



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 15 October 2020

REVISED EDITION

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

QUESTIONS

Brahminy Foundation Program

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.03 a.m.]

After weeks spent defending the Brahminy program and its founder against allegations of identity fraud and mistreatment of children, there was a marked shift in your language yesterday. You have finally acknowledged that Tasmania should have its own program capable of accommodating at-risk children, one that falls under the jurisdiction of Tasmanian authorities like the Commissioner for Children and Young People. Local organisations in Tasmania for years have been trying to engage with your Government to establish a local program and have been dismissed. Only since serious allegations about the Brahminy program have been raised in the media has your Government started to talk to local organisations about developing and funding a local program.

Can you outline a clear time frame for the establishment of a Tasmanian based program? What transitional arrangements will you put in place to make sure the children in the Brahminy program can be returned to Tasmania?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for her question. Last week the Leader of the Opposition made a political decision that she knew best and that these kids must be removed from Many Colours 1 Direction and returned to Tasmania immediately.

Since then she has heard from me and from my department, the children's legal guardian and the children themselves, that the young people are safe and well. They are making good progress in their treatment, they are not ready to leave, they do not want to leave, and we have no equivalent treatment program here and now to bring them home to.

Ms White also heard that her continuing calls for these young people to be removed again are doing them harm.

We will complete our review of the Many Colours 1 Direction program and act on its findings, most definitely, but we will always act in the best interests and the best available advice -

Ms O'BYRNE - Point of order, Madam Speaker. The question goes to the acceptance of whether a Tasmanian program should be developed, and when that happens -

Madam SPEAKER - That is not a point of order. I believe the minister is getting to something like that.

Mr JAENSCH - Madam Speaker, we will always act on the best available advice and always in the best interests of the children concerned. Ms White should do the same. She should take notice of the information she was given in her briefing yesterday -

Ms White - When are you going to set up a Tasmanian program? What did I just say to you that you have a problem with, minister?

Madam SPEAKER - Order, please.

Mr JAENSCH - the privileged and confidential briefing we made available to her yesterday, and put kids' lives and their recovery, their recuperation, ahead of her political interests.

Ms White - I asked you to explain the time frame for a Tasmanian-based program. What are you on about?

Mr JAENSCH - In the briefing yesterday, Ms White asked this question too and was told definitively by the department that they do not want to set a time frame around this because the most important thing is to get it right.

We are on the record and have been for some time that our ambition would be to have a program in Tasmania that is able to deliver services for children with these complex needs. We have been to market in 2018, a request for information process which unfortunately did not identify suitable programs amongst the small number of Tasmanian organisations that made submissions.

In June this year we sought requests for information from organisations to develop a professional carer model which would deliver therapeutic family-based interventions to assist children in these situations as well.

Members interjecting.

Madam SPEAKER - Order, please

Mr JAENSCH - We are working and talking with a range of organisations including some of those who have made public statements over the last couple weeks, saying that they would be interested in delivering aspects of these programs, and we will continue to.

We will deliver on the commitment that we have made to respond to the recommendation of the Commissioner for Children and Young People and our out-of-home care monitoring report which recommended that we develop a program and a capability of this nature in Tasmania. We will work on that with everybody who is able to be part of that solution.

The important issue is that there has been no provider step forward with that capability in Tasmania. We are going to have to develop it, and bring the elements of that together and the work that we are doing on reviewing Many Colours 1 Direction will inform that process over coming months and years, if that is what it takes to deliver the right program for Tasmanian kids.

Until then, we will source those services that are right for our kids wherever they may be and we make no apology for finding the right tools for the job of helping those kids to repair their lives and prepare for adulthood.

I suspect from what we are hearing together, that Ms White is shifting her position. From a 'bring them home at all costs' political fix, now that she has taken some information on board, as she should, and talking about how we develop capability here. I welcome Ms White's backdown on her position. It is the right decision to take and I welcome that, Ms White.

Ms WHITE - Point of order, Madam Speaker. The minister is misleading the House and misrepresenting my comments. I specifically asked in the question, what are the transitional arrangements to bring these children home. I ask you to draw his attention to the question.

Madam SPEAKER - He has one second to answer it, and now he has none.

Brahminy Foundation Program

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.09 a.m.]

Your judgment has been called into question because of the way you have handled legitimate concerns that have been raised about the Brahminy program. You have sent vulnerable children out of sight and out of mind thousands of kilometres away. If care concerns and serious allegations about the identity of the person behind the program had not been raised by the media, it is questionable whether you would have taken any action at all.

Today, the *Mercury* editorial described you as 'beleaguered' and says that your latest slip-ups have eroded trust. It also says -

Mr Jaensch tried to downplay the video, claiming it was a joy ride and not a theft, and suggesting the media was somehow at fault for publicising it.

You might choose to blame the media for holding you to account, but if they had not started reporting serious allegations about the Brahminy program in September, who knows whether you would ever have acted. You have already admitted that you do not care about the identity of the person you have placed these children in the care of. Will you also admit that you would not have acted to review the program or assessed local program options in Tasmania if the media had not started raising these serious allegations in September?

ANSWER

Madam Speaker, as I said several times yesterday, the review that is under way will include a review of any of the matters, concerns and allegations that have been raised in the media, or referred to in commentary about that over this recent period, including a review of historical care concerns that have been alluded to and raised in this place. All those matters will be given consideration in the review. I will have a report with me by the end of the month.

We will take action on any findings that require us to change what we are doing right now, all in the interests of the young people.

In relation to the opening comment from Ms White just then about my downplaying the incident involving a young person involved with the Many Colours 1 Direction program, I was not trying to dismiss or downplay it. I was trying to put some balance in. I saw in the media, and in this place, that young person was being referred to as a thief and a hoon. That is not what that young person is. That is a young Tasmanian life up there which has had an awful experience of trust abuse. The young person is in a difficult place and we are doing our best to assist them.

Sometimes in the course of that, those young people's behaviour leads them to do things that are not the right thing to do. We do not need to add to the challenges that they face by layering judgment on them either directly or by putting information out which encourages the ugly Facebook trolls and keyboard warriors to put their own judgment on those young people and their lives and circumstances.

Madam Speaker, that is my intention. I am re-framing that situation that was referred to to more accurately to reflect the incident itself and the circumstances of the young person involved.

Halls Island, Lake Malbena - Development

Ms O'CONNOR question to MINISTER for ENVIRONMENT and PARKS, Mr JAENSCH

[10.13 a.m.]

A large and growing constituency of Tasmanians from every possible walk of life are opposed to the privatisation of Halls Island in Lake Malbena, an EOI proposal for which you carry responsibility. These Tasmanians are furious that under the terms of the Halls Island proposal lease and licence, they can be arrested for trespass inside the Tasmanian Wilderness World Heritage area. Your Government has effectively given that island to Daniel Hackett for \$80 a week.

The reserve activity assessment for Halls Island which was leaked to the Greens last year, states the proponent will invest a projected \$500 000 in the project. We now have an internal Parks briefing note indicating the proposal is a \$6.97 million investment on a tiny island inside the Tasmanian Wilderness World Heritage area. This rings alarm bells for the Greens.

What is going on? What are Daniel Hackett and his mystery backers actually planning for Halls Island? Will you be transparent about it and will you tell the truth?

ANSWER

Madam Speaker, I thank the member for her question. We make no apology for inviting people with good ideas for sensitive and appropriate innovative tourism experiences and businesses that can help to protect and present the natural values of our wild places to the world.

Once upon a time the Greens would come in here and tell us that eco-tourism was our future, that Tasmania could do that better than anywhere else in the world, and that eco-tourism and presenting our natural values was one of our major natural advantages in the world -

Ms O'CONNOR - Point of order, Madam Speaker, standing order 45 relevance. The minister's introduction to his answer has no relation to the question. He needs to explain why the Halls Island proposal is now apparently a \$7 million proposal, rather a \$500 000 proposal. This is the question that your constituents are asking, Mr Jaensch.

Madam SPEAKER - I am sorry, Ms O'Connor, that is not a point of order.

Mr JAENSCH - Thank you, Madam Speaker. The Greens used to think that our state had the opportunity to be a world leader in nature-based tourism, eco-tourism, showcasing our wild areas, and building an economy from it maybe, in their view, displacing other industries which they had thought were less in line with our brand. They have obviously given up on that one. We have not. We are very happy to be hearing from people who have good ideas who are prepared to invest in Tasmania -

Ms O'CONNOR - Point of order, Madam Speaker. This should not be tolerated by the House. Standing order 45, relevance. This relates to a massively inflated projected spend on an island that the Liberals have privatised in the Tasmanian Wilderness World Heritage Area and we ask the minister to draw his mind to the question.

Madam SPEAKER - That is not a point of order. Please proceed, minister.

Mr JAENSCH - Madam Speaker, I do not know what documents Ms O'Connor is referring to but what is interesting to me is, as the Minister for Environment and Parks, my interest and my involvement with this process comes down to the Reserve Activity Assessment and the lease and licensing program that ensures that any activity that proceeds on that site or in our parks and reserves is able to meet the requirements of the management plans that it is safe to do so there. We set appropriate guidelines and requirements for them to meet.

Ms O'CONNOR - Point of order, Madam Speaker. We have two questions in this place. We have been asked by constituents of Mr Jaensch to drill down into this project. He needs to explain why it is now an apparently \$7 million spend on a tiny island.

Madam SPEAKER - Ms O'Connor, you know my reservations with Standing Order 45. There is nothing I can do about it. I have allowed your words to be put on *Hansard*, but, minister I can only ask that you be relevant.

Mr JAENSCH - Madam Speaker, I am the Minister for Environment and Parks. My involvement with this process has to do with the conditions under which someone may be given permission to run a business activity in our World Heritage Area. I make no apologies if some of our requirements will make some aspects of this development more expensive than they were before. I am interested in our parks and reserves and appropriate development in them. I am all about the conditions and the protection of those reserve areas, but obviously for Ms O'Connor, it is all about the money.

COVID-19 - Rebuilding the Economy

Mr TUCKER question to PREMIER, Mr GUTWEIN

[10.18 a.m.]

Can you update the House on how our long-term plan for Tasmania is working and how important confidence is to rebuild our economy and to recover from the COVID-19 pandemic? Are you aware of any alternative approaches?

Mr O'Byrne - Can we just replay the tapes from the last two question times? He makes Brooksy look articulate.

Madam SPEAKER - Come on, everyone gets a turn.

ANSWER

Madam Speaker, if I were the shadow treasurer, I would be a bit sensitive too.

Mr O'Byrne - How did you go during the global financial crisis?

Madam SPEAKER - Excuse me, does anyone remember the protocols for this place? No commentary across the Chamber from either side. Thank you.

Mr GUTWEIN - Madam Speaker, I thank Mr Tucker for that question and the opportunity to speak about confidence and the plans that we have for Tasmania. Our plan to rebuild Tasmania is working. Tasmanians are cautiously optimistic, and I think Tasmanians are confident. You can see it in the data that we see.

Importantly, our business conditions are strengthening and more jobs are being created. Tasmanians trust the careful approach we are taking with our safe border strategy to manage COVID-19 risks as we move to easing our border restrictions.

I make the point that, this week, we made a significant confirmation of the fact that later this month our borders will open to safe jurisdictions - to Western Australia, South Australia, the Northern Territory and Queensland - and we will have appropriate screening in place at our borders so we will be able to move freely between those states. New South Wales is obviously a question at the moment and we will have more to say on that early next week.

This is a significant COVID announcement and, to date, I believe that there has not been one single question asked about it which, again, makes a lie of the public discourse that side of the House has entered into over a number of months in wanting to be able to scrutinise the COVID-19 response. It beggars belief.

This week as well we have had the federal Budget brought down. This side of the House warmly welcomed that Budget. It will deliver for Tasmanians. It will create jobs. It will build confidence and, importantly, it will strengthen our economy. It includes significant personal tax cuts, tax incentives, concessions for businesses, substantial support for new apprentices and trainees, more transport, water and energy infrastructure spending, and additional support payments for our aged and disability pensioners and other vulnerable Tasmanians. It is a

federal budget which will complement our plan to rebuild Tasmania. It has been welcomed widely by this side of the House and by Tasmanians, but not by that side of the House.

Confidence is returning. Today's Sensis Business Index for the month of September confirms that the majority of businesses in our state are confident about the future. The September NAB business survey showed that Tasmanian businesses once again thought that our business conditions here in Tasmania are the best in the country.

The number of new home loans issued for new build construction grew by 48.9 per cent in August, the highest growth rate in the country. Despite the pandemic, our building and construction sector continues its growth, with nearly 800 new dwellings completed in Tasmania in the June quarter, which was 14 per cent higher than the previous quarter and again the highest growth in the country. That is more homes for Tasmanians, more roofs over people's heads, and we have plans to do more, with 2300 more homes as part of our \$3.1 billion construction blitz. We will rebuild the state and, as Stuart Collins, the Tasmanian director of the HIA, stated, there has been a substantial improvement in sentiment and confidence in the housing market.

Consumers are confident. Retail trade in August was nearly 18 per cent higher than last year and the second-highest growth rate in the country. Strong confidence drives investment, drives growth and drives jobs. Job vacancies were up 85 per cent in the August quarter, again the second-highest increase of any state. Nearly 16 000 Tasmanians have returned to work since the peak of the pandemic and more than half of them are women. That side of the House should be pleased about that.

We entered the pandemic from a position of strength, with a strong economy and a strong budget position. We were able to use that strength to our advantage to deliver the largest economic and social package in terms of support in the country at more than \$1 billion, and now is the time to use that strength again and use our strong balance sheet to give as many Tasmanians and Tasmanian businesses the support they need to rebuild their lives and their businesses and to help us rebuild this state.

Next sitting I will deliver the Budget on 12 November, and it will be one of the most important budgets that the state has faced. The August economic and fiscal update showed that the pandemic has had a significant impact on our bottom line. It showed a deficit this financial year of around \$1 billion and net debt next year of around \$1.5 billion. I did not sugar-coat the message then and I will not when I deliver the Budget. This will be a challenging period. However, we will continue to invest in Tasmania. We will continue to invest in Tasmanians. We will continue to get our economy moving. We will continue to support Tasmanians to rebuild their lives and their livelihoods.

We still have a lot of hard work in front of us to recover. We still have a lot of hard work in front of us to rebuild Tasmania but, as Tasmanians, I believe that we can all be cautiously optimistic about the future and our Budget will lay out that roadmap.

I was asked about alternatives.

Ms O'CONNOR - Point of order, Madam Speaker, under Standing Order 48. The Premier has had enough time to answer a self-congratulatory Dorothy Dixier. He is running at six and half minutes already on the public purse.

Madam SPEAKER - Thank you for your assistance with timing.

Mr GUTWEIN - Madam Speaker, I will finish. It surprises me that the member would run a protection racket for the shadow treasurer.

I will again put clearly on the record the need for the shadow treasurer to bring down an alternative budget.

Ms O'Connor - We're just sick of listening to you talk about yourself.

Madam SPEAKER - Order, Ms O'Connor

Mr GUTWEIN - Do not squib it again this year. Outline to Tasmanians what your policies are; outline to Tasmanians what the plan is that you have promised to put together - the plan that you declared the rest of your Labor colleagues were too lazy to put together.

Members interjecting.

Madam SPEAKER - Everyone is going for it, Premier. I think you might need to take your seat.

Ms WHITE - Point of order, Madam Speaker, under Standing Order 48. You sat down the Minister for Human Services earlier when he was about to continue to answer a question we had asked, so we ask that you apply the same consistency to the Premier on a Dorothy Dixier.

Madam SPEAKER - Please help me out, Treasurer, and resume your seat.

Mr GUTWEIN - Madam Speaker, I will finish but we will wait with bated breath for budget day and your opportunity to bring down your alternative budget.

COVID-19 - Gathering Limits at Private Homes

Ms OGILVIE question to PREMIER, Mr GUTWEIN

[10.27 a.m.]

Many Tasmanians, including myself, are beginning to plan for our annual Christmas events, with a particular eagerness to see off the annus horribilis which has been 2020. Unfortunately, current gathering limits at residences of just 20 people will effectively cancel Christmas for those with large families. Many Tasmanians have large families. In Queensland, the current limit is 30, rising to 50 by 1 December. In South Australia the limit is already 50 people, and in Western Australia there are no gathering limits. Keeping the gathering limits at 20 is a bit Christmas Grinch-ey. Will you please move to increase gathering limits? I and others have very large families and I am going to have to ask you to call grandad and uninvite him because I am too scared to.

ANSWER

Madam Speaker, I thank the member for Clark for her question and her interest in this matter. Like all Tasmanians, I also have an interest in this matter. The gathering limits at

people's homes is regularly discussed with Public Health and the State Control Centre. At the moment the limit is 20 and I do not want to set expectations that there will be a significant change to that. It is being discussed, together with an issue that has been raised regularly which is weddings on larger private properties, farms and those sorts of arrangements.

I will not stand in this place and set expectations that might lead to people being disappointed but it is something that is being reviewed. It is important for many people and I hope we might be able to find a way. I make the point that one of the challenges that was faced in New South Wales and Victoria in the spread of the pandemic was large family gatherings at people's homes. That increased the risk and because of the lack of social distancing that occurs in a family setting, especially, the virus took hold and it spread. That is one of the key reasons that our Public Health advice has been to keep it at 20.

I fully understand that many Tasmanians have large families. I understand with Christmas coming and the opportunity for relatives planning to come back, that people are looking for clarity. Without raising expectations, I make the point that this matter is regularly discussed. It is certainly being considered but, as I have done on so many occasions, I make the point that I will support Public Health advice wherever that lands.

Hopefully the *Mercury* or any newspaper will not be putting in a picture of me as the Christmas Grinch this year. We will do our very best to get this sorted.

Brahminy Foundation Program

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.31 a.m.]

Yesterday, after an appalling question time performance, you eventually confirmed that you first saw a video showing a child in the Brahminy program putting themselves and the public at risk on 7 October. Unbelievably, despite the intense media scrutiny surrounding this program, you apparently did not pass this information onto the Premier or anyone in his office. Why did you keep the Premier in the dark and leave him exposed to making public statements that you knew were not true? Did you think you could keep the incident secret and cover up your incompetence? Have you apologised to the Premier for withholding this critical information that goes directly to the safety of children in the state's care?

ANSWER

Madam Speaker, I thank the member for her question. After the lunch break yesterday, I came into this place and put a statement on the record regarding the matter of the video on Facebook in question and how that was handled, including in that a reference to the fact that the matter was being appropriately dealt with by the department in conjunction with Many Colours 1 Direction and other relevant parties.

I have nothing further to add to that statement.

Housing and Homelessness Support

Mr STREET question to MINISTER for HOUSING, Mr JAENSCH

[10.32 a.m.]

Can you update the House on how the Government is delivering its plan for new housing and homelessness support for Tasmanians?

ANSWER

Madam Speaker, I thank Mr Street for his question and his interest in this important matter.

Today, I can announce that the Government has entered into an agreement with Hobart City Mission to support their purchase of the Balmoral Motor Inn in Goodwood. The Government is contributing \$2.1 million towards the purchase of this facility which achieved settlement this week. The Balmoral Motor Inn has 32 high quality units and will be used as a medium- and long-term supported accommodation facility, operated by Hobart City Mission. In addition to the units, the site has a commercial kitchen, a laundry and a large dining room which present a range of opportunities for community use and skills development programs.

The agreement means that the site will be run as a supported accommodation facility for at least the next 30 years and will take priority applicants from the social housing waiting list. This is another win for Tasmanians in need and has been made possible through funding, unlocked through this Government's historic agreement that was made with the Commonwealth Government to waive the state's historic housing debt of 16 years.

We are getting on and investing those Tasmanian dollars in housing for Tasmanians.

Members interjecting.

Mr JAENSCH - Listen to them protest. Bit late now, 16 years. Importantly, because this facility does not require extensive renovations to be turned to this new purpose, it is anticipated that people will be able to move in within weeks. We thank and congratulate Hobart City Mission for that partnership there.

We continue to progress the refurbishment of the Waratah Hotel into a 24-unit supported accommodation facility which is on track to be delivered by Christmas, leading to more long-term accommodation for Tasmanians in need.

This continues our strong track record of investment and delivery to address housing stress and homelessness in Tasmania. In June last year, we announced an extra \$5 million to expand the capacity of existing shelters in Hobart while allocating more funding for brokered accommodation. By July 2020, this funding had delivered the 35 new units of homeless accommodation it had set out to, including 18 units for homeless men at Bethlehem House, 10 pods at the Hobart Womens Shelter, and seven additional family-sized units to be managed by the Hobart Womens Shelter.

Additionally, earlier this year we announced a \$4.3 million homelessness package, including the expansion of a safe night space in Hobart into a 24/7 safe space service to address

the immediate needs of rough sleepers in Hobart, Launceston and Burnie. This has given rough sleepers a safe place to stay at night, direct contact with support services meeting them in a space they feel comfortable in, health care, and mental health supports and connection with Housing Connect.

Today's announcement, together with the refurbished Waratah, means more units - more units available for people who move through the safe spaces to assist them to break the cycle of homelessness and move into longer term accommodation. That is a good win. That is delivering for people who are homeless in Tasmania.

The package also provided uncapped emergency accommodation and wraparound support services statewide. In June, we allocated a further \$100 million to deliver up to an additional 1000 new social housing dwellings in partnership with community housing providers.

Proposals are currently being invited from community housing providers, local governments, and joint ventures between not-for-profits and builders for the construction of social housing across Tasmania in areas of identified demand.

We are working hard to deliver the existing program of works already announced under the debt waiver and our Affordable Housing Action plans. This Government continues to invest record amounts to deliver new housing and homelessness services for Tasmanians in need in addition to the hundreds of applicants that are supported with their housing needs each month and more than 12 500 households currently in social housing around the state.

This is our track record of delivering and supporting Tasmanians in need. This is what Tasmanians want to hear about, Madam Speaker, not a whole week of political stunts and politicians attacking each other. They want us to do our job, keep our people safe, and look after our most vulnerable and that is what we are doing.

Wedge-Tailed Eagles - Westbury Reserve Site

Dr WOODRUFF question to MINISTER for ENVIRONMENT and PARKS, Mr JAENSCH

[10.37 a.m.]

It is the start of the endangered wedge-tailed eagle breeding season. Noise disturbance during breeding is well known to result in eagles abandoning eggs or even chicks and can drive them to leave a nest permanently. Drilling works were scheduled to start at Westbury Reserve for the proposed prison on Monday but the Government has been forced to halt works after advice that federal environmental protections could apply.

What assessment did your department undertake before you ticked off on this activity? Was it an RAA and, if so, will you make that assessment publicly available? Will you be referring this prison development or any works to the federal government for assessment under the EPBC act?

It is critical we do everything possible to help this iconic Tasmanian bird survive. Will you protect this nest, or will further endangering this species sit alongside misleading parliament on your ministerial achievement list?

ANSWER

Madam Speaker, I thank the member for her question. I am advised that the due diligence work at the site is ongoing and will inform the development of the prison through the next stages of the assessment and planning process. The Department of Justice, just like any other proponent, must go through the appropriate planning and environmental approvals for the development of this project.

It will be up to the Department of Justice, as the proponent, to ensure they comply with any requirements relating to threatened species at the site. They will be required to obtain any threatened species and other permits in accordance with state legislation and approvals under the EPBC act, if so required. I am advised that the Parks and Wildlife Service has provided a written works authority directly to the consultants allowing the planned drilling works to proceed. The authority includes a condition that requires all drilling to be undertaken outside of the 500-metre buffer distance from the eagle nest. The works authority also includes a number of other standard conditions and recommends that the geotechnical consultants seek advice from the DPIPWE policy advice and regulatory services branch, formerly the policy and conservation advice branch, in relation to any threatened species or other natural values requirements as necessary.

I am advised that the authority was granted based on advice provided by the independent environmental consultant and included the consideration of potential impacts to threatened species. I am also advised by my department that the works required no approvals pursuant to the Threatened Species Protection Act 1995. It will be up to the Department of Justice as the proponent to ensure they comply with any requirements relating to threatened species at the site.

Child Safety Service - Care Arrangement

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.41 a.m.]

You are aware of the sad case of an intellectually disabled couple that reached out to Child Safety Service to help with their baby girl. A care arrangement with the great-aunt of the child was approved and the biological parents moved interstate to be close by on the advice of Child Safety. That approval was later rescinded and the child remains in foster care here in Tasmania while the biological parents remain interstate. The shadow minister has advocated on behalf of this family and wrote to you about this matter on 21 July this year. In reply, you stated there was a dispute about whether the child should relocate interstate and that it was before the Magistrates Court so you would not intervene. The couple, who also identify as Tasmanian Aboriginal, voluntarily asked for help and instead received misleading advice and had their child removed. Have the court proceedings concluded? Will you act with compassion to order a review of this case?

ANSWER

Madam Speaker, I thank the member for her question. The Government is committed to the safety and wellbeing of all of our children. All decisions regarding our children in contact with Child Safety Service are made to secure their welfare and interests, both now and in the future.

As the member and this House knows, it is not appropriate for us to discuss or comment publicly on the details of individual cases. Every case is unique and complex and requires an individualised response to a particular child's needs. General information will always fail to capture the complexity of those individual cases and I will not be discussing them here.

Ms White - Will you ask for a review?

Madam SPEAKER - Order, please.

Mr JAENSCH - I would be happy for any concerns about a particular case to be referred to my office.

Child Safety Service - Care Arrangement

Ms WHITE question to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.44 a.m.]

That is an appalling response; we tried and you have refused. Minister, we cannot begin to imagine the pain of new parents being denied access to their newborn child. The facts of this case, the lack of compassion, the lack of communication about decisions that were made, are deeply disturbing. This intellectually disabled couple were not provided with an interpreter or support person from NDIS during interviews, appointments and discussions. It is also alleged that your department ordered psychological assessments used in decision-making relating to the child and that it was unreliable and unethical to do so. Advocates are claiming that the couple have been discriminated against because of their intellectual disabilities. Do you believe that the couple were discriminated against?

ANSWER

Madam Speaker, again - and this is not evasion - this is just us being responsible with the information around people's lives that we are privileged to have in our possession. It is not appropriate to discuss individual cases here. Working with parents of children in contact with Child Safety Service is difficult work and parents often have a range of needs and challenges they are facing.

For parents with specific needs, the Child Safety Service often works with parents' legal representatives to ensure parents understand and can participate effectively in legal proceedings and other processes. Child Safety may also assist parents to access relevant advocacy or support services to help them to participate effectively. Under our Strong Families, Safe Kids next step action plan, the Government is considering additional supports for parents participating in Child Safety processes and we will have more to say about that later this year.

I reiterate, I will not be discussing individual case matters further in this place. If there remain additional concerns, I would be happy for them to be referred to my office.

Senior Secondary Education

Mr TUCKER question to MINISTER for EDUCATION and TRAINING, Mr ROCKLIFF

[10.46 a.m.]

Can you inform the House on how the Government's plan for senior secondary education is working, with more young Tasmanians remaining engaged in education for longer?

ANSWER

Madam Speaker, I thank Mr Tucker for his question and interest in this matter. With evidence clearly demonstrating that students who stay at school longer have much better employment and life outcomes, our Government has taken targeted measures to ensure our students are engaged in education for longer.

We are focused on creating a job-ready generation of young Tasmanians. We have implemented changes to the Education Act where from this year, the minimum leaving age has increased to 18 years and students are required to participate in education and training until they complete year 12 or equivalent. This is an important change and sends a very strong message about education being the foundation for a good and productive life.

One of our first priorities when we came to government was to create more opportunities for students to pursue senior secondary education by extending our public high schools to year 12. We are providing an increased choice in options for schooling. Communities around the state have embraced our extension school program, with 47 schools having made the transition so far and nine more schools to extend next year. It is working, with years 11 and 12 enrolments at extension schools increasing to 820 full-time equivalents, up from 760 last year. Ulverstone Secondary College, Jordan River Learning Federation and Huonville High School continue to have the highest enrolments.

