.

Mr SPEAKER - Order, Dr Woodruff.

Ms FINLAY - As I prepare to take my seat, I put on the record Tasmanian Labor's support for these amendments, which are simple in their process, but significant in the opportunity that opens up. I look forward to the outcomes of the research as it occurs over the years ahead, but stand here, on behalf of the Tasmanian Labor, interested in the innovative outcomes of seaweed, of finfish, or other species, but absolutely supportive of the salmon industry we have here right now in Tasmania - a great industry for Tasmania and one we should be proud of.

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, this bill is ostensibly about research. Unarguably, research that is done in the public interest is, on the face of it, a social good, but we have to flag the huge concerns that we have with the bill. The way it has been drafted to amend the Living Marine Resources Act, it essentially enables a 'warts and all' expansion of the flaws within the salmon farming regulations in Tasmania, and it would export those flaws into Commonwealth waters. We have some very serious concerns and we have amendments to propose.

I will talk about the framework and history of this legislation. The current situation in Tasmania is that we have an extremely chequered and now highly damaged history with salmon farming in Tasmania. It is so damaged by the Labor and Liberal parties in government and their mismanagement of environmental protection that we have a markets campaign operating on mainland Australia. This is informing consumers about the real way salmon is farmed in Tasmania and the impact of salmon farming on inshore waterways and on freshwater streams, where flow-through hatcheries still open-pollute into our waterways, that people receive those waters and they have to be filtered, at vast expense, by TasWater to make them drinkable for residents in the south.

It is the impact on waterways in inshore areas like the Huon River, where I live, which has been so polluted by salmon farming over the last two decades that people can no longer find flathead in the waters, people cannot eat the shellfish on the edge of the banks, people do not see the little sea stars, the other sea life and vegetation that used to be there only five to 10 years ago.

Long Bay, on the Tasman Peninsula, a beautiful little pocket of water just next to Port Arthur, is polluted by the intensive salmon farming happening there now, from bigger pens and an increase in the number of pens being put in. The seagrass in that whole area at different times of the year, depending on the water temperature, is choked by slime. The seagrass and the animal life it supports are utterly overtaken by the over-nutrication of those waters. There is no natural flushing that can possibly dilute the amount of waste that goes from Tassal's operations in Long Bay to provide an opportunity for sea life that exists there to breathe, to survive, to take up oxygen and not be overtaken by algal growths.

These are just a few of the situations we are seeing right now in Tasmania: the degraded waterways that our history of salmon farming regulation brought us a senate inquiry. Australian Greens senator Peter Whish-Wilson pushed for a Senate inquiry in 2015. It found that the failure of the Tasmanian Government to regulate in Macquarie Harbour meant there was an appalling level of hypoxia in that beautiful dark water basin and the Maugean skate is, we do not know how affected, but certainly brought to the brink of extinction. We are yet to find out what the long-term impact on the survival of the Maugean skate is but the prognosis three years ago was very poor. That came from the repeated failure of the Environment Protection Authority to intervene, to enforce limits on Tassal and Huon Aquaculture's production to prevent the inexorable increasing of biomass occurring with companies determined to meet market supply lines, to meet contracts they have made in advance with supermarkets on the mainland. Their intention to do that at the expense of any caution or restraint to prevent the impact on the marine environment has been facilitated at every step of the way by the EPA. The EPA has found an opportunity for an administrative work-around again and again so that there will be no stopping the amount of fish that go in a pen, the number of pens that go in the water, or the number of leases available to salmon farming companies at any point, if that is what they desire.

It got to the point, with the expansion of Petuna, Tassal and Huon into Storm Bay, where even the two expert scientists on the marine farming review panel resigned in disgust. They could not, in good faith, continue in a process that was so corrupted, where there was no opportunity for them to require independent biogeochemical modelling before approvals were granted for companies to take up new leases in never-before-farmed parts of Storm Bay - areas just next to West of Wedge, areas on the east of North Bruny Island, Trumpeter Bay: places where there is no research on what the impact on the receiving environment was from the level of pollution which is now starting to be pumped into those places.

There was no impact assessment of the enormous amounts of nutrients, as projected by the companies themselves, that will be discharged into Storm Bay and flow, through the normal process of water movement, up into the Derwent Estuary.

The Derwent Estuary Program made a very strong submission against the expansion proposed for Storm Bay and they were totally ignored; the 10 years of work the Derwent Estuary Program did documenting the impacts of over-nutrication on the waters in the Derwent River, on the now recovering waters from the legacy of heavy metal contamination.

They made a very good point in their submission that the lowering of oxygen likely to come from the amount of nutrients discharged by the salmon farming companies in their operations would lead, in certain warm summer conditions, to the upwelling of heavy metals from legacy contamination, which have so far been sitting in the benthic layer. This is a concern for people who would be fishing in the Derwent and ultimately for any other uses of the Derwent River waters.

This is a government that in its two terms in office, facilitated and supported every step of the way by the Labor Party, has continued to ensure that the EPA is not able to do its primary job, which is to look after the environment and care for our environment into the future, to keep it in an at least as good, if not better, state than it currently is.

This is the context for this bill - failure to regulate to protect the environment, including marine life and birds affected by salmon farming operations. The seals, who are bombed where

they have thrown explosives into the water, emitting large amounts of plastic which falls to the bottom of the waterway are killed each year, are deafened, blinded, damaged. Reports of this go silent.

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

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

Second Reading

Resumed from above.

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, before the break I was talking about our concerns with the regulation of the salmon farm industry in Tasmania and the historical examples of failures by the EPA to enforce breaches of permit conditions and monitor the activities and operations of salmon farming companies appropriately. We have had many examples of deaths of seals, sea birds and other marine life from salmon farming operations.

The attempt by the Government to gain a social licence by creating, as they have called it, an independent EPA structure has failed. Prior to 2018, the Environment Protection Authority was within DIPWE. Within that department it was utterly conflicted, sitting under a minister who wants to double the size of the salmon industry in Tasmania while it was supposed to be working for the protection of the Tasmanian living marine environment.

The move outside the department structure was supposed to have established an independent EPA. At this year's Estimates the minister announced again that the EPA is going to become independent and so we have an independent EPA squared process. After the questions the Greens asked of the minister, it is clear that a statement of expectations that will direct the activities of the board and hence the direction of the EPA will be delivered by the minister to the EPA board. We question on the basis of history the EPA's ability to enforce the Living Marine Resources Act and the objectives for natural resource management under a statement of expectations of a government that wants to double the size of the salmon industry.

It is not possible to do that because if you want to look after the environment it will involve constraint from industry activities in certain areas. It will definitely make many places in Tasmanian waters off limits. Appropriately so. We are not the only ones concerned about the ability of the Government to regulate research activities in Commonwealth waters and put the protection of the environment and the living marine animals and plants in the Commonwealth waters above the industry's financial interest; a number of the submissions to this amendment bill have also made those points.

The submissions process was only two weeks long. That is a short amount of time to consult with stakeholders. I thank the staff who gave me the briefing and for answering my questions. I asked who were the key stakeholders negotiated or consulted with for this amendment bill. The list does not include any groups from the conservation or environment sector.

There are some now very well-known and well-established community not-for-profit conservation and environment groups in Tasmania. The Tasmanian Aquaculture Marine Protection Alliance, the Bob Brown Foundation and Environment Tasmania are three bodies that have been overseeing the activities of salmon farming in Tasmania, raising concerns on behalf of everyone in this state who wants to keep our natural environment intact and beautiful and to protect the species that live here and nowhere else on the planet. They were not consulted. That is a mistake. I asked why they were not consulted. There was no reason given in response. I ask the minister, on behalf of those groups, to expand his key stakeholder database to include groups that have an interest in aquaculture research in Tasmania. They care about the marine environment. That is a great starting point when you want to find out what the broadest section of Tasmanians thinks about a new piece of legislation.

Moving into Commonwealth waters is a new space of activity for aquaculture operations. Some of those stakeholders, including the Bob Brown Foundation, made a point about the things the bill enables, such as commercial gain that can occur through the research process. It is not clear from this bill what limits would be put on the setting of biomass or on commercial gains that could be made by companies or individuals undertaking aquaculture research.

That is left, we are led to believe, to the permit stage. There is no clarity in the second reading speech or in the explanatory consultation document to the draft bill about what those limits, if any, would be. Is there an understanding about the inevitable impact that large scale finfish farming, for example, might have on any receiving environment? If research is being done on finfish farming in Commonwealth waters, then biomass limits would be one of the things that may be tested.

There ought to be an assessment done prior to that work on the potential impact on the receiving environment. There is no information at all to guide the community to think that an initial baseline assessment of the environment will be done, as was at least talked about doing in Storm Bay. This is best practice for research - that before research or commercial activity is undertaken, there is an assessment of the baseline conditions. The sorts of species that are in an area, the abundance, the movements, the populations, the biogeochemical model of the water that will comprise the search area - that should all be done. All of that should be done at the beginning, not just before commercial activities have started in an area, but before research on commercial activities is started. Depending on the question that the research seeks to answer, it might involve some sort of intensive farming process itself.

We cannot continue with the same approach that we have taken into aquaculture, which is to 'suck it and see'. The adaptive management approach is a failure. It has proven to be a failure in Macquarie Harbour. In-shore waters around Tasmania, time and again, have been let down by a failed management model that the EPA has been employing.

We have to change this. We have the possibility, and the requirement, to listen to the science and listen to the community. We must have a social licence for the commercial activities we undertake as a state, especially for the things that the government supports. We put so much funding into supporting the salmon farming industry that it ought to be one that we can be proud of.

The Greens took a policy to the last state election of moving salmon farming onto land. That is well established now, worldwide, as best practice, and that is where best practice aquaculture is moving. It is moving on land. It is moving to controlled, closed-loop systems

that can be managed, where all the discharge can be accounted for, where all the pollution can be identified and managed. That is what best practice looks like, and that is what best practice research needs to be.

Ms Finlay - Do you want that in Tassie?

Dr WOODRUFF - Yes, we do want that in Tasmania -

Ms Finlay - Full-scale, on-land, growing our fish.

Dr WOODRUFF - Ms Finlay, we do want that in Tasmania. We want to transform our salmon industry and make it one that is sustainable into the future because the one we have now is not. We are quite sure about that. That is what the science says. That is what communities say. If we want a social licence, if we want people on the mainland to do a re-think of Tasmanian salmon as being clean and green and an authentic brand, that is what we need to do.

We are concerned that the bill, as it stands, enables an extension out into yet a new piece of marine real estate, without putting the constraints that it ought to have to make sure we do not continue the current practices of damaging the environment because it is a case of out-of-sight, out-of-mind. It is potentially a case of having a 'fig leaf' of research that opens the door to a permanent industry base in a region.

Tasmanians need to make sure that any new fish-farming or aquaculture activities have to be putting the public interest first, when they are on public interest land - not the industry's wishes first. We have to make sure that any new practices deal with pollution. That means plastic pollution, as well as the pollution of the discharge of waste from the fish that are farmed.

We need to have baseline biogeochemical modelling of conditions, and an environmental impact assessment on all other species that would be affected, such as predator species. For example, in Commonwealth waters that would include sharks and dolphins. Depending how far away from a land base, it could also include seals. It definitely includes birds.

It has to stop treating the ocean as a dumping ground for industry waste. It has to deal with animal welfare abuses. It has to put the EPA's role of protecting the environment first, instead of being the facilitator for an unending market supply for industries.

We are very concerned at the lack of detail in this bill. There are some huge questions about the extent to which the state laws will apply in respect of an agricultural research permit. We want to know which provisions, if any, of the Living Marine Resources Management Act 1995 and the Environmental Management and Pollution Control Act 1994, or similar legislation, will apply to this amendment bill today. We want to know to what extent the Animal Welfare Act 1993 will apply. Will the provision extend to consequential impacts of predator species for example, or will it solely apply to the animals being farmed, which is how it looks on the face of the amendment bill?

We want to know what assessment processes there will be for the suitability - including the environmental suitability - of the proposed area in respect of a permit. We also want to know whether marine spatial planning will be required to develop appropriate research zones in advance of them being decided upon and, very importantly, whether the Marine Farming

Planning Review Panel will have any role in making an assessment about which areas are used and opened up for research. How will activities within those areas be conducted?

Mr Deputy Speaker, we prepared an amendment to the second reading motion.

I move - That the motion be amended by

Leave out all words after 'That', and

Insert instead the following:

'the bill be withdrawn and redrafted for the following reasons -

- (a) the bill does not provide for public consultation, or appeal rights, in relation to the issuing of a permit; and
- (b) the bill does not place explicit limitations in relation to duration, biomass, or deriving profit from research activities; and
- (c) the bill does not explicitly require the recording, and public reporting, of environmental impact data; and
- (d) the bill does not provide for public reporting of permit conditions; and
- (e) the bill does not provide for assessment by the Marine Farming Planning Review Panel; and
- (f) the bill does not address significant flaws in the existing regulatory regime.'

I raised a number of these points, but I want to go through them with crystal clarity. The bill came with a draft Living Marine Resources Management Amendment (Aquaculture Research) Bill consultation paper that circulated in October. It raises within that a whole range of questions about the bill, and proposes a number of answers to each of those questions - and within those answers, details are contained about how this amendment bill might actually work in the real world. We are concerned that is being left up to permits that will be provided by the EPA, without enough of the detail in the amendment bill itself.

The bill does not provide for public consultation, or any discussion at all about appeal rights around the issuing of a permit. That is a problem. There has been too much silence and behind closed doors decision-making about salmon farming activities in Tasmania. We accept that research could also be done on other areas of aquaculture. However, let us be clear: the minister's second reading speech and the conversation and the narrative of this Government around that research is fundamentally premised on finfish farming.

We commend the work that is happening in Tasmania with seaweed research. There is already some tremendous work being done on all different sorts of seaweed including on great giant kelp, and the work that has been happening off the Tasman Peninsula is incredible. It is very hopeful even in the worst possible conditions, the early baby kelp that was planted last

year has shown its capacity to grow outside of the zone that it came from with incredible vigour. I think 13 metres were covered in only a couple of months by only one of the plants. They have all taken off. It is great that research is being done in kelp and also other types of seaweed. There are commercial activities commencing on the east coast. There is no doubt that seaweed is an exciting area.

At the moment the science is out on the ability of seaweed to be effectively used to draw down carbon where it is much spruiked as a potential valuable resource for us in reducing carbon dioxide emissions. There is no doubt that seaweed contains carbon and holds carbon but whether it can actually actively draw down out of the ocean's additional carbon is very much an unknown question at the moment. It may not be that hopeful resource we are hoping it might be. We want to put that on the record. We strongly support that research.

Fundamentally, this amendment bill is about enabling the investigation in another waterway, a waterway that the public will not be able to see what is going on. They will not really have eyes on the activities and the consultation process around the research that is going to be done, what the safeguards are, and what the permit conditions will be. That is very important and has to be an early part of the process in order for people to have confidence in what is going on.

Second, the bill does not place explicit limitations in relation to the length of time for the research that will be conducted for the biomass intensity of the research activities or for the profit that is derived from the search.

I will read from the Government's answer to the question in their consultation draft: where is the line between what is research versus ongoing commercial activity? They have said:

Marine aquaculture research activities under permit would only be for fixed term, limited-scale activities. Permits for scientific research generally include conditions that prevent the sale or the transfer of product for commercial purposes. However, while the primary purpose is not commercial financial returns, the sale of 'fish' and/or intellectual property that may be derived from the permitted research activity may be used to offset costs incurred by the proponent in undertaking research activities.

There is a lot of loose language there: the use of the term 'generally'; talking about 'may be used to offset costs'; there is no clarity about how offsetting costs will be defined. It is also not clear whether it could be used to offset costs and have a bit left over, for how much? How long is a piece of string? There is no constraint on that. Fundamentally, if these waters were to be used then they would have to be used for research and not as research. It is about the tail wagging the dog. Is this really about research? The activities of any business could be fundamentally defined as being about research. Businesses are always looking at innovation and improving the business that they do.

We are keen to make sure that the research is defined in a narrow and prescribed way so that we can be confident that there would not be any slippage, so that the whole of the operations of the commercial fin fishing activity would be captured under the umbrella term of research, which would be disingenuous but worth clarifying.

The bill does not provide for any public reporting of the permit conditions. Again, this is about understanding exactly how wild species would be protected and how a discharge would be managed. How is discharge going to be managed? Will there be freshwater bathing required if there are salmon farming activities in these research areas? Would there be water transported from the mainland of Tasmania to this area and back again? Which places would they be drawn from? Would there be a land base established for the research activity in the north-west, for example? Where would that land base be? What would the relationship between local water sources and water that may or may not be required for Gill Bay being in some research site?

We do not understand whether there is going to be any baseline assessment of the lease for research and the role of the Marine Farming Planning Review Panel in this regard, especially one that was constituted to enable scientists to give their free and frank advice about the assessment of an area. The Marine Farming Planning Review Panel should be invoked in any assessment for a lease area.

Finally, this bill does not address significant flaws in the existing regulatory regime. That is the regulatory regime that governs the granting of environmental licences and the permits around that which sit under the responsibilities of the EPA.

Mr Deputy Speaker, if the minister could answer some of those questions that I have just asked - we do not understand that there would any problem if the minister is genuine about wanting to have research only being conducted in these spaces, particularly public interest research. This is about ensuring that publicly owned waters are used for genuine public interest research.