I am pleased to report that direct retention of students from year 10 to the start of year 11 has also increased from 87.2 per cent in 2019 to 88.5 per cent in 2020. In addition, more students this year have been retained throughout year 11, with the retention rate of students from year 10 census to 2019 to year 11 census to 2020 is 84.5 per cent, the highest on record and an increase of 3.1 percentage points from the previous year.

More extension schools and colleges are working collectively to share student enrolments to provide relevant and engaging learning opportunities as well as sharing resources and maximising access to specialist facilities in their regions. These collectives are able to provide more diversity in educational programs tailored to individual student needs and preferences. The number of senior secondary students with shared enrolments has grown from 353 last year to 402 in 2020. This number is increasing as schools and colleges strengthen their partnerships.

In order to support these models of senior secondary education, the Department of Education has established the Years 9 to 12 Project that works to ensure that all students are

supported to achieve their potential through years 9 to 12 and beyond. As part of this work, the vision for vocational learning and VET in Tasmanian schools to 2030 has been developed to support customisation, localisation and personalisation of effective vocational learning opportunities for all Tasmanian learners.

I am pleased to report that the department is working with stakeholders to design new VET programs in response to emerging industries such as the sustainable energy VET program under development in the Hellyer region.

The Government is committed to providing the highest quality education for all our learners. This pioneering work in reshaping senior secondary education is undeniably inspiring and supporting young Tasmanians to stay at school and realise their full potential.

Land Tax - Increases

Mr O'BYRNE question to TREASURER, Mr GUTWEIN

[10.50 a.m.]

Over the last few weeks, many Tasmanians have been receiving their land tax notices in the mail. We have been contacted by a large number of shack owners and mum and dad investors who have been hit with extraordinarily large annual increases, to the tune of 20 and 30 per cent. In some cases, land tax bills have quadrupled over the last three years. This not only impacts people at a time when they can least afford it, it will add to the housing crisis by driving up rents.

We have received an email from one person who has had a shack in their family for generations. Their land tax bill has doubled in the last two years. They write -

While we do not oppose the principle of paying land tax, the exorbitant increases are forcing us into thinking about selling the property. The only people willing to take on the expense of such taxes will be the mainlanders or internationals. Your parliament will oversee the loss of Tassie shack culture.

At a time when people are facing the biggest attack on their livelihoods in their lifetime and other states are either freezing or in some cases reducing land tax, why are you undermining Tasmanians' way of life and resorting to a blatant land tax grab at a time when Tasmanians can least afford it?

ANSWER

Madam Speaker, I thank the shadow Treasurer for, if not the first, one of the very few questions that he has asked me about financial matters this year.

Mr O'Byrne - You say that as your best defence and it does not work.

Madam SPEAKER - Order, Mr O'Byrne.

Mr GUTWEIN - I might go back and check that because I reckon it is less than a handful.

Mr O'Byrne - How about you answer the question?

Mr GUTWEIN - I thank the member Franklin for that question and for his interest in this matter.

No one likes to pay land tax; I accept that. The Government has provided one of the most generous land tax concessions as a result of the COVID-19 pandemic. Businesses that are in commercial property that have been impacted by the pandemic will be able to apply for a full waiver of their land tax due this year. That is at a significant cost to the Budget.

While I have some sympathy and I am aware that this matter is being raised, it demonstrates the strength of our economy and the strength of our property market. I am hearing sales volumes of property in this state at the moment have held up and values have held up. In fact, values have increased.

The way that land tax works is that between valuations the Valuer-General applies an adjustment factor each year so that there is a smoothing of the impact between valuations. The increase in land tax demonstrates that property value, land value, has increased accordingly as well.

Mr O'Byrne - But this is a perverse outcome and it is impacting people at the wrong time.

Mr GUTWEIN - As I have said, I have sympathy, I understand that Tasmanians, like Australians or people wherever they are around the world, do not like to pay tax, but this tax is linked -

Members interjecting.

Mr FERGUSON - Point of order, Madam Speaker, I do not want to repeat the allegation but the shadow Treasurer has just used offensive words against a colleague. I ask him to withdraw it without qualification.

Madam SPEAKER - I am sorry, I did not hear the words but I will have to trust the House and ask you to withdraw the words unconditionally.

Mr O'BYRNE - On that point of order, I asked a question about massive increases in tax. The member for Lyons said that the taxes are lower under Liberals when they are plainly not. I said he is an idiot for saying that, because it is plainly not true. I said he is an idiot.

Madam SPEAKER - We are supposed to be in a safe workplace here, as I keep insisting, so I ask you to withdraw that unconditionally.

Mr O'BYRNE - I withdraw.

Madam SPEAKER - Thank you, very much. Kindness matters. That is a warning to everyone in this House. This last week has been rather hideous. I am asking you to reflect that

we are all individuals, we all have our own issues, and we do not need to be mean to each other. Thank you very much. Please proceed.

Mr GUTWEIN - Madam Speaker, I will continue where I was.

The reason that land tax is increasing is because property values are increasing -

Members interjecting.

Members Suspended
Member for Franklin - Mr O'Byrne
Member for Clark - Ms Archer

Madam SPEAKER - Order. Excuse me, I ask Mr O'Byrne and Ms Archer to leave the Chamber until after question time. I have just given a ruling and you are talking across the Chamber while the Premier is speaking.

Mr O'Byrne and Ms Archer withdrew.

Mr GUTWEIN - I will finish by simply saying that if Mr O'Byrne and the Labor Party have a position on this, then what they should do is outline it in their alternative budget.

As I said, I have some sympathy. Nobody likes to pay tax, but the fact that the tax is increasing is because valuations are increasing. The current process is that there is a smoothing effect with an adjustment factor between valuations which is applied to ensure that sticker-shock does not occur. The simple fact is that property values have held up. While that will probably be cold comfort for those who are paying the tax, it tells us is that through a pandemic, through one of the most difficult periods in our history, the value of people's investments has held up. That is a good outcome for property values.

Renewable Energy

Mr STREET question to MINISTER for ENERGY, Mr BARNETT

[10.57 a.m.]

Can you outline what actions are planned to ensure Tasmania not only maintains its status as Australia's leading renewable energy state, but goes above and beyond?

ANSWER

Madam Speaker, I thank the member for his question and his interest in this matter. The Government is taking action to secure our renewable energy future with legislation to deliver the Tasmanian renewable energy target. It will be tabled in parliament today. In May we launched the draft Tasmanian Renewable Energy Action Plan, which is the blueprint for transforming Tasmania into not just being a renewable energy powerhouse for Australia, but a world leader in providing affordable, reliable and clean electricity.

The Government is laying the foundation. That is why we are preparing for the future, decades into the future, the next generation. That is why we are talking to our children. We have released the children's version of the draft Renewable Energy Action Plan for our kids. The feedback has been terrifically positive. I look forward to perusing the further feedback that will come through.

The centrepiece for this Tasmanian vision is the Government's target to double our renewable energy generation by 2040. It is a globally leading initiative.

Tasmania will soon be 100 per cent fully self-sufficient in renewable energy. Few other jurisdictions in the world are anywhere near that. Tassie is on track. Our 200 per cent by 2040 target is a global first, commended by business, commended by the local community and by internationally recognised organisations such as the World Wildlife Fund. Tasmania now has the opportunity to be a world epicentre for renewable energy.

That is our plan, that is our vision, and that is our policy. Today I will be tabling legislation to enshrine in law the Tasmanian renewable energy target and cement this Government's commitment to driving economic development, delivering jobs on the ground in rural and regional Tasmania through our renewable energy resources. That is because we have access to world-class water and world-class wind resources. We have it in spades and we are delivering on that great strength that we have.

It will deliver for business and investors' confidence going forward. It will send a clear market signal to the market experts, the Australian energy market operator, about Tasmania's strong commitment to deliver on our renewable energy potential to support the changes to the National Electricity Market.

Tasmania has what the rest of the nation needs: low cost, reliable, clean electricity and Australia wants that. The Australian energy market operator has identified Marinus link as an actionable project critical to address the cost, reliability and clean electricity needs across this country. It cements Marinus link as an essential part of Australia's clean energy future and the Australian Government is on board supporting Marinus link, one of the top three transmission infrastructure projects for all of Australia and one of the top 15 infrastructure projects for all of Australia. We are pleased and proud of that support so we are absolutely delighted.

Important work also that our Government is doing is delivering support from our Government business enterprises, our electricity businesses. They are doing a great job and they are delivering on support for this Government to invest in health, education, in our roads, to support our police and we are doing that.

Today I will be tabling the annual reports for Hydro Tasmania, TasNetworks and Aurora Energy.

This year Hydro Tasmania is achieving an operating profit of \$172 million. It is an outstanding result. It is achieved whilst maintaining Tasmania's energy security in a healthy position throughout the year. TasNetworks also made a profit of \$37 million in the last financial year and we should be rightfully proud of these energy businesses.

Aurora Energy is supporting Tasmanians through delivering a significant relief for cost of living, cost of doing business, \$27 million in costs for almost 19 000 small businesses around

Tasmania, \$5 million in COVID-19 support. I encourage customers to make contact with Aurora Energy if they need that support. I am proud to work with them, proud to deliver on those achievements.

All these achievements fly in the face of the relentless muckraking from the shadow energy minister and the shadow finance minister. Why does he not stop the relentless negativity and come on board on behalf of the Labor Opposition and support these nation leading projects, the greatest health and economic challenge of our time? Let us get behind this initiative and support it.

TT-Line - Freight Rate Increases

Dr BROAD question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[11.03 a.m.]

In the post-COVID-19 recession many Tasmanian businesses are teetering on the edge of the cliff and any price shocks could send them over the edge. Against this backdrop, TT-Line has recently increased their freight rates by 2 per cent. Price rises across Bass Strait ultimately affect the cost of living for every single Tasmanian through increases to groceries and other essential items.

Transport operators who are already doing it tough have had no choice but to pass on these increases to their freight customers. This is especially impacting the agricultural sector. As the TFGA CEO Peter Skillern stated in his recent column in the *Tasmanian Country* newspaper for the Government -

For the Government and the minister responsible to allow the TT-Line to increase its freight charges in the current climate is outrageous and they should be called to account for it.

And he goes on to say:

Why would any Government allow one of its own government business enterprises to increase costs to the Tasmanian community and add a further brake on our economic recovery?

How can you justify your GBE increasing freight rates at a time when many businesses are so vulnerable?

ANSWER

Madam Speaker, I thank the member for Braddon for his question. TT-Line accounts for 20 per cent of the freight that is carried on Bass Strait with the majority transported by the privately run SeaRoad shipping and Toll shipping as well. As a Government Business Enterprise, TT-Line is required to operate commercially and competitively and not to do anything but to observe competition laws and rules. TT-Line does not receive subsidies from

the Tasmanian Government for freight. This ensures that a level playing field exists for private operators.

As the preference for trailer freight has grown significantly by approximately 50 per cent to 60 per cent over the last 15 years, TT-Line and other shipping companies have introduced north bound commodity rates which enable freight forwarders the opportunity of shipping lower yielding commodities back to Melbourne, allowing for greater utilisation of their equipment. These commodities are offered at reduced rates in order to assist the freight forwarders to ship empty return units which are of no benefit to that particular organisation.

The reduced commodity prices also allow for lower yielding trailers to be shipped over empty trailers throughout the peak when shipping capacities are heavily constrained, hopefully, to Dr Broad, for obvious reasons. As vehicle deck space is limited, a commodity schedule allows time sensitive and urgent cargoes to be priced, handled and shipped accordingly. This ensures that freight is shipped within competitive time frames to gain timely access to interstate and overseas markets.

In relation to freight charges, TT-Line reviews its charges both for passengers and for freight users on an annual basis. As I said from the outset, the company has a responsibility to operate both commercially and within the rules and the expectations of the competition regulator. The company's new freight price schedule reflects the increased cost of business for the company which it is obliged to review in relation to its costs and its price schedule. The new pricing schedule I am advised is currently being provided to its freight customers. Freight forwarders choose TT-Line's freight service due its last out/first in schedule. It is a different service. It has a different nature to its competitors given its reliability, its service levels and its speed getting fresh food to market.

This service includes delaying departures, where required, to enable freight customers transporting fresh produce to make a sailing that they would have otherwise missed without any cost penalties.

TT-Line is a business that this side of the House strongly supports. While I do empathise with any business that does not wish to pay more as required with the annual changes to the freight schedules, we totally understand that. In fact this Government is strongly backing in our business community through a range of policies and through a range of measures particularly through the pandemic process where we have given so much support to the Tasmanian business community. They are telling us what they are telling Sensis and that is that they have got very strong confidence in this side of the House to look after the interests of our business community.

My answer on this that I have given just now is not the full beginning and end. We will continue to work with our freight industry and our freight forwarders and our primary producers because we are backing them in. Any further support that we can afford them we will continue to engage with them because we are backing them in. It is not about picking winners and losers here. We will also continue to strongly support TT-Line as we do TasPorts, which Dr Broad continues to relentlessly and without honesty, continues to attack our businesses.

Time expired.

PETITIONS

Police Presence in Wynyard

[11.08 a.m.]

Mr Rockliff presented a petition from approximately 584 citizens of Tasmania praying that an after-hours police presence be established in Wynyard to curb hooning and inappropriate behaviour.

Protection of Tasmania's Wilderness World Heritage Area

Ms O'Connor presented an electronic petition signed by approximately 1345 citizens of Tasmania and a hard copy petition signed by 631 citizens of Tasmania drawing the attention of the House of Assembly to the lack of protection for Tasmania's Wilderness World Heritage Area, national parks and reserves from inappropriate commercial developments.

Petitions received.

ENERGY CO-ORDINATION AND PLANNING AMENDMENT (TASMANIAN RENEWABLE ENERGY TARGET) BILL 2020 (No. 43)

First Reading

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

ELECTORAL AMENDMENT (ELECTORAL EXPENDITURE AND POLITICAL DONATIONS) BILL 2020 (No. 45)

First Reading

Bill presented by **Ms Haddad** and read the first time.

SITTING DATES

[11.17 a.m.]

Mr FERGUSON (Bass - Leader of Government Business - Motion) (by leave) - Madam Speaker, I move -

That the House at its rising adjourn until 10 November 2020 at 10 a.m.

Motion agreed to.

MOTION

Leave to Move a Motion without Notice - Motion Negatived

[11.18 a.m.]

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

For the purpose of moving the Suspension of Standing Orders to debate the following motion on tomorrow -

That the House:

1. Refer the Minister for Housing, Roger Jaensch, to the Standing Committee of Privileges to consider whether the member's answers to Greens questions during question time on 24 September 2020 and subsequent comments on these matters constitute a breach of privileges or the Standing Orders of the House, including but not limited to the provisions contained within the parliamentary conduct session of the code of conduct under standing order 2(d); and
2. That the committee report to the House by the first sitting day of 2020.

Madam Speaker, we are not prepared to let a minister who knowingly and deliberately misled the House off the hook. It is very clear to us and to anyone who applies a cool and rational mind to the minister's answers to the questions we asked on 24 September that he has breached the parliamentary code of conduct, and the code provision that he has breached is 'Accuracy of statements', which reads -

A member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.

A member must not mislead Parliament or the public in statements that they make.

Whether any misleading was intentional or unintentional, a member is obliged to correct the parliamentary record or the public record at the earliest opportunity in a manner that is appropriate in the circumstances.

Minister Jaensch knowingly told an untruth in relation to a Government decision which was reversed on 24 August to weaken tenancy protections by removing the 'genuine or just' provisions from the Residential Tenancy Act 1997. The minister knew that a decision had been made and yet he stood up at the lectern here that day and said -

I am not aware of any changes proposed or undertaken regarding making it more difficult. I do not know what decision Ms O'Connor might be referring to.

We had the Cabinet decision documents which makes it clear, and I will read out the pertinent part of the document -

Cabinet today deliberated on the materials submitted to it in relation to the Residential Tenancy Amendment Bill and decided 1(a) and (b), but -

- (c) Vacate the previous Cabinet decision in regard to the Director of Housing v Parsons matter and not proceed with the proposed amendment to remove the genuine or just requirement in the context of an order for vacant possession.

We believe this is a matter that must be examined by the Privileges Committee of this parliament. The minister has breached the parliamentary code of conduct, the minister has breached the ministerial code of conduct but apparently that is all cool with this Premier and this Government. The ministerial code of conduct states:

Ministers must not mislead Parliament or the public in statements they make and are obliged to correct the parliamentary or the public record in a manner that is appropriate to the circumstances as soon as possible after any incorrect statement is made.

The Privileges Committee of parliament is the appropriate forum to examine the question of whether or not this minister has been honest with the House. We do not believe that he was on 24 September, and when you are not honest with this House, you are not honest with the people of Tasmania. The minister was not honest and that is a matter that should be examined by the powerful Privileges Committee of this parliament.

I understand that the maximum fine the minister could face under these circumstances is \$40 or being banished to the basement, but it is not so much the punishment that is the issue here. It is the fact that we have evidence of a minister of the Crown, in defiance of Westminster principles, the parliamentary code of conduct and the ministerial code of conduct, knowingly misleading this House.

Confidence was tested and on the numbers, this House allegedly has confidence in minister Jaensch. We know that Mr Jaensch misled parliament. The pub test tells us that Mr Jaensch misled parliament. It is implausible that the minister who, after the full bench of the Supreme Court decision in Housing Tasmania v. Parsons told Dr Woodruff in Estimates that he was waiting for advice from Housing Tasmania about how to respond to that judgment, did not know a decision had been made by Cabinet to remove the 'genuine or just' provisions from the Residential Tenancy Act.

We want this to be examined by the Privileges Committee; it is necessary and we believe the House should support it. For precedent we have most recently the example of the former member for Braddon, Mr Adam Brooks, who infamously sat at the Estimates table in the Long Room and told three very short lies in a row about the extent he distanced himself from his private company business as a minister. The House agreed to send Mr Brooks to the Privileges Committee.

We have a very similar situation here except on that day, at that time, a number of fibs told by the minister ran to two in question time, because the second part of his answer was -

Madam Speaker, to change the law, the Government needs to bring the law to the parliament and argue its case. We have not done that. I do not know what else Ms O'Connor is referring to.

Madam Speaker, yes, he did, because he was a part of a Cabinet decision and as the Cabinet handbook tells us, a Cabinet decision is government policy. So, for five months of a pandemic, it was still Government policy to introduce to this place an amendment bill that would make it easier to turf people out of Housing Tasmania homes, of community housing homes and of their homes in the private rental market. We have had a reassurance from the actual minister responsible for that act, thankfully that that change will not now be made.

If the Greens had not come into this place and raised this issue and revealed the Government's perfidy in seeking to turf out Housing Tasmania tenants, we would not have had the commitment from the minister that they will not be taking that action, which made our efforts on behalf of tenants all the more worthwhile.

[11.25 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, it is extremely disappointing that the Labor Party and the Greens want to again combine their opposition powers to derail this House from the business of the House.

It is evident, when you see the Labor Party shuffling through reams and reams of papers at the end of question time, that there is a stunt on the way.

Madam Speaker, what is in order in question time is scrutiny of ministers. That has happened three times this week. What has happened on numerous occasions this week is that Ms O'Connor and Ms White are clearly working together -

Ms O'Connor - We most certainly are not.

Mr FERGUSON - You most certainly are.

Ms O'CONNOR - Madam Speaker, I ask the minister to withdraw that. It is a completely false statement. Completely false.

Mr FERGUSON - I will not be withdrawing that. No, you do not get to stop me from speaking.

Madam SPEAKER - It is a debate. There is nothing I can do about it.

Mr FERGUSON - Yes, it is called a debate, a bit of free speech. Clearly they have been working together.

Ms O'Connor - No, we have not.

Mr FERGUSON - I will say it again for the avoidance of all doubt: clearly been working together and you have clearly been voting together all week. It is so obvious. They can deny it all they like but the Labor-Greens deal is more than alive and well.

Madam Speaker, the Government will not be supporting the seeking of leave motion. We have had multiple occasions this week -

Ms O'Connor - This is Privileges. It is a different matter.

Mr FERGUSON - I would like to be able to make my own response without that incessant interruption. You were listened to in silence.

The Government will not be supporting this seeking of leave motion. It is again an attempt to attack Roger Jaensch in a particularly cruel way. It is taking on a very personal tone. I cannot help but notice that in the attacks he is experiencing from the Labor Party and the Greens. We will not be supporting the seeking of leave motion which seeks to throw out the orders of the day, including important legislation that is about promoting jobs in Tasmania and promoting economic activity.

In respect of the Privileges Committee, it is the privileges and conduct committee. It would have been interesting if the Labor Party or the Greens might have seen that as a halfway step to eventually get to a no confidence motion; but no, it has been no confidence motion after no confidence motion, which is the highest order motion you can bring against a minister. They have done it on multiple occasions this week.

Ms O'Connor - You have covered him on that and now we want Privileges to look at it.

Mr FERGUSON - And you might have thought if they were serious about this maybe they would go to a Privileges process, wait for a report, hope to get an adverse finding, then move to a no confidence motion. The strategy has been all over the place from Ms White and Ms O'Connor trying to work together to bring down a highly competent and a highly caring minister. The allegations have been made, tested and dealt with. In respect of honesty, it has been dealt with. In respect of the claims made yesterday, they have been dealt with.

The member, in her contribution, claimed falsely and without a shred of evidence that the minister had breached the Code of Conduct, and yet is not able to substantiate the claim. The House is being asked for the third day in a row to disrupt normal proceedings for this very cruel attempt -

Ms O'CONNOR - Point of order, Madam Speaker. The minister is misleading the House. He said we did not have a shred of evidence. The evidence is there in the *Hansard* of the Minister for Human Service's dishonesty that day.

Mr FERGUSON - A no confidence motion is the highest order motion you can bring against a minister. Labor and the Greens have done it variously one, two or three times, however you choose to count it. Two times that question -

Mr O'Byrne - And you used your numbers to gag debate on it because none of your members wanted to get up and defend him.

Madam SPEAKER - Order, Mr O'Byrne.

Mr FERGUSON - That question has been run twice in two days. Some of the things I have observed really leave me feeling quite chilled. Some of the things that have been said,

even with the benefit of the confidential briefing provided to allow members an insight into the personal dynamics at play in the lives of some of Tasmania's young people, still they proceeded with that. I am not happy with it, I am not comfortable with it. Given that these no confidence motions were the highest order motions, they have been tested. I am disappointed but not surprised. If I could be -

Ms O'Connor - I genuinely do not care what you think of me.

Madam SPEAKER - Order.

Mr FERGUSON - Madam Speaker, I would have to say I am disappointed -

Ms O'Connor - You are not my father. I don't have to please you.

Mr FERGUSON - I am not surprised. We saw it coming. This is not the appropriate course of action for this House. If the Greens' Leader was serious about this - she was talking about the Privileges Committee in the media in the two weeks between parliamentary sittings and yet did not table the motion and did not try to use it in her private member's time. She juicily saved it up in the bloodlust for Thursday's stunt. If the member was serious about it, having ruminated about it publicly in the media for the last two weeks, then she might have tabled the motion on Tuesday. She might have then debated it in her private member's time yesterday. She did not. That is your decision, that is your call. That is for your party to decide.

The Government is not going to watch all this and let you have a third day of disrupting the parliament from its proper job of looking after Tasmanians, creating jobs, looking after the economy, and helping this state to recover from a pandemic. That is what Rebecca White stands for, that is what Cassy O'Connor stands for. You stand against those things, you stand against creating jobs, you stand against the proper functioning of this parliament to get this state economy moving again with the strong results we are getting.

The Premier outlined the confidence numbers and the jobs numbers today. We are getting this state back on track but we are doing it without the support of the Labor Party. We are doing it without the support of the Greens' party.

This House has a job to do. We have a red tape reduction bill to deal with today. It is about helping the building and construction industry today. You have known about it since Sunday, it was tabled on Tuesday, and we are committed to debating it today. I will conclude on this point. The rudeness knows no bounds but we are not prepared to continue to support these stunts. They are spiteful and they are cruel.

[11.33 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, we will be supporting the referral to the Privileges Committee. It will not take much time for this House to debate the seeking of leave and then refer the matter. This House is not the Privileges Committee. We do not examine it. It is a referral.

It will allow the Government to get on with the orders of business. It is important to remember that we have established, as a parliament, structures to deal with circumstances

where members breach the Standing Orders. One of those structures is the Privileges Committee. The standing orders of the Privileges Committee clearly say -

A Committee of Privileges and Conduct, to consist of seven Members, shall be appointed at the commencement of each Parliament to enquire into a report upon complaints of breach of Privilege or the provisions of the Code of Conduct which may be referred to it by the House.

We set these committees up to deal with exactly these issues. This is entirely the appropriate thing to do. The minister, who has left the Chamber now, said that this was not an appropriate course of action. This is exactly the appropriate course of action that the parliament has agreed is available for the parliament to take when there are breaches of the Code of Conduct. It is in our handbook. It is entirely appropriate for us to use these forms and structures. Otherwise why do we even have them.

It is a bit like the ministerial Code of Conduct that the minister has breached and the Premier has refused to enforce. With Adam Brooks, when there was a breach of the ministerial Code of Conduct, the former Premier, Will Hodgman, asked his department to conduct an investigation, which was entirely proper. When Adam Brooks lied to the parliament, this parliament agreed to refer the matter to the Privileges Committee, which is entirely appropriate. We have forms that have been established by this House to set up the Privileges Committee for exactly this reason. It is in our handbook that as members we should all be familiar with.

This is the most appropriate way to deal with a very serious allegation which has been made. I remind the House of statements the Premier made that in the Westminster system of government there is no more serious charge than that of misleading the parliament. Where issues like this are raised it is entirely proper for the parliament to refer matters like this to the Privileges Committee.

We support the motion that has been brought by the Leader of the Greens because it is of concern to us that despite there being, in our view, a very clear breach of the Parliamentary Code of Conduct, a very clear breach of the Ministerial Code of Conduct, there has not been any accountability for that.

The minister, Roger Jaensch, when he got to his feet in question time a couple of weeks back and said what he did, he clearly misled the House. It is there in black and white for all to see. This matter will continue to hang around this minister. The only way for the Government and the Premier really now to deal with it is to refer to the Privileges Committee on which there are Government members. It will be an appropriate forum for this matter to be heard. It is not stacked with members who are not Government members. It is an entirely fair process and it is a process that has been used in the past by this House when matters like this have been raised. I refer to the former member for Braddon, Adam Brooks. That was a process that was used at that time.

It is important that this parliament resolves this issue because it will continue to be a matter that hangs around this minister until it is thoroughly dealt with. The Privileges Committee is the appropriate forum to deal with this matter. We support the referral. We support this seeking of leave so that we can begin that process to refer the matter.

I cannot understand why the Government would not support that too, because it is in our handbook. It is a part of the rules of this House that have been set up to guide our conduct as members of this parliament that when there is a complaint of a breach of privilege for the provisions of the Code of Conduct, the matter can be referred by the House to the Privileges Committee. It is clear that this matter needs to be referred to the Privileges Committee. There are government members on that Privileges Committee. The matter should be dealt with by them.

[11.38 a.m.]

Mr GUTWEIN (Bass - Premier) - Madam Speaker, I am astounded by what is occurring in this place. This matter has been dealt with. The matter has been dealt with at the highest audit bar that can be set and has been passed by this minister. A no confidence motion was moved, it has been accepted; and it has been dealt with. The House has voted. In fact, this week we have two no confidence motions and this House has voted. It has confidence in the minister.

If the member wanted to take a graduated approach to this she could have moved to refer it to Privileges when we arrived back in this place but no, a want of confidence was brought on and it was dealt with and voted on by this House and the matter has been dealt with.