We are at a point in time where it is critical that we look with a really close eye to the biodiversity issues and the carbon emissions issues with all industry, and all work that the Government is funding. We are in a biodiversity crisis and we cannot afford to step off into new territory - now waters in this case - without making sure that we are doing that in the best interest of the whole community and not just being pushed by the financial interests of a number of very large corporations that, as a matter of record, donate to both the Labor and the Liberal parties.

Where we have a state with weak environmental regulations, we are concerned to make sure that the public gets a proper say about new activities that might further expand the finfish industry. We are concerned to make sure that the science, through independent expert scientists, get an opportunity to assess the underlying environmental status of any new areas of finfish activity.

This is essentially like another Storm Bay but this bill is enabling it to be created without the oversight, without the public eyes and scrutiny of the Storm Bay approvals process. We are approving, ostensibly, research but when research is not clearly defined, not constrained with time limits, when the amount of activity is also not defined and where there is no constraint on the amount of commercial gain that can be made from those activities, we are concerned.

That is why this bill needs to be withdrawn today, redrafted to take account of those issues and brought back so that we can look at the benefits of research in their own right, particularly the benefits on research into land-based salmon farming, because that is where industries that want to have a future around the planet are heading.

[3.01 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I rise to make some comments about the Living Marine Resources Management Amendment (Aquaculture Research) Act 2021.

Mr DEPUTY SPEAKER - To be clear, we are on the Greens amendment at the moment.

Dr BROAD - I will talk to the substantive motion as well. I found that a truly bizarre amendment. The sense that I got from the member for Franklin's contribution was 'we can't do any research until we have done research'. Unless it is research that ticks all the Greens' boxes, you cannot do the research.

I do not find this bill very scary. In fact, I find it quite exciting. This is a moment in time where we can literally look over the horizon and grow an industry and turn it into something that could be truly amazing for Tasmania and the Tasmanian economy. This is quite well defined. This is about permits to conduct research activities under arrangement with the Commonwealth. It is about marine aquaculture research, quoting from page 6, section 8, inserting new section 15A:

marine aquaculture research activities means the marine farming of fish for research purposes pursuant to an arrangement under section 161.

If you go to section 161 in the principal act, it is all about arrangements with the Commonwealth:

- (1) The State may enter into an arrangement with the Commonwealth under the Commonwealth Act for the management of a particular fishery in State waters other than a fishery to which an arrangement under section 152 applies.

Basically, this is allowing research in Commonwealth waters. I am not scared by that. You have to do research to answer questions. Research does not work by answering all the questions upfront before you do the research, because that is not research. That is not how it works.

I heard a lot of scaremongering about commercial gain. What do we want here? Of course people are going to do research for commercial gain. If it is only purely public-good research, what does that mean? Does that mean the state has to become the salmon grower for Tasmania if it is to be public good?

This is exciting. The Blue Economy CRC in itself is quite exciting because we know that 30 per cent of the earth's surface is land and 70 per cent is water, is ocean. This means that offshore there is a massive resource of potential area to grow finfish, seaweed and a whole bunch of things, much more than on land.

The Tasmanian salmon industry is approaching a billion-dollar industry. It is the biggest primary industry in Tasmania. I get quite angry when people make the assertion that Tasmania could do without that industry, we could shut down a billion-dollar industry and no one would notice, that it is something that we do not need. I ask you to go to the regional communities where the jobs of that industry underpin livelihoods of many Tasmanian families.

Not only that, there is so much innovation already in the Tasmanian aquaculture industry. We are world leaders in many ways. The future of the salmon industry is not on land. It is further offshore. That is why this is exciting.

We know that the Tasmanian Government controls approximately three nautical miles distant from Tasmania's land. That gets a little bit bigger if there is a rock out there or an island or something that is claimed by Tasmania; then it extends a little bit further. The Commonwealth waters extend out for 200 nautical miles. There is a huge ocean that could, potentially, be used to sustainably grow fish and other products. Two hundred nautical miles - that is further off Tasmania than it would take to get across Tasmania. It is a huge area.

This idea that putting salmon offshore is going to be the end of all things and going to create enormous pollution and so on, I point to the fact that the ocean is a very big place. It is 70 per cent of the earth's surface. If you go back to what I learnt in university, one of the key points made is that the solution to pollution is dilution. You put salmon pens further out to sea in deeper waters where there is more flushing, and there will not be the environmental problems the Greens are talking about. In fact, it solves a whole number of issues. At the moment the salmon industry cannot expand because largely the inshore waters are taken up. If the industry is to expand, it has to be further offshore.

We know there are massive challenges to that. It is a rough ocean around Tasmania, with huge swells. If we can solve that problem, and people are working on this around the world, if we can take salmon pens over the horizon into deeper oceans, then the potential to grow the industry in Tasmania is virtually limitless. We will not have an industry on land. That is just rubbish and I will get to that later.

What we will have is salmon being grown longer on land so that they are a little bit bigger, then they will be put into inshore waters until they get to a kilo or maybe a little bit bigger so that they can handle the heavier seas, and then they will be grown a long way offshore. Then the possible area where salmon could be sustainably grown is limitless. Our industry could double, triple, quadruple. We know that the demand for salmon in Australian supermarkets is growing at approximately 10 per cent a year. If you do the maths on that, that means that demand for salmon is doubling roughly every seven-and-a-quarter years. Do we want people eating a sustainable, healthy product once or twice a week, with the health benefits of eating the fish, or -

Dr Woodruff - Well they do not actually. You should read *Toxic* -

Mr DEPUTY SPEAKER - Order, Dr Woodruff. You were heard in silence, Dr Woodruff.

Dr Woodruff - and read about the health benefits.

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Dr BROAD - do we want other proteins? Salmon is a low-carbon protein. It is the most low carbon protein. It is a fantastic option. Or do we want that coming from Norway -

Dr Woodruff - Legumes.

Mr DEPUTY SPEAKER - Order, Dr Woodruff. You were heard in silence for 50 minutes across your two contributions. You will afford everybody else the same.

Dr BROAD - Thank you, Mr Deputy Speaker. There is so much research going on overseas and this is very exciting. There are many challenges to being further offshore. Tasmanian salmon growers have been working on pens that can go out into higher energy situations but there is so much innovation already. The design of the pens to exclude seals and birds, even things like the design of boats and equipment, has sparked industry and created jobs outside the salmon industry in places like the boat builders but also in feeding systems, in the technology where they are maximising the feed. If you go to Huon's feed centre, you will see the technology they are using to make sure that they are not wasting feed. They are monitoring and they can tell when the feed is getting to the bottom of the pen and fish are not eating it. Then they cut the feed off because they do not want to waste feed.

They are also working on bathing systems. There have been long-term breeding programs. Tasmanian salmon can tolerate much warmer waters than global equivalents. That research has been done already.

Ms Finlay talked about BioMar. BioMar is a global company that has set-up in Tasmania. The reason why is because not only does it see a big future in the salmon industry but it found that Tasmania was the best place from which it could expand into south-east Asia. We should be proud of this. It is looking at things like reducing the amount of fish in its feed, looking at other protein sources so it can move away from feeding fish to fish. That would make the industry even more sustainable. BioMar is 100 per cent concentrating on its carbon impact and trying to become as low-carbon as it possibly can. It is procuring more and more feed from local Tasmanian farmers. I see a bigger future for that. This is an industry we can be proud of.

When going offshore people are looking at different arrangements, such as different pen designs. Some are equivalent to an oil platform. There are systems where the pens sink below the surface with a net on top so the waves do not impact them. The pens are raised when you want to harvest. Another option looks like a giant sunken oil rig with the pens sitting in the middle. It breaks the waves and keeps the pens out of the swell.

There is huge investment going into anchoring systems. How can an enormous structure that contains five or six pens and goes in any direction depending on the prevailing weather be anchored? This is the research we need to do. If we can solve this problem and have salmon pens anchored a long way off-shore and serviced by the Tasmanian mainland then the potential of the salmon industry is limitless. This is the biggest opportunity our state has. We have a billion-dollar industry on the cusp of becoming a multi-billion dollar industry if we can solve this one thing.

Norway grows a million tonnes of salmon. We do 60 000 tonnes. Compared to Norway we are a drop in the ocean. Faroe Islands does 80 000 tonnes with a population of about 50 000 people. That is creating an economic boom that has been unheard of. They have so much money they are boring tunnels under the Atlantic. It could be a massive industry for Tasmania and an industry we can be proud of. Instead, the Greens do not even want us to do the research. They want the whole bill thrown out and the research to stop, unless it can tick all the boxes that the Greens put in front of it. I do not understand why they do not just say they do not support it.

The amendment is a stunt. I wish they had been honest and said they do not like the salmon industry, they do not want it to grow and they only believe in on-land. Dr Woodruff talked about on-land. Let us say we are going to build an on-land salmon farm of 160 hectares. Dr Woodruff, where in Tasmania would you build that? In the Derwent Valley perhaps where you campaigned against a fully-recirculating hatchery. Where would you put 160 acres of concrete tanks growing salmon in Tasmania? This is their coal-fired power station equivalent, back when Bob Brown said you should not build the Gordon below Franklin. You should build a coal-fired power station in the Fingal Valley. This is the modern Greens equivalent.

Dr Woodruff, name the spot in Tasmania and see if you can stump up the \$500 000 000 they are spending with Atlantic Sapphire, that has only produced between 5000 and 10 000 tonnes of salmon. It has been a massive failure. Yet, that is the thing that the Greens talk about.

The most disappointing thing I have heard in a long time from the Premier was when he announced the moratorium without any consultation and put the industry in shock. He talked about on-land. That was outrageous. The Premier was so misinformed. He was talking about the salmon industry moving on-land. He was talking about moving the salmon industry to the outskirts of Melbourne and Sydney. That is where on-land would be. It would not be in Tasmania. That is what the Premier talked about when he shocked the industry by adopting the Greens' moratorium on the expansion of the salmon industry.

Mr Jaensch talked about longer on-land and further out-to-sea. He tried to clean up the Premier's mistake. The Premier was adopting the language of the people who want to shut down the salmon industry. It came out of the blue. The industry was really upset when the Premier started talking about on-land, because on-land is untested. It has been put to me that insisting that the salmon industry move on-land is equivalent to solving traffic problems with flying cars. Maybe there will be flying cars in the future, but there is not now.

It just does not work. How do I know that? The Greens and others always talk about Atlantic Sapphire, a massive investment in Florida. Florida is very warm. Atlantic Sapphire has run into a lot of trouble. Its small scale on-land facility in Denmark burnt down about a month ago. Financial trouble. Are they going to rebuild it? Probably not. First Nations people in Canada built an on-land salmon growing facility in Canada that was 100 per cent equity funded, so no debt. It went broke because on-land salmon just does not work. Maybe it will sometime down the track, but it does not work now.

The Greens want to go on-land. Maybe they should talk to the people in Florida, like the animal rights activists who are going after Atlantic Sapphire accusing them of animal cruelty, because there have been mass deaths. This is an article from the *Miami New Times*, under the heading 'Homestead fish farm accused of animal cruelty after 800 000 salmon die prematurely':

... animal activists are asking that government officials investigate the farm for animal cruelty and file criminal charges against the company's CEO.

This is what the Greens want. The future of the salmon industry is as I said - grow them longer on-land and finish them off further out to sea. Atlantic Sapphire has been spruiking. It has been a stock market player. Its stock price has plummeted because it cannot produce. It talked about expansion of up to 220 000 tonnes, but can only manage 10 000. I have heard

figures of 5000 as well. This turns aquaculture into a question of power price and proximity to markets.

The Greens talk about the amount of carbon. Imagine all the carbon in that concrete you have to put in place? Imagine the electricity you have to use to maintain the pumps. You have to basically maintain a large-scale sewage treatment plant to keep it going. Animal rights activists are going after the so-called future of the salmon industry. This does not make sense. This is the future the Greens want. Dr Woodruff talked about it only a few minutes ago. That is not the future I would like to see for the salmon industry. The Greens want to turn the salmon industry into the battery hen equivalent. It is insane.

The Government has not quite covered itself in glory on this, shocking the industry by suddenly, without consultation, imposing a moratorium. It seems they were getting a little heat, and especially coming up towards a federal campaign, they just want to kick the can down the road. The Premier's comments were completely uninformed.

There is such a massive opportunity for Tasmania, but we have to do the research. How do we do the research? The best way to do research is to actually start doing the research, not having a whole series of hurdles that the Greens are basically moving with this amendment. A whole series of hurdles, that it has to be absolutely perfect. It is going to take years of red tape to jump all the hurdles that the Greens want, and they want Bob Brown to tick off on, and all the other protest groups around the state that want to shut down the industry. They want them all to approve and tick off all the research before it even starts. That is not how research works.

The talk of commercial gains and so on is illogical. Of course there will be commercial gains - and IP. Why should the Government, in a bill like this to enable research, be talking about where the intellectual property is going to go? It is silly.

Dr Woodruff - No, that is not what commercial gains is relating to. It is relating to finfish farming.

Dr BROAD - You talked about it. You wanted to know where all the intellectual property was going to go. That is not the purpose of this place. We are not a research institute. We are a parliament that sets the ground rules - and the ground rules here are to allow the establishment of research in Commonwealth waters. Having the state monitor that research is sensible. Should we have the Commonwealth Government create a whole new department and a whole new series of systems so that they can be monitoring and looking after research in Commonwealth waters when we already have it all?

Of course this legislation makes sense. The MOU makes sense. It is one of the better things that the Government has done. Commonwealth waters start three nautical miles from a lot of Tasmania's coastline. Over the horizon is so much potential in the salmon industry, and yet we have all the scaremongering that has happened already. It is typical of the Greens to go well and truly into the weeds on this, thinking about how many hundred ways this simple legislation, with only a few pages and a few clauses, is going to be the ruination of the Earth, and going to create toxic waste dumps in our oceans, and the sort of language we will no doubt be hearing more of.

This is a sensible piece of work to allow the research. What could happen? It could turn out that there are not many places where salmon can be grown over the horizon. Maybe it gets too deep. Who knows? Maybe they cannot anchor the systems. Who knows? If they can, this could be an economic boom that we have not seen. We already have the precursors. We have innovative industries. We have new players that have moved into the aquaculture industry, like JBS, with a huge amount of capital potentially behind them.

We have companies like Tassal, that have been locked out of Tasmania, deciding to spend all their capital on prawn farms in Queensland. That is what this Government has done. Under their watch, they have changed Tassal's priorities from investing in the Tasmanian salmon industry, and Tasmanian jobs, to investing all their capital in buying and building prawn farms in Queensland.

There is a light at the end of this tunnel. If the research could prove that we can grow salmon over the horizon, in Commonwealth waters, then there is the potential that Tassal may redirect their investment capital back to Tasmania. If the research pans out, we could see rapid growth in the salmon industry over the horizon. The ocean is a very big place. Surely in those 200 nautical miles between Tasmania and the limit of our exclusive economic zone - 200 nautical miles in a ring that circles Tasmania - there are areas where even the Greens would say you can grow salmon.

Dr Woodruff - Let us do the research and find out which one first.

Dr BROAD - That is it, exactly. We will do the research. You do not have to knock it in the head before it even starts. You want all the research done before you do the research. It is farcical.

Dr Woodruff - That is what environmental impact assessment is, Dr Broad.

Dr BROAD - Yes, there are permits required. There are hoops to jump through before you can do the research, but it is not this long list of 'yeses' and 'nos' that the Greens want to put up, that you have to get by Sir Bob to make sure that it ticks all his boxes. The Bob Brown Foundation has already made a decision that they are going to employ somebody to campaign against the salmon industry. They have decided that this is where a future campaigning opportunity arises. The Greens come into the parliament and basically help Bob Brown develop his campaign.

How could you possibly campaign against salmon grown 10 nautical miles from the coastline of Tasmania? What would be the outcome? Would Bob Brown be talking about dead baby whales, like he was Okehampton Bay? I have not heard of dead baby whales being caught in Okehampton Bay, but remember he went to the Federal Court to try to knock off Okehampton Bay because of the potential for dead baby whales - maybe over the horizon, 10 or 15 nautical miles from the Tasmanian coastline. Maybe that is the issue that he will come up with. I am sure he will come up with something.

If the Greens are arguing that you cannot have salmon over the horizon because it will create unnecessary pollution and so on, then what is on land? You are keeping that pollution in concrete tanks, with a massive sewage treatment plant, and fish dying left, right and centre. That is the future the Greens see for the salmon industry.

In reality, we know how they roll, like when Bob Brown was arguing for a coal-fired power station in the Fingal Valley or when they were arguing that everything should be plantations, before they went after plantations; when they were arguing for wind turbines, before they went after wind turbines.

Now, they are arguing for on-land. Where would they do it? They will not even agree to a hatchery. How on earth would they agree to something 10 000 times or 1000 times bigger than the hatchery that they have already tried to knock off? If the Greens are truly honest about their intentions for on-land, okay, where would you do it? Name the place in Tasmania where you would put aside 160 acres for a series of concrete tanks. Where in Tasmania would you do it? Okay, they will not go that far because they know it is a strawman argument. It is a rubbish argument and it is not working. It is just concrete and electricity, and it is a financial disaster just like Atlantic Sapphire will no doubt turn out to be. It is not a panacea. It is just a stop-market play.

The future of the Tasmanian industry is not on land. The future of the Tasmanian industry is further offshore. There is limitless potential. This starts that process, and I believe this is the biggest economic opportunity that Tasmania has, bar none. The salmon industry growing further offshore is the biggest economic opportunity that we have seen in this state. That is how big this is.