This week we have seen a Government working very hard to get on with an agenda to rebuild Tasmania. That is what we have been trying to do - to get on and rebuild Tasmania, to put together the businesses, to put back together the lives of Tasmanians that have been damaged through this pandemic. We have a strong agenda which is working. The evidence that I provided this morning in the parliament, the fact that our economy is strengthening, the jobs are coming back, we have property prices going up, we have Tasmanians building houses - we are in a good place. We are in a place better than most other states and jurisdictions in this country and we want to get on with it.

We have just had the federal Budget brought down, a budget which complements what we are attempting to do and that is to improve the lives of ordinary Tasmanians. This afternoon we have legislation that we want to debate, legislation that will remove red tape that will make it easier to get things done. It will provide certainty for investment, and importantly, it will create jobs.

What that side of the House wants to do is to frustrate our attempts to rebuild Tasmanians' lives. That is what they are attempting to do. They want to waste more time in this place.

The Leader of Government Business very sensibly and accurately outlined the gradation of the levels of scrutiny that can be applied by this House. Ms O'Connor knows full well that she could have moved to go to Privileges as a starting point and that a report would be brought back to this place and then it be dealt with as a want of confidence. But, no, she brought on a want of confidence and this House made a decision on that: that it has confidence in that minister.

He is a minister who is putting roofs over people's heads, a minister who is dealing with some very difficult situations with some very troubled and challenged and complex circumstances in his portfolio. He is dealing with them; a man who has integrity and heart. What you want to do is to continue with this muckraking. I say this side of the House will have

none of that. What we will do and what we want to do is to rebuild Tasmania brick by brick, to put it back together again after a pandemic.

You only have to look and you know full well how the virus is ravaging other parts of the world, Ms O'Connor. Ravaging, and yet here in Tasmania our people are cautiously optimistic.

Ms O'BYRNE - Point of order, Madam Speaker. The matter before the House is a referral to the Privileges Committee. It does not impact on anything that the Premier is -

Madam SPEAKER - That is not a point of order.

Mr GUTWEIN - The point that I am making is that rather than wasting our time with another stunt we should be getting on with the business of rebuilding Tasmania and rebuilding the lives of Tasmanians. That is what we want to do on this side of the House and yet what we have is another stunt.

Ms O'Connor - It is not a stunt to hold a minister to account.

Mr GUTWEIN - You brought on that motion. That question has been asked and that question has been answered on two occasions this week.

You have brought on two motions this week: the most important two motions that you could bring on in this place and they have been dealt with. The want of confidence has been dealt with and this House has determined that it has confidence in that minister. Yet what you want to do is waste more time on political witch-hunts, on character assassinations.

What we want to do on this side of the House is get on with rebuilding Tasmania. We have dealt with the matters that were before us in this House on two occasions this week. Those on that side should stop their political witch-hunts, should stop their political and individual assassination attempts that they are going on with and let us get back on with rebuilding Tasmania.

[11.44 a.m.]

Ms OGILVIE (Clark) - Madam Speaker, I am also quite surprised that this has come on again. However, we are in it now.

Some of the best debates are those had when there is some real emotion involved and I can feel that in the House today. I would give a compliment to the Leader of the Greens that the debates between her and the Premier are probably some of the best we have had in this House. That is because they are both talented performers and they generally debate on the principles and not the person, which is good.

We have had a really difficult week in this place and I have reflected on that overnight, particularly the events of yesterday. I came into work this morning really quite horrified and disturbed about the events of yesterday, where we had people who were the subject of a long parliamentary debate who asked through their representatives that they please be left alone and left out of it.

I feel that personally, and as a parent of teenagers I know what it is like and things do not always run smoothly, but would someone seriously be thinking about the people who are watching this, the people of Tasmania, the kids and the families? Do you know what they want to do? They want to go to the football, they want to get into some housing, they want mould out of their houses -

Ms O'Connor - They want to be able to trust ministers.

Ms OGILVIE - We want to be able to trust ministers but we are reprosecuting the same argument that we have already had two days in a row. It is the same core case. This is not a court of appeal and this is not we are here to do. We are here to debate the issues and we have already debated these.

I have gone both ways on this topic about seeking of leave, but we are into the third day of this and it really is enough, so I will not be supporting this. We need to get back to the business of looking after the people of Tasmania who need our help. We are here to help people. That is what we ought to be doing and I am very aware of that in question time. I only get one question, I have been civil about that all the way through and have taken the instructions and orders about even when my question should be. I have been very good about it and not complained. I get one question and every morning I come into this place and think what do people actually want me to ask? I asked one about Christmas today because that is what people are asking me to ask about; the real stuff that matters.

There is nothing more real and important in this place than what Tasmanian people ask us to represent them on. This is about the social contract, about grassroots democracy and the people of Tasmania deserving proper representation. We need to get back to that.

[11.47 a.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, this is not a stunt. This is clearing up unfinished business. The fact is that the Leader of the Tasmanian Greens, Cassy O'Connor, made it very clear a number of weeks ago that we would refer this minister, who is on record for having lied to the House, to the Privileges Committee.

We brought on a no-confidence motion on Tuesday because, as we can clearly see, the Privileges Committee meets and makes its deliberations in the time frame that was urgent to deal with the issue of confidence in this minister. When we came in here on Tuesday, there was a minister who had repeatedly lied to the House and who is responsible for some of the most serious portfolios in the state. The minister is responsible for the safety of children, Housing tenants and the most vulnerable people in Tasmania.

Madam SPEAKER - You are not allowed to say that the minister lied to the House because the House has already made that decision.

Dr WOODRUFF - Madam Speaker, he is on record for having misled the House a number of times.

Madam SPEAKER - You are not allowed to say that so you must withdraw.

Dr WOODRUFF - Okay, I will not say that. He was not truthful. I withdraw the word 'lie' and use the word 'mistruthful'.

Mr BARNETT - Point of order, Madam Speaker. The member must withdraw.

Dr WOODRUFF - I have. Listen.

Mr Barnett - You did not. Unequivocal.

Madam SPEAKER - Excuse me, I am taking advice. It must be an unconditional withdrawal and you must not try other versions to repeat the same offence.

Dr WOODRUFF - Thank you, Madam Speaker. Mr Barnett clearly was not listening because I have withdrawn it. It is on *Hansard* as being withdrawn.

It is very clear that the series of statements the minister made in question time following the question from the Greens when Ms O'Connor asked the minister if he could confirm, in response to the judgment in the Parsons case, that a decision was made by him and the Government he is part of, to change the Residential Tenancy Act to make it easier to evict tenants without genuine or just reason. The response from Mr Jaensch was, 'I am not aware of any changes proposed or undertaken'. That is not truthful.

Madam SPEAKER - You have to address the urgency for why leave be granted.

Dr WOODRUFF - It is also the case that the minister went on to make those statements.

Madam SPEAKER - I am asking you to pay attention to the fact that you are debating for leave to be granted.

Dr WOODRUFF - Madam Speaker, the point is that the Government is trying to call this an unimportant matter of the House and trying to argue that it is more urgent for the Government to get on with the business on the books.

The most important issue is that we must have people sitting with ministerial responsibilities in this government undertaking the most important decisions on behalf of vulnerable Tasmanians who are capable of doing their job and who are doing it ethically. This minister has clearly breached the code of conduct for ministers. This minister has clearly breached the Standing Orders - standing order 2(d) - which refers to our code of conduct as parliamentarians. These are matters which need to be gone into with a substantial amount of scrutiny and the proper place for that to be undertaken is the Privileges Committee.

The Privileges Committee is a fair process. It is constituted with a fair balance of members in this place. That is their job and that is why this matter will never be resolved until it has been gone through in the detail that is required with the time that is required and with a cool assessment of the facts of the matter - the successive untruthful statements that the minister made. He made four statements -

Mr GUTWEIN - Point of order, Madam Speaker. I ask that you have the member withdraw that last comment because this House has voted on this matter and it has confidence in that minister. You cannot continue to re-prosecute the debate that was conducted in this place on Tuesday. The House has made a decision.

Dr WOODRUFF - Madam Speaker, this is a different matter. The Premier might like to distract from the fact that we have not resolved the matter of the successive untruthful

statements that minister made. We have had three no-confidence motions in the minister on a range of issues because there are so many to choose from, so many very serious matters that have been discussed this week. The detail and the level of scrutiny required to determine that those statements the minister made are in fact untruthful - the four statements he made and two statements he made subsequently to the ABC in an interview - have to be assessed and considered against his responsibilities and the requirements of the code of conduct of this House and the ministerial code.

Madam SPEAKER - You cannot continue in this frame. Unless you are going to stick to the point that leave be granted urgently and a reason that is not re-prosecuting the case, I have to ask you to sit down.

Dr WOODRUFF - Thank you, Madam Speaker, but there is no more important matter for this parliament to make a decision about today than referring this minister to the Privileges Committee. We need to have trust in ministers. We need to have ministers who behave to the highest standards and are ethical. As the Premier has said, we have serious issues confronting us as a state and that is why we have to have trust in the ministers who are responsible for looking after the people as we travel ahead over the coming years. There are such serious questions hanging over this minister that they will never be resolved until the Privileges Committee can be constituted and look into the matter of his lack of truthfulness.

[11.54 a.m.]

Ms O'BYRNE (Bass) - Madam Speaker, in the short period of time left it is important to understand what the Privileges Committee does. This House of parliament acts in a very political environment. The Government showed that when they gagged the debates and when they used their numbers to get the outcome they wanted. The Privileges Committee has the power to call witnesses and the power to act in a way that truly investigates the nature of the concerns that have been made.

Time expired.

The House divided -

AYES 11

Dr Broad
Ms Butler
Ms Dow
Ms Haddad
Ms Houston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff (Teller)

NOES 13

Ms Archer
Mr Barnett
Ms Courtney
Mr Ellis (Teller)
Mr Ferguson
Mr Gutwein
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker

Motion negatived; Leave denied.

CAT MANAGEMENT AMENDMENT BILL 2020 (No. 55)

TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL BILL 2020 (No. 25)

Bills agreed to by the Legislative Council without amendments.

MATTER OF PUBLIC IMPORTANCE

Jobs and the Economy

[12.00 p.m.]

Mr TUCKER (Lyons - Motion) - Madam Deputy Speaker, I move -

That the House take note of the following matter: jobs and the economy.

On this side of the House we warmly welcome the federal government's Budget delivered last week. It is a budget that will create jobs and help build the economy, and it is a budget delivering for Tasmanians.

In spite of the relentless negativity from the Opposition nearly every day since it was handed down, make no mistake, the federal Budget is a good budget for Tasmania. Federal Liberal and state Liberal governments in partnership have delivered for Tasmania and continue to do so. It is a budget to kickstart our economy through significant tax cuts, putting money in people's pockets, tax concessions, and incentives for businesses to start hiring again.

It is a budget which is supporting Tasmanian business to take on apprentices and trainees while also investing in training placements in areas of jobs growth. This is such an important issue across my electorate of Lyons and federal and state Liberal governments are doing great things to support our young people. One of these initiatives is the federal and state-funded JobTrainer program which goes live this weekend. The \$21 million JobTrainer program will deliver up to 7000 additional free or low-cost training places at a critical time for Tasmania. It will give students free choice where they train across both TAFE and private training providers.

JobTrainer is a fantastic initiative which will support job creation for Tasmanians. It will specifically target young Tasmanians and the unemployed and help them get the skills they need to get jobs. Industries that are critical to Tasmania's recovery will benefit and those that are so important to regional Tasmania in my electorate of Lyons. JobTrainer means more training in health and aged care and disability services; more training in aquaculture; more training in building and construction; more training in tourism and hospitality; more training in agriculture; and more training in advanced manufacturing.

JobTrainer complements our state-based Skills Fund program which is supporting businesses right now. This Skills Fund round is investing \$3 million to help support and train existing workers in our key industries. In partnership with the Morrison Liberal Government we are giving Tasmanians the best skills opportunities possible to get them back on their feet. Right now, businesses across Tasmania can access the new federal Boosting Apprenticeship Commencements program. This is providing businesses who are employing an apprentice or trainee a wage subsidy of up to 50 per cent. With an additional \$1.2 billion available over four years, it is expected to encourage 100 000 new apprentices and trainees. It is the boost to jobs

and the economy that we need. That means there has been \$5 billion invested by the federal government for extra training places since the pandemic began. James Pearson, the chief executive of the Australian Chamber of Commerce and Industry said this is the right prescription to restore the health of the apprenticeship system. The federal budget's skills measures and our state-funded skills program are driving recovery and supporting job creation in our economy in Tasmania.

Let us not forget it was Labor and the Greens who introduced the disastrous Tasmania Tomorrow reforms which tore TAFE apart. Under Labor and the Greens, the number of people commencing apprenticeships, Dr Broad, actually declined by 40 per cent, as reported in the Skills Institute 2013 annual report, if you care to read it. They also lost more than 4000 traineeships and apprenticeship positions statewide and did nothing to reverse this concerning trend. In just a year and a half from June 2012 to December 2013 over 4000 apprentice and trainee jobs disappeared in Tasmania. That was a Labor-Greens crisis. Unsurprisingly, it is a crisis those opposite are trying to ignore right now.

The truth is, while claiming to be a friend of young Tasmanians, Labor's track record of job and opportunity destruction speaks for itself. That is the record and they are the facts. They have zero credibility on this issue.

The federal government will deliver a significant boost to our economy through tax cuts. It will put money back into the pockets of Tasmanians. These personal income tax cuts will stimulate the economy and put downward pressure on the cost of living across the state. More than 165 000 Tasmanians will benefit from this.

The average full-time worker in Tasmania will receive an additional \$1080 per year. Tasmanian aged pensioners, Tasmanians who receive a disability support pension and Tasmanian health care cardholders will receive two further cash payments of \$250. This is additional money in the pockets of our fellow Tasmanians who need it most.

I found it unbelievable when I heard the Opposition Leader, Ms White, appeared to be opposed to tax cuts when she was talking down the federal government's budget recently. Ms White described putting money back into the pockets of Tasmania as a 'tired old formula of tax cuts'. Does Ms White not want Tasmanians to have tax cuts? You are either for tax cuts or you are against them. On this side of the House, we are for tax cuts.

The federal Treasurer, Josh Frydenberg, said in his budget speech, under the Liberals, taxes will always be lower.

Time expired.

[12.07 p.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I rise to talk on this important matter. Jobs and the economy are crucial for Tasmanians, for the Tasmanian way of life and for communities across the state in ensuring that they can build a secure economic future for themselves and their family and build strong communities across the state. This is fundamental to the work of governments, both state and federal, to drive job creation, decent jobs, jobs that are secure and economies that work for all Tasmanians and all Australians.

The member who has just resumed his seat - he is no longer in his seat, as he has left the Chamber. I am not sure if that is reflective of his contribution or he does not want to hear an alternative view, but it is disappointing that the member who brought this motion on, has chosen not to stay in the House.

A couple of points that he would make. With regard to training and training numbers, it is a fact that in Australia there are 140 000 fewer traineeships and apprenticeships in this country since a federal and state Liberal government came to power in 2013-14. To make a virtue of announcing 100 000 traineeships, yet to be delivered, off the back of 140 000 lost over the last seven years, is no virtue at all.

When the member who resumed his seat and left the House said that the Liberal Party are for lower taxes, we heard in question time today, that their approach to land tax has led to people's land taxes increasing in the last 12 months upwards of 40 per cent. In some cases there has been a doubling, tripling or quadrupling over the last few of years. This is the government that introduced a point of consumption tax that they said they would not introduce. They introduced a tax on investment on farm land that they had to backflip on and now they are proposing a whole range of tax increases relating to fishing, et cetera.

This is arguably a big taxing government. This is the Government that has introduced more taxes in the last 12-18 months than there has been for years in Tasmania. The hypocrisy on that side knows no bounds with regard to these crucial important issues.

We know an economic shock has hit the Tasmanian economy and has impacted thousands of Tasmanians across our state. At the peak of the pandemic, 20 000 Tasmanians had lost their job. Sadly, only some of those jobs have started to return. As an Opposition we celebrate every person that gets back into the workforce. We celebrate every company that is able to survive. We celebrate every industry that is able to thrive in these economic conditions. The Tasmanian Labor Party has unarguably, definitively, a strong record of microeconomic reform in this state when in government to build a diverse and strong economy for Tasmania.

It was the Labor Party that invested in the two *Spirits* that revolutionised the tourism industry in Tasmania and revolutionised the export time-sensitive export economy in Tasmania. It was the Labor Party that built those two vessels and it is under the Liberal Party that despite promising to deliver greater capacity and new vessels in 2021-22 we know we will not see those vessels for another six or seven years, costing on-farm investment, costing exporters. You are jeopardising the future export capacity of Tasmania.

It was Labor that made the investment in Basslink. It was Labor that made the investment in irrigation. It was Labor that brought in new shop trading hours to allow the retail sector to engage in the modern economy. It was Labor that brought on the gas pipeline. It was Labor that launched and backed-in tourism marketing. It was Labor that built the wind farms to build renewable energy in Woolnorth and Musselroe. It was Labor that engaged in microeconomic reform to diversify the Tasmanian economy to build sustainable jobs for Tasmanians.

Over seven years of this Government there is not one piece of microeconomic reform that they can point to apart from short-term stimulus that is building and diversifying and deepening the Tasmanian economy to build sustainable jobs. There is nothing that they can point to apart from continuing Labor's strategy, particularly in irrigation.

It is like the brickie who comes along and puts the last brick on the wall and says, I built that wall. That is the modern Liberal Party in Tasmania. No microeconomic reform. Stimulus package, throwing bits of money out around election time to curry votes and curry favour but no serious work done on the economy. No serious work done on diversifying the Tasmanian economy apart from backing in what the Labor Party has done over many years -

Members interjecting.

Mr O'BYRNE - The Bridgewater bridge? When we left government in 2014, which was seven years ago, we had acquired the land, we had the plan for Infrastructure Australia and it was only 12 months ago that Infrastructure Australia said, you do not have a plan that works. You are still putting out a survey asking people how many lanes it will be. After seven years that is outrageous.

Mr Ellis interjecting.

Madam DEPUTY SPEAKER - Order. Mr Ellis, you will be able to make your contribution soon.

Mr O'BYRNE - Let us not descend into this kind of farce debate that the Liberals engage in. Let us have a look at the hard facts: Tasmania has lost over 11 000 jobs since mid-March, which is 4.4 per cent of the labour market. It is the worst result for a state apart from Victoria, which is suffering a hard lockdown. Jobs for men are down 5.3.

Mr Ellis interjecting.

Mr O'BYRNE - It is ironic that he chips in and talks about the pandemic. On this side of the House, when we were going through the global financial crisis, apparently that did not exist.

The federal Budget that we saw handed down by the feds earlier this month had absolutely nothing about nation building. Absolutely nothing about building sustainable jobs. Tax cuts and a bit of infrastructure that we know they will not deliver on because it was a reannouncement of the infrastructure projects that had already been on the books. When you look at the profiling of when the money comes in it is years away.

Nothing for pandemic recovery. Nothing for jobs now. You are wafer thin, mate. A bit of wind, a puff of wind would blow you guys out of the water. You are pathetic. This is the most average and mediocre government I have seen in years.

Time expired.

[12.14 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, I certainly welcome the opportunity to speak about jobs and the economy, and to remind the House that when the pandemic hit, Australia and Tasmania were already experiencing deepening social and economic inequality. When the pandemic hit it was women, women in part-time employment and young people nationally who primarily bore the brunt. Those women, particularly those over 35, and young people looking for some certainty and hope in their life would have listened to that federal Budget last week and hung their heads in despair.

There was nothing in that budget for women. There was nothing in that Budget to give hope to young people. There was, as Mr O'Byrne said, no nation-building measures in that Budget, and there was nothing for climate action. In fact, worse than that, there are measures in that federal Budget to bake in emissions for decades to come. It was the nastiest, bloke-iest, most corporatised budget in my entire life, that came out of Canberra last week.

The University of New South Wales economics professor, Richard Holden, commented that it was striking there was so little in the Budget for women. There was nothing for childcare. There were no measures to boost female labour force participation. There was a devastating ideological attack on our universities. Savage cuts of up to 30 per cent of the funding of our wonderful universities. That is an ideological attack.

This was a budget delivered by a misogynist. Scott Morrison is a blokey bloke bloke bloke misogynist of a Prime Minister. Absolutely a misogynist.

We have the Women's Electoral Lobby of Australia national convenor, Emma Davidson, who said that women and their dependants had been ignored in the Budget -

Women were the first to lose jobs as this economic crisis began. Then women shouldered even more unpaid caring work. Women also experienced increased levels of domestic and family violence, and impact on their mental health and wellbeing due to the increased workload and financial pressures.

Women were the forgotten people in this Budget, as are young people. There is an interesting fact. We know that this Budget was delivered on behalf of baby boomers. It is a fact that by the time the baby boomers hit a median age of 35 their generation owned 21 per cent of the nation's wealth. As of last year, millennials, who will hit an average age of 35 in three years, owned just 3.2 per cent of the nation's wealth.

This federal Budget was deeply and terribly unfair. What it delivered to Tasmania is very little, when you have an island community where about a third of our people are dependent in some way or another on the Commonwealth Government for income support. They will take no comfort from the increase in road construction as a result of this federal Budget. That is the limitation of the imagination not only of the federal government but of the Tasmanian Liberal Government which thinks that building roads is nation-building. We know it is not. We know this pandemic compels us to look at things differently.

We know that this pandemic has exacerbated the profound damage neo-liberalism has done to our society and to our economy. It has made it unfair. There is a direct link between gender inequality, neo-liberalism - which is a construct by and for men - social and economic inequality, that is, economic injustice, the damage caused by the pandemic, and climate chaos. It is all connected. If we have governments that are prepared to invest in women and young people, we have governments that understand that to do that you are investing in the future of your country. You are undertaking nation-building by investing in women and young people.

But not this Morrison Government. This Morrison Government is a plutocracy. It is there for the private sector and for the private sector only. It is a nasty Budget. We need to understand that if we are serious about tackling climate chaos and the biodiversity crisis, we have to deal with gender inequality. If you keep women out of positions of power we will

continue to have rising neo-liberalism, economic injustice and climate disruption that is turning this planet at an accelerating rate into an unliveable hell.

That is a direct consequence of neo-liberalism. That is a philosophy which places profit above all other concerns. Neo-liberalism does not believe in investing in people. That is why in this country we need a jobs guarantee. We need to go back to the kind of country we were around 1975 when we understood that full employment was not only a worthy goal, it was an achievable goal. We are living in a country right now which is deeply unfair. It is unfair on the most marginalised in our community. It is so unfair on young people. It is unfair on women, particularly older single women. Nasty, nasty Budget.

I really hope that the next state Budget that is coming up will have some fairness within it because young people are despairing. They want to know that the Government has their back. They saw that federal Budget come down and they know that this federal government does not care about them or their future.

[12.21 p.m.]

Mr ELLIS (Braddon) - Madam Deputy Speaker, I rise to speak on the very important matter of jobs in the economy. This is vital for the people in my electorate of Braddon in the north-west, the west coast and King Island. People in the north-west get it. We know that if you have a decent job it is the pathway to a better life for you and your family and the impacts of policies that destroy jobs in regional areas can be absolutely devastating. Right across our electorate in the small towns, in the bigger towns, in our farming areas, we know how important it is to grow the economy and to create jobs, because it sets families up and puts them on the path to a better life.

We welcome the federal Budget as a good thing for Tasmania. I was pleased to see last night the support of the Tasmanian Parliament for the federal Budget. On this side of the House we know that it is a budget that will create jobs and help rebuild the Tasmanian economy as well as the Australian economy. Make no mistake, the federal Budget is a good budget for Tasmania and all Tasmanians. The federal Liberal and state Liberal governments have been working together in a strong partnership. We have delivered for Tasmania and we will continue to do so.

I want to talk about Labor and tax and specifically the shack tax. The federal Treasurer, Josh Frydenberg, said that under the Liberals taxes will always be lower. We have already heard from the other side what they think about taxes. The Leader of the Opposition said, 'a tired old formula of tax cuts'. Seventy-nine per cent of Labor voters support the tax cuts that are in the federal Budget. It is staggering how captured those on that side of the House are by the Greens. We saw it with policies like the shack tax, with their plans to tell people how they can spend their money in pubs and clubs. It is outrageous -

Opposition members interjecting.

Madam DEPUTY SPEAKER - Order. Two members on that side have made a contribution. I am sure there is going to be another one from there soon so I ask that this member be allowed to make his contribution in peace.

Mr ELLIS - It is no surprise that you lost two elections in landslides because you are captured by the Greens. The Labor-Greens bus is driven by the Greens -

Ms O'CONNOR - Point of order, Madam Deputy Speaker. The member is misleading the House. Your colleagues did not win the last state election out of great talent or policy. It was because you were bankrolled by the gambling industry.

Madam DEPUTY SPEAKER - It is not a point of order.

Mr ELLIS - It is true that you have lost two elections in a landslide. Ms O'Connor, I have to thank you and I thank people like Bob Brown for the arrogance that you display when you tell people that their jobs are immoral; they are not good enough; that they do not get to keep more of their own money; they would drive a convoy up to Queensland and tell people that they cannot have a job; that it would come out to the north-west, far north-west and tell people that forestry industry jobs are not decent and that they cannot have a future in that community; that they cannot grow up and enjoy the Tasmanian way of life in one of the most beautiful parts of the world because they have the temerity to work in an industry that is productive, that creates jobs, that supports families. It is absolutely outrageous and it is one of the reasons why they have completely failed to connect with the Tasmanian community, and particularly in my area of the north-west.

The shack taxes - as I was saying, it is a part of Labor's DNA to jack up taxes, and it was one of those things that would have destroyed part of the Tasmanian way of life that we hold so dear. I doorknocked in places like Edgcumbe Beach and Arthur River at Granville Harbour and I was told time and time again that people who had voted Labor all their lives were never going to do that anymore because they will jack up taxes on their shack. It was the same people when you visited pubs and clubs in my electorate, good hardworking people who had done a day's work and just wanted to relax and have a flutter. You were telling them that that was not good enough. You were telling them how they should spend their own money.

It was disgraceful and it spoke to the same thing that we saw with the forestry industry where you were telling the people who were working behind the bars of the pubs and clubs; you were telling the people who were having a flutter on the pokies, that that was not good enough; that that was immoral behaviour, and that you knew better. We can see from the Labor Party that they are trying to crab walk away from their policies at the last election, that were absolutely captured by the Greens. They are trying to figure out where they stand, what they believe. We know that they believe in higher taxes but they are still not sure which ones they are going to bring at the next election.

People in my electorate had had a gutful of it in 2014; you brought out the same old tripe again in 2018 and they told you exactly what they thought. I am looking forward to them telling you again if you try to bring more taxes into this place.

It is true, and it has been proven time and time again, that if you vote Labor you will get Greens. People have seen it, and people have had enough. Labor has no long-term plan for the future of Tasmania. This bloke over here cannot even properly cost a budget. It is disgraceful. We saw Anthony Albanese have the courage to get to his feet after the federal Budget - which was one of the best received in more than a decade - and offer some kind of alternative plan, even though how credible it was, I do not know.

These people over here, they do not have the work ethic, they cannot get up early, they cannot stay back late, they cannot do the research, and they cannot put forward a plan for Tasmanian jobs. I do not know whether it is because they do not care, they are lazy, or they

do not want to tell people what they actually think because they are captured by the tail of two that is wagging the Labor dog. I have to say that it is disgraceful. We saw the last time the Labor Party was smart enough to put in a budget, it was a disaster for our economy, particularly on the north-west coast. Tasmanians lost 10 000 jobs, there was no global pandemic, there was just David O'Byrne.