This legislation gets that going. It is exciting. We should not worry about what the Greens have to say, and redrafting the bill. This amendment is complete nonsense. I do not think it should be supported. We need that research so we can get the industry going, create the jobs and create the wealth for Tasmania. It is a massive opportunity - not a massive issue, like the Greens pretend.

[3.29 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, I am very happy to indicate our strong opposition to the amendment put by the Greens to the second reading, and also to respond to remarks made during the debate.

First, I put on the record my sincere acknowledgement and thanks to my shadow spokesperson for primary industries and water, the member for Bass, for her support on behalf of the Labor Party for this bill, and likewise to Dr Shane Broad for his remarks in support of the bill, and also their support for the industry. It is critically important to Tasmania, particularly the rural and regional jobs provided across the state, but also the fact that it is a sustainable industry with a big future. That is why we are backing it as a government and have done for so long.

I will respond also to Dr Woodruff's remarks and reflect and respond to the various questions. I will also outline the strong opposition to the second reading amendment that has been put.

First of all, I point out that the industry's total production in 2021 has been assessed at more than 83 000 tonnes, valued at around \$1 billion for 2020-21 year. That is very encouraging for direct and indirect jobs - around 2000 direct jobs but 8000 jobs across the supply chain. In terms of finfish marine farming it is some 3222 hectares, or 0.14 per cent of Tasmanian state waters. That is the advice I have received.

In support of what the Premier released some weeks ago, that is the 10-year plan for the salmon industry, we stand by that. We have been and will continue to be the strongest supporters of the salmon industry. Over the next 12 months or so, we will develop a 10-year salmon plan. In terms of the principles underpinning that, there will be no net increase in leased farming areas in Tasmanian waters for 12 months. Future growth lies in land-based and offshore salmon farming. World's best practice through continuous improvement and strict independent regulation - we have said that before and we will say it again. I put it on the record right here and now.

In developing this 10-year salmon plan, the Government is determined to allow a thorough involvement of industry and community in consultation in that process. The draft project outline released on 28 September by the Premier and me made it clear that there would be multiple phases of consultation, including public meetings and the establishment of a dedicated forum. I am excited, in particular, about those consultation processes and the dedicated forum. We are going to have the best brains, not only in Tasmania and Australia but the world. They will be there to express a view with respect to the merits of our salmon industry and world's best practice, because that is what we are on about.

I concur and reflect positively upon the contribution of my shadow where she indicated the massive opportunity for the industry and the fact that this bill provided a first step. That is what this is: a first step towards further sustainable growth. We are not resolving and fixing all the problems in one fell swoop. We are acting in accordance with good governance and management, working with the Blue Economy CRC and the Commonwealth.

I have here the MOU with the Commonwealth, which I signed, with Senator Jonathon Duniam, and there is no greater supporter of the industry than Senator Duniam, on behalf of the Australian Government. That is an important MOU. It says: 'To support the implementation of the national aquaculture strategy enabling offshore aquaculture in adjoining Commonwealth waters'.

Tasmania is leading the way. Our Government is leading the way across Australia, taking this leadership role to support our marine farming and opportunities in not only salmon, but in seaweed and shellfish. There are many opportunities. Why is it that the Blue Economy CRC is based in Launceston, Tasmania? It is because we led, we took initiative and for two years we worked hard with the key proponents, together with the Australian Government, to ensure that cooperative research centre is based in Tasmania. That is one of the key achievements over the last many years of this Government and my role in that was very important to secure that CRC for Launceston. I am pleased and proud of that initiative coming to fruition, with more than \$300 million from key stakeholders, primarily the federal government - \$70 million from them over the next 10 years. That CRC is based in Launceston, at the Australian Maritime College at UTAS, in northern Tasmania.

We should be pleased and proud that we have a quality research centre based in Tasmania which will benefit not just Tasmania but Australia and the rest of the world, with those key stakeholders being part of that. Let us celebrate that fact and work with the cooperative research centre, which we plan to do as a government, and the salmon industry and others, to deliver benefits.

The CRC's key objectives concern marine farming, renewable offshore energy and marine engineering. That is all of great benefit to Tasmania because we are an island state

surrounded by water. This is one of our great competitive advantages. In terms of fishing, we are the largest producer of seafood in Australia. There are challenges. Many parts of that industry are doing it tough but this is a competitive advantage we have. I love wearing that t-shirt, 'Eat more seafood'. It is a great one and it is a good message. This is all about that and I acknowledge the member for Bass and the member for Braddon, from the Opposition, and their support for this.

We had also just secured the Marine Bioproducts Cooperative Research Centre. This is a massive first step for Tasmania, together with South Australia, in terms of seaweed and its benefits for health, nutritional purposes, carbon sequestration and agriculture. This is a fantastic opportunity. I draw that to the attention of everyone in this House and those who are listening and reading online. It is of great credit to Tasmania that we are a key ingredient to success for that cooperative research centre. I thank Professor John Gunn and his leadership as chair of the board, for the interaction I have had with him over the last several years and now with the federal government's announcement and support for the CRC for marine bioproducts, shared, as I say, with South Australia and the benefits are across Australia. A key ingredient will be activities and involvement here in Tasmania.

Regarding the research we are looking at, it is based on finfish, shellfish, and seaweed. The opportunities are significant and this has been recognised. There was references to BioMar and David Whyte. Thank you, David, for your leadership and what you are doing at BioMar. I was there for the opening and to see that growth in terms of jobs in and around Wesley Vale on the north-west coast is a very fine investment.

Members - Hear, hear.

Mr BARNETT - I take the 'Hear, hear' from the member for Braddon, who I know is a very strong supporter, like other members here in this Chamber.

They are part of the supply chain; it is not just those out there on the nets. The supply chain goes much further.

I acknowledge Dr Broad's strong support for salmon. You referred to the different nets, the technology and innovation, and it is appropriate to do that. When I was in China in December 2019 on a trade mission, I went to the South China Fisheries Research Institute. I saw the nets not just on top or at the centre of the ocean, but on the ocean bed as well. They have typhoons regularly so they have to adapt and innovate. Necessity is the mother of invention and that is what they have done there.

In terms of technology innovation, that is why the Blue Economy CRC is so important. That is why this research is so important. Moving to oceanic waters offshore is consistent with Government policy. It is consistent with our 10-year salmon plan and this is where we are going. This is a first step.

As for Dr Broad's comments on some of the hypothetical remarks regarding flying cars and so on, I will let others make their own assessments. Let us respond to some of the criticisms from the Greens and some of these comments in the second reading speech contribution.

The Greens do not want the salmon industry in Tasmania. They want it removed and the jobs thrown on the unemployment scrap heap, like they did in their coalition with Labor with

forestry between 2010 and 2014. Two out of three jobs in the forest industry were thrown on the unemployment scrap heap. That is one of the key reasons we came to Government: we had a plan to rebuild, to support our productive industries. There is no greater supporter of our productive industries than the Liberal Government.

The Greens claim they cannot support the legislation. They have no substance when they talk of the value of research science to our environmental management. We are taking a considered approach to exploring new opportunities for a sustainable future for the industry. That is what this legislation allows for projects that are genuine research-based, fixed-term and on a limited scale. That has not been properly acknowledged by Dr Woodruff. It does not allow for commercial projects at this stage.

Aquaculture in deeper, high-energy, off-shore waters has potential to lower the environmental footprint. We heard that from Dr Broad and Ms Finlay and others around this Chamber. That is accurate. It is through doing this research that we examine the economic, environmental and operational feasibility of off-shore aquaculture. This would also inform future policy settings. If the Greens were to reject deep-water salmon farming out-of-hand, as it appears they have, it would be because of politics, emotion and the absence of evidence-based science. It is because the Bob Brown Foundation is their controller, their influencer. The Tasmanian Greens is the parliamentary wing of the Bob Brown Foundation.

We have heard, through various sources that the Bob Brown Foundation has already been publicly condemning this legislation and this initiative. We know what is happening and we know where the Tasmanian Greens are coming from. They are responding to the call of the Bob Brown Foundation. Stopping this legislation would not stop research into deep-water salmon. It will stop other marine aquaculture research in Commonwealth waters, including seaweed, including shellfish. You are stopping the whole lot.

Dr Woodruff - No, we are asking you to fix the bill to protect the environment.

Mr BARNETT - The details are set out, in black and white, in your amendment to the second reading speech. Would the Greens lobby prefer to see an end to the industry? Let us look at the facts. The first version of the Dennes Point declaration released in October 2020, advocated:

Transition out of coastal leases and into land-based and true deep-ocean aquaculture.

The words 'true deep-ocean aquaculture' have been quietly dropped in a changed version released in April this year. Will the goalpost change again? We do not know. It depends on the day or the week and what the Bob Brown Foundation might say about what the Greens should say. They have been caught out changing the goalposts. They have been caught out because I have a media release here from Dr Woodruff, 20 October 2020, in which she says:

It is no wonder the community voice is getting louder. For lutruwita/Tasmania's aquaculture industry to be truly sustainable, we need to look at land-based and deep-sea alternatives and establish proper science-based oversight from an independent regulator.

Suddenly it is dropped from their vocabulary. What about the position of the Bob Brown Foundation's new fish farm and marine campaigner? What does the position description say? The position objective is to:

Work to halt and reverse the expansion of fish farms and prevent their damaging environmental impact.

They want the salmon industry gone and all the jobs gone. The media release makes it clear. Does it mean that Dr Woodruff does not support the Dennes declaration?

Dr Woodruff - Dennes Point is how you say it.

Mr BARNETT - Dennes Point declaration. Do you still support the original version?

Dr Woodruff - You can finish and I will respond.

Mr BARNETT - Silence is golden.

Dr Woodruff - Of course we support the policy we took to the state election.

Mr BARNETT - The goalposts have moved.

Dr Woodruff - We listen to the planet, Mr Barnett.

Mr SPEAKER - Order.

Mr BARNETT - We are way ahead of the game with our 10-year salmon plan. The Greens have been caught out moving the goalposts, as they do time and again, whether it is forestry, mining, salmon, tourism developments or whatever they want to oppose.

I will address some of the other queries raised. One of those was consultation. Consultation on the bill included the Blue Economy CRC, the Institute for Marine and Antarctic Studies, the Tasmanian Seafood Industry Council, the Tasmanian Salmon Growers Association, the Tasmanian Association of Recreational Fishing (TARFish), Marine and Safety Tasmania as well as the Commonwealth Department of Agriculture, Water and Environment.

Public consultation ran for two weeks and was widely broadcast through a media release by me, public notices in the three newspapers and the department's website. Key industry stakeholders were directly contacted by the department. Seven submissions were received through the public consultation process. Those submissions and a report on the consultation have been published on the department's website. All groups had an option to make a submission.

I will deal with some of the other comments and concerns with regard to where the research could occur and consultation with other industries and water users. Any proposed fisheries management arrangement would be subject to a consultation process undertaken by the Australian Government before it is signed and gazetted. This includes a selection of a suitable area of Commonwealth waters for research which would be considered following consultation with other resource users and stakeholders and with consideration of the environmental, economic and social suitability of a proposed research site.

The location of where in Commonwealth waters marine aquacultural research activities could occur will be defined by any fisheries management arrangement with the Australian Government. It is envisaged that such an arrangement will only provide for aquacultural research activities over a limited spacial area, for example, a defined research zone. Impact on other sectors will be assessed and considered in the identification and development of the fisheries management arrangement.

Dr Woodruff raised comments about the marine farming panel. The panel is established under the Marine Farming Planning Act 1995 and has functions under the act to consider draft marine farming development plans and amendments and modifications to plans. This is primarily a planning function that leads to the zoning of various marine farm developments and the allocation of leases.

The bill before us now extends arrangements under fisheries legislation for research permits to apply in Commonwealth waters. It does not apply to the Marine Farming Planning Act. There are already powers to grant permits in state waters for scientific research and development of marine farming. The panel does not have a role in assessing these permits and neither is it intended that it would, in Commonwealth waters.

Many of the matters raised by Dr Woodruff are matters that would be considered by the director of the EPA in assessing any proposal which would be required by those amendments.

There was a query about appeal rights - can permits for aquaculture research activities be appealed? As a starting point and to recap, the Government's policy intent is that in addition to provisions under the act, the proponents of specific research proposals would be expected to have conducted appropriate stakeholder consultation in preparing and submitting their proposal. The summary details of permits issued for marine aquaculture research activities in Commonwealth waters under a fisheries management arrangement will be published on the department website.

Permitted marine aquaculture research activities in Commonwealth waters would be for a fixed term, and at a limited scale. They would not be assigned a tenure. I said that earlier; I am putting it on the record again in response to Dr Woodruff, and for those who might be interested in reviewing the *Hansard*. As such, the framework for research does not include a full planning process. A planning system, including appeals, would be a matter for development as part of any potential future framework for commercial-scale aquaculture in Commonwealth waters. A person who is enabled by the Judicial Review Act 2000 to seek a review of the decision may make an application to do so.

A question was raised about who would approve a research permit, and what would be included. Approval of a research permit is at the discretion of the minister or their delegate. Powers under section 12 of the Living Marine Resources Management Act 1995 are currently delegated to the secretary and other senior officers in my department.

Marine farming of fish for research purposes under permit would only be for fixed-term, limited-scale activities. I have made that point very clear. In terms of the time limit, 12 months is the period, or up to 12 months, and then reviewed again.

A permit for marine aquaculture research activities that involve finfish would include conditions broadly similar, but scaled appropriately, to those included in the contemporary

environmental licences issued under EMPCA, permits under the LMRMA, and other regulatory instruments that manage marine farming in Tasmania.

The bill also creates a requirement for the minister to consult with the director of the Environment Protection Authority in relation to applications for marine aquaculture research activities. The minister will be required to incorporate any conditions specifically for finfish farming that the director considers necessary.

A research permit, for example, might include conditions that address such matters as environmental biosecurity, including animal or plant health, farming operations, wildlife interactions and animal research. In practice, a permit would contain conditions relevant to the management of the marine farming of fish for research purposes that, depending on the project, might cover environmental monitoring and reporting; sale or disposal of any fish grown under the permit; the infrastructure to be deployed; that navigational safety is provided for; the removal of equipment after research has concluded; the conduct of all research activities as being in a manner consistent with Animal Ethics Committee approval; animal health monitoring and reporting requirements; and approved wildlife interactions risk and response plan.

Many of those queries were raised by Dr Woodruff, and I hope that assists those here and elsewhere in understanding the objectives and intent of this bill.

The Commonwealth EPBC - Environment Protection Biodiversity Conservation Act - is also relevant and would apply at a Commonwealth level, so the proposed fisheries management arrangements do not exist in isolation from other state or Commonwealth laws. For example, the Tasmanian Biosecurity Act 2019, which we passed just a few years ago, was nation-leading legislation, and is very important, encompassing all of our biosecurity rules and regulations here in Tasmania. They also have expressed extra-territorial effect, and may apply to dealings with fish and fishing equipment in Tasmania and our adjacent waters. This means that, for example, as well as the chief veterinary officer being consulted on research proposals, they may also be able to exercise powers directly under the Biosecurity Act.

There was a question about the line between research and ongoing commercial activity. Marine aquaculture research activities under permit would only be for fixed-term, limited-scale activities, and for up to a 12-month permit. The term 'research' is deliberately broad, as the scope and nature of activities that may be permitted will depend on the context.

What is clear is that the power under section 12 of the act would be to grant a permit for marine aquacultural research purposes. This means the activity must meet the reasonable definition and purpose of research, and would be expected to involve structured study according to scientific method. It is clear that this means permitted activities must be for research purposes, not commercial scale farming. We cannot be much clearer than that.

Permits for scientific research generally include conditions that prevent the sale or transfer of product for commercial purposes. However, while the primary purpose is not commercial financial returns, the sale of fish and/or intellectual property that may be derived from the permitted research activity may be used to offset costs incurred by the proponent in undertaking the research activities. I believe Dr Broad made a reference to that in his contribution, so I hope that assists as well.

The minister could also impose conditions limiting revenue or sale of product where the potential revenue from the permit activity would exceed the costs of that activity. The Government's policy intent is that any research proposal and permit application would be required to deal with the likely cost and revenues associated with the proposed activity, and this would form part of the information considered by the minister in determining whether to grant a permit and, if so, on what conditions.

There was a query about the Animal Welfare Act and its application. The principle permitting a requirement for marine aquaculture research activities would be a permit under the Living Marine Resources Management Act. The bill also makes clear that the marine aquaculture research are research activities for the purposes of the Tasmanian Animal Welfare Act 1993. This means that where research involves animal research, it could only be done by organisations that are licensed institutions under the Animal Welfare Act 1993. An institution can be an entity that wishes to conduct research or teaching, such as a university or private organisation with a particular research interest.

This requirement ensures that the animal research activity could only be conducted with Animal Ethics Committee approval, in accordance with the Australian Code for the Care and Use of Animals for Scientific Purposes, which derives from the NHMRC.

I believe I have comprehensively dealt with Dr Woodruff's concerns, although we may have to agree to disagree with respect to her amendment to the second reading.

I hope I have now responded to all the queries and concerns.

I have a lot of confidence in the Blue Economy CRC, and am pleased and proud of its base in Tasmania. We have made the case throughout that our prospects for the salmon industry, going forward, are very positive indeed, a real opportunity. This is an important first step that I hope will be deemed a priority by all members in this place and in the other place, so we can progress as soon as possible.

In summary, the Government opposes the second reading amendment by the Greens, and strongly supports and commends the second reading of this bill to the House.

[3.59 p.m.]

Ms FINLAY (Bass) - Mr Speaker, I rise to confirm that Tasmanian Labor does not support the amendment as proposed, noting that in the minister's contribution on the amendment, he talked about the announcement for the moratorium, and the staged plan to move towards a 10-year plan. In that, there was a comment about no net increases in current farming.

I wanted to confirm, through the minister's comments on this amendment, that for a long time it has been understood that Petuna on the north-west coast was looking to make a significant investment, \$158 million from memory, with the potential of around 161 jobs. Given that it had been on the agenda for a very long time, well before the comment about the no net increases, can the minister clarify the status of that project and the Government's consideration of the status of the project? I know that the proponents are keen to progress it.

[4.00 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, it is disappointing that the minister did not adopt this amendment because it provides an opportunity for the Greens to support the bill. We

support research but we do not support unbounded research in public waters. We are not convinced from the Government's history that it is capable of establishing a permit regime that will sufficiently deal with the environmental issues -

Mr SPEAKER - My apologies. Dr Woodruff, you do not have the ability to speak a second time on the amendment. You moved the amendment, you proposed the amendment. That is your opportunity to make comment.

Dr WOODRUFF - Thank you, Mr Speaker.

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

The House divided -

AYES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

NOES 21

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ellis (Teller)
Mr Ferguson
Ms Finlay
Mr Gutwein
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker
Ms White
Mr Winter

Amendment negatived.

[4.06 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, it is disappointing that the Government has not taken an opportunity to do things that could have given the community more confidence in this bill. Without proper public consultation, without the opportunity to appeal against the granting of areas of Commonwealth waters for research and other activities, as this bill enables, that will be used to offset the research; without placing limitations and making them clear in the bill on the length of the research, on the intensity of activities of research, on the capacity to derive profit, and on the public reporting, all of these things will make it impossible to have confidence in the work that is being done.

Time expired.

[4.07 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Speaker, Petuna's north-west proposal, which we support, will be subject to the statutory planning process and guided by the principles that the Government stated will underpin the Government's new 10-year salmon plan. Petuna is continuing preliminary planning discussions with the department about the potential future amendment to the north-west marine farming developing plan to provide for finfish farming in state waters located to the north-west of Stanley. Petuna has been consulting with a diverse group of local stakeholders and community groups about its proposed development off-shore, located approximately 12 kilometres out to sea.

Any statutory marine farm planning process will require the public exhibition of a draft amendment and accompanying EIS and documents. It provides individuals, community groups and government further input into their proposal.

This bill is about research. It is the first step towards further growth and opportunity, which would need to be sustainable. It would need to go through a full planning and approval process. It is important that all members are aware of that. We have a lot of confidence in the salmon industry to provide a sustainable future, delivering jobs and opportunity, particularly in rural and regional areas. This is a first step that backs the Government's plan. It is a key part of the Government's plan.

I appreciate and acknowledge the support from the Opposition. I am disappointed but not surprised with the Greens position. It is consistent with their past position of being opposed to the salmon industry.

Mr SPEAKER - The question is that the bill be read the second time.

The House divided -

AYES 21

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ellis (Teller)
Mr Ferguson
Ms Finlay
Mr Gutwein
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma

NOES 3

Ms Johnston (Teller)
Ms O'Connor
Dr Woodruff

Mr Rockliff
Mr Street
Mr Tucker
Ms White
Mr Winter

Motion agreed to.

Bill read the second time.

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

In Committee

Clauses 1 to 7 agreed to.

Clause 8 -

Section 15A inserted

Dr WOODRUFF - The amendment that we proposed in the second reading speech contribution attempted to have the bill be re-drafted to deal with some matters which are not dealt with or specified in the bill that are required to satisfactorily protect the natural environment from the theoretical possibility of research activities, discharging pollutants or having impacts on other species and also the interests of other users of the natural environment. That was voted down.

We plan to move an amendment to this clause that will seek to specify in the bill, the sorts of things that we have already raised in my second reading speech contribution. They relate to public consultation, the rights to the limitation of the period of a permit, a prohibition on commercial activities and to a requirement for reporting and transparency in information to the community.

One of the people who put a submission into this consultation document, Mr Christopher Wells, said a number of things, one of which was that for more than 30 years Tasmanian planning and regulation of aquaculture has been poorly managed, and that problems of environmental degradation caused by the industry have been covered up, hidden and denied by the government as the regulator. He said, 'The government and the EPA have failed to manage effluent from hatcheries and rivers. It has failed in site selection, failed in setting stocking densities.'. This is a view which is not only held by Mr Wells but by many people in the Tasmanian community, the scientific community and increasingly, amongst people on the mainland understanding that we have to regulate salmon farming companies so that we can get not only sustainable aquaculture product, but confidence from the community and an enduring industry that is capable of being truly clean and green.

With that in mind, we have prepared an amendment. I move the following amendment -

Page 7, clause 8, proposed new section 15A, subsection (2) paragraph (b).

Leave out the paragraph.

Insert instead the following paragraph -

- "(b) include in the conditions to which the permit is subject -
 - (i) Such conditions as the Director, EPA determines, including but not limited to -
 - (A) a requirement to report on such environmental impact data as determined by the Director, EPA; and
 - (B) a requirement to provide access to such persons as determined by the Director, EPA; and
 - (ii) a limitation on the duration of the permit not exceeding 2 years from the date of commencement of the permit; and
 - (iii) a prohibition on commercial activities in respect of the activities authorised by the permit to the extent that the commercial activities would exceed the cost of the carrying out of activities authorised by the permit; and
 - (iv) such other conditions as the Minister sees fit; and
 - (v) such other conditions as may be prescribed.
- (c) cause a call for public submissions, in respect of the permit to be published -
 - (i) containing relevant details of the proposed marine aquaculture research activities, including the applicant's details, proposed location, and the subject matter of the research; and
 - (ii) containing details of proposed permit conditions; and
 - (iii) containing a date on which submissions are due, no less than 20 days from the date of publication; and
 - (iv) in a newspaper that is published and circulates generally in Tasmania; and
 - (v) on the Department's website; and
- (d) ensure that public submissions under paragraph (c) are considered in respect of whether or not to issue a permit, and conditions that may be included under paragraph (b)."

What this does is introduce a direction to the conditions that the director of the EPA must be required to include in the conditions for research activities. These are minimum conditions. The director of the EPA can determine any additional conditions that the director sees fit.

The requirement to report on the environmental impact data is an essential component, so that people can have access to information and look at the progress of the research and the potential impact it is having.

We limit the duration of the permit to a two-year period so that it provides enough time for research activities to be commenced and undertaken, and the reissuing of a permit after two years if research activities go on for longer than two years. In our view, issuing a one-year permit would be too short for research to even get started and five years would be too long to have sufficient oversight. It does not preclude the possibility of a permit being reissued, or recontinued for research. Obviously, it would be important to be able to continue research if it started but it must be some bounded duration, so it is not an unlimited licence to continue to operate in Commonwealth waters.

The third part of this provides some clear guidance on the fact that activities undertaken for the purpose of commerce would be prohibited. If there are commercial activities that exceed the cost of the carrying out of the activities authorised by the permit, that is, research activities, then that is specifically what it is prohibiting, so there is no prospect of this permit for research purposes to slide into eventually becoming commercial activity. There is a clear delineation between what is research and what is business.

It also calls for a proper public consultation process that really outlines the details of the proposed research. It would include the applicant's details, the proposed location and the subject matter of the research. Dr Broad was trying to raise a spectre of faux outrage at the idea of the Greens wanting to attack the intellectual property of research. That is rubbish. It is clearly not the case. Any NHMRC grant where researchers are putting in applications for funding for tens of thousands, millions of dollars, all put detail of the research and that is all made public. There is absolutely no problem with providing details about the general nature of the research. Clearly, it is not about the finished research. Prior to publication, that would remain the intellectual property of the researchers but this is about enabling the public to be able to have a say about the type of research being proposed.

We also specify the length of time for a submission process, which would be no less than 20 days. What the minister considers sufficient information, like the government website and a government media release, are not what we consider to be best practice in the area. Neither is it best practice in other legislation in Tasmania. At a very minimum, a public submission calls process has to be published in a newspaper that circulates generally in Tasmania, as well as on the department's website and by any other medium that can be used.

Mr Chair, I would like the minister in his response to support this but I am not very confident that he would support this. However, if there was any question about the fact that this is just about facilitating research, I do not see what the disadvantage would be for the Government to support this amendment. It just provides clarity to what you say is the purpose of this amendment bill.

Regarding permit conditions, is it your expectation that they would be placing limitations on the amount of biomass in a research activity area, and the duration for the lease operations? Would permit conditions be made public?

We would also like to know whether any public interest research, such as the environmental impacts of aquaculture, be required to take place as part of the conditions of

issuing a permit. In other words, is there going to be an assessment of the environmental impacts of doing a particular type of research undertaken in an area versus another type of research? If we are looking at the future of aquaculture farming, are we going to be investigating one type versus another type?

Will the public have access to the environmental impacts of any type of research that is undertaken?

Will there be baseline data collected prior to the start of research so that we know the receiving conditions of the environment where the research is being undertaken, so that we know what the state of that is in the first place?

We would also like to know what reporting requirements are being planned under the permit system alluded to in the consultation draft, and any limitations on size of the permit area.

We hope you support this amendment to provide clarity about the purposes of this bill.

Time expired.

Mr BARNETT - Mr Chair, I thank the member for her questions. I particularly thank her for the amendment. We will be opposing the Greens amendment and I can explain why. Hopefully this will assist those listening and those who might be interested in this debate.

The permits are for 12 months but the relevant entity can reapply. Section 15A(2) of the bill already requires the minister to consult the director of the EPA, as I indicated in my second reading speech, and in my summing up. The minister is required to consult the director of the EPA, and, if it relates to finfish farming, to include any conditions that are required by the director of the EPA.

Let us be very clear what the Greens are on about here with this amendment. It is more Greens meddling. It is not about clarity or understanding the purpose of the bill. It is about meddling and trying to stop more finfish farming and stop more salmon farming.

As to who would approve the research permit, and what would be included, I said earlier - and I will repeat for the record - that approval of a research permit is at the discretion of the minister, or the delegate; powers under section 12 of the act are currently delegated to the secretary and other senior officers of the department. Marine farming of fish for research purposes under permit would only be for fixed-term and limited-scale activities. I have said that through the second reading, and in my summing up earlier in the debate.

The bill would ensure that research in Commonwealth waters is managed appropriately, and consistently with the 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 approval. As I have said, the requirement for the minister to consult the director of the EPA is set out in the bill, and is required.

In relation to applications for marine aquaculture research activities, the minister will be required to incorporate any conditions specifically for finfish farming that the director considers necessary. That is really important to be aware of.

A research permit might, for example, include conditions that address such matters as environmental biosecurity, animal and plant health, farming operations, wildlife interactions and animal research. Each of those things were touched on in Dr Woodruff's earlier comments and remarks during the debate.

Dr Woodruff also asked about the views of a certain person during the consultation, about the consultation process and the transparency of the permits. Taking into account the feedback received via the consultation process, the Government's policy intent is that the summary details of permits issued for marine aquaculture research activities in Commonwealth waters under the fisheries management arrangement will be published on the department website. I am happy to make that clear. That is the policy intent, and that is the intent of this Government.

I could say a few more things, but clearly there is a divergence of views in the Chamber with respect to the Greens' ambitions for finfish farming and the salmon industry. The Government feels we have the balance right, with limitations on the permit for up to 12 months - subject to application for a further 12 months, and subject to terms and conditions set by the director of the EPA. This is for research purposes. This is not salmon farming and not for commercial purposes. I wanted to emphasise that in opposing this amendment.

Dr WOODRUFF - Minister, you have missed the opportunity to provide the details that we are trying to put into this amendment bill. I do not know if that purposeful, but you keep sliding away from answering, and putting in black and white, details about fixed term and remitted scale, for example.

This is the point of what we are trying to insert into the bill. It is not good enough to talk about them in a consultation draft document, which is not a piece of legislation, nor is it a permit, and nor are they draft guidelines for the permit process. It does not have any legal weight, so you do not actually define what 'limited' means, and you do not define what 'fixed-term' means.

You have talked about a year, but you do not define the scale of the research, and you do not define the intensity of the potential biomass that might be researched, especially when the consultation document talks about being able to sell for commercial purposes, to offset the cost of research activities. It is clearly product that is being produced, otherwise there is nothing to sell. That has to be on scale, because it is hardly worthwhile going to the effort of getting the logistics to sell something unless there is enough of it.

It begs the question, which you have not put any boundaries around - what is the biomass intensity? You clearly are not going to define it, but these are the public interest questions that we are raising - the failure to put these things in writing by the Government, and by the EPA, which currently functions as an offshoot of the Government when it comes to regulating for the salmon industry.

This is about constraining things so that there is no environmental damage that occurs down the line. We have seen examples around the state. At Okehampton Bay there are real concerns about going into that completely new area, totally inappropriate for salmon farming. Long Bay, near Wedge Island on the Tasman Peninsula, Macquarie Harbour, Huon River, D'Entrecasteaux Channel - all of the places where there has been intensive salmon farming in Tasmania, there has been environmental damage.

Intensity is one of the issues. It has not been addressed by the EPA, and you are not going to address it here. We are just exporting the problem into a new zone, and we are concerned about that. It is more intense, potentially industrial activity but in a place where it is even harder to understand what the impacts are going to be.

I still do not understand - and I would appreciate it if you were able to clarify - whether animal ethics approval for research activities would apply to any potential impacts on animals that are incidental to the research itself. Clearly, the Animal Welfare Act, with regard to the animal ethics approval that would be required within the university for any research activities, would apply to the animals that were the subject of the research.

I am still not clear whether that would also include other animal species that might get caught up incidentally, unintentionally, in the research activities. For example, birds that might fly onto nets; sharks, dolphins, seals or other predators that might try to insert themselves to eat salmon - are they captured and considered under the Animal Welfare Act and the animal ethics approval that you have talked about? It is important to clarify that issue.

I will finish by responding to one of Dr Broad's comments, when he said the ocean is a very big place, and surely the Greens can find some space to do aquaculture in the ocean. Our point is yes, there could be some place, but there has never been any attempt to model the impacts. We only have to look at doctors like Dr Christine Coughanowr and Louise Cherrie who were on the Marine Farming Planning Review Panel and the Derwent Estuary program. They are independent scientists who are clear that in order to do best-practice salmon farming, we need to understand the receiving environment before we put pens in the water for research, as well as for commercial activity. We are seeking to put those boundaries. Until that happens we cannot have confidence that the Government ought to be moving into a new place when it has not cleaned up its act and remediated the damage that is still occurring in waterways in-shore and off-shore around Tasmania.

Mr BARNETT - I thank the member for her queries. I will attempt to address them but also indicate we will be opposing these amendments. I will address the animal welfare issues, but first let me deal with this issue between research and ongoing commercial activity. There is a line between the two that keeps getting fudged by the member representing the Greens. She is making aspersions that gives somebody listening to this debate the idea that we are preparing a framework for commercial activity. That is not the case. We are creating a framework for research activity.

Marine aquaculture research activities under the permit will only be for a fixed-term of up to 12 months. They will be limited-scale activities. The term 'research' is deliberately broad as the scope and nature of activities that may be permitted will depend upon the context. What is clear is that the power under section 12 of the act would be to grant a permit for marine aquaculture research purposes. This means that the activity must meet the reasonable definition and purpose of research and would be expected to involve structured study according to a scientific method. It must be for research purposes.

It is not for commercial finfish farming or commercial scale farming. There is clearly a difference between research and commercial activity. The Government recognises that. This is a framework for allowing further research to take place. The bill is clear that a permit is only enforced for a period of up to 12 months. This necessarily limits the activities undertaken.

Further arrangements with the Commonwealth are expected to be time-limited and to relate to a specific area and a specific purpose.

These things demonstrate the permitted research activities will be bona fide research. Whoever is undertaking that research will be investing accordingly. Permits for scientific research generally include conditions that prevent the sale, or transfer of products for commercial purposes. However, while the primary purpose is not commercial financial returns, the sale of fish and/or intellectual property that may be derived from the permitted research activity may be used to offset costs incurred by the proponent in undertaking research activities.

I hope that the member representing the Tasmanian Greens does not think they should throw all their stock into the rubbish bin. Let us be honest, factual and practical about how research can and should be undertaken in Tasmania and across the country. The minister or the minister's representative can impose conditions limiting revenue or sale of product, where the potential revenue from the permit activity would exceed the cost of that activity. I think we are going to agree to disagree.

I would like to address the animal welfare issues that have been raised. I am advised that that animal ethics approval would address the issues relevant to specific proposals. The permit would also consider wildlife interactions, which was a question asked by the member. I said earlier that the Animal Welfare Act would apply in this situation. It is referenced in the bill. The bill also makes clear that the marine aquaculture research activities are research activities for the purposes of the Animal Welfare Act: they are research activities. That means where the research involves animal research it could only be done by organisations or licensed institutions that are licensed accordingly under the Animal Welfare Act.