Tasmanians left our state in droves and in many ways, you cannot blame them because they had one of the most incompetent governments that any state in Australia had ever seen. People were leaving and they did not want a bar of you. We saw from those who were smart enough to stay in Tasmania, knowing that their -

Time expired.

[12.28 p.m.]

Dr BROAD (Braddon) - Madam Deputy Speaker, the member who has just resumed his seat obviously has the same speechwriter as Adam Brooks. He is talking about budgets, but the budget he should be really concerned about is Adam Brooks' campaign budget. We know that Adam Brooks is coming back and he is going to come back with a huge campaign budget.

The member who has just resumed his seat has a couple of options in front of him when we talk about budgets and jobs. His own job will be reliant on one of a couple of things. Maybe he has the chance to try to off head Adam Brooks in preselection. That is one option. Another option is to try to do over the member who has been embattled in this House, Mr Jaensch. That might be an option too, to maybe leak some juicy, little bits to get Roger Jaensch's standing in the public down enough so that he can be that third or maybe second member elected into Braddon.

We know that he is trying on the same tried and tested methods of others who have been in this House. Adam Brooks was probably more successful than Mrs Rylah, who also attempted to go down this strategy of reading out Labor attack lines every time she walked in and did an MPI. It is a failed strategy. We know Mr Ellis is playing the factional game. We know he is in the hard-right conservative faction and is doing what the godfather of the hard right, Eric Abetz, is telling him to do. Maybe he is telling him to go around all the factions as Eric Abetz goes around to try to shore up his Senate vote. He tags along and tries to shore up his own preselection. That is an option for him to try to get himself preselected, but also to try to sabotage the preselection of Adam Brooks. He is probably more worried about Adam Brooks' campaign budget.

Drawing attention to the federal Budget that he also talked about, the federal Budget is one where there is over a trillion dollars in debt and virtually nothing to show for it in the long-term. We know there was nothing in it for Braddon because, when the post-budget propaganda piece came out from the federal Liberal member for Braddon, Gavin Pearce, his -

Mr Ferguson - What, \$50 million for the Bass Highway?

Dr BROAD - He talked about \$40 million for the Bass Highway plus the \$10 million, but that was between Deloraine and Devonport.

Members interjecting.

Madam DEPUTY SPEAKER - Order, the member is entitled to make his contribution in peace and quiet, so I do ask that you do that.

Dr BROAD - That is exactly right. I am on the public record welcoming that investment and it is a good thing, but this money is between Deloraine and Devonport. The section of the Bass Highway between Parramatta Creek and Devonport is the section that is applicable. The only other thing out of a \$15 million program from the freight bridges program included strengthening work for the Forth River rail bridge. Those were the only two things in that budget that Gavin Pearce could highlight.

If I recall the post-GFC budget, when the economy needed to be stimulated, we saw record investments in upgrading school infrastructure, community infrastructure. If at Christmas time we visit all the schools on the north-west coast - there are some 74 schools on the north-west coast - for the vast majority of those schools, the stimulus package money improved their facilities and we are still visiting those facilities. Those facilities are still used by school communities for assemblies and for keeping the kids dry when they need to do PE. That was a stimulus package that was very specific. Virtually all the schools in the north-west benefited: Catholic, independent, all the public schools. That was a stimulus package that drove investment and created apprenticeships in the building industry. That is how you do a stimulus.

Now we have a federal Budget that drives us into well over a trillion dollars in debt and we will have nothing to show for it in the long-term. There will be nothing for people to look at and say, 'that is what the stimulus, the billion dollars, brought us', because this is a completely different structure.

The member who resumed his seat, Mr Ellis, talked about shack taxes. He is confessing that they have their own shack tax. They have upped land tax by 20 per cent. People are seeing their shacks become unaffordable now. As we heard in question time, are people considering selling their shacks because the land tax has been ramped hard under this Government.

We saw the Government's efforts to apply land tax to agricultural investments. Thankfully they backflipped on the farm tax, but it took a lot of pressure. They were not going to do it. They were going to knock on the head international investment from global super funds and so on, which is driving investment in areas like Smithton in the dairy industry and so on. This Government wanted to tax them at a rate that would have devastated their returns on investment and would have resulted in a massive investment strike in Tasmania. Thankfully they knocked that one on the head after a large campaign.

They have put in place a point of consumption tax. Then the member talks about jobs in the agricultural industry. What is the member over there doing about this Government's plans, their approvals, which have the potential to destroy hundreds of jobs in the potato industry? Potato farmers all across the north of Tasmania and indeed all around Tasmania, are very concerned about this Government allowing South Australian potatoes to come in, potentially to bring in diseases like potato virus Y, the mutant strain. Farmers are up in arms about this. McCain, Simplot and Agronico are all up in arms about this.

What is that member doing about it? He comes up here, runs down Adam Brooks' old lines, pretending to care about jobs in agriculture. What is he doing? Is he going to take up the campaign for Tasmanian farmers? Is he going to stand up to his colleague, Mr Barnett, and

say this is not good enough? These potatoes coming into Tasmania are too big a risk and yet is he going to stand up and try to do something about it or is he just going to flap his gums up here and repeat Adam Brooks' lines?

Time expired.

Matter noted.

BUILDING AND CONSTRUCTION (REGULATORY REFORM AMENDMENTS) BILL (No. 2) 2020 (No. 39)

Second Reading

[12.35 p.m.]

Mr FERGUSON (Bass - Minister for State Growth - 2R) - Madam Deputy Speaker, I move -

That the bill now be read a second time.

Today I am pleased on behalf of the Government to introduce the Building and Construction (Regulatory Reform Amendments) Bill (No.2) 2020. This bill is the second of its kind that I have presented to parliament this year. Members will recall that the first bill of the same name was introduced back in June and passed this House unamended. It progressed through the other place with only one minor change to the number of days councils have to make a request for additional information.

The first bill focused on implementing a range of regulatory reforms to tighten up the permit and approval processes within local government, TasWater and TasNetworks. It is important to note that there was broad support from just about everyone in this House, and in fact the other place, for these reforms to be extended to our own state government agencies in this tranche.

That was June, and here we are just months later with the second tranche of reforms that will hold our own agencies to account. Whilst the conversations were not always easy, I am pleased to say that we did not need the blowtorch.

The interdepartmental committee chaired by DPAC and supported by the Office of the Coordinator-General and Red Tape Reduction Coordinator oversaw the development of tranche 2 of the building and construction reforms. Through those discussions, 10 reforms have been agreed with agencies. A number of the reforms still have some implications for local government and we have been actively consulting with LGAT to refine those reforms.

Of the 10 reforms in tranche 2, seven reforms require legislative intervention and three reforms are being dealt with by ministerial directives or policy changes. It is my intention to briefly cover the non-legislative reforms before turning to those covered by the bill.

No Permit Required Certificates

There are a number of developments that can occur in this state that do not require a planning permit, including residential houses on land zoned 'residential', provided those houses comply with prescribed conditions relating to such things as height and setback from boundaries.

The Premiers Economic and Social Recovery Advisory Council in recommendation 26 specifically stated:

The state Government should change the regulatory framework for developments that fall within 'no permit required' and 'permitted use' under planning schemes to deliver an efficient and timely approach for dealing with planning outcomes.

To this end, we have considered a legislative reform but that is problematic, so after discussions with LGAT it was decided an option could be for the Director of Building Control to issue a building directive. This would allow private planners to issue a no permit required (NPR) certificate that can be relied upon by the builder or a building surveyor. This would not prohibit local councils continuing to provide advice on whether a project is or is not an NPR project.

The Director of Building Control has advised he is prepared to work through this process but would need to be satisfied the private planners have professional indemnity insurance to cover this type of assessment. Further discussions with the building surveyors, builders and planning consultants will occur to facilitate this reform, which we believe is the best way forward.

Crown Land Leases and Landholder Consent

As it currently stands, if a person wants to undertake a project on crown land they need to enter into a lease or licence before landholder consent will be granted. Council will not currently consider a development application unless the proponent can prove they have landholder consent from the Crown.

There are instances where someone may wish to secure planning permission and not spend time and money negotiating with the Crown over a lease or licence until such time as they know if council will grant planning approval. To overcome this very real obstacle, Crown Land Services will amend their internal policy to acknowledge applicants do not need to apply for a lease or licence in order to secure landholder consent prior to lodging a development application.

This reform has the potential to save both the department and the proponent considerable time and money negotiating leases and licences that may not ever eventuate if the planning permit is rejected.

Minor Works and No Planning Permit Required (NPR)

Like the earlier reform, this reform also addresses the PESRAC recommendation 26. It has been agreed through the work of the Planning minister and the Planning Policy Unit that a range of minor works will be exempt from requiring a planning permit.

These works will include incidental works associated with dam construction including vehicle access; stormwater infrastructure projects including removal, maintenance and repair of pipes, and minor road works including maintenance and repair of roads. These are all minor works incidental to projects that have already been approved under other planning mechanisms and should not require individual planning permits.

This planning directive will be made following normal government protocols and when announced will greatly reduce the time taken to perform these ancillary minor works projects.

I will now turn to the reforms outlined in the bill before the House.

EPA Time Frames

The first reform addressed by the bill commences at Part 2 on page 6. The EPA currently has a 28-day time frame for assessing whether an activity is a class 1 or 2 type activity. The EPA also has a time frame for issuing assessment guidelines of 21 days for class 2A activities, 28 days for class 2B and 63 days for class 2C. The EPA however does not have any time frames for assessing whether a proponent has complied with those guidelines, and that is what we intend to rectify with this bill.

The bill requires the EPA to make a decision on whether or not the case for assessment has been accepted by the EPA board within 42 days of the request for assessment.

Members will also see throughout this bill that we do not expect the regulators to make a decision in the absence of having all the information they need. To this end, the EPA is allowed to make as many requests for further information, or RFIs, as it needs during the first 40 days of receiving the request for assessment. However, once the proponent provides the information requested by the EPA it must consider the information and make a decision within a defined time period of 42 days. The EPA must notify the proponent within 8 days as to whether the response to the RFI is satisfactory or not.

Finally, members will see throughout this bill a recurring theme that stops the clock on the decision-making time frame when the first RFI is issued and ends when the regulator is satisfied the information provided meets the requirements of the final RFI. In this case the stop-the-clock provisions for the EPA are detailed in section 27FA (6).

Planning Permit Conditions

The next reform establishes a new statutory set of time frames for permit authorities (councils) and associated regulators to determine if planning conditions have been satisfied or not. Most planning permits that are approved have conditions attached which must be satisfied before building can commence. Sometimes it might be additional information such as how parking will be dealt with or the setting of conditions by another regulator such as the Heritage Council or TasWater.

Under the current legislation there is no time frame for the permit authority or the associated regulator to determine if the applicant has satisfied the permit condition they have imposed. To give certainty and finality to what is currently an open-ended process, we have

introduced a series of time frames for the approval of planning permit conditions in Part 3 of the bill commencing on page 12.

Section 60(2) requires the planning authority to give notice to the applicant within 20 working days as to whether the planning conditions have been complied with after receipt of the applicant's response to the conditions. Under section 60(3) the planning authority must, within the first 15 days of receipt of the information from the applicant, advise if any further information is required. This section is very similar to that imposed on the EPA earlier.

Like the EPA provisions, section 60(4) then requires the planning authority to assess any RFI requests within 8 business days of receiving the applicant's response to the RFI. In a similar fashion to the EPA provisions, the bill then has stop-the-clock provisions in section 60(5) which operate in the same way for permit authorities, with the clock starting when the information is lodged, stopping when an RFI is made and recommencing when the response to an RFI is deemed satisfactory.

The remainder of this section details the interaction between the permit authority, associated regulators and the applicant in responding to permit conditions imposed by those regulators such as TasWater or the Heritage Council. These provisions also have RFI and stop-the-clock provisions that operate in the same manner as just described.

This reform is one of the most critical in the bill as it requires councils and associated regulators to be accountable for responding to permit conditions they have imposed in a timely manner once they have the information requested. It is not reasonable for any regulator to set permit conditions and then take as long as they wish to determine if those conditions have been met.

Sealing of Plans by Council

I now draw members' attention to the next reform which institutes a new statutory time frame for councils to approve or reject a final plan for subdivision of land.

Under the current legislation, namely section 89 of the Local Government (Building and Miscellaneous Provisions) Act 1993, there is no time frame in which a council needs to seal the final plans for a subdivision. Consistent with other reforms we have brought before the House we are seeking to close this gap and bring certainty to the permit approval process. Therefore the bill requires councils within 20 days, after a final plan is lodged, to determine if the final plan complies or not.

Consistent with our other reforms, the council has 10 business days to make an RFI in case any documentation is missing or the final plan is deficient. This ensures the council has all the information it needs to make a decision. Council will then have eight working days to determine if the response to the RFI is satisfactory or not.

Finally, this reform has stop-the-clock provisions to ensure the 20 day time frame stops from the moment the first RFI is made and stays stopped until the council is satisfied the information provided in response to the RFI is in order. This reform will provide certainty and consistency in the delivery of new land to market to support housing and other developments.

Early Issue of Titles for New Subdivisions

Having dealt with the sealing of plans by council we now turn to the issue of titles for release of subdivision land.

The Land Titles Office has long operated an 'early issue' system for the processing of final plans to give title to each of the blocks of land within a new subdivision. The next reform gives that process statutory time frames also under the Local Government (Building and Miscellaneous Provisions) Act 1993.

The bill requires the Recorder of Titles to accept or reject sealed plans within 15 business days of the sealed plans being lodged. Consistent with our other reforms, the LTO will have the capacity to RFI if documents are missing or deficient in some manner within the first 13 days of the sealed plans being lodged.

Again, consistent with the previous clauses, the LTO will then have 8 business days to assess the information provided in response to an RFI notification. Finally the LTO will have stop-the-clock provisions to ensure the clock stops once an RFI is made and only starts again once the LTO is satisfied the information provided is satisfactory. This reform, along with the former reform, combine to streamline the release of land in this state and provides consistency and certainty to the permit approval process.

Nature Conservation Act and Special Permits

The next reform is made under the Nature Conservation Act 2002 and pertains to special permits to take wildlife.

As the act currently reads in section 29(5), a special permit granted under subsection (2)(a) the taking on specified lands of specified wildlife, specified products of specified wildlife or specified protected plants ceases to operate after 12 months. There are clearly circumstances where a permit may be required for periods shorter or greater than 12 months, depending on the nature of the project.

It is our contention that the regulator, being the secretary of DPIPWE, should be able to assign a time frame to the permit relevant to the nature of the project and not be confined to an arbitrary 12-month cessation period. To this end, the bill amends the act by simply deleting reference to the 12-month period cited in the act.

This reform will not alter the standards under which a permit is issued but rather ensure the time frame associated with the permit is relevant to the circumstances under which it is issued.

Strata Titles

The final reform under this bill relates to the Strata Titles Act 1998 and is consistent with all the other reforms; namely, it assigns a time frame to a regulatory decision where none currently exists.

Under the provisions of the bill, council must issue or refuse to issue a certificate of approval for a strata title application within 30 working days of receiving an application. The reform, like all the other reforms, ensures council is not required to make a decision until such time as it has all the information it needs, which is why council can make an RFI in the first 15

days of receipt of the application. Council has eight working days to determine if the information provided in response to an RFI is satisfied or not. Finally, the bill contains stop-the-clock provisions which ensure the 30-day decision making period is not running whilst an RFI is in place. This reform to the Strata Titles Act continues our efforts to fill in the regulatory gaps.

We as a government and the wider community expect our regulators to make informed decisions and hence whilst we have instituted time frames, we have also instituted their ability to stop the clock and make RFI. However, once a regulator has all the information they need, the clock restarts and a decision has to be made.

Sometimes that decision will be no and that is okay. A decision to say no enables the applicant to make a range of other decisions in a prompt and timely manner. The applicant may redesign their project and hopefully gain approval or walk away and look for another opportunity. What is not acceptable in a competitive environment is having a project stalled or not get off the mark at all because a regulator fails to make a decision or takes months to make a decision.

If we are to compete against other states and even other countries we need to be able to give large and small investors confidence that they will be able to get a decision on all the permits and approvals they need in a timely and predictable manner.

These reforms will streamline the delivery of land, houses and industrial projects in this state.

Stakeholder Engagement

In developing this bill my office and the Office of the Coordinator-General has overseen extensive external stakeholder engagement, especially with LGAT. The Government has liaised internally with all the relevant agencies through an interdepartmental committee overseen by the Department of Premier and Cabinet.

I commend the bill to the House.

Recognition Of Visitor

Madam DEPUTY SPEAKER - I want to acknowledge the presence here today of Reverend Professor the honourable Father Michael Tate.

Members - Hear, hear.

Ms BUTLER (Lyons) - Madam Deputy Speaker, I would also like to say hello to Father Tate. Nice to see you in here today.

Madam Deputy Speaker, this bill will give effect to a range of regulatory reforms to the Environmental Management and Pollution Control Act 1994, the Land Use Planning and Approvals Act 1993, the Local Government (Building and Miscellaneous Provisions) Act

1993, Nature Conservation Act 2002, the Strata Titles Act 1998 and the Water and Sewerage Industry Act 2008.

The bill also allows changes to the earlier issue of titles for new subdivisions. As well as the seven reforms through legislative intervention, three other reforms are through ministerial directives or policy changes. These changes are outlined in the minister's second reading speech and they are significant.

We will be seeking legal advice on the addition of these ministerial directives or policy changes and the inclusion of these policy shifts in the second reading speech. I believe that that would be addressed in the Upper House after we have had time to receive that advice. We were only briefed on this yesterday during the lunch break. It was only provided to us the day before. In the first reforms the same strategy of throwing it upon us and we sink or swim was used.

Much work has gone into this reform bill. I will ask again, maybe on the third time you might be able to give us just a week, 24 hours notice. It is a quick strategy for you but it does not allow for the most robust and proper review, which is a part of this House. You have done it twice with this strategy.

The first time I asked you to give us a little bit more time, even just another 24 hours. It is not very good manners, minister, and you would not have appreciated it. You have now done it twice so it is a consistent strategy. Maybe you will get it right or maybe you will do it again on a hat-trick with the next stage.

We will be supporting this bill. Change is important and change is necessary, but not change for the sake of cutting corners or compromising quality controls and good outcomes.

We do not want things to be rushed in our processes. Just-in-time management is what they use at McDonald's and it is effective for creating fast food but just-in-time management does not fit with a lot of regulation, bills and acts. We have to make sure that the things we are speeding up are not fast food. We have to make sure that we do it properly. I have stated that we will be supporting the bill, though, minister.

If there is an opportunity to assess processes that improve productivity, quality and efficiency, then Labor will always support that. We do not support cost-cutting, which I have just stated, or applying pressure on workers without resourcing them properly. We know there are no additional resources given to any of the agencies where these changes are going to be made. Often when these changes are made it is the people who are doing the clerical side of the job that get the brunt of the work. Minister, I suggest you make sure that proper resources are given to the areas you are changing to ensure that they can speed up the process. Making sure that they are properly resourced would be a prudent measure. Otherwise there will be a lot of emphasis falling on one or two people.

We are advised that there is general support from the agencies - LGAT and the other groups that are affected. There was very little time to properly consult on this bill. Twenty four hours is not appropriate.

I would like to refer to the Releasing the Brakes report of February 2020 coordinated by the not-for-profit Northern Midlands Business Association, of which I know the minister and

I are both very big fans. It represents approximately 1000 businesses in the region. The association has received ongoing feedback from the local building and construction sector that its growth would be immeasurably enhanced by streamlining interactions with utilities and local and state government. I quote from the report -

In distilling the many hours of input from industry, the following key findings on the views put forward are apparent:

- Unpredictable delays in processing create a *dramatic cascade effect that negatively impacts on every area of the industry*, from skills and resources to supply, to controlling costs, cash flow crises, customer satisfaction and the willingness of the industry to embark on new projects.
- Because of the inherent unpredictability of government and agency processes, *it is impossible to project-plan or build-in practical contingencies* for the processing and approvals required for building projects. *This is particularly so for marginal or low-margin projects like first-home owner dwellings and low-cost housing.*

That quote raises a good point of unpredictability and time frames. That is a strong point the report makes. This is something the bill is trying to address. It is placing time frames on actions or processes that did not already have time frames associated with them, so there can be some predictability. By pinpointing grey areas of process where there is no expected time frame for an answer to an application either rejecting or accepting the application, the uncertainty or not knowing is often very expensive and holds up other aspects of a project. There will be changes to the EPA process that have been outlined in this bill.

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

BUILDING AND CONSTRUCTION (REGULATORY REFORM AMENDMENTS) BILL (No. 2) 2020 (No. 39)

Second Reading

Resumed from above.

Ms BUTLER (Lyons) - Madam Speaker, changes to the EPA process outlined in this bill will see a time frame of 42 days imposed for the EPA to make a decision as to whether the case for assessment has been made by the EPA Board. Previously there was no time frame for this step of the process.

Amendments to the Land Use Planning and Approvals Act, that notice must be given to applicants within 20 working days as to whether planning conditions are complied with after the applicant's response to the conditions. Amendments to the Local Government (Building and Miscellaneous Provisions) Act deal with sealing of plans by councils. This bill requires councils to seal the plans for a subdivision within 20 days after a final plan is lodged to determine whether the plan is compliant.

Amendments to the act also provide for RFI and stop the clock provisions to ensure councils have the information they need. This amendment applies to all time frames. The bill

introduces changes to early issue of titles for new subdivisions and requires a recorder of titles to accept or reject sealed plans within 15 business days of the sealed plans being lodged. I hope that the Land Titles Office has appropriate resources to accommodate this change and I hope that the additional turnaround placed on individuals and workers within that office and area is doable for those staff. Often it is fine to make decisions about meeting time frames but often those additional time frames are not properly resourced.

The bill also makes changes to the time frame for strata titles. Currently councils do not have to meet a time frame to issue a strata title. The changes will mean that councils will have to refuse or issue a certificate for approval for a strata title application within 30 working days subject to the applicant lodging the appropriate paperwork. We were advised yesterday that there have been discussions with LGAT in relation to that and that is quite doable. We are comfortable with that. I believe my colleague, Ms Dow, will address that.

Minister, there is a concern in relation to the Nature Conservation Act and special permits. I was wondering if you could outline for us whether or not a time frame will still be specified in that process?

Communication was something that we raised yesterday in our briefing. Can you give a little bit of information about the kind of communication to agencies or to the public, to councils, about the change to those time frames just to make sure that people are aware that there has been a time frame for some of those processes?

I asked in the first tranche of the regulations whether there would be a capacity for you to conduct a review into these changes within a 12-month period? This is to ascertain whether they have been effective. As I said previously, we encourage the speeding up of processes as long as those processes are not cutting corners, and as long as we are not turning proper processes into a just in time management system and trying to replicate McDonalds. We need to make sure our quality in those processes remains and that we are not throwing the baby out with the bath water.

Minister, we support this bill and would appreciate your consideration for a review into these amendments at 12 months. That is a prudent measure to see whether they have been effective.

[2.35 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, it is interesting given the extensive number of acts that this bill seeks to amend that it was only tabled on Tuesday. It is making some substantial and some important changes in here but it was only tabled on Tuesday and debated today. It has not given us much time to fully investigate the extent of the changes that have been proposed.

In saying that, I thank the two staff who gave us a briefing yesterday. Nonetheless I notice that the minister made comments about the extensive consultation that had been undertaken for this bill and the extensive stakeholder engagement. Well it did not extend to the conservation sector because I can confirm that the Tasmanian Conservation Trust was not consulted on this bill, at least that is the understanding of the CEO, Peter McGlone. I have not heard whether other conservation bodies were engaged.

This bill seeks to amend the Nature Conservation Act 2002. It is striking that the consultation seems to have started and perhaps has stopped with the Local Government Association of Tasmania but there are many other acts that it seeks to amend. We are concerned that the minister was not being entirely frank with the House about the extensive consultation that has been undertaken. We are a bit concerned given some pretty substantial changes in relation to some open-ended information about the impact of the amendment that is being proposed in the Nature Conservation Act. We are a bit concerned that this is such short notice and we have not had a chance to look through the implications of that as closely as we wanted to.

I will come to discuss the Nature Conservation Act and the changes here which appear to be small. I need to say that this bill has been described as a mechanism, as a second tranche, in the regulatory reform processes by this Government's own spin to reduce so-called red-tape. We say that protections that are established under the Nature Conservation Act to protect wildlife and fauna in Tasmania are not red tape. They are anything but red tape. They are required to make sure that we keep our beautiful native flora and fauna intact, and that the impacts of developments on species should be zero. They should be as close to zero as possible. We know that we have to do everything we can to enhance biodiversity. We are falling off a cliff globally with species extinction.

We are really teetering with the most enormous levels of extinctions worldwide. Of our whole country Australia has a tiny proportion of intact ecosystems. A recent report released on Tuesday - which was International Disaster Day - by Swiss Re, the second-largest international reinsurance company in the world, has made it very clear that we are falling off a cliff with species extinctions around the world. The level of intact ecosystems on the planet is dropping disastrously week on week.

In Australia, a massive continent, only 2 per cent of the total land area has ecosystems that are highly or very highly functioning. We have the seventh highest level of poorly functioning ecosystems on the planet. It is appalling. Australia is the second highest in the G20 countries and the seventh in all countries for the greatest level of degradation for our ecosystems.

Ms O'Connor - Shameful.

Dr WOODRUFF - It is shameful. In Tasmania, it looks from the Swiss Re maps, that we have a reasonable proportion of Australia's paltry 2 per cent of highly functioning ecosystems. It looks to be something like a third of Australia's functioning ecosystems on our island. We have a grave responsibility to do everything we can.

We are a bulwark within Australia of remnant species, mammals, the swift parrot and the migratory birds. These birds and other animals, particularly migratory birds, receive a terrible welcome in Tasmania. We ought to be doing everything we can, given the context of the enormous loss of habitat in eastern Australia from the bushfires last summer, to maintain intact habitat.

We have to do everything to maintain our nesting hollows in old blue gums so that when swift parrots fly here to breed and feed off blue gum nectars, those trees are there. We have to do everything we can to stop the annual duck shooting extravaganza of blood. It is a horrific display by people who are mass slaughtering birds which came here last summer seeking refuge

from incredible drought in eastern Australia. Against the advice of DPIPWE staff, the minister authorised that duck shooting hunt to go ahead. This is exactly the wrong policy response, when we have a biodiversity crisis. We have to do whatever we can to protect the plants and animals that we have a responsibility to look after.

We are concerned when we hear the minister saying there is extensive consultation. We know that the great body in Tasmania, the Tasmanian Conservation Trust, which is responsible for the oversight and protection of plants and animals, was not consulted. We want to understand what is going on with this change to special permits under the Nature Conservation Act.

We do not understand the motivation for why it is in this bill. I asked staff at the briefing yesterday to provide me with some information. I do not know whether it dropped into my in-box at lunch time. I was in a briefing at lunch time, so I do not know whether I have received it. I wanted to know what the context for this change was and what sorts of activities are being affected.

I understand that the special permits to take wildlife are currently provided for up to 12 months. Taking on specified lands of specified wildlife, specified products of specified wildlife or specified protected plants currently cease to operate after 12 months. The contention of the Government is that these need to be able to be extended beyond 12 months to 'assign a time frame to the permit relevant to the nature of the project and not be confined to an arbitrary 12 months cessation period'. They are the minister's words.

Madam Speaker, I am sure that when that 12-month limit was first put in the Nature Conservation Act, there was a reason for it. I have not had time to go back to the second reading speech, which I wanted to do, and understand why 12-months was put there in the first place. I reckon it had something to do with the fact that that is a pretty good length of time.