An institution can be an entity that wishes to conduct research or teaching such as a university or private organisation with a particular research institute. The best example that I can share is the Blue Economy CRC. It is a reputable highly credible entity based in Launceston. It is an international cooperative research centre. We worked long and hard for years with the federal government and other stakeholders to secure its presence in Tasmania. I congratulate Dr John Whittington, who heads Blue Economy CRC, for his leadership and his busy schedule working with researchers and others to deliver on the key objectives of that cooperative research centre which relates to marine farming, renewable energy off-shore, marine engineering and all the good things that would benefit Tasmania and the rest of Australia.

Animal research activity can only be conducted with animal ethics committee approval, in accordance with the Australian code for the care and use of animals for scientific purposes under the National Health and Medical Research Council.

We cannot support the amendment. I hope you can agree that we can agree to disagree, but I hope that we have at least responded to some of these queries and questions.

Ms JOHNSTON - Mr Chair, I rise to speak in support of the amendment. I take the opportunity to thank the department staff for the thorough briefing last week. Since that time, I have had the opportunity to read the submissions to the bill. I broadly support facilitating research. It is important when we are talking about the salmon industry in Tasmania to

recognise the division within the Tasmanian community. Much of it relates to transparency, accountability and consultation processes.

Dr Woodruff's proposed amendment is about strengthening the intent of the amendment bill to provide greater clarity around transparency, accountability and consultative processes. It is important that we include these. A number of submissions made by individuals and groups consistently raise the lack of consultation as an issue of concern for them.

The amendment looks to provide greater information on the environmental impact data. It looks to provide a consultation process for public submissions, in respect to the permit. It looks to the prohibition of commercial activities. If, as the minister has clearly indicated a number of times, this is heavily focused on research activities, then it is important to be clear, open and transparent about what is acceptable and what is not acceptable.

This amendment strengthens and enhances the intent of the bill to facilitate genuine research into this area. I hope that members of this House can support it in the way that is intended. It is about transparency, accountability and consultation and provides the opportunity for the public to gain more confidence in the way the industry is sustained and maintained in the long term.

I will be supporting this amendment because it is an opportunity to enhance the intent of the amendment bill.

Mr BARNETT - Thank you for your contribution and I note your support for the Greens amendment. We do not concur with that. I acknowledge your support for the intent of the bill and the merit of research. Clearly you have a strong disposition of concern regarding the salmon industry in Tasmania. I am not going to put words in your mouth, but it seems to be very similar to that of the Greens. We have already debated at some length a second reading amendment which was to throw out the bill and bring it back after a re-write.

We have debated that and we obviously did not concur with respect of the merit of that. We believe we have the balance right. We believe the intent is very clear. I have been thorough in my responses on behalf of the Government with respect to the importance of the difference between research and commercial activity. That has been very clear. I have been very clear with respect to the Animal Welfare Act and its application to the research activity in Commonwealth waters.

I am not sure that we can be much clearer through you, Mr Chair, with respect to the intent of the bill. We very much support the bill and will be opposing these amendments.

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

The House divided -

AYES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

NOES 21

Ms Archer
Mr Barnett
Dr Broad
Ms Butler (Teller)

Ms Courtney
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Mr Gutwein
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Tucker
Ms White
Mr Winter

Amendment negatived.

Clause 8 agreed to.

Clauses 9 and 10 agreed to.

Title agreed to.

Bill reported without amendment.

Bill read the third time.

ANSWER TO QUESTION

James Griffin - Civil Litigation

[4.56 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Speaker, I would like to add to my answer in Question Time today in response to some very damaging and incorrect claims made by the Labor Leader, Ms White, regarding civil claims relating to child sexual abuse.

Unlike those opposite, I acknowledge that these are very sensitive matters for those involved and that there is considerable community interest. As I have said previously in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, our Government has progressed extensive law reform over the past few years to implement a number of recommendations. One such recommendation was the removal of limitations periods for child sexual abuse under the Limitation Amendment Act 2017 and measures to improve access to justice which has been implemented under the Justice Legislation Amendment (Organisational Liability for Child Abuse) Act 2019.

The removal of limitation periods for civil litigation relating to child abuse claims means that more survivors have the capacity to make civil claims for abuse than in previous years and under any previous governments.

The defences filed by the Office of the Solicitor-General do not rely on limitation periods for the purpose of denying access to justice to plaintiffs who are victims of sexual abuse within the meaning of the Limitation Act 1974. The Solicitor-General's Office is well aware that it is not entitled to plead impermissible limitations.

Therefore, the Labor Leader and her shadow attorney-general in the media release today are both engaging in reckless politicking and deliberate fearmongering, which is serving no further purpose than to blatantly spread fear in the community. They are choosing to blindly ignore the facts about such serious matters.

Regarding the claims made about the legal costs associated with civil litigation matters, all members should be well aware that civil litigation on behalf of the state is undertaken in-house by the legal resources from within the Office of the Solicitor-General. All information relating to the Office of the Solicitor-General, including costs, is a matter for that office and is released through the offices and the department's annual reports to parliament.

Our Government is supporting victim survivors to come forward and, of course, we will continue to provide all the support we can to ensure survivors may access compensation and support through the National Redress Scheme for Institutional Child Sexual Abuse as well as pursuing civil litigation should they wish. I reiterate my answer that model litigant guidelines have been put in place by our Government as we recognise there are complex legal and factual issues that arise in these civil claims and we need to ensure that the conduct of civil claims is managed fairly, efficiently and appropriately. This means being settled in the earliest possible stages.

Mr Speaker, the development and publication of model litigant guidelines in 2019 was in response to the Royal Commission into Institutional Responses to Child Sexual Abuse recommendations. They exist to provide direction on how civil child sexual abuse claims made against government institutions are managed and dealt with.

CRIMINAL CODE AMENDMENT (JUDGE ALONE TRIALS) BILL 2021 (No. 50)

Second Reading

[4.59 p.m.]

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

That the bill be now read the second time.

This bill will amend the Criminal Code Act 1924 (the Criminal Code) to provide for the option of criminal trials to be held without a jury in the Supreme Court of Tasmania. Tasmania does not currently have the option of trial by judge alone. Unless an accused person pleads guilty to an indictable offence, they are entitled to be tried by a jury in the Supreme Court, with the jury determining whether they are guilty or not of an offence.

The right to trial by jury is a cornerstone of our legal system. Although trial by jury is the established and familiar method of trial for crimes in Tasmania, trial by judge alone provides an alternative option to a trial by jury in appropriate cases but, importantly, not as of right for either the accused person or the prosecution.

This bill contains significant reforms that will play an important role in Tasmania's criminal justice system and align Tasmania with several other Australian state and territories that have had legislation allowing trial by judge alone for many years. Judge-alone criminal trials were introduced into South Australia in 1984, New South Wales in 1990, the Australian Capital Territory in 1993, Western Australia in 1994 and Queensland in 2008. More recently Victoria has allowed for trial by judge alone as a temporary measure in response to the COVID-19 pandemic.

The bill inserts a new section 361AA into the Criminal Code to provide for a party to the proceedings, that is the accused person or the prosecution, to apply for an order for trial by judge alone within three months of the date the accused was committed to stand trial. The time frame within which a party to proceedings is to make an application for trial by judge alone is linked to when the accused person is committed to stand trial in the Supreme Court.

The decision as to when to start the time frame is arrived at after consideration of stakeholder views and other jurisdictions. On the one hand, other jurisdictions such as Queensland and Victoria do not specify a time frame other than requiring the application to be made before trial. However, this may create concerns about uncertainty in the planning for a trial leading to potential risks around the potential for judge-shopping, delays and unnecessary use of resources if applications are made at the last minute.

Another option considered was to start the time frame from the service of Crown papers. However, there is no legislative basis for the service of Crown papers so this option is considered unworkable.

The decision to start the time frame from committal is a workable option that provides transparency and certainty as to when the time frame commences and avoids the potential adverse consequences of unfettered right to apply at any time. In response to consultation, the time frame within which to apply for an order was extended from two to three months from the date of committal. This time period in which to make an application under this bill aligns with the new preliminary proceedings processes that recently came into effect in Tasmania.

The Justice Miscellaneous (Court Backlog and Related Matters) Act 2020, the court backlog bill, amended the Justices Act 1959 and the preliminary proceedings processes concerning the committal of a defendant to the Supreme Court. These changes provide for magistrates to deal with applications for preliminary proceedings orders prior to the committal of matters to the Supreme Court.

If an applicant does not make an application within this time frame then, providing that the applicant can satisfy the court that they have a reasonable explanation for the delay in making the application, an out of time application may be considered. This provision is important for circumstances where an applicant later decides to apply for a trial by judge alone, for example, because other information later came to light or due to an unavoidable or unexpected circumstances such a medical emergency.

No limitations are placed on the types of Tasmanian crimes that could be heard by a judge sitting alone. The bill provides that the prosecution's application for a judge alone trial order requires the consent of the accused to the proposed order. This is subject to an important exception I will turn to after outlining the key elements of the framework. Importantly, this bill provides that the court must not make an order unless it is satisfied that it is in the interests of justice for the order to be made.

As has been done in other jurisdictions, this bill provides that trial by judge alone will not be available where an accused person is charged on indictment for a Commonwealth offence. This is because section 80 of the Commonwealth Constitution precludes Commonwealth trials from being conducted by a judge alone.

This bill makes it clear that an order for trial by judge alone must not be made unless the court is satisfied of the following factors:

- first, that the accused person has given informed consent. The court needs to be satisfied that the accused understands the nature of the proposed order and the implications of an order if made.
- second, that the making of such an order is in the interests of justice.
- third, where an accused is charged with two or more charges that are to be tried together, the order is to be made for all of the charges and, if there is more than one accused, each accused must have made an application and given their consent to the proposed order.

The requirements in this bill to satisfy the court that an accused person has given informed consent to a proposed order provide an important safeguard. The court is to be satisfied that the accused person understands the nature of the proposed order and the implications of an order if it is made by the court. The accused person has received legal advice as to the extent of the implications of the proposed order if made, or that the accused person has been offered advice but has refused legal advice that has been offered.

Where an accused person has obtained legal advice and the implications of the proposed order, the accused person's legal practitioner certified in writing as to the legal advice so provided and whether they believe that the accused person's consent has been freely given. Importantly under this bill a legal practitioner providing legal advice to an accused person about a proposed order only has to attest to giving the legal advice, not the nature of the advice. This protects legal professional privilege in the advice.

This bill provides that in determining whether it is in the interest of justice to make an order, the court is to take into account whether the crime to which the proposed order relates concerns an element or question of fact that is more appropriately determined by a jury by reference to community standards. That includes but is not limited to questions of reasonableness, dangerousness, indecency, negligence or obscenity. This recognises the important role juries play in Tasmania's criminal justice system. The court may refuse to make an order if it considers the trial will involve an element or a question of fact that requires the application of community standards.

Whether a crime involves an element or a question of fact that is best determined by a jury, by reference to community standards requires the court to balance a range of relevant factors. The court may also take into account other matters or circumstances depending on the particular context of the case. The bill affords the court a wide discretion to take into account factors that it considers relevant. For example, the court may determine that having considered a factor such as adverse publicity that is prejudicial for a fair trial that it would be in the interests of justice to make an order for the trial by judge alone.

The inclusion of objective community standards in the bill was determined after considerations of stakeholder views and other similar provisions in other jurisdictions such as Queensland, New South Wales and Western Australia. The formation of this bill draws on the successful legislative approach taken by these jurisdictions. Importantly, juries are best placed to determine what conduct is considered reasonable, dangerous, negligent, indecent or obscene in the eyes of the community. The use of juries to set such standards also means that they adapt in line with changing community views. For example, in relation to the crime of dangerous driving contrary to section 172A of the Criminal Code what is considered dangerous driving is determined by reference to community standards. It is highly likely that the community's perception of what amounts to dangerous driving has changed significantly over time. By these standards being set by juries they appropriately reflect the community's views at any given time thereby increasing public confidence in the criminal justice system.

In circumstances where the court is satisfied that there is a significant risk that an offence under section 63 - influencing or threatening juries - of the Juries Act 2003 may occur if the person is tried by jury, the court does not have to be satisfied of the requirements of informed consent when determining whether to make an order. This includes the scenario of more than one accused being tried together and the risk of the offence under section 63 arises from one or more of the accused. For example, an accused person could be compelled to have a trial by judge alone without their consent where there is a very high risk of jury interference or tampering and all other means reasonably available to the court cannot mitigate that significant risk.

This bill provides that unless exceptional circumstances exist only one application for an order can be made in respect of a crime.

In view of the time period within which an application for a trial by judge order is to be made the bill provides that an order for a judge alone trial may not be revoked unless the court is satisfied that the information on which the order was made was false or misleading or otherwise considers that there are reasonable grounds to revoke it.

An accused person should not be able to change their mind and opt for a jury trial to avoid trial by a particular judge without a jury, a scenario known as judge shopping. The new section 361AB provides that an accused person or the prosecution may appeal the making or refusal to make an order for trial by judge alone. In relation to an accused person's ability to appeal, where the court has made an order, the bill limits that to where the order was made without the consent of the accused person. This reflects that an order made with the person's consent has no need for appeal provisions by that person.

The bill also contains amendments to set out the law and procedure to be applied in a trial by judge alone, including in relation to returning any verdict or making any findings.

Lastly, the bill expands the appeal rights of the Crown in relation to judge-alone trials at section 401(2) of the Criminal Code. This has been provided for in the bill as, unlike in a jury trial, a trial by judge alone requires the judge to provide reasons for their verdict or findings. If, for example, there is an error of fact that results in the miscarriage of justice, then the Crown can lodge an appeal to address this error.

Public and targeted stakeholder consultation was undertaken on the draft version of this bill, and I thank those who made comments in response to the draft legislation. In addition, my department of Justice has worked closely with key stakeholders in the development of this bill, including the Office of the Director of Public Prosecutions. I thank them for their thorough work.

Mr Speaker, this is an important bill for our criminal justice system. The proposed legislative reforms provide a fair method of applying for and determining orders for trial by judge alone. This bill seeks to improve Tasmanians' options in the criminal justice system by conferring, on an applicant, an opportunity that they did not previously have - the option to apply for trial by judge alone in certain circumstances.

The introduction of trial by judge alone in Tasmania will provide an alternative to jury trials for an accused, and may assist in helping to reduce criminal court backlogs, along with a range of our Government's important reforms that have already passed through the parliament, including the Magistrates Court (Criminal and General Division) reform package, and more recently the court backlog bill.

In conclusion, our criminal justice system has experienced significant challenges due to the COVID-19 pandemic. Our Government has measures put in place to respond to the pandemic and to support Tasmanians. This bill seeks to improve access to justice within our criminal justice system, not only due to COVID-19, but other circumstances, as I have outlined.

Mr Speaker, I commend this bill to the House.

[5.12 p.m.]

Ms HADDAD (Clark) - Mr Speaker, I am pleased to make a contribution on this bill, and indicate that the Labor Opposition will be supporting the bill.

In doing so, I will recognise a couple of things. One, that Tasmania is among the last jurisdictions to enable judge-alone trials to be conducted, and most other jurisdictions already allow for judge-alone trials to be heard. Also, to recognise that a trial by jury is a fundamental right of people who are facing the criminal justice system. Anybody charged with offences, particularly serious offences facing trial in Supreme Court, has the right to a trial by jury - and that right is not being taken away in any way by the provisions of this bill. That is because there are safeguards throughout the bill to ensure that a trial by judge alone will not be conducted without the consent of the accused.

The provisions of the bill, as we have heard from the Attorney-General, make changes to the Criminal Code to allow for any party to proceedings to apply for an order for a trial by judge alone, within three months of the date that the accused was committed to stand trial. An application may be considered outside that period if the applicant satisfies the court that they have a reasonable explanation for the delay in making application.

On those provisions, I note that the bill did undergo some welcome changes from the draft consultation that was released on this bill, as a result of community consultation. Several organisations argued that the two-month time frame was too short, and that was extended to three months. Different comments were also made as to when that clock should start ticking, if you like, and different organisations made different submissions to the Government about when that time should begin. Where the Government has landed - that it is three months from the time of committal - is a reasonable way forward.

Another change from the draft bill was about the ability for the court to grant an application for a judge-alone trial outside of that three-month period, where 'reasonable explanation' can be made. I believe the wording was 'exceptional circumstances', and some community submissions commented that was too high a test, or too onerous a test, to meet. It is quite fair that it has been changed, so a court is able to basically make a determination on whether reasonable explanation has been made for why an application could not be made in that three-month period, and they can order a judge-alone trial in those circumstances.

As I said in my opening comments, either the prosecution or the defence can apply for a judge-alone trial, but it will only be granted if the consent of the accused has been given. The prosecution may, as part of an application, request that the court make the proposed order without the consent of the accused person, on the basis that they consider the court will be satisfied there is a significant risk that the offender is likely to commit an offence under the Juries Act - or threaten jurors, in other words.

I had a question for the Attorney-General, about the provision in clause 4(8), that the court does not need to be satisfied of the safeguards if they are of the opinion that the accused could commit an offence under the Juries Act. I wondered whether that decision can only be made by the court when there is already an application on foot for a judge-alone trial. In other words, if a judge is satisfied that an offence could be committed under the Juries Act, can they make an order for a judge-alone trial, without either the prosecution or the defence applying for a judge-alone trial?

If they can, what factors would the judge have to consider in making that order off their own bat, for want of a better phrase? Also, if a judge makes a decision to order a judge-alone trial in the absence of an application from either party, what appeal rights would either party have against that decision?

I have gone off-track a little because I wanted to go through the safeguards in the bill, including that, notwithstanding that a judge can refuse or make an order based on a potential offence under the Juries Act, a court would have to satisfy themselves that the accused person has given informed consent if an application is made by the prosecution or the defence. They need to be satisfied that the accused understands the nature of the proposed order, and the implications of the order, if made. They also need to satisfy themselves that the making of the order is in the interests of justice - and, where the accused is charged with two or more charges that are to be tried together, the order is to be made for all of the charges. If there is more than one accused, each accused must also make an application and consent to a judge-alone trial before that order can be made.

I believe there are sufficient safeguards in the bill to make sure that the fundamental right of a trial by jury, being judged by your peers, is not going to be removed without it being in the interests of justice, and also in the interests of the accused, or according to the legal advice

that they receive, in their interests to have a judge-alone trial. Recognising that the bill has undergone significant change from the draft bill I am not going to go through all of the community consultation submissions. I want to ask about some I was less clear on.

One was raised by both the Australian Lawyers Alliance and the Bar Council. They asked whether the judge who makes the order would be the same judge who conducts the trial or would it be just down to listing the trial as per usual? It could be a different judge who makes the order for a judge-alone trial as opposed to the trial judge.

The Australian Lawyers Alliance submission from Sebastian Buscemi raised the issue of time lines for delivering reasons for decision. If somebody undergoes a trial by jury they find out their verdict pretty quickly at the end of the trial. They might wait then for some time to find out their sentence but they would know the result of the decision of the jury quite quickly. Can the minister say if there is going to be a time frame for a decision and for reasons for the decision to be provided to an accused?

Another issue I want to raise is the 'exceptional circumstances' test that was changed to 'reasonable explanation'. That was changed from the draft bill but the exceptional circumstances test still exists in in clause 4(10). That clause deals with applications made under that section in respect of a crime which is later withdrawn.

... before the application is determined, the applicant may not make another application under this section in respect of the crime except where the court is satisfied that exceptional circumstances exist.

Was that intentional or was that also intended to change to a 'reasonable explanation' test.

The Attorney-General went into some detail in her second reading contribution about the issue of community standards and at times where it is expected that it will be members of the public and not judges who determine things that we would consider to be community standards. The minister gave some examples of that, such as reckless driving and other things that a court may determine. If they are facing an application for a judge-alone trial they determine that there are factors in that trial that might affect what the community standards are or recognising that those community standards or attitudes to some of those things do change over time. The court needs to take those into consideration before making an order for a judge-alone trial.

The community consultation submission from the Tasmanian Aboriginal Legal Service raises the fact that in a New South Wales Court of Criminal Appeal case, *R v Belghar*, it was observed that because the legislation did not include intent as a community standard, it meant that it could not be considered in a trial. The Law Society in its submission also commented that listing some of those community standards or areas where the community is expected to make that decision on what is acceptable and what is not, could be seen as limiting, or alternatively, it could put additional weight on those examples given. We have debates in this place on other pieces of legislation on the benefits and dangers of beginning lists in legislation. It usually always leads to a question on where to draw a line on what gets listed and what does not get listed.

My final question to the Attorney-General is, what consideration was given to having more generic wording, rather than listing specific areas where the public is expected to let courts know what the community standards are? Can the Attorney-General comment on the

Law Society's submission in which it asks whether that could lead to the court giving further weight to the examples, rather than other things that courts may later determine are community standards? The Tasmanian Aboriginal Legal Service has raised that same issue in a different way by giving the example of the New South Wales case where the court determined it was unable to consider intent as part of that decision because it had not been listed in the legislation.

There were several other comments made through the community consultation and many of those have been changed in this bill. It is encouraging to see the Government responding proactively to community consultation submissions. For example, the two-month period was changed to three months from the time of committal.

The Law Society also suggested that there should be changes made to how the court considering legal advice was being given to an accused. It was. The previous iteration of the bill said that the court needed to be satisfied that appropriate legal advice had been given, but that raised the issue of the fact that is not the court's role to determine whether legal advice was good, bad, appropriate or otherwise. That word was deleted from the final iteration of the bill. The ALA started by arguing that it should only be a decision for the defendant to apply for a judge-alone trial. That is not the way the Government has gone, but by putting in the safeguards that an order for a judge-alone trial cannot be made without the consent of the defendant, and the other safeguards that I mentioned, that concern is addressed.

Many of the other comments made by the Law Society, the ALA, the Bar Council and the Tasmanian Aboriginal Legal Service have been addressed by the Government in this final draft of the bill.

I wanted to clarify the issues that I have put on the record today by way of questions to the Attorney-General. I am not intending to amend the bill or go to Committee. I am not sure if Dr Woodruff has that intention? The Opposition will support the bill.

[5.29 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, the Greens welcome this bill and the Criminal Code amendment to make it possible for Tasmania to join with the other Australian states and many other parts of Commonwealth countries that have the Westminster system in enabling the option for judge-alone trials in prescribed circumstances.

It seems the consultation process elicited responses that generally welcomed this move. The Australian Lawyers Alliance, with their comments, make very strong statements about the right of defendants to make the final decision. Their view is that the liberty and reputation of the accused is on the line. They say that if an accused person believes they have a better chance of getting a fair trial before a judge, rather than a judge and jury, they ought to be able to exercise the right to pursue that course irrespective of what anyone else thinks.

I note that that is not where this bill has landed but it does always require, except in exceptional circumstances or prescribed circumstances, that the accused must give informed consent to a judge-alone trial. The Tasmanian Bar was even a little bit stronger. It said it 'applauds this policy and the legislative initiative as it will provide greater flexibility for trials of indictable criminal matters'. They had some issues with the draft bill, as did the ALA, and I want to go through some of their concerns.

I want, through the minister, to thank the staff of the department who provided a very comprehensive briefing. We had a very interesting conversation about the context for judge-alone trials and where we have landed relative to other jurisdictions. It was very helpful.

One of the concerns of the Australian Lawyers Alliance was that proposed section 361AA(3)(a) was to have enabled an application to be held that if an accused wants to make an application for a judge-alone trial and it falls outside the prescribed period, which was two months in the draft bill and is now three months in this bill, that they would have to show exceptional circumstances. It was pointed out by the ALA and, I think, the Bar that that was not defined enough in the bill. But 'a reasonable explanation' has been added in since that draft bill to the amendment bill we have before us. That is standard in Tasmanian legislation and would be something that would be court-determined.

The Tasmanian Bar also felt that the stated time limit was overly prescriptive but the addition of the reasonable explanation enables the opportunity for that to be extended.

I will talk about the importance of juries and the benefits of juries. We are the last state in Australia to move to a judge-alone trial. The very basis of our justice system relies in part on the role of the jury. The benefits of juries are not something to be discarded. If we move to anything other than a jury trial for an accused person in criminal matters, then it has to be done with a great deal of caution.

As the minister has said, the role of the jury is to provide a perspective, which is as a body of persons representing the community view, and the community view, as we have seen on many issues, particularly more controversial issues, is varied. It provides a space in the justice system for the eyes of the community to come to bear on the final decision made about whether a person is to be held innocent or guilty of the crime they have been charged with.

In other jurisdictions, such as the United Kingdom, where there has been judge-alone trials for some time, England and Wales have judge-alone trials, and England has been reluctant to impede the use of juries in even highly contentious circumstances. They have had very limited exceptions to the existence of giving effect to a trial without jury.

I am reading from some research done by the University of Queensland Pro Bono Centre, Balawyn Jones, Ravi Gosel and Lachlan Campbell, titled *Tongan Jury Reform, Research paper: Comparative analysis and recommendations, July 2015*, so not too long ago. They make the point, in relation to England, that a non-jury trial in that jurisdiction may only occur when:

there is evidence of a real and present danger that jury tampering would take place and notwithstanding any steps (including the provision of police protection) which might reasonably be taken to prevent jury tampering, the likelihood that it would take place would be so substantial as to make it necessary in the interests of justice for the trial to be conducted without a jury.

It was proposed in England that non-jury trials be used in the cases of complex fraud but that was not eventually legislated into force. The Chief Justice of England, at one point when rejecting an application for a non-jury trial, determined that 'the trial of a serious criminal offence without a jury ... must remain the decision of last resort, only to be ordered when the

Court is sure (not that the court entertains doubts, suspicions or reservations) that the statutory conditions are fulfilled.' That was in 2010.

The Scottish justice system had an investigation that was called the Modern Scottish Jury Report and there was discussion within that on trial without a jury. They made the point that the government did not wish to advance any firm proposals for dispensing with trial duties, and that there has to be a balance in the burden of excessively long or complex trials on jurors and, on the other hand, protection of proceedings and fairness to the accused. In the balance of those two matters, they landed with a recommendation to not dispense jury trials in that jurisdiction.

The point I am coming to relates to the circumstances in which it would be determined. The court needs to be satisfied that the accused understands the nature of the order and the implications of the order. They need to understand and be confident that there is informed consent. They also need to make a determination that the making of an order is in the interests of justice. They are the circumstances under which most applications for a trial by judge-only would be made, but an application for a judge-alone trial is subject to exceptions in section 63 of the Juries Act 2003, which relates to influencing or threatening jurors, where it says:

A person must not -

- (a) influence any juror or potential juror by any means, other than the production of evidence and argument in open court; or
- (b) injure or threaten to injure, or cause or threaten any detriment to, any other person on account of anything done by the person as a juror or for the purpose of influencing the person as a juror; or
- (c) accept or agree to accept any benefit on account of anything done or to be done by the person as a juror or potential juror; or
- (d) prevent, obstruct or dissuade another person from attending as a juror or potential juror.

Minister, how would a court make a determination about influencing or threatening jurors? What sort of evidence would they usually need? What sort of confidence or surety would they typically need when making a decision about whether there has been influencing, or jury tampering has occurred?

In the last part of your second reading speech, you point to the impacts of COVID-19 and the significant challenges of the pandemic. You finish by saying that 'the bill seeks to improve access to justice within our criminal justice system, not only due to COVID-19, but other circumstances.'. I do not believe you are saying this, but do you see this as a hastening, a speeding-up of the justice system, by going to judge-alone trials?

Ms Archer - No. It just might have the indirect impact that it can obviously -

Dr WOODRUFF - The consequential impact.

Ms Archer - Yes. Rather than cause delay, or stop a trial because there is tampering, et cetera. It gives the judge an alternative that they would not otherwise have to hear a matter.

Dr WOODRUFF - It is not in any way about speeding up the system then, because that would potentially have implications for the quality of the justice system.

Ms Archer - There are no provisions that allow for that.

Dr WOODRUFF - You are right; there are no provisions that allow for that. It is good then that is not the general tone that this has been discussed within.

Ms Archer - No, but Victoria did it because of COVID-19, so I was making that observation.

Dr WOODRUFF - We are comfortable and pleased to see that the bill has been adjusted from draft stage to accommodate the concerns that different organisations had when they made submissions. We are happy to support this change in the system, and the opportunities for improving justice that it sounds as though it will provide.

[5.45 p.m.]

Ms OGILVIE (Clark) - Mr Speaker, I rise to support this very important bill. It is important that our criminal laws are kept contemporary and that they meet community expectations, and when times change we ought to reflect that contemporary approach to our judicial system. Our Government has already undertaken significant reform in this area, and the court backlog bill is now law. It is making inroads into the Criminal Court backlog, which is clearly a good thing.

As we have heard in some of the contributions today, many other jurisdictions in Australia and overseas have already introduced judge-alone trials as an option. It is important to recognise that it is an option; it is not mandatory. It is significant that Tasmanians will soon be provided with this option. I feel it is important to emphasise that the bill is not abrogating the right to trial by jury. That is a right that we have - the right to trial by jury. Instead, it is providing an additional option, and that option is provided within some fairly well-drafted parameters.

I carefully read through proposed new section 361AA and thought, what would it be like if I were an accused to go before a judge-only trial or a jury trial? Conversely, what sort of parameters would a prosecutor think about if they were to propose a judge-only trial? My mind did turn to complex criminal matters, particularly financial, taxation, fraud, commercial matters, where some level of expertise by the presiding judge might actually be helpful and may provide a higher certainty around justice and understanding the complexities and specialities required to bring to bear on particular cases. I thought about that, because I was interested to hear some discussion of the jurisprudence in the United Kingdom around that thinking as well.

Our approach here is consistent with many other states in Australia. It is fortunate we have had the opportunity and benefit of seeing other legislation so that we are able to incorporate the best of it into our bill here.

Importantly, the bill works with our existing legislative reforms. It is like that jigsaw puzzle that comes together. The changes to committal and preliminary proceedings in Tasmania that we have already implemented are consistent with the provisions of this bill. In particular, the time period within which a person may apply for a judge-only trial under this bill is three months from the committal process, subject to an extension of time if that is appropriate.

Extensions of time: you can imagine things happen in trials. Perhaps we have trouble getting hold of witnesses, new evidence, the ability to pull it all together, and people seeking lawyers who are not always available at the right time. That ability to manage that time frame is appropriate, but because an accused person is now committed for trial after any preliminary proceedings have occurred, that person now knows the case against him or her - which is essential. It is a natural law element, and that person is better able to determine whether to apply for, or consent to, trial by judge alone earlier in the process. It can be a stressful process for those who perhaps plead not guilty and indeed are found innocent.

It is important that the stakeholder feedback on this bill is considered in the light of the reforms that we have already put into place, which I think are improving our system.

Trial by jury is an important aspect of our criminal justice system, and juries do play an important role in reflecting community standards where there are questions of fact, such as reasonableness, dangerousness or negligence. In recognition of this, the draft bill requires a judge, in considering an application for a judge-alone trial, to consider whether the crime concerns an element or question of fact that is more appropriately determined by the jury to ensure that community standards and opinions are reflected. If you think about it, it is a group of people who are peers of the person and that community reflection of standards is able to come to the fore.

That is not to say, however, that an accused person could not have a judge-alone trial where there is an element or question of facts such as dangerousness. Rather, the bill requires a judge, in determining an application, to take into account that desirability.

I am pleased, having read through it carefully, that the bill is not too prescriptive and it allows a judge hearing an application for a judge-alone trial to take into account a multitude of factors in determining whether to grant the application. We see from the drafting that there is some room there for a judge to apply judicial thinking and some common sense as well. If an order for a judge-alone trial is made, the trial would be run similar to a trial by a jury. The process would be very similar.

The bill, as I have outlined to the House, strengthens and modernises our criminal justice system. It is important that we continue to reform our criminal justice system and ensure that it keeps pace with community expectations and societal changes. The COVID-19 pandemic and its effect on criminal backlog adds to impetus for this bill. The bill is an important part of our Government's reform agenda. It will integrate well with our court backlog bill, which is now law, and the Magistrates Court (Criminal and General Division) Act 2019, which will commence in October next year.

For the purposes of *Hansard* and for completeness, I will read into *Hansard* the section that is being amended to give you a sense of what we are really talking about. That is section 361, trial by jury:

If the accused person pleads any plea other than the plea of guilty or a plea to the jurisdiction of the court, he shall be deemed by such plea, and without any further form, to have demanded that the issues raised thereby shall be tried by a jury, and shall be entitled to have them tried accordingly ...

So, that is the entitlement:

but if the plea is that the accused person has already been acquitted or convicted, or that he has received the Royal pardon, of the crime charged in the indictment the judge shall determine the plea in such manner and upon such evidence as he thinks fit, and may, in his discretion, order a jury to be empanelled and sworn to try any question of fact necessary for such determination.

It is lovely old legal language there. Basically it means you have a right to trial by a jury and you will be tried by jury in those circumstances.

We now have new proposed section 361AA which inserts, effectively, an option for a judge, upon application, to determine that trial by judge alone is appropriate. I am sure the Attorney-General will, in her wrapping up, talk about making sure that there is some consideration as we go forward about the sorts of trials, how the section may or may not be used or is used, those sorts of things. Certainly, feedback is always welcome.

I also think practising lawyers and barristers - and I should say, for the purposes of completeness, that I am a member of the Tasmanian Law Society, so issues of conflict of interest as I talk through this - particularly the lawyers, it would be very interesting to hear from those who are in the courts taking those cases through, what their experience has been as well and thinking about case-flow management and hopefully the positive impact that this amendment might have on that. With that I will close to leave some time for responses. Suffice to say, I support the bill.

[5.54 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Speaker, I doubt I will be able to wrap up in five minutes but I will give it my best shot. I thank members for their contributions and, in particular, questions put forward. There are a number of questions from Ms Haddad and one question from Dr Woodruff. I said by interjection that the territories had not done this, but the ACT has, Dr Woodruff. It is only the Northern Territory I am not quite sure about. South Australia, New South Wales, the ACT, Western Australia and Queensland have. Victoria has, in response to a temporary measure for COVID-19. Trial by judge alone for indictable offences is not available in the Northern Territory or in any jurisdiction where an accused has been charged with a Commonwealth offence. I thought I had better clarify that.

In relation to what I said about court backlogs and that sort of thing, it is the right of an accused to seek to have either a trial by jury or a trial by judge. If there are significant delays in certain types of cases, then it may impact on their decision.

Ms Haddad asked whether a judge may make an order under proposed section 4(3) without either party applying. In response to that, the bill provides that an application is to be made by a party to the proceedings, so it is the accused in person or the prosecution. It is not possible under the bill for the court to make an order on its own initiative. This is in view of

the requirements concerning consent of the accused person, the accused person accessing and obtaining legal advice and also whether it is in the interests of justice to make an order. Unless the court orders a judge-alone trial, there will be a jury trial. The onus of satisfying the court is on the applicant for a judge-alone trial.