The information sheet provided was produced in 2003 and is on the DPIPWE website. It provides information about the permits, authorities and other licences required to take native flora. I would be pretty sure that because it enables for plants to be killed and provides for the damaging and collecting of any listed plants or plant product, such as seed, foliage, roots, bark, sap, et cetera, to be done within the Nature Conservation Act there was a reason for 12 months. Just for convenience, I am not satisfied that providing an unlimited extension to that 12-month period is by any measure appropriate for us to do here today.

We are not convinced that it is required. The argument made to me in the briefing was that it ought to be relevant to the nature of the project. It already can be relevant to the nature of the project. If the nature of the project is only two months, the Nature Conservation Act enables a permit to be given for only two months. The minister's first argument for why this change needs to be made is incorrect. There already is an ability to assign a time frame to the permit that is relevant to the nature of the project. If the project requires the taking of fauna for six months, a permit can be granted for six months. Section 29(5) says -

A permit granted under subsection (2)(a) is to specify the period (being a period not exceeding 12 months in length) ...

That says it can be granted for under 12 months or up to 12 months, so it can already be assigned relevant to the time frame for the project. It is not correct to put that in there as a motivation, minister.

The second part of the rationale is that currently it is an arbitrary 12-month cap. I do not understand the reason for that. I would like the minister to explain it. I do not believe it is arbitrary. I believe that was put there in the first place as a reasonable length of time for an activity to be undertaken.

The other question I asked the staff is, how many special permits to take wildlife and fauna are granted under section 29 of the act? I do not know the answer to that. I would appreciate that, minister. How many permits require a permit to be reissued so that they can continue beyond 12 months; in other words, what is the quantum of situations we are talking about here?

Third, I would like to know what activities they are required for. Is it purely for scientific purposes? Is that what is happening here? If it is, I find that implausible, minister, given that you are introducing this bill. It is a Building and Construction bill so I find it implausible that we are talking about it predominantly being scientific purposes. If that is the case, what is it in this bill for? Why is it here? Why, as the Minister for Building and Construction, are you making a change to the Nature Conservation Act? It would be appreciated if you could provide that information.

Ms O'Connor - The war on wildlife continues.

Dr WOODRUFF - That is right.

Mr Ferguson - We love wildlife.

Ms O'Connor - Sure. Every policy setting of your Government says you do not love them.

Mr Ferguson - It is a reasonable question, it's not a reasonable assertion.

Dr WOODRUFF - Madam Speaker, the other part of this bill I wanted to speak to was the changes to Part 2, the EPA's time frames. As I understand it, these ought to provide no less opportunity for the EPA to undertake compliance assessments for projects. It will have, as I have had described to me, the opportunity for a 42-day assessment period in total but a request for further information can be made by the director and the planning staff at any time in those 42 days, at which point the clock stops until the proponent has had time to provide and submit the information that has been requested and the EPA then has eight days to determine whether the information provided is adequate. Then they make a response to the proponent and then the clock starts again.

It could be that the request for information is iterative and once some information is supplied from the proponent it is clear that the EPA has more questions. It opens up more questions from the information that was supplied, so this cycle of requesting information, having the information provided, having eight days to assess it - that is long enough - and then asking more questions on the back of what is coming in, could go on for a long period of time, depending on the complexity of the project and the proponent's capacity, ability or willingness to provide the information that is asked for in the first place.

What it does is put an end point on the process and as long as there is time for the EPA to properly assess projects, that is the issue at hand. The real problem with this whole situation is it is pretending that the EPA has the capacity to fully assess the environmental impacts of a project. We know that because the EPA is not established as an independent statutory body. It is not operating under its own act, outside of the influence of ministers and the policy directives of government. The EPA is fundamentally constrained in the sort of assessment it will do and the level of attention it is able to bring to environmental impacts on a proposed development.

We need a truly independent EPA and the director of the EPA sits under the minister. The board of the EPA is responsible for working within the policy directives of the minister. This EPA works within the policy directives which require the assessments and the activities of the EPA to prioritise productivity of business. It is because the EPA is required to prioritise productivity of business. That is this Government's choice.

If the Greens were in government we would not have that as the fundamental policy directive to govern the operations of an EPA because, first of all, we would have an independent EPA. Second, when we would provide some context to that we would be looking for the Environment Protection Authority to put the environment first as its priority. Every other part of the work of this Government is focused on business productivity. No part of it is focused on environmental protection. That is a fundamental flaw.

This is nice, this is important, but this is essentially window-dressing as though there are some substantial benefits to environmental protections that is happening here. There is not because the EPA has both its hands and its feet hobbled. It is impossible for them to be able to manage the impacts on the marine system from now industrial-level fish farming. You only have to look at what has happened this week with residents of Bruny, after 15 years of trying to engage in very good faith. I have to say those Bruny Islanders really have done the hard yards. I have seen them over years try to go through all the so-called right channels and try to have formal conversations, written conversations, non-political conversations, without going to the media. They have tried very hard to speak with Huon Aquaculture and Tassal about the impact of their fish-farming activities on the marine environment surrounding Bruny Island.

They have finally had enough. They are sick of it and they are sick of the failure of the EPA to do anything about the extreme damage that has happened to the D'Entrecasteaux Channel. It is a wasted seabed and you cannot catch scallops or flathead there. Recreational fishing in the channel is dead. If the Government ministers do not believe it they should talk to anybody who used to fish there, even 10 years ago, but 20 years ago, 50 years ago. It was an incredible paradise of fish in the D'Entrecasteaux Channel. That is what the residents want to enable to return and create a marine reserve around the Tinderbox Marine Reserve, but to expand it to include across the channel. That is exactly what we have to do. That is what should happen in North West Bay. It is good that these changes have been proposed but it is not going to fix the fundamental problem.

The last thing I want to mention is not a legislative change but it is in the minister's speech. It is a conversation about Crown land leases and landholder consent. There is no amendment to the Crown Lands Act that is happening here. We are concerned that the minister talked about making some internal policy changes to acknowledge that applicants do not need to apply for a lease or licence in order to secure landholder consent before they lodge a development application with the council.

The problem in Tasmania is that there is no ability for the community to have a conversation with Crown Lands and there is no obligation on Crown Lands to have a conversation with the community about a proponent's proposal for works or leasing of Crown land. Look around at the things that have been most contentious on the eastern shore: look at the Kangaroo Bay Shandong Chambroad hotel that has not been built but is a dirt park sitting there, still unbuilt after three years; the recent proposal for a private jetty on Crown land at the beautiful marine area of Ralphs Bay along that rocky coastline; or the Rosny Hill - the Hunter development - which has been approved and has always been rejected by the local community because it is an affront to the values of the nature conservation recreation area at the top of Rosny Hill.

All those situations would have benefited, all the controversy, all the planning fights and all the community fundraising for appeals to go to the Resource Management Planning Appeals Tribunal could have been avoided were there a capacity for a formal consultation process from Crown Lands with local communities about a proposal for a development on crown land. We do not have any capacity to have the conversations so Crown land sits.

When Mr Sultan was making an application for a private jetty over Crown land which was correctly knocked back by Clarence council on Monday night, that proposal went to Crown Lands and Crown Lands gave initial approval. That should never have been made. Crown Lands should never have made that approval without a conversation with the people of Tasmania about a proposal to use public land. All of this happens in-house and some of these decisions about the use of Crown land, the sale or the leasing of Crown land, are clearly small and they are not political.

However, as soon as something becomes political, as soon as you have an applicant who is a donor to the Liberal Party, or is closely associated with the mayor, or he is mates with somebody else, and who has great ideas, 'Just give us a bit of this free land and then we can do this great thing and we will all be happy'. That conversation happened behind closed doors. That is what happened between the Office of the Coordinator-General, the state Liberal Party and the mayor, Mr Chipman. That was a private conversation. When the Bellerive foreshore was given away to a Chinese petrochemical company to build a hotel, that land was given away without a conversation with the local community.

It is more than the decision about the development itself. There must be a process for a decision about whether the Crown land can be handed over for the purpose. It is not good enough to have that decision made by government behind closed doors without any opportunity for community input.

The Greens support the changes to the other acts that are in here - the Local Government Act 1993, the Strata Title Act 1998, and the changes to the Land Use Planning and Approvals Act 1993, and the Environmental Management and Pollution Control Act 1994. I can signal that we want to go into Committee to talk about the changes to the Nature Conservation Act 2002.

[3.04 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, I rise to make a contribution that is specific to a couple of provisions in this bill and to acknowledge the excellent contribution of my colleague, Dr Woodruff.

The first proposed change that I have some questions around is the change to the Crown land leases and landholder consent. As members know, the reason I am in this parliament is because of a decision made by the then Lennon government in 2003 to give landowner consent to Walker Corporation to build a 500-home canal estate and marina inside the Ralphs Bay conservation area. That was a process of granting consent to a conservation area that made no reference to a local community, no reference to the fact that Ralphs Bay sandflats are an internationally significant migratory bird habitat.

The issue here is that the process of making it easier for developers will mean that there is no longer a requirement on the proponent to negotiate lease and licences before they submit a DA, and that makes it much easier for a developer. It raises the question about how much easier it will be for any of the proponents who are part of the Government's unpopular expressions of interest process for development inside Tasmania's public protected areas, including our national parks and the Tasmanian Wilderness World Heritage Area?

We have here the leaked Parks briefing to the minister, which makes it really clear that all those expressions of interest proposals that have come to government and are now part of an open-ended process, have to go through a lease and licence negotiation.

Members may recall that in 2015, the then totally conflicted minister for State Growth and Parks, Matthew Groom, secretly approved the Lake Malbena proposal to lease and licence negotiations. Tasmanians only learned about that three years later. It was a completely secretive negotiation over an entire island in the Tasmanian Wilderness World Heritage Area, an island which has effectively been privatised by this Liberal Government, given to Daniel Hackett and his mystery backers, for about \$80 per week. As people who have loved Halls Island, Lake Malbena and the Walls of Jerusalem National Park are discovering they are no longer allowed on that island inside the Tasmanian Wilderness World Heritage Area. It is effectively prohibited for everyday Tasmanians who have enjoyed that area, to go to the island. That is privatisation of a public protected area. It is scandalous.

The Liberals underestimate the level of community antagonism towards, not only this proposal, but the EOI process as a whole. It has created a strong and growing constituency of people who span the entire political spectrum and the demographic spectrum, who are enraged at the idea that government would give away a whole island, a beautiful island, inside the Tasmanian Wilderness World Heritage Area to a private developer who they agreed to negotiate lease and licences with back in 2015.

If the Liberals think that constituency is going to go down quietly, they are sorely mistaken. The movement to defend the right of Tasmanians to enjoy their public protected areas and to be able to access Halls Island is only gathering momentum.

I encourage the minister, Mr Ferguson or any other Liberal, who wants to get a bead on how people are feeling, particularly about the Lake Malbena proposal, to talk to some bush walkers, if they can bring themselves to do it because many of them are green. Or talk to some fly fishermen or women - that is a constituency that sits with both the Liberal and Labor parties - talk to them about how they feel about being shut out of their own protected lands. The level of anger, the level of that sense of injustice that something that is the shared common wealth of all Tasmanians is palpable and it is growing. There is rage about the Lake Malbena proposal. It will only be intensified now that we have this leaked Parks briefing which makes it clear that

at some level or another, somehow the story the state Government through Parks and Wildlife told the Commonwealth in the Reserve Activity Assessment is a lie. In this document the total capital cost of Daniel Hackett's proposal is \$500 000, which is what Parks is telling the Commonwealth: a \$500 000 capital investment. This minute makes it clear it is a \$6.97 million investment. Something is smelly about the whole thing.

We have information which will be the first time many Tasmanians have heard this. Of all the expressions of interest that have gone in between 2010 and 2014 there were 72 licences and nine leases approved, an average of 18 licences a year and just over two leases a year. Between 2014 and now, there have been 158 licences and 23 leases approved. It is important to remember that every time the Greens, or any other concerned Tasmanians, sought to access details of those leases and licences, they met the great hand from the Office of the Coordinator-General and State Growth and Parks, and they were told it was commercial-in-confidence.

How can it be commercial-in-confidence when we are talking about private developers accessing public land? This amendment will make that process much more slipstream easy for developers. At the moment, through the Office of the Coordinator General, these proponents are having to negotiate lease and licence. It is extremely concerning. I am very worried about the impact of this particular provision on the expressions of interest proponents and the capacity for it to accelerate the commercialisation, the privatisation, the building of lodges, luxury accommodation, in Tasmanian Wilderness World Heritage Area, our national parks, and other reserves. It is shameful that this is happening.

When we talk about the EOI statistics, the summary of projects, we have in the assessment panel process 10 proposals now; leases and licences have been signed for 12 proposals; 17 of them are negotiating lease and licences; four of the proposals were withdrawn, and five were not approved to progress.

We have proposals coming up, like the Mt Roland cable car, which is, in part, on Crown land, a protected area, the Mt Roland Regional Reserve and Conservation Area. Some of it is private land, but a substantial part of it is on public reserve.

Tas Walking Company is land banking in the Tasmanian Wilderness World Heritage Area with its proposal for extra huts on the Overland Track. We have the proposal for the walk through to Federation Peak; the Cradle base camp, which is for an entire luxury lodge inside the Cradle park inside the World Heritage Area.

This is death by a thousand cuts of something which is our greatest natural treasure - the Tasmanian Wilderness World Heritage Area. It is the only world heritage property in the whole world which has the word 'wilderness' in its name. Let us not forget this Government tried to remove the term 'wilderness' and the wilderness zoning when it distorted the Tasmanian Wilderness World Heritage Area Management Plan in 2016 to make it easier to get EOI proposals through. Not only did it do it in broad terms to make it easier, there were specific changes to the management plan that allowed for the development of Halls Island in Lake Malbena. It was carved out of the map so a development could go in there. The impact on wilderness values of that proposed development will be profound. That is why people are so angry about it. Wilderness is not wilderness when there are up to 200 helicopter flights going back and forth to that privatised island.

My question to the minister on this provision is, can he confirm that this change would speed up the expressions of interest process for developments inside national parks, regional reserves, and conservation areas in the Tasmanian Wilderness World Heritage Area? At the moment the Office of the Coordinator-General is massaging through these developments but there is a process where a lease and licence is negotiated before a development application is submitted.

The second issue that I want to raise is the one that Dr Woodruff spoke of and that is the proposed amendment to the Nature Conservation Act 2002 to remove the part of section 29(5) which says -

A permit granted under subsection (2)(a) is to specify the period (being the period not exceeding 12 months in length) for which it remains in force and, at the end of that period, the permit ceases to be of further effect.

The Greens want to know what is the genesis of this proposed amendment? Where did it come from? There would be no finite period within the Nature Conservation Act should this legislation pass. It is up to the secretary to determine, when issuing the permit, how long an entity, an individual, a proponent may be allowed to take or kill native wildlife.

In the five years after the Liberals were elected, 16 000 permits were issued to shoot native wildlife. Not one was refused. The crop protection permits in this state are handed out like confetti. We have crop protection permits that allow the killing of forester kangaroos. The Government does not even know how many forester kangaroos are left. This island was once a wide range for forester kangaroos. It was a staple food source for the palawa pakana people. That species is now largely confined to north-east Tasmania. Its range has been substantially restricted. It is a magnificent marsupial. The last estimate I saw of the forester kangaroo's population in an outdated population survey was that there is an estimated 24 000 forester kangaroos left in Tasmania. The last crop protection permits that were issued allowed for the shooting of 10 000 forester kangaroos.

The war on wildlife in this state is entrenched, it is obscene, and it continues to this day through this sort of amendment. The casual disregard for the lives of native animals brings shame on us all. Those crop protection permits allow for the shooting of wombats which are being afflicted by sarcoptic mange. Every Tasmanian native animal you can name, except for those that are critically endangered or endangered, are being slaughtered through crop protection permits. Even platypus are being killed. Where is the rationale for that? It is sick. This is 2020. Can we not do better? What happens with native animals is that the assault goes on and a lack of research into the population and a lack of recovery plans for threatened populations leads to a point where suddenly we are seeing whole species collapse. Who would have thought 10 or 15 years ago that we would regard the Tasmanian devil as a threatened species? It is now an endangered species. It was so common in the landscape there were bounties on it, because as a society we did not learn from what happened to the thylacine. We are not learning now.

We have the Department of Primary Industries, Parks, Water and the Environment advising the minister for Primary Industries not to proceed with the duck-shooting season on public lands. Yet the duck-shooting season continues, despite the advice from the department that because of drought on the mainland, migratory duck populations are under enormous pressure and Tasmania is a haven for those species. The department gave the advice to

Government, to the minister who pretends he never saw it, and that advice was ignored because the war on wildlife continues. This is a Government that panders more to hunters and developers than it does to nature.

There is a hostility to nature in this Government and it began in 2014. As soon as they were elected, one of the first decisions made by this Government was to lift the ban on 1080 so it would be easier to kill wildlife. Out in the community when people read stories about the tens of thousands of animals that are killed by crop protection permits, they feel sick and sad. They cannot believe a government would be so wanton about the protection of native animals here. We are driving more and more species to extinction. When we do that we impact on biodiversity and biodiversity is critical to life on earth. But this Government - no.

This is a government that was prepared to allow drilling at the Westbury Reserve knowing it is the breeding season for the wedge-tailed eagle, *Aquila audax*. Right up to the day when drilling was going to start they were ignoring that community's pleas to protect the nesting wedge-tailed eagles. You could almost telepathically hear the mindset of Government at the time - 'They're just a couple of eagles, what's the big deal?' Dr Woodruff and I have been to that site, that reserve, and it is the most beautiful little piece of bush, a fragment of habitat just north of Westbury. We heard so many birds. It is beautiful bush and no place for a prison. The more we mow down habitat the more we diminish biodiversity. Sarah Lloyd OA, who has been examining that Westbury site for many years, with an obviously aching heart said, 'I have noticed the birds are disappearing. The little bush birds are disappearing. It is quieter'.

It is quieter because habitat is disappearing and so a parcel of bush like that in Birralea Road is even more important because it is a fragmented habitat. The more we can retain habitat and provide safe places for wildlife, the better off the whole island is and the better off we are. Can you imagine an island where we did not have these extraordinary endemic animals? It would be a most barren place, but that is where we are heading. It is death by a thousand cuts, like this little clause where you take away even a 12-month limit on a permit to remove or take or kill wildlife.

This is a government that continues to clearfell and burn habitat, giant trees. Do not believe minister Barnett when he says that they are not knocking down giant trees. Only a month ago we were up the Denison Valley, where massive trees have been felled. One tree stump there, at one point of its diameter was about 4.8 metres and at another just over 5 metres. That is a giant tree, a nesting hollow for swift parrots and masked owls. The destruction of habitat under this Government is accelerating.

We have said it in here before. We get reports from people all over this island who say the log trucks are accelerating in their number. The size of the trees on the backs of those trucks is increasing. Native forest logging is intensifying under this Government. It is a crime against nature, it is destroying habitat, it is a crime against the climate, and it breaks people's hearts. It has to stop.

As we know, while minister Barnett and Dr Broad might try to deny it, when you log native forest, you increase bushfire risk and risk to communities. Four peer-reviewed papers in six years confirm this, yet this Government continues hell for leather knocking down native forests. It ignores the beekeepers when it smashes down leatherwood forests, prioritising ideology and industry over an important Tasmanian export product that adds to our brand.

Swift parrots? They do not care about them. The only reason there has been any move on a small part of the swift parrot habitat is because twice now Forestry Tasmania has not been able to secure Forest Stewardship Council certification, largely because it is smashing down swift parrot habitat. There are fewer than 1000 breeding pairs of this exquisite bird in the whole world. The war on wildlife continues under the Liberals.

We will not be supporting this amendment. There has been no rationale provided for it. In fact, it is so casually mentioned in the minister's second reading speech, you wonder why he even bothered. There has been no rationale to remove the limits on the taking of wildlife. We need to understand the reason for this. Where did it come from? Who lobbied for it? What are the consequences of it likely to be? The native wildlife is already under so much pressure.

As Dr Woodruff said, Australia has an appalling and depressing record on protecting nature. We are seeing biodiversity crashing in this country. In fact, the Australian Government is one of only five governments in the world that has not signed up to a recent United Nations commitment to protect biodiversity. We are there with luminaries such as the United States government, the Chinese government and Brazil. We are standing alongside planet-aping despots not to protect our biodiversity.

I know that young people want their parliaments to look after nature, they want them to look after habitat, and they want us to deliver good laws that do not diminish the Tasmania they are growing up into. They want to be able to walk through the forests and be able to see swift parrots fly across the sky like little jewels. They are so amazing, yet this Government bungs up tree hollows to stop them from breeding in there. It is shameful and is accepted as the norm.

Do you know, Madam Speaker, if not for the Greens in this place, native animals would barely get a mention? I remember recently when we brought on a matter of public importance debate on threatened species we were ridiculed by a member who I will not bother to name right now for doing that. If we are not in here standing up for the wedge-tailed eagles, the forester kangaroos, the swift parrots, the masked owl and the Tasmanian devils, who will?

I know the answer to that and so does Dr Woodruff. Nobody will. We will not be supporting this amendment. It is unnecessary. There has been no rationale put forward for it and we are not going to stand by and allow the casual weakening of the protection of native wildlife in this state. We will always stand up for Tasmania's extraordinary native fauna because these beautiful animals are essential to who we are. We should not take them for granted and we should not allow laws to be weakened. We need to be strengthening laws. We need to be increasing resourcing to the Threatened Species Branch, which I think now is down to about 0.2 of a human being.

When I first started here in journalism 30 years ago, the Threatened Species Unit, the Nature Conservation Branch in Parks in the department of Primary Industries and the Environment was well-resourced. It was able to engage with the media; I was able to do any number of amazing stories because of the resourcing that was in Parks, because of the scientific integrity of a well-resourced Nature Conservation Branch and Threatened Species Branch. Tasmanians had stories that told of their extraordinary native animals and you just do not get that anymore.

We will not be supporting this amendment.

[3.32 p.m.]

Mr TUCKER (Lyons) - What can I say, Madam Speaker? The 'Dr Doom' is catching over on that side, is it not? The world is going to end, listening to that conversation.

Dr Woodruff - You should get out a bit more, Mr Tucker.

Mr TUCKER - I do. I actually get out in the country.

The Tasmanian Liberal Government has a target to fix 85 per cent of reported red tape issues by 2022 and we are well on the way to achieving this. These are long overdue reforms that will enable Tasmanian businesses to get on with their job and assist our economy as we recover and rebuild a stronger Tasmania.

I am pleased to speak in support of this bill. The Tasmanian Liberal Government is totally committed to rebuilding Tasmania's economy post-COVID-19, investing a record \$3.1 billion into infrastructure and creating more jobs for all Tasmanians. Tasmanians overwhelmingly want us to get on with the job and that is what we are doing - the cost of plans and a vision. This is in complete contrast to lazy Labor and the Greens with no plans for Tasmania's future, just focused on 'gotcha' moments and scoring cheap political points or their own self-promotion instead of working as a team.

One of the key reforms that Tasmania's economy needs is certainty. Certainty is needed when it comes to time frames for government bodies, councils and regulatory organisations to complete required work in a timely manner.

The Government has been working closely with industry stakeholders, large and small, to identify and resolve regulatory impediments to building and construction in this state. I am not just talking about large property developers. I am talking about dairy farmers, poppy producers, irrigators and small businesses in towns around the east coast, Derwent Valley, Central Highlands and the Midlands that underpin those regions. Anyone who has had to secure a permit for building a barn, extending their home or connecting water to their property has experienced the frustrations associated with not knowing how long it will take to get the appropriate permits and approvals.

This bill can be easily summarised because it is focused on requiring permits and approvals to be determined in a defined period. The time frames for those decisions have all been discussed with the relevant regulators and deemed appropriate.

Most importantly, this bill acknowledges that regulators have to make tough decisions and in order to reach the right decision regulators must have all the information they need. To this end, I note that for every time frame specified in the bill there exists the ability for the regulator to make requests for additional information. I also note that the bill has 'stop the clock' provisions which mean the statutory time frames stop once an RFI notice has been issued and stays stopped until the regulator is satisfied the proponent has satisfied the RFI.

These are important measures and safeguards for individuals and the community. The RFI and stop the clock provisions ensure regulators are not forced into making a decision in the absence of having all the information they need and the clock stops until they do. However, there is also an underlying principle which says that once the regulator does have all the information they need, then they have to make a decision and cannot unnecessarily delay the

process. This bill strikes the right balance between ensuring proponents provide good quality information to regulators and that regulators who are entrusted with making a decision do so in a timely manner.

There is an old saying that slow justice is no justice and the same can be said of decisions by regulators. We all know cases where delays in permits and approvals have seen proponents suffer unnecessary delays, costs and potentially force them to walk away from the projects.

This bill provides clarity and certainty to both the proponents and the regulators as to what is a reasonable time frame to secure a permit approval. It also provides the regulators with the right to push back against calls from proponents seeking to promote their application within days of lodging the application or seeking to have their application prioritised over other applications waiting to be processed. This bill removes the need to call anyone because the proponent has all the certainty they need before they even lodge their application as to how long the application will take. This bill provides the certainty and consistency we need in our regulatory system if we are to grow and prosper and encourage investment in this state.

The Premier, Peter Gutwein, is on the record saying, we will build our way out of the coronavirus economic crisis. By announcing the biggest infrastructure spend in the state's history and by working together we will build what has been lost, we will strengthen our community, and we will recover our economic prosperity. Projects like affordable housing, maintenance on schools, buildings, regional roads, bridges and dams will be at the forefront of the Government's areas of focus.

Prior to COVID-19, the construction industry was booming at record levels across the state. The construction industry in Tasmania employs over 20 000 people and the multiplier effect is even greater again when you take into account the flow-on impacts on hardware stores, white good retailers and even local coffee shops which are all dependent on a robust construction industry.

However, it is not enough to simply throw money at trying to solve the problem and hope we get a result. It is not enough for the Government alone to do the heavy lifting. Importantly, we need to foster an environment that encourages private investment in the state and we need to work together to rebuild our state. We all need to do more, work harder and make changes.

If we are going to spend billions of dollars in building houses and schools, bridges and roads then we need a permit and approval system that is fit for purpose. Unfortunately, the current system permits and approvals system is slow and cumbersome, with many stages of the approval process lacking any time frame on a decision being made or worse still, requiring one permit to be approved before another will be considered. The delays and frustrations associated with the current system are well known to all of us in this room and they are well known by any mum and dad who has tried to build a home and any small business wanting to undertake a development.

I want to give people an example. We have a dairy farmer who bought a property across the river from his own original property. The farmer wants to put a pumphouse on the riverbank between the two properties, but he has to go to the council to get a planning permit, and then the council will tell the farmer that he will need a consent from the Crown, and then the Crown will want him to negotiate a lease before they can give a landholder consent. Under these new reforms, the landowner consent can be granted without requiring a lease. The lease and the

licence can be negotiated after the planning permit is granted, so the lease becomes a condition of the planning permit. This bill requires that all planning permit conditions will be resolved within 20 working days of receipt of all information.

Mr Deputy Speaker, we need to get the regulatory framework right if we are going to rebuild the Tasmanian economy from the COVID-19 pandemic. In June this year, I supported Building and Construction (Regulatory Reform Amendments) Act 2020, which passed the lower House and upper House with the unanimous support from all parties. The reforms in that bill were targeted at improving and streamlining the permit approval process of local government, TasWater, and TasNetworks.

Having successfully prosecuted the case for regulatory reform in tranche 1, we now have before us tranche 2 of reforms enshrined in this bill. This bill is all about tidying up our own backyard and holding our agencies to account in the permit and approval process in the same way we have held local government and the utilities to account. I firmly believe that if a government agency is entrusted with the responsibility for making a decision, then they are equally responsible to deliver that decision in a predictable and timely manner. The bill before this House today delivers real reforms.