The second question from Ms Haddad referred to the Australian Lawyers Alliance and Tasmanian Bar's submission: would the same judge determine the application for an order, and any pre-trial issues arising subsequent to the application being granted, and the judge-alone trial itself? In essence, that was the question. The bill does not detail hearing or determination matters. This is a practical matter for the courts to determine and does not need to be in this legislation.

An application for a judge-alone trial should be made before other pre-trial issues are considered. The criminal rules or a practice direction is the more appropriate location for the administrative processes than the Criminal Code itself. There is the possibility, given the number of Supreme Court judges in Tasmania, that the judge hearing the application could also be the trial judge.

The third question from Ms Haddad asked about the time to provide a decision. It is not intended to impose a time frame on the court in which a decision from a trial by judge alone must be provided. The expeditious delivery of judgments will be a matter for the courts and it is not suitable to expect courts to dispense justice according to an arbitrary time frame.

It is also important to acknowledge that no criminal case is the same. Timing of decisions may be dependent on several factors, for example, the nature of the crime or crimes tried, the number of accused persons, the evidence presented or any other findings that need to be included in a decision.

The second-last question from Ms Haddad; she asked why the threshold for an out-of-time application has been lowered but not for making a subsequent application. The provision referred to, 361AA(10), is in relation to where an application for an order is later withdrawn before the application is determined. The threshold has been set at 'exceptional circumstances' in this provision. Only one application can be made for a crime unless the court is satisfied that exceptional circumstances exist. For example, an applicant may apply again in a situation where new evidence has come to light or where there is a defect in an application.

Another question Ms Haddad asked was about the specific factors relevant to community standards. The bill provides that when the court determines whether it is in the interests of justice to make an order for a trial by judge alone, the court is to take into account whether the crime to which the order relates concerns an element or question of fact that is more appropriately determined by a jury to ensure that community standards and opinions are reflected. The community standards include, but are not limited to, questions of reasonableness, dangerousness, indecency, negligence or obscenity.

The court also has discretion to take into account any other matters considered relevant. For example, the court may determine that having considered a fact such as adverse public -

Debate adjourned.

ADJOURNMENT

A Girl's Guide to Hunting, Fishing and Wild Cooking

Theatre North - 2022 Program

[6.00 p.m.]

Ms ARCHER (Clark - Minister for the Arts) - Mr Speaker, I rise on the adjournment tonight to talk about just two of the wonderful events I recently attended as Minister for the Arts. On 17 November I had the privilege of attending the sneak peek screening of the first two episodes of *A Girl's Guide to Hunting, Fishing and Wild Cooking*, alongside presenter and world-renowned chef, Analiese Gregory, production, cast and crew and other members of the Tasmanian screen industry. I have been looking forward to this for some time, from when I was first advised of the development concept. I thoroughly enjoyed the screening being an avid watcher of cooking shows. This one had the added advantage of not only being set in Tasmania but showing beautiful Tasmanian landscape and produce as well as fishing and hunting by Ms Gregory.

Analiese's story is one of discovery, of herself and of exploring some of Tasmania's best and most unique features. *A Girl's Guide* is also a story about Analiese's determination to tap into her inner wild, unplug and be more in touch with her surroundings. It is truly inspiring. She talks of growing up in New Zealand, her Chinese heritage and how that has influenced her cooking. Her desire to live seasonally and closer to nature, alongside the cooking and lifestyle ethos of self-sufficiency is what drives the series. The backdrop to Analiese's story is our beautiful state of Tasmania. *A Girl's Guide* showcases our unique landscapes, our lifestyle and world-class produce to a national and international audience.

The Tasmanian Government constantly demonstrates through its commitment to supporting Tasmanian screen production that we support the continuation and development of new stories and service productions like *A Girl's Guide*. The support we provide through Screen Tasmania ensures that the Tasmanian stories and people continue to intrigue, engage and entertain audiences all around the world.

The Government through Screen Tasmania invested \$15 000 through its development investment program and a further \$80 000 in production investment through our screen innovation fund to *A Girl's Guide*. This investment in the series has directly generated nearly \$250 000 worth of expenditure in our local economy and provided six job opportunities for Tasmanian crew. The return on investment is already there.

On behalf of the Tasmanian Government, I thank Analiese for choosing Tasmania as her new home and the setting for her culinary explorations. I congratulate everyone involved in this series, in particular Analiese and co-producers Broken Yellow and Southern Pictures. I look forward to viewing the rest of the episodes over coming weeks on SBS Food and maybe recreating a recipe or two.

I also had the privilege of launching the 2022 program of Theatre North at the Princess Theatre, on 16 November and had an opportunity to stay overnight in Launceston. The last 18 to 20 months has been challenging for everyone working in the arts. Our theatre operators and live performance sector in particular have had to navigate a period of real uncertainty and partial or total hibernation at times. I acknowledge the team at Theatre North for the work they have done to overcome the challenges of the past 20 months in a very stoic but considerate

manner, balancing the safety of the community with the need to provide and enable opportunities for artists and audiences to continue engaging with the theatre.

The Government recognises the enormous contribution the creative and cultural industries make to our economy. We also know the creative industries provide much more than simply economic benefits. Janie Finlay and Michelle O'Byrne were also at the launch, so I acknowledge they were also at the launch of the Theatre North program.

The arts play a key role in building and connecting our communities as well as providing a social platform by which our unique and rich Tasmanian stories can be told to locals, to visitors, to our beautiful state and to the world. Theatre North is a major player in our creative and cultural sector. I am proud to acknowledge that the Government has been a long-term and enthusiastic supporter of this much-loved organisation. Their ambitious program for 2022 demonstrates that not only is there a keen appetite for creative events in the year to come but that the sector is ready and willing to bounce back stronger than ever.

On a personal note I am thrilled to see Theatre North share my own passion for Tasmania and Tasmanian stories. This is which is demonstrated by the inclusion of so much local talent in the 2022 season featuring pieces by Mudlark Theatre Inc a debut performance from one of my favourites, Van Diemen's Band, work by local artist, Tony Rooke, Hobart's Blue Cow Theatre Inc. and renowned performer, Greg Leong. All these incredibly talented outfits join a long list of artists who have made their mark in this space and on that stage.

Tasmanians will embrace the opportunity to support live performance again in 2022 around the state and not just Theatre North. I encourage Tasmanians to get out, play their part in the reactivation of the sector as shows return to the stage. I look forward to attending some wonderful performances during 2022. I would like to especially thank Theatre North and all of their volunteers and staff for making me feel very welcome and warmly embraced on the night. It was a really lovely launch and whets the appetite for the year ahead.

Grace Genford - Tasmanian History Challenge

[6.07 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I rise with great pride and admiration tonight to talk about our own home-grown public-school-nurtured National History Challenge champion, 10-year-old Grace Genford from Howrah Primary School. Grace and her family David, Amy and sister Ella are here in the Chamber today. Not only did Grace win the Tasmanian History Challenge but she went on to take out the national prize for grade 5 and 6. I had the great honour of sitting down to have a conversation with Grace to inform her project, the topic of which is suffragettes. What role did the suffragettes play in the history of democracy in Australia and how did they change many perspectives on women's role and voting rights?

Many members of the House have the honour of speaking to young people about politics, policy and history. I found this interview with Grace particularly meaningful. I have great hopes for Grace. The letter started with:

Thank you very much for taking the time to meet with me this Wednesday.
The reason I have asked to interview you is because I am taking part in the

National History Challenge which has the theme 'Significance: history matters'. I have chosen to do my project on the Australian women's suffrage movement because I am passionate about women's rights. I wanted to interview a current female politician to explore the differences between then and now and how the suffragettes have influenced the politics of today.

I chose you to interview above anyone else because I also have a very strong passion for the environment and I am inspired by the work you have done. When I grow up I would like to be the leader of the Greens party.

Of course, that filled me with hope for the future. I want to read a bit from Grace's project. I believe the reason that it captured the judges was because there was a very novel approach to presenting the history of the suffragettes in Australia. It was through a series of postcards that moved through the time that women have been seeking equality and suffrage in this country. We go from the early life. The postcard is to the History Teachers Association, PO Box 219, Annandale, New South Wales 2038, sent in 1801 from Grace Genford.

The early life of women was, in history early 1800s to infinity BC, women have been born and raised with three simple purposes in life:

- (1) To produce babies
- (2) To cook, clean and sew
- (3) To marry above them

Of course, these rules were made by men. No-one bothered asking women what they thought. This led Earth to be a patriarchy led by men. Hear, hear, Mr Speaker.

To understand the suffrage movement, we need to see where and when women's rights began. We move on to Mary I, and a postcard to the History Teachers' Association from a protestant man, where he says -

'Tis the year of 1533 and Queen Mary I, the first ever English matriarch, has succeeded her brother King Edward VI. Even the old men who once laughed at her feeble, female mind, fear her, Bloody Mary. I am aware saying this is treason, but may her reign be a short one.

This is certainly a significant rule in women's history. This is the first female independent monarch in England who rose above the expected norm and ruled a country, and fought for her religion.

Then we went through changing times. There is a postcard from a future suffragette, sent in September 1884. Centuries pass, but by the mid-1800s, times were changing, and gender equality was a worldwide issue that some people wanted to fix.

Australians were proud of their innovations towards women's suffrage. In South Australia, women who were property owners could vote in local elections from 1861. Schools, university and workplaces were opening their doors to women, although they still faced sexism from their peers. More needed to be done, and the fight continued.

We went to the fight. Women thought that if they had the franchise, they would elect politicians who would fight to improve gender equality and other issues in society. Already created groups, such as the Christian Women's Temperance Union and the Social Purity Society, gave their all to the women's suffrage movement. The Women's Suffrage League in Australia was established by an Irish widow, Mary Lee, and another woman, Mary Colton - and this was sent in 1890 by suffragette Vida Goldstein.

We go on to the opposition to women's suffrage - a fellow called David Gornson, who said, 'Women's votes will undermine the Government, destroy the constitution and wreck the nation. We don't make this stuff up!' says the poster. David Gornson says -

Women come up to me and say 'Oh please, Mr Gornson, would you let us have the vote?'. Here is what I say to them: 'Go home, cook a steak and learn to dress your baby if you have one.'

And on it goes.

I am running out of time, which is such a shame, because I want to read all of this in, but I will end with a note by Grace Genford -

The suffragettes were a formidable group of influential and enduring women who are crucial to the way I live today, from the clothes I wear, to the books I read, to my hopes, dreams and ideas. Their impact has been nothing short of significant, but nevertheless, despite the superb work of these heroic challengers, the movement of women's rights carries on.

I want to fight for the development of our society, our country, our nation. It is important for young girls all over the world to speak up for what they believe in, step up and take advantage of opportunities that come their way. Start small and dream big. When you do that, anything is possible.

On behalf of the whole House, it is pretty safe to very warmly congratulate Grace Genford for her outstanding project and the acknowledgement that it received from the National History Teachers' Association. Thank you.

Members - Hear, hear.

Annie Grieg - Tribute

[6.13 p.m.]

Ms O'BYRNE (Bass) - Mr Speaker, on the continued subject of amazing women, I fear I am all too often speaking in this House lamenting the loss of wonderful humans, artists and friends. Sadly, tonight is no exception.

A packed house was unsurprising at the Royal Oak Hotel and a livestream beamed around the world on Sunday as friends, families and admirers came to celebrate the Festival of Annie, and pay tribute to a legend of our arts community, expertly hosted by (inaudible) Kelly and with a powerful welcome to country by artist Vicki West, we laughed, cried and celebrated this most extraordinary of lives.

The daughter and granddaughter of shearers, skilled roustabout in alpaca farming, tractor driving, dance-company directing, champagne drinking, life embracing, most outrageous and outstanding Annie Greig.

Annie was Tasdance's longest serving artistic director, with an exceptional tenure that spanned 18 years. She began her dance training in Launceston, studied in Adelaide with the Australian Dance Theatre, received a Fulbright Scholarship in 1979, completing a Master of Arts degree in dance at New York University. As well as extending her dance practice, Annie developed skills in video production and won awards in experimental dance videos at the American Dance and Film Video Festival in 1981 and 1982.

Upon returning to Australia, Annie worked in many dance-related capacities, including course director with the National Aboriginal and Islander Skills Development Association, freelance teacher and video maker, liaison officer with Tasdance, lecturing at UTAS to Bachelor of Performing Arts dance students, and Performing Arts Program Officer with Arts Tasmania.

She served on the Tasmanian Cultural Industries Council of the Australian Dance Council, and the Advisory Committee for the Australian Choreographic Centre in Canberra. She was president of Ausdance New South Wales, national vice-president of Ausdance, a member of the Australian Dance Awards selection panel, and secretary for the Asia Pacific Performing Arts Network.

She received a Centenary Medal in 2003 for her services to Australian society and dance. She also received an honorary life membership of Ausdance in recognition of her services to dance and Ausdance. In 2008 she was thrilled to be awarded the Sydney Myer performing arts award for Tasdance in recognition of the company's work. Annie was one of six artists nominated for the Distinguished Tasmanian Artist award as part of the island-inspired minister's awards, a member of the Tasmanian Honour Roll of Women, and received a Service to Dance award at the 2014 Australian Dance Awards. She undertook an Asialink residency in 2001, working with Dr Sun Ock Lee and the Son Mu Ga Dance Company.

Annie was diagnosed with her lung illness in 2007, and it progressed. You would not have known, had you met her at any of the many arts events she attended. She had a successful transplant in October 2009 and, after fighting off a serious post-op infection, she then enjoyed a wonderfully healthy year before a fungal infection caused her body to reject the transplant.

When it was determined she was too ill to survive another transplant in June this year, her palliation of weeks, which of course she turned into months, began. She was surrounded by those most close until her last breath.

I want to read into the House the presentation by Tasdance artistic directors, Adam Wheeler and Emma Porteous -

Thoughts for Annie. It is okay to let gangly 18-year-old boys who think they know everything, but really know nothing, do company class. You can make great arts in regional places. A great arts company supports young artists to take risks and become the leaders of the future.

As a dancer, balance is important. Sometimes this means green tea. Sometimes it means a bottle of Clover Hill. Doing what we require requires tenacity, a supportive board, a great creative team, and above all a cheeky sense of humour. Running an arts org is bloody hard work and you need to find the fun in all you do, otherwise it is not worth it.

The show must always go on, and if that means breaking into the restricted area of the King Island airport in order to get production gear, then that is what you do. To stave off burnout, cultivate a life that you love outside of the arts. Sometimes this means farm life and alpacas.

When you are in a management role, every decision you make is for the benefit of the company, even if that is not always clear to all in the short term. It can be a lonely job sometimes. It does not matter how good the art or the company culture, if the manferns at Tasdance in the garden are not thriving, the company will be in peril.

Vodka shots are entirely appropriate, especially when you are in palliative care. Dancers collaborate in every sense of the word, and a big part of your job is putting the right people in the room together. This is a lesson we have taken through our whole careers, and nowhere is it more important or fitting than there today.

In May 2021 Annie was the recipient of the Gillespie Award, which recognises an outstanding commitment to Tasmanian dance. Accompanying this award is a \$2000 bursary for a young Tasmanian dancer to further their career. It was Annie's wish that this award be presented to Toby McKnight, and it was wonderful to have him there to receive that from Adam and Emma on Sunday.

Tricia Dunn, who is synonymous with Tasdance, said that when she joined Tasdance at 21, she was far more serious than Annie, but that she learned from Annie that you can achieve much while having a bloody good time, recalling wild parties with Korean shamans, drinking rice wine with Zen Buddhist artists, banquets with dignitaries and artists on the banks of the Ganges.

There has also been a Go Fund Me started to support The Annie - a brand-new award established by the Bold Festival, to create choreographic opportunities for people over 50.

I will end with the words of one of Tasmania's most famous dancers, Graeme Murphy, who gave an hilarious but poignant speech capturing Annie's humour, wit and cheekiness about artichokes and their inevitable by-products, about her work with Jen creating a Sydney Dance Company archive. Graeme also thanked Annie for teaching another important lesson, the lesson of dying. He said:

Jen and Annie laid it out like it was. The best lesson I've ever had, and I hope that I am as brave and as strong and as beautiful as you when I am facing death.

My deepest sympathy is with all who loved Annie, but mostly it is with her life partner, Jen, and her family. Jen has loved and cared for Annie with strength and dignity through the

hardest of days, but also through the most magnificent days of their joyous life and love together.

Vale Annie Greig. I fear we will not know your kind again, but I am sure you know that so many people are now inspired to live your legacy.

Glenorchy Jobs Hub

[6.19 p.m.]

Ms HADDAD (Clark) - Mr Speaker, I am very pleased to speak tonight about the recently opened Glenorchy Jobs Hub and the incredible difference the hub is already making in the Glenorchy municipality.

It is well known that in Tasmania we have unemployment rates that are often higher than national averages. Sadly, in Glenorchy, that unemployment rate has consistently been roughly 3 per cent higher than the Tasmanian average since 2011. This was amplified during the pandemic where there were almost 1800 jobs lost in the Glenorchy City municipality.

There has also been a drop of nearly 10 per cent in enrolment in vocational education and training in the area over the past few years. Recognising these significant issues that affect employment in the area, the jobs hub has been established to get local people into local jobs. Secure, rewarding work is what all of us need to develop our skills and to improve our quality of life. There are likely to be around 1400 new jobs created in Glenorchy as a result of development in the area. The jobs hub will be making sure that as many of those jobs as possible will be filled by the people who live in the Glenorchy City Council area.