The minister has outlined in detail the amendments to this bill and, for the record, I will touch briefly on the merits in supporting each of them. This bill addresses the Environmental Management and Pollution Control Act, the Land Use and Approvals Act, the Local Government Act in relation to subdivision plans, the Nature Conservation Act, the Strata Titles Act and the Water and Sewerage Act.

Under the Environmental Management and Pollution Control Act 1994, the EPA currently has a 21-day time frame for assessing whether an activity is a class 1 or class 2 type. The EPA also has time frames for issuing assessment guidelines of 21 days for class 2A activities, 28 days for class 2B and 63 days for class 2C. However, the EPA does not have any time frames for assessing whether a proponent has complied with these guidelines.

The act has been amended to allow the EPA to make a decision on whether the case for assessment has been accepted by the EPA board within 42 days of the request of the assessment. The amendments to the act also provide the request for further information and stop-the-clock provisions to ensure the EPA has all the information it needs to make informed decisions.

We are proposing amendments to the Land Use Planning and Approvals Act 1993 to establish a new statutory set of time frames for permit authorities, councils and associated regulators to determine if council conditions have been satisfied or not. Under the amendments, the planning authority must give notice to the applicant within 20 working days as to whether the planning conditions have been complied with after receipt of the applicant's response to the conditions.

The amendments to the act also provide a request for further information and stop-the-clock provisions to ensure the council and associated regulators have all the information they need to make informed decisions.

The amendments to the Local Government (Building and Miscellaneous Provisions) Act 1993 institutes a new statutory time frame for councils to approve or reject final plans or

subdivision of land. Under the current legislation, there is no time frame in which a council needs to seal the final plans for a subdivision.

The bill requires council, within 20 days after the final plan is lodged, to determine if the final plan applies or not. The amendments to the act also provide for requests for further information and stop-the-clock provisions to ensure councils have all the information they need to make informed decisions.

On the early issues of titles for new subdivisions at clauses 16 to 18, the Land Titles Office has operated an early issue system for the processing of final plans to give title to each of the blocks of land within a new subdivision. These amendments provide that process with statutory time frames. The bill requires the Recorder of Titles to accept or reject sealed plans within 15 business days of the sealed plans being lodged. The amendments to the act also provide requests for further information and stop-the-clock provisions.

Currently, the Strata Titles Act 1998 does not provide for a time frame for council to issue a strata title. The amendment requires councils to issue or refuse to issue a certificate of approval for a strata title application within 30 working days of receiving an application. The amendments to the act also provide for requests for further information and stop-the-clock provisions to ensure the councils have all the information they need to make informed decisions.

The final proposed amendment is to the Water and Sewerage Industry Act 2008 which gives effect to the legislative changes required to deliver the reforms detailed in clauses 10 to 13 pertaining to the time frames for regulators which are signed conditions to planning permits.

I commend minister Ferguson and his department on his detailed work which has implications for local government and required active consultation with the Local Government Association of Tasmania. Importantly, the reforms in this bill also address recommendation 26 in the PESRAC review, which stated that the state Government should change the regulatory framework for developments that fall within no permit required and permit use under planning schemes, to deliver an efficient and timely approach for dealing with planning outcomes.

The House has the opportunity to support a range of balanced and meaningful reforms that have been carefully constructed to deliver a consistent and predictable regulatory environment. These reforms are about getting Tasmanians and Tasmania back to work. They will streamline the time frames and certainty around the delivery of land, houses and commercial opportunities and remove many of the red-tape issues that frustrate timely development and delivery of service.

These sensible reforms underpin the Tasmanian Liberal Government's wider agenda to make Tasmania the best place in the country to invest and create jobs by reducing red tape and creating a transparent and predictable regulatory system. These are important and sensible reforms.

[3.48 p.m.]

Ms DOW (Braddon) - Mr Deputy Speaker, I rise to speak on the Building and Construction (Regulatory Reform Amendments) Bill. I would like to thank Stuart and Michael for the briefing yesterday at lunch time.

As others have noted in their contributions earlier today, this bill was tabled on Tuesday and we only had the opportunity to have a briefing yesterday lunch time. As others have alluded to, it looks at proposed amendments to a number of pieces of legislation, and it would have been good to have some further time to consider the implications of that. That is why we are posing a number of questions this afternoon about each of these changes.

The second reading speech for this bill is unusual in that it denotes three other reforms which are not dealt with in the bill and which are intended to be addressed through departmental policy changes and ministerial directives. We would like the minister this afternoon to outline the process which will accompany this, including consultation, public exhibition, and further details of both processes. As my colleague Jen Butler said, we will be seeking further advice on this matter. We would like to understand if there will be broader consultation on these reform items, including outside those organisations consulted with on this bill and whether that will occur prior to the bill being tabled in the upper House.

As my colleague, Jen Butler, has indicated, we will be supporting the bill but seeking some further information during today's debate. Last sitting we dealt with the On-Demand Passenger Transport Services Industry (Miscellaneous Amendments) Bill 2020 that is underpinned by a regulatory review which is publicly available, and where the submissions were also made publicly available prior to the bill coming to the House.

I understand that many of the amendments proposed in this bill were identified during the Tasmanian Development Regulatory Reform Project. I understand that, to date, the report from this project has not been publicly made available, nor have the submissions to that process. I made the point in my contribution, when we looked at the first tranche of reform initiatives back in June, that it would be useful to have access to the findings of that project, the final report and the submissions that were made to that process to understand fully the different perspectives on the proposed changes and the merits and evidence base for each of those changes. I encourage the minister to make that report and those associated submissions available.

I understand through the consultation I have been able to undertake in the short period of time, that the Local Government Association supports the proposed amendments in the bill. It has had the opportunity to work very constructively with the red tape reduction coordinator and his office to make changes to the draft bill in line with the concerns that it has raised. This is positive and perhaps was undertaken more thoroughly than the first tranche of reforms presented in June.

In my consultation with the Local Government Association I have reviewed its submission to the Tasmanian Development Regulatory Reform Project. I want to refer to a couple of points that it made.

The first point is that shortcoming in business processes and practice on both sides of the regulatory divide cannot be improved by regulation alone. The current planning and building portal project managed by Consumer, Building and Occupational Services offers a significant opportunity to harmonise variation in business processes and to drive greater consistency and conformity among regulators and practitioners. That is a very important point. The Local Government Association then reflects on the underlying document which informed the regulatory reform project, *Removing the Regulatory Handbrake*. This report was

commissioned by the Property Council of Australia in Tasmania. It also looked at the national report, *Cutting the Costs*.

It says that these reports are not the only authority on issues and challenges associated with regulation and refers to work undertaken by the Productivity Commission in 2012 which looked at the role of local government as a regulator. The submission says that chapter 12 of that Productivity Commission report deals with development assessment and notes that two primary factors common across Australia for development application processing-related issues were, one, the quality of the applications lodged; and two, the level of resourcing of the respective planning departments.

These findings are demonstrably applicable in Tasmania and remain common issues of concern amongst Tasmanian councils. Whilst the *Removing the Regulatory Handbrake* report identifies resourcing as a common underlying issue that contributes to processing delays, the paper has not highlighted the quality of application issue in a similar way.

I will read into *Hansard* what the Local Government Association said about application quality. This is very important and shows the other side of the story and the importance of clear information being provided to developers and proponents about what requirements are which, alongside regulatory time frame review and reform, can take time out of the process and make a process much simpler and easier -

As well as being raised in the Productivity Commission Report, the variable quality of applications and documentation submitted has also been noted by local government in responding to this project. The simple fact is some applications are good but many are not. Many applications and post-approval documentation - engineering drawings, for example - could greatly improve by standardised lodgement processes which regulate the quality of all application documents.

It goes to the old adage 'you don't know what you don't know' if you are not provided with the information about what is required -

The planning and building portal project will provide some improvement to the quality of applications and potentially post-approval engineering requirements, although this is not part of the current scope of this project. However, it is also suggested that a comprehensive audit be conducted by the Tasmanian Development Regulatory Reform Project into the quality and relevance of information contained in a range of example applications.

Before any amendment is recommended to introduce additional statutory timeframes as is discussed further below, consideration should also be given to a state-wide initiative to develop standards and expectations for documentation.

I had a further discussion with LGAT about this because it deserves some merit. I ask the minister whether the audit they raised in their original submission in 2018 has been conducted.

Many other states around the country have development guides which are provided to proponents and publicly available to developers to outline each of the steps in a process that is required when undertaking development within that jurisdiction. It is useful, helpful, and practical information. LGAT believes that to improve post-approval compliance assessment many other Australian jurisdictions have developed a variety of resources that more clearly express development requirements and the standard of documentation to be submitted for permit, compliance and assessment. There is an emphasis on helping proponents to get it right the first time, minimising unnecessary assessment delays. There are examples in Victoria, Queensland, New South Wales and far north Queensland of such manuals and guides.

There is some interest from the sector in being involved in developing such a resource in Tasmania. I ask the minister to give consideration to that as part of this regulatory reform process to ensure that there is good, practical, user-friendly information provided to proponents and developers when they look to do business in Tasmania. There is no doubt that will help support and streamline the process.

My next point, which has been raised by others, is about the resources of the entities that we are talking about in this amending legislation and their ability to get the work done. Our departments are under incredible pressure. Even within local government we have significant skill shortages across engineering and planning professionals. There needs to be, alongside the Government's regulatory reform agenda, a really decent and solid workforce plan for the state, particularly across activities associated with the development industry. I ask that the Government give consideration to the current resources that are available. It was mentioned in our briefing yesterday that in departments such as the Land Titles Office this will be a significant change. There will be the need for additional resources. I ask the Government to give that consideration in their upcoming budget.

I am sure the Minister for Planning is aware of the proposal from LGAT about having a specialist group of planners available, an additional resource for councils across the state that has been put forward in the Premier's Economic and Social Recovery Advisory Council submission. I ask that consideration be given to funding that model as well. It would be beneficial right across the sector and -

Mr Jaensch - Sort of resource sharing but someone else paying for it. It is a new version of resource sharing.

Ms DOW - Well, there is myriad work that needs to be done. I can see that across the interim planning scheme, across the new planning scheme. There needs to be additional resource within the sector to get the work done, if you are going to meet your time frames.

The last couple of points I want to make relate to the changes to sealing of plans by council and the early issuing of title changes. These are welcomed by proponents and councils. I understand that LGAT supports the reforms set out in this amendment bill. Has consideration been given by the Government to introducing a subdivision act? It has been raised with me in my role as shadow minister. It is denoted in the LGAT submission.

I move now to Part 5. A considerable number of contributions have been made about the amendment to the Nature Conservation Act. I want to understand where this came from. Is it included in the Red Tape Reduction Audit Report? I do not think it was included in the Property Council's original report, from which the bulk of this work has emerged. I am not sure that it was in the Northern Midlands Business Council report. I know a number of reform

initiatives have come from that as well and I want to understand where it has come from and why it is in here.

We want to understand the reason for the 12-month time frame to start with. Usually time frames are put in place for a reason and we want to understand why that was such. We want to understand if a specific time frame specific to each project permit will be allocated in place of the removal of this 12-month time frame.

As my colleague, Jen Butler said, we want to understand what review mechanisms are in place for this legislation and how the success of the reforms will be measured and monitored over time. We want to understand if this is the last tranche of reforms. Can we expect more and, if so, when?

Finally, how will these changes be communicated to proponents, regulators, local government and the wider community? It will be very important that a good level of information is provided. I look forward to the minister providing further information on matters raised in the second reading speech that I referred to in the first part of my contribution and all the matters I have raised this afternoon.

[4.01 p.m.]

Mr FERGUSON (Bass - Minister for State Growth) - Mr Deputy Speaker, that has been an excellent debate and I am grateful for what everybody has said in their contributions, including the more peppery ones from a couple of my colleagues on the crossbench. I believe we can respond to most of those issues and concerns. I will do my best to inform the House in relation to a whole range of matters that have been raised by different speakers.

First of all my thanks to each speaker for their support, although variably expressed. The strongest support from the Labor Party, the general support from the Greens Party with the strong qualification around the Nature Conservation Act. I believe I can address your concerns quite clearly and seek to obtain your party's review of your concern.

I always work through the different speakers' issues and questions and I may or may not be able to answer all the factual questions where they were looking for some numbers and statistics on this occasion. Some of those I may be able to take on notice, but I will work through those and provide the House with a response to those issues. The Government appreciates the generally strong support that has been expressed, particularly from the Opposition.

I will not spend too much time dwelling on the nature of the time frames involved with bringing this bill before the House. It is entirely within order for the Government to present a bill on the Notice Paper and for it to be debated after two days of what is known as the maturing under the Standing Orders. That is generally to stop a government from rushing a bill through parliament without the opposition and other members having a chance to read it, understand it, and to consult with any stakeholders that it may feel are important and equally to obtain a briefing if one is on offer from the minister, which I always offer.

I reject the general criticism that is implied through that. This bill is not being rushed. On previous occasions through the pandemic we have had to shortcut those times and we have appreciated, I think on every occasion, the general understanding that sometimes that needed

to happen. This is the normal time frame involved. While the Opposition may well have wanted more time to do their homework it is entirely within order.

Members interjecting.

Mr FERGUSON - It is entirely within order. I am surprised. One, two, three cases of members responding right now, none of them have experienced being in government when the Labor-Greens government would regularly - yes, Mr O'Byrne, I except you from this.

Members interjecting.

Mr FERGUSON - No, I will not have it. This is the normal time frame and if members opposite -

Members interjecting.

Mr FERGUSON - Excuse me, I want to make it clear that this is entirely appropriate. The bill was flagged on Sunday for anybody who was at the excellent Northern Midlands Business Association Annual General Meeting. They would also be aware that the changes in this bill were flagged at that gathering.

I do not want to hear about manners and stunts. The simple fact is, this is important legislation for the Government. It is important legislation for the Tasmanian community and we want to get this done and get it up to the other House.

Ms Butler also asked about resources. This is an ordinary matter for Government agencies to make sure that they are responding to legislation, writing the new business rules and making sure that their staff are delivering on government's expectations. As and when required, agency heads can manage resources in order to ensure that the priorities of government are met and that the priorities required under legislation are met.

Ms Butler - Can I have a clarification? With resources, did you say that there would be additional resources?

Mr FERGUSON - That is an ordinary matter of government business that agency secretaries are required to allocate their resources within their department as the business needs require. That is a management response. If and when extra resources are required, they are responded to through the budget process but I have no advice that is required.

Quite a number of speakers asked questions in relation to nature conservation. I am going to hold that question over to actually spend a bit of time specifically on that in relation to time frames - where did it come from? Why is it necessary? How many permits are issued and what benefits would the proposed amendment bring for the act?

In relation to communication, the agencies have been extensively consulted through the interdepartmental committee. Councils also have been consistently involved in these reforms through its peak body, LGAT, and last in tranche 1, we had to accelerate that and that was acknowledged. Good people understood that was a reasonable thing to do, but not ideal. This time we have been able to meet the more usual time frames and have a thorough consultation

process. Although I do not normally do this, in respect of LGAT on this consultation, we took some feedback on board and made an amendment to our draft bill.

Other public and industry stakeholders will be engaged through agency communications, through engagement with me and the Government and relevant ministers. We are all responsible for the delivery of the reforms and of course, through direct engagement with industry associations and peak bodies, chambers of commerce, certainly the building and construction organisations.

In respect of the capacity to conduct a review of the reforms, I do not propose any kind of formal or statutory review. That would not be productive, but we will be reviewing, on an ongoing basis, the success of these initiatives and it is very important that we do that.

Our stakeholders are very good at letting the Government know when something is not working so well for them. We will take that on board and, if necessary, be prepared to make future changes or amendments to ensure that the intentions of these reforms, that are widely supported by members of this House, are achieving their objectives.

Dr Woodruff - Minister, are you talking about the Nature Conservation Act?

Mr FERGUSON - No, I am speaking very much in general terms at the moment. I promise to come to the Nature Conservation Act matters.

Dr Woodruff - Would those stakeholders include conservation groups, since you did not consult them in the first place?

Mr FERGUSON - Yes. Since I am on consultation and communication, I am quite happy to concede Dr Woodruff's point. I do not know that it is the case that the Tasmanian Conservation Trust was not consulted, but I accept your point of view.

Dr Woodruff - Why do you not know that? Do you not have a list of people? You should have a list, as the minister, of the people.

Mr FERGUSON - I can move off that point quickly if you would like me to.

Dr Woodruff - No, I am surprised that you do not have that list at hand of who was consulted.

Mr FERGUSON - I am not suggesting that you listen to me. What I am suggesting is this bill is about the building and construction industry, their peak bodies, their stakeholder groups. This bill makes no policy changes around the protection of Tasmanian wildlife or wildlife products.

Dr Woodruff - It does. Legislative changes.

Mr FERGUSON - No policy changes whatsoever. Legislative change, yes.

Dr Woodruff - Why did you not consult with those stakeholders?

Mr FERGUSON - Red tape change, yes; policy change, no. I have no difficulty in providing to you, Dr Woodruff, and this House, that I will undertake to write to the Tasmanian Conservation Trust and provide them with advice as to what this initiative in respect of section 29 is really all about and ensure that they are not feeling unloved.

I will also ask -

Dr Woodruff - I think they are unconsulted. I don't think they need your love. It is respect.

Mr FERGUSON - It is entirely plausible that a whole range of people might wonder why they were not asked about something. The answer is because it does not actually impact upon them or affect their interest.

Dr Woodruff - Come on, minister, you are changing the Nature Conservation Act and you do not think it is germane that the Tasmanian Conservation Trust would be consulted? That beggars belief. That statement is totally implausible. You should be a bit embarrassed for having said it.

Mr FERGUSON - I am not embarrassed, but I will -

Dr Woodruff - Maybe you should look at yourself because it is ridiculous.

Mr FERGUSON - Despite your bad manners and your interjections, I will still write to the Tasmanian Conservation Trust to outline the changes and how they do not affect the protection of conservation outcomes or major conservation policy, but it will affect the way that the bureaucratic processes work around the issuing of section 29 permits. I believe the debate has shown to me that there is some misunderstanding around the section 29 permits and I will come to that.

In Ms O'Connor's contribution I was also challenged around the EOI process, which is entirely not the central issue in this legislation at all. However, it is true that with initiatives proposed through the EOI process, which is run through the Office of the Coordinator-General, it is the case that Crown Land consent is currently required before the planning authority could consider a development application. We are proposing to change the order in which the consent can be provided.

I very clearly outlined in my second reading speech how that policy change will work, but it does not prejudice a final decision by Crown Land in relation to the issuing of a lease or licence. It continues to be an entirely separate consideration, but for the purpose of a planning decision to test whether a development application is consistent with the planning scheme, we are not going to require a proponent to first obtain Crown Land Services' consent prior to being able to lodge their development application with a council, with a planning authority. If, and I deliberately say 'if', a DA is granted by a planning authority, it does not affect the reality that a proponent would still need to obtain a Crown Land licence or lease. So those considerations are unaffected, but for the helping of developments to get more certainty and to be able, in this case, to be tested as to whether it fits the planning scheme, we propose to move in that way.

I was also asked about the process of non-legislative reforms. I do not propose to spend long on this, it has been quite detailed in my second reading speech and deliberately so. In

relation to no permit required certificates, I will not re-read my second reading speech, but it is clearly indicated there that the Director of Building Control has advised he is prepared to work through the process. We need to do some work with private planners and we would have further discussions with building surveyors, builders and planning consultants to ensure it will occur to facilitate that reform which the Government believes is the best way forward.

In relation to Crown Land leases and landholder consent, I touched on that, but that is just a policy change. In relation to minor works and no planning permit required initiatives, the work of our very good Planning minister, Mr Jaensch, and the Planning Policy Unit have agreed that that initiative can be taken forward through normal government protocols and activated in that way.

I deliberately included that in the second reading speech not to make it a point of debate or to try to trigger a debate or further contention, but to indicate to the House the other initiatives that sit side by side with the legislative changes that sit within the bill.

I believe that the majority of other concerns and issues raised will be around the Nature Conservation Act amendment. I want to concentrate on this now and if people, particularly in the Greens party listen carefully to my response, I believe they will be greatly reassured around the concerns they have raised.

I believe a full reading of the Nature Conservation Act is helpful here. The section that is amended by the bill before us today is section 29 - we all know that. Section 29 deals as a special permit process to take wildlife; in fact, that is the heading of it in the act. I can speak about that in a moment.

A discussion on section 29 is uninformed unless you are also reading it side-by-side with section 26. Section 26 is the section of the Nature Conservation Act which attracts the most attention most of the time because that is the section that deals with wildlife regulations and the taking of wildlife. I am thinking of crop protection, taking of wildlife, buying or selling or dealings in wildlife, the keeping or having in possession wildlife, protecting property, regulating the disposal of a carcass or any part of a carcass, and for the purposes of protecting fish-farming and other fishing activities. If I can put it this way, the more generic wildlife permit process is section 26.

I draw to the attention of the House, particularly Ms O'Connor and Dr Woodruff, that section 26 regulations around the taking of wildlife have, for their permits, no time frames whatsoever indicated in the act, none at all.

What you have overlooked in your desire to be critical is that in section 29, where we are seeking to take out the 12-month limitation, that is unusual in respect of the act because the other permit processes do not have a stipulated statutory time limit on the issuance of them.

I can go further and give quite a detailed response. Section 29(5) of the Nature Conservation Act provides for the issuing of special permits to take wildlife. These permits are issued for the taking of wildlife and products of wildlife for circumstances that are not prescribed elsewhere in this act or in its regulations. It includes such things as the removal of roadkill, infrastructure development and maintenance, and actions required for public safety. It is not your generic crop protection permits which Ms O'Connor spent so much time talking about with her references to platypuses and wombats. The majority of permits issued in these

circumstances - again I am talking about section 29 - are for the products of wildlife. Products of wildlife include disused or unoccupied burrows and nests. Issuing of permits of this type for the taking of live wildlife is very rare.

It is also important to note that each application for a permit of this type is assessed for significance of the impact and whether appropriate avoidance and mitigation measures have been applied. Each permit of this type that is issued includes conditions relating to the management and reporting of impacts. I want to emphasise this again because there has been a fair bit of interest in this. Section 29 currently imposes a time limit on such permits of 12 months. I was asked in the debate why it was set at 12 months back in 2002. I do not know. You would have to ask the Labor minister of the day from 2002. I do not even know who it was. It might have been your good friend and mine, Mr Llewellyn.

I do not have advice as to why he or she who moved that way included that limitation but I can say I have advice the limitation is inconsistent with the act's other permits to take wildlife and its related subordinate legislation, which imposed -

Dr Woodruff - We know how badly that is playing out for crop protection permits and the attack on wildlife.

Mr FERGUSON - Whatever your opinion on those, it does not change the fact they imposed no such time limit for permits and these are relating to permits for activities like hunting and scientific research.

So far in this debate I have not referred to threatened species because they are altogether unaffected by this legislation. Under the Nature Conservation Act, we are only dealing with wildlife that is not threatened, not endangered. Those are dealt with under the Threatened Species Protection Act 1995 which provides for the issuing of permits to take threatened species.

For the benefit of the House, even under that act I am advised the issuing of permits do not have a prescribed time limit. It seems to me that it is accurate to say that it is an arbitrary rule and it has impacts on industry and development.

The current requirement frequently requires the same permit - and I was asked about this - to be repeatedly applied for and subsequently issued where activities occur over a period greater than one year. The permit is not just issued over and over again; you have to apply for it over and over again. The purpose of the amendment, therefore, is to -

- (1) bring this element of the Nature Conservation Act 2002 into line with the rest of the act.

That is reasonable, that is fair. It is subordinate legislation and related legislation. It is about making it consistent and to make it align. No argument has been made as to why they should not be aligned. Second, and this is really the point -

- (2) to reduce the unnecessary administrative burden on applicants as well as those agency staff who are responsible for issuing special permits under section 29 of the act.

I was asked about the numbers that are applied for and it is useful for the House to be aware of this. The advice I have is that numbers vary significantly each year. Whatever you are thinking in your own mind, I think you might need to put a zero after it. There are between 150 and 450 applications per year under section 29 which compares somewhat to the approximately - I will come back to the section 26 permits in a moment. Numbers vary significantly year to year, but it varies between 150 to 450 applications per year. Of that - and this is an estimate from the agency provided to me on short notice - typically up to 20 per cent of those permits are renewed each year. So, they are not issued in 12 months to cover the project for those 20 per cent. Twelve months is not enough. This is really the point.

Dr Woodruff - How much longer are they extended for?

Mr FERGUSON - That is a different question. I do not have that advice, but I do not need it because the point is it is red tape.

Dr Woodruff - No, it is not. It is protection. Let us have no rules, that would be perfect. Let us have no speed limits. People wear no seat belts. These are protections, these things.

Mr FERGUSON - This is good politicking of you for your constituency.

Dr Woodruff - It is irrational.

Mr DEPUTY SPEAKER - Order.

Mr FERGUSON - Nothing in this bill affects the way that a permit application is assessed. Nothing changes that. The only thing that this bill seeks to do is to take off the arbitrarily applied time frame of 12 months that applies under the current act.

Ms O'Connor - The limit.

Mr FERGUSON - Thank you. The arbitrarily applied limit of 12 months.

Ms O'Connor - You can extend it into the never-never.

Mr FERGUSON - Not at all.

Ms O'Connor - Yes, you can, the secretary could.

Mr FERGUSON - Earth to the Greens: some projects take more than 12 months to complete. I will give you two examples.

Ms O'Connor - Why should you give someone three years to kill and take wildlife?

Mr FERGUSON - You are making a big assumption there. You have again overlooked the fact that most permits issued are under section 26. I will give you two examples and I genuinely believe this will assist the debate and for anybody of good will it will actually allay their concerns.

The first example I have been given is a condition of approval of the Tarkine Drive required the Department of State Growth to collect road-killed Tasmanian devils and

spotted-tailed quolls for research purposes, and to remove other road-killed animals away from the road to prevent attracting scavengers into areas where they would be at risk of traffic collisions.

This required section 29 permits - we are talking about animals that are already dead - this required section 29 permits to be issued. Now for this one initiative -

Dr Woodruff - I asked how many of these were for scientific purposes?

Mr FERGUSON - You have to be prepared to listen to the answer. You can put out all the questions but you have to be prepared to listen to the answer.

Under the act, this required State Growth to obtain a section 29 permit. However, the section 29 permits had to be issued and applied for and issued on four separate occasions: 2013, 2015, 2016, 2017 with each occasion requiring a new permit application.

Before you get all breathless about this, just remember this is work, this is red tape, this is application, this is agency time, this is public service time, but the policies that applied are identical but have been duplicated on numerous occasions - indeed, duplicated on four occasions.

There is a second example for you. I am not sure you are really interested in the answer at this point, but I will still provide it because the Labor Party also asked me to provide some light on this.

Tasmanian Irrigation is the development project. It was issued a permit in relation to Scottsdale Irrigation Scheme for the destruction of dens/burrows for pipeline construction. This is a development project, a job-creating infrastructure project. The permit included a condition requiring the implementation of protocols to minimise any risk that animals were in the burrows and might be injured during decommissioning. Due to the time restriction in section 29, the permit was unable to be extended. New applications had to be placed. New permits had to be issued in 2018 and 2019. Each new permit required an application form to be submitted and reporting on works undertaken under the previous permit. This has been the case for many of the irrigation schemes and has had a significant accumulated administrative burden.

I am not hearing there about platypuses and wombats being shot.

Ms Butler - Minister, can I ask you whether there is a cost associated with those permits when they have to be reapplied for? I forgot to ask you that.

Mr FERGUSON - I shall certainly undertake to obtain that. I may not be able to get it in immediate fashion but the issue will not be the 39 or the 125 or the whatever dollar cost that might accompany the application. It really is about the time that the enterprise has had to go through. Private enterprise or agencies or councils who have had to apply for the permit and then of course, as I have said, the staff at DPIPWE; their time costs money and that is an administrative burden.

Actually, it is about releasing the handbrake but not changing the rules about how those applications are considered, and the policies to look after our precious wildlife; I do agree with you about that.

Members interjecting.

Mr FERGUSON - As you pepper, I am not so sure you are as genuine as you would make out. They are solid answers to what are presented as genuine concerns.

Members interjecting.

Mr FERGUSON - The House deteriorates into the usual banter around Greens wanting to have a war on wildlife. The Government is acting responsibly. We are not seeking to change the protection levels for our wildlife or wildlife products. I have given you two examples; one dealing with dead devils on a highway, and the other dealing with burrows in the way of a pipeline for an irrigation project.

Members interjecting.

Mr FERGUSON - I might have missed one of those insults along the way. I am glad it was funny to some, but the Government is trying -

Ms O'Connor - Could you explain the genesis of that amendment, as I asked you?

Mr FERGUSON - I have just provided you with that advice because we have real world examples of bureaucratic red tape, which has been demonstrably unnecessary, but applied. It has been a burden on the applicant; it has been a burden on the agency. For those reasons, I had hoped - and I am now disappointed - to assure and allay those concerns. Clearly, the Greens will not be moved on this.

Ms O'Connor - We do not trust you on wildlife.

Mr FERGUSON - I do not need your trust. The issue is that I have, in good faith, provided an answer to those questions. I believe you are surprised at my answer because neither one of the Greens members raised section 26 permits in their contributions earlier.

Dr Woodruff - The amendment is to section 29.

Mr FERGUSON - I want to provide a comparison because I want the House to be informed. Section 26 permits are more the mainstream permits for the taking of wildlife for the reasons I outlined earlier. I have just been advised that since January this year, so calendar year to date, 2249 permits have been issued. In those ten-and-a-half months, that gives you a comparison compared to section 29 permits, which varies between 150 and 450 per year.

Dr Woodruff - What was the number you said for the first one?

Mr FERGUSON - As I previously indicated, section 29 permits varied between 150 to 450 applications per annum. I am advised they vary significantly year to year. I make the point, compared to the generic, more mainstream permit arrangements under section 26, it works out this year, if you annualise it, to around 2600 in a year. I believe that provides all the context for this initiative.

I want to help business, help Tasmanians get a job, and the Government wants to take the administrative burden that is unnecessary and unproductive off the business community. That

is what we want to do. We need red tape, we need regulations, but we need the right amount. We do not need too much. In this case we have identified 10 areas in tranche 2 where there is too much regulation and there is either a way to adjust it or cut it. That is what this bill seeks to do. I believe that settles the matter. I will have more to say later if required but I feel that is a good-faith response to those issues concerned that have been raised in the debate.

I thank the Opposition in particular, the House more generally, and the Greens for their 90 per cent, or whatever percentage you might care to put on it, general support. I note the exception to the concern. I again commend the bill to the House.

Ms Dow - There was one issue that the minister did not address which was the release of the report on the regulatory reform project which underpins, supposedly, these reform initiatives.

Mr FERGUSON - On indulgence, I am not in a position to release documents that are under Cabinet consideration.

Bill read the second time.

BUILDING AND CONSTRUCTION (REGULATORY REFORM AMENDMENTS) BILL (No. 2) 2020 (No. 39)

In Committee

Clause 1 - Short title

Ms O'CONNOR - My colleague, Dr Woodruff, has primary carriage of this bill and is doing an outstanding job, but I listened in my office to the minister's response to the questions that were asked. What I heard him say in relation to the changes to the lease and licence arrangements, which as far as I can see are not actually part of the clauses or legislation, was that a proponent will no longer be required to have Crown consent before they lodge a development application that is on Crown land. Can I confirm that that is what the minister said?

While the minister is getting some advice I will read out the relevant section of the Cabinet decision in relation to this change. This is from 24 August 2020 and it says:

Minister for State Growth, Building and Construction (Regulatory Reform),
formerly Tasmanian Development Regulatory Reform project

Cabinet today deliberated on the material submitted to it in relation to
Building and Construction (Regulatory Reform) and decided to -

And it goes 1, 2, then there is A and then there is B and then C. 2C says this:

Reform 38 being amended to formalise the Department of Primary Industries,
Parks, Water and the Environment's existing policy that encourages

landowners to submit applications from crown land leases and licences at the same time as development applications where possible.

The reason that this needs to be raised in the short title is because there is nowhere in the legislation where it is clear how this is being given effect other than through a change to departmental policy. I go now to the minister's second reading speech materials where he says:

The rationale for this as it currently stands is if a person wants to undertake a project on crown land they need to enter into a lease or licence before landholder consent will be granted. Council will not currently consider a development application unless the proponent can prove they have landowner consent from the Crown.

That has to be a basic, doesn't it? If you have private developers who are seeking to capitalise on what they regard as the last free real estate, that is Crown land, at a bare minimum before they lodge a development application, shouldn't they have consent from the landholder? I cannot believe that this is regarded as an important or necessary reform. I do not understand why government would allow for any old gimcrack developer to put a development application into a local government planning authority for crown land, public land or a national park or the Tasmanian Wilderness World Heritage Area without having the consent of the Crown to access that land, to use that land, or to privatise that land.

Further on in the minister's contribution, this tells you everything you need to know:

There are instances where someone may wish to secure planning permission and not spend time and money negotiating with the Crown over a lease or licence until such time as they know if council will grant planning approval.

What sort of state are we becoming where it is regarded as a positive that we allow any and every developer who wants to access Crown land to put a proposal into council where council does not even know if the landholder has given consent. If we translate that to private land, it is a bit like someone saying they want to put a shed on my property but they are not going to ask me. They will lodge the DA and they will negotiate the use of my property in the meantime. It is very similar. This is an appalling change.

The minister has not provided a rationale for it other than that someone - and we do not know who that someone is, but we have a fair idea from the list of EOI applicants - may wish to secure planning permission and not spend time and money negotiating with the Crown over a lease or licence. I say to the developers who do not want to spend time and money working with the Crown to determine whether they can have access - too bad. If you want to access Crown land, if you want to profit from Crown land, if you are going to lodge a development application over Crown land - and in this instance, of course, as we know, it includes all public protected lands - at a bare minimum, you need to have landholder consent.

Walker Corporation, through a secretive and corrupted process, secured landholder consent for the entirety of the Ralphs Bay Conservation Area and all of the sandflats. They never went to council because the Lennon Government made it a project of state significance. Landholder consent was sought and obtained before the development progressed. This is bad planning practice. It is disrespectful to good planning processes.

It shuts Tasmanians out again because a DA will be lodged with a planning authority, no Tasmanian will know what sort of negotiations, if any, have happened with council, and people will not know that this development application is seeking to access the last free real estate. You do not even know if the entity that is responsible for those lands - holds them in trust for the people of Tasmania - has given approval for that development to be on crown land, for the access to crown land. It is sneaky, it is bad planning law. It is breathtaking that it has been snuck through in this legislation. It is a change of policy apparently. The Cabinet minute says -

Reform 38 being amended to formalise the Department of Primary Industries, Parks, Water and Environment's existing policy that encourages landowners to submit applications for crown land leases and licences at the same time as development applications, where possible.

This is, once again, shamelessly all about making it easier for developers to access the last free real estate. This from a government that has privatised Halls Island at Lake Malbena for \$80 a week. The minister needs to explain how it is in any way sound planning principle to encourage developers to submit DAs that do not have landholder consent to have that development on crown land if it is approved by the planning authority.

[4.44 p.m.]

Mr FERGUSON - Madam Chair, the issue that has been raised by Ms O'Connor is not a matter dealt with in the bill. However, I am prepared again to revisit the matter on this occasion.

Ms O'CONNOR - Point of order, Madam Chair. The minister needs to remind himself it might not be dealt with in the bill, as I pointed out, but it is certainly dealt with in his second reading speech.

Mr FERGUSON - The strange thing is I am offering to answer it and Ms O'Connor then seeks to interrupt me in providing the answer. I was surprised to hear what you said, Ms O'Connor, when you represented something I had said. I am surprised at the way you represented it and it may well be that I have miscommunicated, but that is -

Ms O'Connor - That is exactly what I heard.

Mr FERGUSON - That may well be what you heard. For the benefit of *Hansard* and correctness I want to make it very clear that landholder consent is still required. What is not required is the need to obtain a lease or a licence to take your DA to council. I thought I was quite clear about that. If that is not the case, I apologise to the committee. The obstacle that we are seeking to move is the requirement to also have your lease and licence arrangements in place before you can go to the council or the planning authority for your development application approval.

Ms O'Connor - At what point is landholder consent sought and obtained?

Mr FERGUSON - Landholder consent on behalf of Crown Land Services, is still required prior to them being able to take that DA to council.

I suspect that you have reacted in the way you have because I have miscommunicated or there has been a misunderstanding. The reform does not change the need for landholder consent prior to taking the DA to council.

The reform takes away the additional requirement of also having the lease and the licence arrangements in place. If the council was to reject your development application and you have made the appeal through RMPAT and found that you have still not had your permit or your development application issued, that is the end of the matter. If it is going to be the end of the matter, we do not want proponents to have been through the unnecessary expense and time of negotiating a lease and licence. If ultimately it does not meet the planning scheme requirements, does not meet with the approval of the planning system, then we ought to be able to take out that obstacle. If a development application and a permit is issued, it does not take away the need for the proponent to come back to Crown Land and to negotiate the lease and licence.

What we are doing here is changing the order of that process in order to make it easier for the proponent to take their great idea or their terrible idea to the council, to the relevant planning authority, and to have their proposal assessed by that planning authority.

I can sense that I have allayed that concern, but I want to say one more thing. If a proposal that is taken to Crown Land for landowner consent is wildly out of scope, is wildly unacceptable, Crown Land Services will not issue, by right, landowner consent. I hope that is clear.

Ms O'Connor - Can you explain, by interjection, because otherwise I will get up again, at what point in the process landholder consent is sought and obtained before the DA is lodged, how that works?

Mr FERGUSON - A proponent before taking a proposal to council on property that it does not own must have landowner consent; I think we all know that. If it is private property, they need to go to the private property owner and obtain landowner consent. If it is Crown land, they need to come to Crown Land Services and obtain landowner consent before taking the development application to the planning authority.

Ms Dow - Point of clarification, to understand what criteria Crown Land make that decision to give the consent on. Is it provided with an overview of the proponent's proposal? What is the process? It would seem unlikely that Crown Land will provide consent without understanding what its land was going to be used for?

Mr FERGUSON - It is the same process as currently exists for obtaining landowner consent. Landowner consent requirement is not affected by this non-legislative change that is in tranche 2 of these reforms. It is the same as in current practice. No doubt the proponent would have to discuss and share their proposal with Crown Land to give sufficient comfort to Crown Land Services in seeking landowner consent for their proposal in order to satisfy Crown Land that it is an appropriate use of that crown land.

Ms O'CONNOR - Minister, thank you for that. If you go back and check the *Hansard* you will find you did say what I understood you said, which is why I am back in the Chamber.

Minister, can you confirm then that the effect of this policy change will be to accelerate the process of the expressions of interest for development inside public protected lands? As we know from the leaked Parks memo that we have, a number of the proposals in the open-ended stage 2 are in lease and licence negotiations, which presumably are taking place before they lodge development applications.

Because of the manipulation of management plans - whether it be the Tasmanian Wilderness World Heritage Area Management Plan or the Narawntapu National Park Management Plan or the Freycinet National Park Management Plan - whatever management plan it is that your Government has manipulated in order to facilitate these developments, what will happen is that EOIs will go to council and because they will be compliant with the management plans, there will be nothing council can do to reject those developments.

This change of policy will accelerate the privatisation of Tasmania's public protected areas because it will remove the requirement for rent seekers to negotiate lease and licence with government before they submit a DA.

Mr FERGUSON - Thank you, Ms O'Connor. I do not believe it could be said that it will speed up a proposal to advance an EOI but it does change the sequence of events in order to gain an ultimate approval.

Ms O'Connor - How could it not speed it up if they do not have to negotiate lease and licence? Is that not the purpose of the change?

Mr FERGUSON - The reason I say that is because the same steps must be taken; all of them must still be taken. We are changing the order of those steps so that a proponent can take their proposal for planning consideration prior to being required to obtain formal lease and licence arrangements with Crown Land service.

You have to remember that if it is not consistent with the planning scheme, then it is self-evident that going through the process of negotiating a lease and licence arrangement is wasted effort on all concerned.

Ms O'Connor - Did you listen to a word I said about the management plans? If it is consistent with the management plan it gets the tick.

Madam CHAIR - Order. I remind members that at the moment we are debating the short title. This means that only the acceptability of the short title can be debated. We are not, at this stage, supposed to be going to a substantive second reading debate on the short title. I have allowed a bit of latitude but we need to make sure that we come back to the specifics of the short title itself.

Ms O'CONNOR - Point of order, Madam Chair, and on your guidance, the reason we raised this in the short title is because this change is not actually in the legislation. It is a significant change to the process, but it is not described in the legislation.

Ms STANDEN - Point of order, Madam Chair. The other aspect of this - and the minister may wish to clarify this matter - is that although this particular point about Crown land leases and landholder consent falls outside of the remit of the bill, because it is part of second reading speech it would actually become law.

Like the Greens, I am concerned that this is an underhand way for policy development and I simply do not trust the motives of the Government. I would like an understanding of whether I am right in that interpretation.

Madam CHAIR - That is a substantive point you are making. It is not a point of order.

Ms O'Connor - There is no room in the bill to raise it. It is sneaky.

Mr FERGUSON - I will conclude my remarks on this. I reject out of hand the allegation that has been made by the member. The clarity of the record is important to the Government and it is important to me. The assertion is entirely false and rejected and, frankly, disappointing. We have sought to provide a full account of what we are doing with red tape reduction to support the building and construction sector. Frankly, I am disappointed that the Labor Party -

Ms O'Connor - Will you stop telling us you are disappointed in us? We are not your children or your students.

Mr FERGUSON - I am disappointed because the Labor Party wants the building and construction sector to believe that they are supporting these reforms. I reject wholeheartedly the assertion and I believe, however, that the record -

Members interjecting.

Madam CHAIR - Order, the minister has the call.

Mr FERGUSON - No, and the bush lawyers amongst the Opposition, that does not assist this matter at all. I am disappointed that, in good faith, putting in additional information is being suggested as being anything other than helpful. Underhanded is the wrong word to use and I will conclude on that point.

Ms STANDEN - I accept that the minister has explained that steps will not be removed from a process that will be reordered. Can I get some clarification that by including this information in the second reading speech it would make it part of the bill? If not, what is the mechanism - whether ministerial directive or whatever - to enact this part of the second reading speech?

Mr FERGUSON - I have answered that.

Madam CHAIR - The advice that I have is that the second reading speech is only something that the courts may take into consideration but the legislation is the bill before us, not the second reading speech.

Clause 1 agreed to.

Clauses 2 to 19 agreed to.

Clause 20 -

Section 29 amended (Special permits to take wildlife)

Dr WOODRUFF - Madam Chair, I listened closely to the response, minister, and I think that you probably tried to answer some of the things that we asked but you failed to grapple with the issue that we have with this, which is that there were two reasons given in your second reading speech for why this change needed to be made.

The first reason is that the secretary should be able to assign a time frame to the permit relevant to the nature of the project. Currently, as it stands in the act that is possible for a project of anything up to one year. You said that there was something, but in the order, it ranges between 150 to 450 per year of these special permits which are applied for.

That would mean in one year you might have 360 of those permits and 80 per cent of those permits would be able to be assigned in the appropriate period so it does not actually apply to permits under one year because the current section 29(5) already allows for a two-month, three-month, six-month or nine-month period to be given for a permit.

It is really only this second part which you contend is an arbitrary 12 months cessation period. Unfortunately, you did not get to the heart of the issue and explain why there should be no limits whatsoever on the permit length period. I am not persuaded by - I do not feel that you have made a case for why this is in the bill in the first place.

By your argument you seem to have gone through and realised that some people have to make applications again, and you are trying to remove the requirement for anyone to make an application a second time by giving them a carte blanche unlimited period of time where they can take wildlife with a permit that essentially is open-ended and effectively has no safeguards for changes in the environment that could occur during that period. It might be something given at a period in time but if it is still effective in 10 years' time environmental conditions are changing faster than we can keep track with at the moment and this is only the start. They will continue to speed up, so we have to have processes in place that look at the reality of the environmental context and understand the impact on the environment of something that might have been appropriate three years ago but is no longer appropriate today.

If I had some more examples at hand it would be helpful. I still do not understand what the majority of these take permits are given for. You have given two examples but I do not know whether they are representative of the 150 to 450. Given the context of this change to the Nature Conservation Act is embedded within the changes to the Building and Construction (Regulatory Reform Amendments) Bill, I am struggling to understand how this is going to enhance the protection of wildlife and flora in this state.

Surely today, as we confront the biodiversity crisis and the planet is getting hotter and conditions are getting more extreme, any changes we make to the Nature Conservation Act have to be enhancing the protection of wildlife. That is the first and most important duty of every person in this place. It is far less important to reduce red tape than it is to protect wildlife. If we are making changes, they can only be to improve protections, not for any other reason.

Mr FERGUSON - I do not have much to add in terms of the explainer here because I have been extremely detailed in my response in the summing-up during the second reading stage of the debate as to the reason why this adds value to the building and construction sector, and how it will take unnecessary red tape out of the system. It does not set aside the need for a special permit or change the way permit applications are applied for. It does not change the policy parameters around whether it would be issued at all, or whether a permit is going to be

provided with an appropriate amount of time. For example, a permit may still only require a six-month period and that would not change.

I hoped the two solid examples I provided is more than ample evidence that it does present an unnecessary regulatory burden for no good public policy outcome. You asked me, Dr Woodruff, how it enhances wildlife protection. It does not enhance or degrade wildlife protection. That is not what this is intended to do. The period of time that is set out for the limit of a section 29 permit is about time, not about protection. It is about the time limit for the permit, not about the policy in which a permit was issued at all.

Dr Woodruff - What about changes over time in the environment and how they can be reassessed?

Mr FERGUSON - A very good question and I am happy to pick that up. In regard to a circumstance where a permit is being assessed, if it is determined that a two-year permit is appropriate then that is the length of the permit that will be issued. It will not be issued forever and a day. It will not be issued consistent with section 26 permits, which are issued with time frames that are appropriate to the circumstance.

I wonder if that is a misunderstanding on your part, Dr Woodruff. I suspect it is not but I am answering the question. The permit would still be issued with a time frame but it will not be limited by the legislation. It will be limited by the policy application of what is appropriate for the permit.

I am happy to engage with you further but I make the point that I have given two clear examples of where in one case a public agency, State Growth, has had to go through the application process which has a level of effort associated with it and four times had to apply for a permit to remove the dead bodies of Tasmanian devils and spotted-tailed quolls for research purposes because they had been hit by cars and to remove them from the road to prevent scavengers which would also be at risk of traffic collisions. There was no mention in my example of human lives but I will mention that. Nonetheless, the permit was required just to remove those carcasses and classically in the act that is known as 'taking wildlife products'. A permit is required.

Does anybody in this room really believe that the Department of State Growth should have had to go through that process four separate times from 2013 through to 2017 and take up time and resources of DPIPW to assess those applications and issue the permits with the obligation that, under this act that this House has been responsible for years ago, put in place a 12-month limitation on the time of that permit? I will not go through the other example in the private sector with Tasmanian Irrigation but again that is self-evidently the case that the Government is moving this way.

The Government is mindful in this debate of the concerns that have been raised in the briefings and I have come prepared with a proposed compromise on this because the bona fides of the Government on this issue is rock-solid. We are not seeking to degrade any conservation outcomes whatsoever. This is about supporting jobs, not just in the building and construction sector but principally that sector.

The Government is more than comfortable with changing and retaining a time limit of a kind. Twelve months is too short and we believe it would be reasonable to have a four-year limitation on a section 29 permit.

Ms O'Connor - No.

Mr FERGUSON - I knew you would say that, Ms O'Connor, such is your intractability.

Ms O'Connor - Come on, four times the length.

Mr FERGUSON - Without your support I will continue to move this way. This would be a reasonable approach. It also takes into account that most projects, if not all of them, will come in on a four-year time frame if you calculate a development application being valid for two years -

Dr Woodruff interjecting.

Madam CHAIR - Order, Dr Woodruff.

Mr FERGUSON - I hope Tasmanians can see this behaviour. The Government has considered this further and we are prepared to change clause 20. I move -

That clause 20 be amended by leaving out all the words after "is amended".
Insert instead 'by omitting "12 months" and substituting "4 years".'

I will table this with the Clerk and move that amendment, knowing that this will not satisfy the Greens because the Greens are being extreme on this. This is a good-faith amendment. It was never the intention of the Government to allow anybody to think that a permit would be issued without an expiry date. This puts the matter beyond date and I commend the amendment to the committee.

Ms DOW - I thought that previously you said individual project permits would be allocated time frames and that this did not mean that there would be no time frame allocated. Why then would you put four years in place?

Mr FERGUSON - The Government is prepared, in good faith, to demonstrate that this is never about having eternal permits. Four years well and truly covers the period of a development application plus a two-year extension, hence a four-year time frame is entirely reasonable.

Dr WOODRUFF - It might, on the face of it, appear to be a good-faith amendment but this is the same Government that increased the reporting period for crop protection permits from one year to five years. We now have one-fifth the amount of information available to us as a community about the number of animals that are being killed each year under crop protection permits because of that little sleight of hand change from one year to five years.

Mr Ferguson - Four.

Dr WOODRUFF - No, in crop protection permits, the reporting period is only required to be every five years instead of every year. We do not get the true number of the tens of thousands, hundreds of thousands of native wildlife that are shot, poisoned and killed by other

means each year in Tasmania. It is convenient to want to push it out but I come back to the concern we have with this; it is not putting animal protection, wildlife protection, above red tape. That is the order things have to be in. From now on there must be a priority on looking first of all when making changes to the Nature Conservation Act how we can increase protections for nature and not detract from them.

Ms STANDEN - I do not know whether I missed it in the debate but, like my colleague, the member for Braddon, I would like clarification from the minister. In the second reading speech it clearly says that the secretary of DPIPWE should be able to assign a time frame to the permit relevant to the nature of the project. Does that mean that they would, or they must, or how does that happen? Is there a permit in the sequence of events that is issued by the secretary of DPIPWE? Does that have a time frame? What happens if that is different from the four-year time frame that is proposed in the amendment?

Mr FERGUSON - I refer the member to section 29 of the act which sets out very clearly that it is not about assigning a length of time for all permits. It is about assigning the maximum limit of any permit. I am advised further that when a permit is issued, in all cases, as a business rules matter, including for section 26 permits, there is a time frame which is allocated against the permit. If one year is required, one year is going to be the length of the permit. If five years was applied for, even if it was a merited request of five years, a maximum of four years would apply under this amendment.

Question - That the amendment be agreed to - put.

The Committee divided -

AYES 22

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ellis
Mr Ferguson
Mr Gutwein
Ms Haddad
Ms Hickey
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Rockliff
Mr Shelton
Ms Standen
Mr Street (Teller)
Mr Tucker
Ms White

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

Amendment agreed to.

Question - That clause 20, as amended, be agreed to - put.

The Committee divided -

AYES 22

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ellis (Teller)
Mr Ferguson
Mr Gutwein
Ms Haddad
Ms Hickey
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Rockliff
Mr Shelton
Ms Standen
Mr Street
Mr Tucker
Ms White

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

Clause 20, as amended, agreed to.

Clauses 21 to 26 agreed to.

Title read.

Ms O'CONNOR - On the Title, to correct something the minister said earlier when he told the House that the bill had been extensively consulted, Dr Woodruff pointed out that, for example, the Tasmanian Conservation Trust had not extensively consulted or even modestly consulted. It was not consulted.

It is very clear, and it is here in black and white, that the only entity that the Government consulted with that we have any evidence of is the Local Government Association of Tasmania. That is made clear by the Cabinet decision. The minister should be more frank about the level of consultation that went into this legislation. As far as we can tell no one from the environment movement, not Planning Matters Alliance, certainly not the Tasmanian Conservation Trust was consulted. Only the Local Government Association of Tasmania was consulted in developing this bill.

Title agreed to and bill taken through the remaining Committee stages.

Bill reported; report adopted.

Bill read the third time.

**JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS)
BILL 2020 (No. 36)**

Second Reading

[5.26 p.m.]

Ms ARCHER (Clark - Minister for Justice - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

The Tasmanian Government is committed to ensuring that Tasmanians have access to an effective and efficient justice system. Consistent with that commitment, this bill proposes minor amendments to clarify or improve the operation of a number of acts. I will now outline the reason behind each of the proposed changes.

Amendments to the Appeal Costs Fund 1968

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

The bill amends section 5(2) of the Appeal Costs Fund 1968 to replace the words '(other than a complaint in respect of an indictable offence, including an indictable offence triable summarily by virtue of that Act)' with '(other than a conviction or order made in the Supreme Court)'. This amendment will mean there is no distinction in fee payment between indictable offences, and indictable offences tried summarily and any other offence, other than a conviction or order made in the Supreme Court, and will support the efficiency of the Magistrates Court.

This amendment, requested by the Chief Justice, will allow the Court of Criminal Appeal to grant an indemnity certificate to a person who successfully appeals a conviction, except where the person has received legal aid from the Legal Aid Commission of Tasmania in relation to the appeal.

The Court of Criminal Appeal currently has the power to make an order for costs against the Crown under section 414 of the Criminal Code when an appeal against a conviction succeeds and the appellant does not have legal aid from the Legal Aid Commission. However, as a result of the decision of the Court of Criminal Appeal in *Templar v The Queen*, such orders for costs will not simply be made because the appellant succeeded in the appeal but rather, there needs to be an additional reason for making the order.

Indemnity certificates can currently be granted under section 10 of the Appeal Costs Fund Act 1968 where an appeal is successful, but only if the appellant has not appealed in the lower

court or the Supreme Court. An indemnity certificate entitles the appellant to be paid from the fund an amount equal to the appellant's taxed costs of the appeal in respect of which the certificate was granted, and an amount equal to the costs incurred by the appellant in having those costs taxed, up to a maximum of \$300.

Granting an indemnity certificate would allow a successful appellant an additional reason for costs against the Crown, as the court, in granting the indemnity certificate, has acknowledged that the appeal has succeeded.

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

Amendment to the Constitution Act 1934

This amendment provides that the oath of allegiance taken by members of the Tasmanian Parliament is deemed to relate to the Sovereign and their heirs and successors, so that it is unnecessary for members to take the oath again when a new Sovereign is appointed.

Currently, section 30 of the Constitution Act 1934 requires a member of parliament to take an oath of allegiance before they can act or vote in parliament. The wording of the oath in the Promissory Oaths Act 2015 refers to 'Her Majesty the Queen'.

The bill seeks to address an ambiguity as to whether members of parliament need to retake the oath of allegiance on appointment of the Queen's successor. The amendment to section 30 reflects a similar clause in the New South Wales Constitution Act 1902.

Amendments to the Coroners Act 1995

Section 59B was inserted into the Coroners Act 1995 by the Justice and Related Legislation (Miscellaneous Amendments) Act 2017 to allow a coroner to order evidentiary material be rendered safe or inert, or destroyed or disposed of prior to conclusion or adjournment of an investigation.

The bill repeals section 59B(2) and amends 59B(3) to allow the section to operate as originally intended by permitting the coroner to dispose of evidentiary material on their own discretion upon application from the Commissioner of Police.

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

Amendments to the Criminal Code Act 1924

The bill amends section 401 of the Criminal Code, which provides a right of appeal for a person convicted before a court of trial and a right of appeal for the Attorney-General. The right of appeal for the Attorney-General includes a right to appeal 'against the sentence'.