Delivered by steps, the jobs hub model provides one-on-one coaching to job seekers and works with both job seekers and employers to increase employment for people who are unemployed or underemployed. The jobs hub works with people on barriers to work, such as skills gaps and literacy and numeracy issues as well as migrant communities, people with disabilities and young people. They can help with resumes, applications, interviewing skills and help connect people to training programs and other support services as they need. The hub's jobs coaches specialise in supporting people into jobs in four of the city's key employment sectors: manufacturing, construction, tourism, hospitality and retail as well as healthcare and social services. They can of course also assist people in other sectors.

Since the hub opened just over three months ago, they have been exceeding even their own targets. So far, they have already assisted 50 people to find work and more than another 250 people are registered and receiving support and training. They have established working relationships with 33 local employers, seven schools, 10 industry organisations and 19 community organisations. Along with support from the City of Glenorchy and a council reference group, the hub continues to expand their reach and connections with local employers, training providers and job seekers.

Unlike other jobs hubs, Glenorchy is negotiating pledges with local employers to create opportunities for job seekers. The first four local employers to sign these pledges were Glenview, Downer, Nexus and the City of Glenorchy. The number of pledges being negotiated is growing each week. I think they are up to at least seven, possibly more. I was proud to recently sign a jobs pledge with mayor Bec Thomas where I have committed to active

engagement with the hub at things like expos, speaking with job seekers and students, as well as making sure I can provide information and support to job seekers interested in seeing how a political office works or interested in a career in public services.

I thank Naomi and all the others at the hub and the council who have been putting the work into developing these individual pledges for employers and businesses to the benefit of job seekers. My warmest congratulations to everybody working at the jobs hub along with all of the job seekers and employers who have already engaged and will continue to do so into the future.

Tunnack Road - Condition

[6.23 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I rise to speak tonight about the condition of Tunnack Road. Members of this place may have received correspondence from Andrew Caddow. He wrote to members of the Lyons electorate about the state of Tunnack Road on 12 November requesting urgent help in addressing serious and dangerous road maintenance issues because of the degradation that has occurred to that particular regional road over a number of years now. It seems to have been exacerbated recently because of the use of heavy trucks on that road.

I was also asked, along with other politicians I understand, by Susan Scott, who lives near Mt Seymour, to attend a public meeting, which I did, along with Brian Mitchell, the federal member for Lyons. We were the only two politicians there. We were happy to meet with the community and listen to their concerns. There was a gathering of about 20 residents at Mt Seymour on Tunnack Road to discuss the state of that piece of road and to explain the concerns they had raised both with the council and with the Department of State Growth over a number of months. In some cases it went back years, asking for attention to be paid to it so that it can be made safe.

Driving along that road, it was clear that the edges were starting to deteriorate. The road is bitumen in most parts and because of heavy vehicles using that road, it is falling away. There were big potholes in the road, with some sections quite badly deteriorated.

The day before the public meeting was held, the Department of State Growth issued a media release, indicating that the maintenance work on the road was due to commence on 22 November and would take about four weeks. The concern the community has is that work will just patch the holes in the pavement and the problems that have presented themselves will continue unless appropriate maintenance is undertaken.

On behalf of the residents I committed to raise their concerns in parliament this week. I will also write to the minister for Infrastructure about the concerns the community raised. The concerns the residents of Tunnack Road raised are common for many who live in regional Tasmania where a lot of roads are deteriorating and there are a lot of potholes. That is the case for some of our major highways, including the Midland Highway and the Bass Highway.

With the budget to be handed down in May next year, I am urging the Government to make a sufficient provision to ensure that maintenance can be undertaken on some of these roads where there is a lot of heavy traffic usage, particularly trucks, so that road users are safe.

Because of the narrowness of this stretch of road, recently two trucks travelling in opposite directions met and their back tyres locked up. It ripped the back tyre off one of the trailers of the trucks using that road.

On the day we met at the public meeting, an ambulance was bogged on Tunnack Road. It has been very wet recently. They had pulled over to let a truck go past and became bogged. They had to wait for assistance to come. We could see them clearly from where we were standing at Mt Seymour. That also meant that ambulance was unavailable to respond to calls.

There are clearly problems with Tunnack Road that are impacting local residents as well as other road users, including our emergency services. The Government has to address this as a priority. The maintenance work that should have started yesterday and lasts for the next few weeks must be more than just patching up the potholes.

There are a lot of trucks using this road now. Like many other regional roads that get used to transport freight, farm machinery and logs we have to make sure that road users who are also sharing those roads can do so safely.

I congratulate the community for their initiative in calling the public meeting and thank them all for sharing their concerns. I took a lot of interest in what they had to say about their experience, living in that community and using those roads. They are very frustrated that they have had to continually raise concerns about the standard of that road with the department and with the minister for a number of months, in some cases, a year now. It does not seem like anybody is listening.

The council is equally frustrated and was represented by one of the councillors. It is good to know the council is advocating for its community. It was disappointing there were no Liberal members present and no-one from the Department of Growth present to hear the concerns of that community after they had gone to great lengths to communicate their concerns and asked for members to make themselves available.

I will continue to work with that community and represent their concerns and continue to advocate for the Government to make adequate provision in the upcoming budget so that our regional roads can be appropriately maintained and be safe for all road users.

Burnie Surf Lifesaving Club Centenary

[6.30 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, the Burnie Surf Lifesaving Club is the oldest club in Tasmania and boasts over 400 members. Last summer, the club contributed over 3000 hours of voluntary lifesaving for the Burnie community and surrounds. A couple of Saturdays ago, on 13 November, the Burnie Surf Lifesaving Club celebrated their centenary with an amazing celebration dinner. I acknowledge that Mr Jaensch and Felix Ellis were there as well.

The event brought together over 200 past and present members of the club as well as community members and local representatives. The event consisted of four panel discussions that represented surf lifesaving in Burnie over the past 100 years. While all the stories were very different and covered a wide range of issues, events and rescues, what was abundantly

clear on the evening, throughout each of them, was the common thread of mateship, community service and putting others' needs before one's own. In the spirit of mateship and others' needs first, given COVID-19 restrictions on attendee numbers, it was really great to see that junior members gave up their seats at the venue so that other community members could attend. Coinciding with that, the club ran a very successful satellite event on the evening for junior members to attend.

The event demonstrates the club's commitment to our region and its growing legacy. Long after we are all gone, the Burnie Surf Lifesaving Club will be celebrating its 200-year anniversary, I have no doubt, such is its strength and dedication to the values of social connectivity, health and wellbeing, and mateship. Thank you to the Burnie Surf Lifesaving Club and their members over the many generations for their 100 years of wonderful service to the Burnie community and surrounds. Here is to the next 100, and I extend my sincere congratulations to the organising committee, who did an outstanding job organising a successful and memorable event that was undoubtedly enjoyed by every single attendee.

Jenny Gill - Tribute

[6.32 p.m.]

Ms FINLAY (Bass) - Mr Speaker, I wish to continue the celebration of some incredible Tasmanian women and rise this evening to pay tribute to a beautiful and unique Launceston woman, historian and archivist Jenny Gill, who recently passed away. There are few people in your life that, in various situations, you observe go around their daily passions and activities with such dedication.

As a young person in Launceston, I will never forget the moments I have seen Jenny Gill, whether it be in my schoolyard, in the local church, in the local choir, or reading her contributions in the local newspapers. Jenny Gill was a very special and unique lady and made a significant contribution to life in Launceston and Tasmania. She was a much-loved community member.

When we say a lot about a member of our community when they pass it can only be true to say that Jenny was kindness and dedication to others personified. She had a real passion for storytelling as an archivist, as a historian. She wanted to ensure that she captured life in Tasmania and that it was appropriately documented. She was a great and much-loved storyteller and just loved sharing the Tasmanian history. She was particularly committed to uncovering and telling stories of women and girls, and wanted to make sure their contributions were appropriately recorded.

Among some of Jenny Gill's achievements, she was a foundation member of the Launceston Historical Society, a pupil, historian and archivist of the Broadland House school, past and present old girls, an archivist at Launceston Grammar, volunteer in the DV Gunn archives and an author of a number of books as well as hundreds upon hundreds of columns in *The Examiner* newspaper.

For all of us born and bred in this great place in Tasmania to see the names of people sharing the history and traditions of Tasmania is such a rich and important part of our upbringings and our understandings. I always used to love reading her contributions. She was

a volunteer in the history department at the Queen Victoria Museum and Art Gallery, and an archive parishioner in the Anglican Church at St Johns and Holy Trinity churches.

There is no doubt that many in the Launceston community will miss Jenny and her storytelling, her wry sense of humour and her kindness towards others. This evening I place on the record my thanks to Jenny for her decades of loyal contribution to the Launceston community. Vale Jenny Gill.

Building Industry - Consumer Protection

[6.35 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I rise on the adjournment this evening to read into the *Hansard* an email, one of many I have received, from a Tasmanian who has experienced terrible financial and emotional hardship from his builder. The account shows the complete lack of consumer protection provided to the home builder through this process. I will be reading some of these accounts into the record and speaking about this, and reading these accounts also in debates in the House as we proceed.

The issues with the building industry here in Tasmania will not go away. The Government has voted against the inquiry once. We will keep pursuing this until Tasmania has a robust building sector for the future. An inquiry will be the mechanism to ensure that happens.

I will not name the builder or share the identify of the consumer, even though they have provided me with permission to do that, but we are choosing not to do that at this moment. We will provide the stories people share with us: their words, their heartbreak, their accounts. Just to be clear, our case notes are extensive and are growing daily.

The title of the account reads 'State government maladministration of the building industry':

We are writing to you in support of an inquiry into the building industry in Tasmania. The inquiry should, however, focus on state government regulation and administration of the building industry because, in its current form, CBOS adjudication and mediation, we have found the processes do not offer sufficient consumer protection to allow reasonable outcomes for participants who have been denied natural justice by poor builders. The current administrative arrangements protect poor builders and cost consumers money that cannot be afforded after committing to a large investment like building a home. The following is our experience, demonstrating this deficiency.

Three years into trying to build a home, we still do not have official occupancy and the receipted cost to us, in addition to the signed all-inclusive building contract, is around \$130 000 to date.

In June 2019 we entered into a contract with a builder. Initially all went okay but after one month, less and less was achieved. After six months the build came to a standstill. We sought legal advice at this time, and to ours and our

lawyer's understanding, we terminated the contract correctly under the Act. Our builder, with the help of the Master Builders, proceeded to reply with unfounded claims until they found a loophole via a payment claim for works we believe were already paid for.

The matter was taken by our builder to Adjudicate, based in Sydney, and found in his favour after he claimed we signed the wrong master builder contract. The adjudicator ruled in our builder's favour based on the unsigned contract. Our lawyers advised fighting this. However, they changed their opinion to mediation at the request of the builder. Our builder received a sum very close to what he had predetermined in a letter to our lawyer before the mediation, with no requirement to justify any of his claims. We were left with no choice but to pay, or be faced with further legal bills, with no faith in the legal system to provide a fair outcome. After lodging a complaint with CBOS and the wait for some months, we were informed that without the guarantee of a win, our complaint would not be pursued as it was deemed a waste of money.

In closing, I would like to reiterate that the current arrangement sides with builders over consumers and an investigation is needed to right these wrongs. We believe if you collected enough complaints regarding the administration and regulation of building in Tasmania, that a class action would result in many of these wrongs being righted.

Mr Speaker, we need an inquiry and there is an opportunity to better protect the building industry and consumers here in Tasmania and this will not go away. Labor will persist for as long as it takes to ensure we, as law-makers, are provided with expert opinions through a parliamentary inquiry to steer recommendations, to future-proof our industry.

Matthew and James Groom - Apology

[6.40 p.m.]

Ms JOHNSTON (Clark) - Mr Speaker, on Thursday, 11 November, I asked a question in this parliament of the Premier relating to the Arm End project. In asking the question and later that day in my matter of public importance contribution, I referenced an unverified internet article regarding the Arm End project. The article made allegations of improper dealings in relation to the project against former minister, Matthew Groom and his brother, Hobart lawyer, James Groom. Those allegations included that Matthew Groom failed to declare a conflict of interest in relation to a lease for the project and had approved the lease.

I repeated those allegations and suggested they were accurate.

The allegations were wrong and baseless. I deeply regret that I failed to make appropriate inquiries of my own to verify the allegations. I acknowledge that if I had without much effort I would have found them to be without foundation.

Shortly after my parliamentary question, I conducted a media interview where I repeated the allegations against Matthew and James Groom. I did so, despite having been advised by Matthew Groom that prior to the interview the basic claims I was relying on in making

allegations were completely false. I deeply regret ignoring that advice and now accept that by proceeding with the interview as I did, I defamed both Matthew Groom and James Groom, and seriously so.

I also acknowledge that by conducting the interview I facilitated the republishing of baseless accusations by media outlets, something that I also deeply regret.

I know Matthew Groom personally and have always found him to be an honest, decent and fair-minded person who has consistently demonstrated a strong commitment to act in the community interest. I consider that Matthew has made a very significant and positive contribution to our community.

I deeply regret that my actions on 11 November cast him in a light that is not appropriate or that he deserved.

I do not know James Groom but I know several people who do. He is a highly respected member of our community. He has a reputation for being a person with absolute integrity and good standing. I deeply regret that my actions on the 11 November cast him in a light that is not appropriate or that he deserved.

I also acknowledge that James and Matthew come from a family that has made and continues to make a significant contribution to Tasmanian life. Matthew has young children. I am well aware of that and I deeply regret any hurt or distress that my actions on 11 November have caused the broader Groom family. They did not deserve it.

In concluding, I want to acknowledge that I made a serious mistake on 11 November 2021. My actions fell well short of my own personal standards and of those to be expected of members of this place. Each of Matthew Groom and James Groom have been fair and gracious in responding to the completely unfounded allegations I subjected them to. I thank them for that and I undertake to them and others in this place to take heed and learn from this experience.

Matthew Groom - Actions when a Minister

[6.42 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I was not going to make any comments this evening but I am interested to hear the statement that Ms Johnston has just read to the House. I cannot leave those comments without putting the Greens perspective.

I am not sure what Ms Johnston is referring to but it is important to state the history in this place and to not let go of reality. There were certain things done by Mr Matthew Groom when he was a minister in a number of portfolios in this government that must be restated for the record. I am not going to go back over anything Ms Johnston has said but it is clear that Mr Matthew Groom held a number of ministerial portfolios.

I, as the member for Franklin, and Ms O'Connor, as the Leader of the Greens and the member for Clark, on many occasions when Mr Groom was the minister for the Environment and the minister for State Growth, called into question his integrity over the decisions that were made. We made statements in this House about serious conflicts of interest that beggared belief, that they could pass the pub test for suitable integrity in terms of ministerial decisions

that were made. From memory, the whiff of the skanky odour around some of the decisions that Mr Groom made when he was minister for the Environment and minister for State Growth circulated around this Chamber and wafted out into the public community and were the subject of many newspaper and media reports.

From the top of my head, I can remember Bernacchi Lodge when the minister was the minister for Environment and Parks, he engineered a realignment of the zones in the Tasmanian World Heritage Wilderness Area. He organised a draft, a corrupted process, for the rewriting of the management plan, engineered to create this obviously purposeful little triangle of land, around an area that is now known as Bernacchi Lodge, that provided a consortium - of whom his brother, James Groom, was one - exclusive rights over public Wilderness World Heritage Area land, for the Bernacchi Lodge consortium to use as they would.

Then there is South Arm, and the Gellibrand Point nature recreation area gifted to Tasmanians in 2011. While he was minister for environment and parks, he granted his brother, James Groom - who was, from memory, chair of the South Arm Golf Course - exclusive lease over this area of land. It was around that time, from memory, that this minister was removed from his portfolio responsibility for Crown lands, because the stink had become too much. It was leaking out into Will Hodgman's government; it was creating a bad odour.

It was basically getting too much - let us not forget the cable car. Adrian Bold was the campaign adviser for Matthew Groom when he came into government. He was a stated friend. Matthew Groom had Facebook posts talking about when Adrian Bold was the chair of the Mount Wellington Cable Car Company. He was spruiking for that company to have access to publicly owned land on Mount Wellington, at the same time as had a Vote 1 Matthew Groom badge on. He was reported, I believe, by the ABC to be a member of the Liberal Party, and was at the same time trying to get a special deal on some land.

Well, he did get a special deal because Matthew Groom, when he was the minister for State Growth, organised to sort out a little problem, because the Hobart City Council decided that they were going to push back on the Mount Wellington Cable Car Company getting access to Mount Wellington Park for their toxic cable car. So, Matthew Groom proposed engineering a whole special piece of legislation, which did get passed.

Let us not rewrite history. There are multiple instances of crony capitalism in this Government, but that person, Mr Groom, when he was minister, had a number of instances of making calls that gave pecuniary benefits to members of his family and to his friends, who engineered a corporate exclusive access to public land, and it stinks. We are not going to be in this place on behalf of Tasmanians who fight every single day to protect kunanyi, to keep the integrity of our Wilderness World Heritage Area, to look after Rosny Hill - which has also been handed over to private developers by this Government - to look after the east coast, the whole disgusting Cambria Green debacle.

There are people all around Tasmania who are fighting to keep our places, which are special and unique, in public hands, and the Greens will stand up here every single day and call out truth to abuse of power.

The House adjourned at 6.49 p.m.