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

The Chief Justice has also requested a power be included in the Criminal Code for the Supreme Court to stay or suspend the operation of sentencing orders of all types pending the hearing and determination of a criminal appeal, consistent with the powers of a magistrate, under section 109(1)(c) of the Justices Act 1959, to 'stay proceedings on the order or suspend the operation thereof ab initio' or 'from the beginning'. The bill amends sections 415 and 418 of the Criminal Code to provide this power and allow it to apply to both the court and a single judge.

Amendment to the Evidence (Audio and Audiovisual Links) Act 1999

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

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

Amendments to the Industrial Relations Act 1984

The bill amends the Industrial Relations Act 1984 to address an inconsistency in appeal rights in relation to unfair dismissal cases. Under section 70 of the act, there is a right of appeal in relation to orders made by the commission under section 31(1) after a hearing in respect of the mode, terms or conditions of employment, or any termination of employment. However, there is no right of appeal where an application for unfair dismissal has been dismissed without hearing. The bill ensures there is an appeal process for such decisions made under the act.

The bill also enables the president or other presiding member sitting on the full bench of the Industrial Relations Commission to make procedural orders or directions to facilitate the hearing of an appeal. Currently, such orders or directions must be made by all members of the full bench. In amending section 71, the bill removes the logistical issues and unnecessary delays in hearing appeals associated with the current process.

This bill removes the two-step appeal process under section 72 of the Industrial Relations Act 1984. This process is no longer required as the Judicial Review Act 2000 has simplified the procedures for a review of administrative decisions. The bill amends section 72 to allow a person who wishes to challenge a decision of the full bench in respect of an appeal to apply to the Supreme Court for review on the basis of an error of law.

Amendment to the Oaths Act 2001

The bill makes an amendment to section 12(2) of the Oaths Act 2001 to reflect updated Commonwealth regulations. Under the current provision, a person is a Commissioner for

Declarations if that person is authorised to practise as a member of a profession listed in a schedule to the Commonwealth Statutory Declaration Regulations 1993.

Under the proposed amendments, the provision will be updated to provide that a person is a Commissioner for Declarations if the person is a prescribed person under section 7 of the Statutory Declarations Regulations 2018 of the Commonwealth, or a member of a group of persons declared by the minister to be an occupational group for the purposes of that section.

Amendment to the Police Offences Act 1935

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

Amendments to the Promissory Oaths Act 2015

The bill updates the Promissory Oaths Act 2015 in response to recent legislative changes. Section 9 of the act makes reference to section 4 of the Justices Act 1959, which has been repealed. The bill replaces these references with the current legislative provision which is section 5 of the Justices of the Peace Act 2018.

The bill also repeals subsections (5) to (9) of section 9 of the Promissory Oaths Act 2015. These provisions have become redundant as they refer to oaths for appointed 'extra-territorial justices' appointed under repealed provisions of the Justices Act 1959 and there are no equivalent provisions under the Justices of the Peace Act 2018.

Amendment to the Sex Industry Offences Act 2005

This amendment updates the definition of 'sexually transmissible infection' in the Sex Industry Offences Act 2005. The current definition refers to guidelines which are no longer applicable. The definition has been agreed to by the Department of Health and is consistent with the Macquarie Dictionary definition for 'sexually transmitted disease'. The definition also provides for other diseases to be added where they are identified as sexually transmissible.

In conclusion, the purpose of this bill is to ensure legislation remains up-to-date and to correct minor errors that may become apparent after legislation has been operational for some time. A number of such minor amendments have been identified in legislation administered by the Department of Justice as well as acts administered by the Department of Premier and Cabinet and the Department of Police, Fire and Emergency Management.

This bill makes minor amendments to those 10 identified acts. The amendments arise from requests from various stakeholders to clarify or improve the operation of particular pieces of legislation. Those stakeholders, as well as the legal profession, have informed the development of these amendments through targeted consultation.

I commend the bill to the House.

[5.40 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, I am glad to contribute on behalf of the Labor Opposition to the Justice and Related Legislation (Miscellaneous Amendments) Bill 2020. I indicate that we will support the bill.

As we have heard from the minister in her contribution, miscellaneous amendment bills like this one are regular pieces of legislation, particularly in the Justice portfolio and are an important vehicle for amending a range of acts at one time, usually with minor administrative amendments.

The general intention and practice are that they should not contain controversial changes or implement major policy shifts but, rather, that they are used to update legislation that needs minor changes to bring laws up to date with changes in other acts or in practice. Also, to address tangible issues in implementation of those laws that require small administrative changes to make them more workable.

Much of what is proposed in this bill falls into that category and I note that most of the changes have been made at the request or recommendation of either the Chief Justice, the Chief Magistrate, Department of Police, Fire and Emergency Management and the Director of Public Prosecutions. These are all officials of the government who use and apply Tasmania's laws in a very practical sense every single day. Therefore, it is very important that they are able to recommend changes that are needed in order for those laws to be applied as intended and equally important that the Government listens to and acts on that advice.

Proceeding through the changes proposed in this act, first of all, the bill amends the Appeal Costs Fund Act. These changes were recommended by the Magistrates Court. It came to the court's attention that there was a technical problem in applying the act in respect of payments of fees relating to summary offences versus payment of fees relating to electoral offences. Under the act, it was difficult for officers of the court to identify when a fee should be paid and the changes in this bill, I believe, will clarify this so that there is no distinction between the two, as well as empower the court to issue an indemnity certificate to a successful appellant in certain circumstances.

The next act that is amended by this bill is the Constitution Act and this change is a simple one. It could be described as a forward planning clause which deals with the fact that at some -

Ms Archer - I thought you would pick up on that. I am not expecting the Queen to pass away.

Ms HADDAD - No. We all wish her well but it is inevitable that at some point Australia's Head of State will change. It is no secret that Her Majesty, Queen Elizabeth II, is in her winter years. She turned 94 this year. She is just one year younger than my grandmother, actually, and that is pretty exciting. As long as her reign has been - it is the second-longest reign, I believe - she is not immortal and, at some point, there will be a change of our Head of State.

It is my view that ideally our Head of State should be an Australian citizen. While there is, of course, still much affection for the Queen in Australia, it is high time that Australia had a local Head of State. It is a great pity that the referendum held in 1999 to make Australia a republic failed. Members might not know that I was involved in that campaign at the young age of 21. I was elected the Tasmanian Youth spokesperson for the ARM that year and it was

one of my earliest tastes of political campaign and movement and of public speaking too, actually. I remember being very nervous as a young university student having to take part in the debate with then-Labor leader, Kim Beazley, in front of a large audience at UTAS, I think, where we tried to make out the case for an Australian republic but, of course, that referendum failed. I do not think it was just because of my debate contribution and, unfortunately, Australia has remained a constitutional monarchy.

The Australian Republican Movement has continued on and continues to campaign each and every day for Australia to become a republic and to have an Australian Head of State. Their Statement of Principles reads -

The Australian Republican Movement believes everyone who leads Australia and Australians should state allegiance to our people and to our place. Australia is unique. Our land and our society are distinctive in the world. Our great nation's achievement is the creation of a democratic, multicultural, egalitarian society where everyone is equal no matter their family, faith or national background.

We should never take this for granted and we should always try to improve it. This is why we should replace our current foreign monarchy with an Australian as Australia's Head of State. Our Head of State should be a patriotic, democratic person who embodies service to our country and its people.

Our Head of State should be an Australian chosen by Australians, not a foreign monarch who inherits the job. We are an inclusive, member-controlled, volunteer-led campaign calling for a national vote to change our Constitution.

ARM does that work each day with respect to the monarchy.

Mr DEPUTY SPEAKER - I do not think I am allowed to 'Hear, hear' from here.

Ms HADDAD - You cannot hear me from here?

Mr DEPUTY SPEAKER - No, I am not allowed to 'hear, hear'.

Ms HADDAD - That is a good point actually, Mr Deputy Speaker. The ARM and those who are members and who support the work of the ARM, it is not a political issue in terms of party politics in this country. There were very high-profile people on both the 'yes' campaign and the 'no' campaign back in 1999. Indeed, I think it was Malcolm Turnbull who ran the 'yes' campaign at that time and there were members of the Labor Party who wanted to retain a constitutional monarch.

I will never forget as a staffer later on in state politics the late great Michael Hodgman, who was a member for Denison for a long time, was a very proud monarchist. He had printed on his card that he was 'Her Majesty's shadow Attorney-General'. When I was lucky enough to be granted this portfolio in this Opposition I remembered that fact and wondered whether I should have something similar printed on my card.

Ms Archer - Some of us are monarchists still.

Ms HADDAD - Exactly right. There are monarchists on both sides, on all sides of the political spectrum in Tasmania and Australia. Likewise, there are people who support Australia becoming a republic and I commend the Australian Republican Movement for the work that they continue to do in Australia and they do that with respect to the monarchy and to the monarch. There are many British citizens who also recognise that, for a long time, Australia has stood on its own two feet and that we have what it takes to have an Australian represent us as our Head of State.

Until that change occurs, whoever rules over the United Kingdom will also be Australia's Head of State. The reason for the change in this bill was that it was not clear in the current Constitution Act whether members of parliament would be required to retake their oath of affirmation when the monarch changes. This change will make it clear that MPs do not have to do that when the United Kingdom does receive a new monarch. It is a sensible and necessary clause.

However, I also want to make note of the fact that it is not the only clause in our Constitution which lacks clarity. I want to share with members of the House some of the recent commentary on the Tasmanian Constitution because it really is in need of an entire overhaul. Dr Brendan Gogarty said about our Constitution that the whole act needs to be reviewed and replaced to create a genuine constitutional document for the state. A Constitution is supposed to incorporate the most important and fundamental laws of the state.

Writing for a University of New South Wales online publication, called *AUSPUBLAW* in 2016, Dr Gogarty described our Constitution as a law as 'doddering and frail'. He noted that various sections have been repealed and are now blank. He said it dedicates no attention to the fundamental institutions like the judiciary. On the other hand, large tracts are spent on relatively obscure issues such as the demise of the Crown while doing little to describe what the Crown actually is or how it relates to Premier and Cabinet. He goes on to say that -

In fact, the establishment of the Governor and Executive Council are found in ancillary letters patent ... reiterate the archaic rule that the Chief Justice act as the Lieutenant-Governor ... other sections describe income tax laws that are no longer in existence.

Interestingly, in that same article from 2016 he also says the following -

Perhaps the strangest oversight ... is that the Tasmanian Constitution does not empower the Parliament to actually legislate. If this is to be found anywhere it is through an implied reading of its preamble, which cites extinguished colonial legislation from the 1850s, passed for a highly dependent and subordinate colony.

Beyond that he notes that -

... the preamble is silent on who the people of Tasmania are, their heritage, shared values, or expectations for the exercise of legal power in the state.

He says the fact -

That legislative power and responsibility has to be constructively implied into any constitution raises serious questions about its appropriateness as a governing document.

There is a deeper uncertainty about the relationship between the State's Parliament and the people.

He characterises the constitution as a consolidated amalgam of imperial, colonial and state laws rather than any single constitutional endeavour. It lacks the features expected in a fundamental law that is supposed to reflect a social contract and that Tasmania has seen little constitutional evolution since 1900.

Again, in 2016 but this time writing for the University of Tasmania's *Law Review*, Dr Gogarty again noted that much of the law relating to the actual establishment or small 'C' constitution of Tasmania and its government is actually found outside the Constitution Act either in other statutes, in letters patent, or in the common law or convention.

In that article, he set out what he and other constitutional lawyers see as the criteria for an effective fundamental constitution. They include: that it be the product of consensus to those who are subject to its limits and afforded its protection; that it clearly articulates and reflects its status and significance as a fundamental or highest law; that it explains the legal source of authority for the exercise of government power; that it speaks to the shared cultural, historical and legal values, principles and aspirations shared by the society it governs. It should define the organs of government, their duties and scope of powers; it should provide for checks and balances on governmental power and accountability to the people and that it should be accessible to the people that it governs.

Our Constitution does not live up to those accepted criteria of what a good constitution should look like. He says that it should signal the importance of the Constitution to the community that reside there, that it should embody the unique aspects of the state and it should reflect the position of the state as a component of the federation. It should also talk about the history and values of the people of the state, and, finally - and of the utmost importance - it should recognise the contribution, ownership and stewardship by the First Peoples of the state and their status within contemporary society. Those are the elements that constitutional lawyers like Dr Brendan Gogarty and others believe should be present in the Tasmanian Constitution and ours arguably lacks most, if not all of those features.

It has not been put to a popular referendum. It does not include provisions for the establishment of the courts. It does not prescribe the powers and duties of parliament and it does not describe how the Crown relates to Premier and Cabinet.

In that article, he also quoted the Governor of Tasmania, Her Excellency, Professor the Honourable Kate Warner AC, who described the document as unhelpful in explaining the role or terms of her office, containing many gaps and a lack of clarity, making it extremely difficult to precisely determine her role.

Interestingly, in that 2016 article, he also quoted the Honourable Elise Archer when she was Speaker of this House, but who is now Attorney-General and sponsor of this bill. At that time, the minister noted the disparate nature of the Tasmanian Constitution and believed that it failed to clearly define roles and powers of government and consequently many members of parliament probably have not read the Constitution.

He notes, of course, that both these women are legally trained and esteemed people and representatives of the highest offices in the state.

While this minor amendment today is necessary and worthy, it can be agreed by all members of this House that more detailed work and a full review of our Constitution is warranted and is likely something that would receive support from all sides of this Chamber.

The act goes on to amend the Coroners Act. This change was requested by the Police department and will allow the coroner to make orders for the disposal or treatment of evidence on application to the Commissioner of Police. I note that the section will require that before an order for disposal can be made, police would be required to take and keep photographic and audio-visual records and samples of evidence if it is possible to do that.

In the briefing, it was described to me that this includes things like keeping hold of cars that have been involved in car accidents where the coroner's report had not yet been completed, and other large physical things like trucks, motorcycles and boats that are bulky and cumbersome and costly for the Government and for the Police department to store.

I understand that orders to this effect can be currently made but the threshold is seen as being too high. I seek some assurance from the minister about this change. By way of question in her summing up, could the minister clarify that it is not the intention of Government that orders could be made under this change to destroy evidence under one of these orders if there were any live appeal rights or any further likely court action that might be reliant on that particular evidence being produced more so than audio-visual or photographic evidence that the police department would be required to retain, even after this change takes place?

I imagine that that is the case but I seek that clarification so that we can be certain that if there were large bulky pieces of evidence that the police had to hold onto and were wishing to dispose of, but that there was a possible court appeal still likely, an order would not be issued in this circumstance if the evidence would likely need to be produced to the court.

The bill amends the Criminal Code to expand the definition of sentence to clarify that all types of sentencing orders can be appealed and to give the court the power to stay or suspend the operation of sentencing orders. This will ensure consistency with operations in the Magistrates Court where this can already now occur. It was a request from the DPP and received support from the Chief Justice.

The changes to the Evidence (Audio and Audio Visual Links) Act are also to be supported. I believe this amendment was made at the request of the Magistrates Court and was supported by the Supreme Court. It will broaden the use of audiovisual links so that the court can direct the use of audiovisual links for any purpose that it sees fit rather than only in the limited circumstances that it can now do so. This is a good thing and I am happy to support that change.

There are changes being made in this bill to the Industrial Relations Act. These changes will address an inconsistency in appeal rights in relation to unfair dismissal cases. I believe that there is currently a right of appeal in relation to orders made by the commission in certain circumstances but there is an inconsistency in that there is no appeal right where an application for unfair dismissal has been dismissed by the commission without a hearing. This change will close that gap and ensure that appeal rights apply in both circumstances.

The bill also allows the president of the commission to make procedural orders or directions for the hearing of an appeal, which is an improvement on the current requirement that such directions have to be made by all members of the full bench. It will remove unnecessary delays to the hearing of appeals.

Finally, the bill removes the current two-step process which is no longer required because of changes made in the Judicial Review Act to simplify procedures for a review of administrative decisions.

I note that the union movement was not consulted on these changes, which is a pity. Tasmanian unions represent their members in hearings in the commission every day, but the good news is that they broadly support these changes. It would have been good for consultation to occur because if there had been an issue identified it could have been addressed prior to drafting.

The changes to the Police Offences Act are simple and non-controversial. They remove the use of the words 'community service order' as they no longer exist in that language. The use of community service orders has changed its wording in that act.

Similarly, the Promissory Oaths Act changes are non-controversial and remove outdated references to repealed legislation. There are simple changes being made to the Oaths Act rather than the Promissory Oaths Act which reflect updated Commonwealth regulations. Under the proposed amendments to that act, a person is a commissioner for declarations if the person is a prescribed person under section 7 of the Statutory Declarations Regulations 2018 of the Commonwealth, or a member of a group of persons declared by the minister to be an occupational group for the purposes of the section. That is also a straightforward and necessary change to update that change at the Commonwealth level.

Finally, the bill amends the Sex Industry Offences Act. I have some problems with this change. I am not opposing the clause but I am going to put on the record when parliament comes back because I know I will run out of time in one minute some of the concerns that have been raised with me on the proposed definition of 'sexually transmissible infection'. I am told the change was a request from the Director of Public Health and has been drafted by the Justice department in consultation with the Health department.

I will start by saying I recognise that the section being amended needs to be amended because it provides a definition, but in doing so refers to a table in the Public Health Act which no longer exists. There is no question that the section needs to be updated because the table referred to in the section does not exist anymore in the Public Health Act.'

Debate adjourned.

ADJOURNMENT

Geoff Dyer - Tribute

[6.00 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, last week, Tasmania lost a living treasure. I rise tonight to mark the passing of Geoff Dyer, one of

Tasmania's most important and celebrated painters, one of the great and colourful Tasmanian characters.

There is a Geoff Dyer-shaped hole in the fabric of Salamanca where so many of us would have bumped into him and had a chat. He was larger than life and dearly loved.

Geoff exhibited in both solo and group exhibitions, nationally and internationally, going right back to 1970. His artistic legacy highlights the wild beauty of the Tasmanian landscape, exploring the sorts of rugged, remote places that many other born and bred Tasmanians would rarely go to.

Over the decades, Geoff traversed all points of the compass on this island with his easel and his paints, from the isolated islands of Bass Strait to the dense forests of the Franklin River. His fire landscapes are some of my favourites. They are so striking with their scarlet, black, pink and gold colours that you can almost smell the smoke.

As a painter, Geoff Dyer was highly intuitive, painting entire pictures with an innate and wild creative flow and very rarely coming back to rework them. Despard Gallery, which exhibited Geoff's paintings for many years, had this to say on his passing -

Geoff was an inspiring force within the contemporary Tasmanian art scene, recognised nationally through his commanding interpretations of the landscape. Geoff lived and breathed painting, constantly driven to make his mark and share his love of depicting the landscape in its many forms and ambiances.

Geoff had a highly celebrated professional career spanning over 50 years with countless solo exhibitions nationally, as well as exhibitions in Singapore, Guangdong and New York. His work is held in numerous important collections including the National Portrait Gallery, Artbank, the University of Tasmania, the Tasmanian Museum and Art Gallery, Queen Victoria Museum and Art Gallery and the Museum of Old and New Art (MONA). He has been hung in the New South Wales Art Gallery over 20 times as a finalist in the Archibald Prize, the Wynne Prize and the Sulman Prize. Most notably, Geoff won the Archibald Prize in 2003 with a portrait of author, conservationist and friend, Richard Flanagan. Geoff is only the second Tasmanian to ever win the Archibald Prize.

He is remembered for his portraits. Some of his other subjects include David Walsh, Bob Brown, Christopher Koch and Graeme Murphy and in this place is his truly striking portrait of former Labor premier, Paul Lennon, which hangs over the foyer.

Ms Archer - It's striking.

Ms O'CONNOR - It is a striking portrait because it really captures the man. It captures his brashness and his uncertainty. It is a very fine portrait of someone who you would not describe as pretty.

There was an exhibition last year at the Tasmanian Museum and Art Gallery, dedicated to his portraits, but Geoff was at heart, a landscape painter, one who devoted his entire life to interpreting and bringing to canvas the moods of his beloved Tasmania with equal accomplishment in both oil and water colour.

Apart from his enormous contribution to the world of art and the way we perceive this island's landscape, Geoff was known by friends as being a truly great person, a very much larger than life character, and a rogue of a man, described by his long-time friend and fellow very fine landscape painter, my dear ex-husband Stephen Lees, as having an incredible humanity. He could relate to anybody, anywhere: the sort of person who seemed to know everybody, everywhere they go.

Stephen described his friend as an almost Dickensian figure, or a bit like Oscar Wilde with a great wit and at times, even a bit pugnacious. He felt a deep and genuine love for people from all walks of life and was held in high regard across different groups through his involvement in the worlds of sport, politics and culture. He was a fixture at Salamanca.

Stephen Lees highlights that people like Geoff, who are connected to all layers and groups within society, are really important to our culture. They become like a glue that binds these different groups together.

Geoff Dyer was a true raconteur. He is remembered for his big Tasmanian heart, his skill with words, his quite wicked sense of humour, his love of a drink, his energy and his ability to engage in conversation on all manner of topics with all kinds of people. According to Stephen, his warmth and his wit made him a magnetic person, as well as his love for people. Because of Stephen I knew Geoff quite well for a time there too and every time you walked into a room where Geoff was, it just lit up, so big was his character.

On behalf of the Tasmanian Greens, I pass on my warmest and most sincere condolences to everyone who loved Geoff and there are so many, and particularly to his family, his partner Krysia, his daughter Kelly, his brother David and his sister Lou.

Geoff Dyer will be deeply missed, not only for his incredible paintings but also for the profound impact he had on the lives of everyone he touched. Geoff Dyer was 73 years old when he passed away. Vale, great Tasmanian painter, Geoff Dyer.

Geoff Dyer - Tribute

Tasmania Prison Service - Partnership with TasTAFE

[6.06 p.m.]

Ms ARCHER (Clark - Minister for Corrections) - Mr Deputy Speaker, I concur with all of those comments from the Leader of the Greens, Ms O'Connor. My parents owned and operated Knopwoods Retreat, as it was then known, now The Whaler, and Geoff and many other artists were constant features, as Ms O'Connor said, in the Salamanca landscape. We had a lot of artists who would visit us, I think on a Monday or Tuesday night. I think Tuesday night was poetry night and the artists used to crash that and Peter Stevenson, or Pedro, was amongst that group as well. We inherited some very good artwork from many a bill that was racked up at the hotel, so we have some very nice artwork.

I have some very fond memories from childhood of Geoff, who was incredibly larger than life, Ms O'Connor is correct. I found him deeply charismatic and my passion for the arts started at that age. I credit that with having the opportunity to spend time with people like that and hang off their coat-tails and suck up the information.

I issued a media release, and Ms O'Connor has encapsulated things beautifully. He would have to be one of, if not the most respected and talented contemporary artists we have in

Tasmania, with a career spanning an incredible 50 years. His works are truly magnificent. As has been said, he exhibited all over the world. I think he had a period there where he worked in America as well, in New York. I could be wrong about that but he certainly had several collections around Australia, including our very own TMAG and MONA.

As has been said, he has won the Archibald Prize, absolutely no mean feat at all, and was only the second Tasmanian to do so in the history of the Archibald Prize, with his painting of Richard Flanagan. I was going to remark on the portrait we have here but I will leave that alone because I do not want to offend Paul Lennon by saying anything about the way he looked, but it does capture, I think, his emotion, but Geoff's beautiful landscapes are the things I absolutely love as well.

I also grew up knowing his twin son and daughter. Quinton unfortunately passed away some time ago now. He used to date my best friend who passed away some time ago as well, so it is very sad that both of them are not still with us. I know Kelly is currently principal at Kingston High and I am sure Geoff was incredibly proud of her for her achievements as well. My heartfelt condolences on behalf of the Tasmanian Government to all of his family and friends. He had a huge network.

I also wanted to mention in my adjournment contribution tonight a new Tasmanian Prison Service partnership with TasTAFE. I have referred to it in a few debates throughout the year, and with the Minister for Education and Training we have worked on this.

When I took on the portfolio of Corrections, one of the very first things I asked about was the training opportunities we had for prisoners to ensure rehabilitation and good successful reintegration back into our community with better prospects of employment. We know that is a major key to reducing recidivism. I am pleased tonight to highlight that very exciting partnership that is going to deliver real results in prisoner education training. I thank the minister in that area for his assistance in the work that TasTAFE has done with the Tasmanian Prison Service to get this off the ground.

Ultimately this is about rehabilitation. The TPS and TasTAFE have had an excellent relationship for a long time, with TasTAFE teachers working with prisoners and TPS staff to deliver educational programs that engage offenders in activities and skills development while serving their sentences. These programs help keep the community safe because ultimately they lead to increased opportunities for prisoners to reduce their risk of reoffending and enable them to prosocially participate in the community upon their release.

The relationship with TPS and TasTAFE has now entered a new era. It is as I said a new partnership which has officially been signed to provide for the expansion of education and training services for offenders during their time in prison under a new prison education and integration model with a TasTAFE campus on site. This partnership will provide a flexible model which promotes prevocational and vocational skill development options to prisoners during their incarceration targeted towards interests and relevant education levels of prisoners as well as aligning with wider industry needs.

It is a collaboration between TPS, TasTAFE and Libraries Tasmania, leading to higher rates of engagement and retention and learning education and training. That is the service delivery model.

Under the partnership TasTAFE prison-based courses are to be customised to meet the needs of the learner cohort and the learning environment at each prison. The course schedules will be designed around vocational education and training qualifications through the attainment of skill sets with a focus on language, literacy and numeracy and digital literacy skill development.

It is important to note that we are focusing on areas of need as well in terms of building and construction, hospitality and other allied training to ensure that the training that they do they want to do and the training is required to fill the skills vacancies. Staff, who are our most important asset, have enabled the partnership to be progressed so I thank the three TPS staff who have voluntarily transferred to TasTAFE and remain prison based to coordinate and facilitate the education services and vocational education and training will be overseen by a prison-based TasTAFE-employed education manager.

The partnership officially commenced on 1 October and I take this opportunity to thank the hardworking staff across both organisations who have brought this vision to reality.

Time expired.

Federal Budget Critique - #Credible Women

[6.13 p.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, I rise tonight to talk about an interesting response to the federal Budget. Last week the hashtag 'credible women' was the number-one trending topic on Twitter in Australia after *Women's Agenda* journalist Georgie Dent tweeted her critique of the Budget on Tuesday night and later wrote an article on why the federal government's Budget's biggest losers were women.

The next day Dent received a phone call from the Prime Minister's office. They were unhappy with the claim made in *Women's Agenda* that the Budget only allocated \$240 million, or one-third of 1 per cent, of the whole Budget specifically towards women.

Ms Dent said she was certainly not the only person making the characterisation that this Budget does not deliver for women and the remark made to Ms Dent was that 'no-one credible is saying that', so the 'credible women' tweet was born.

Why did the hashtag trend so quickly? Dent believes that the reason it caught fire is that in her view there was already consensus that the Budget did not deliver for women. The Workplace Gender Equality Agency found that women may be more affected and face economic insecurity due to COVID-19 due to gender segregation in certain sectors and positions of employment, over-representation in more precarious employment, under-representation in positions of leadership and that women who draw on their superannuation savings now may face greater economic insecurity in retirement.

Women are more likely to live in poverty. They account for the majority of single parent households, have less access to social protections and less earnings and savings. Yet the federal Budget allocated one-third of 1 per cent.

I was looking at the Grattan Institute analysis and while we are not allowed to use props it does help me to explain that this is where the pain was felt and this is where the economic gain has gone. The pain is here; the economic gain is over there.

Let us talk about the very credible women who have criticised this federal Budget. Natalie Lang from the ASU said that the budget had neglected women 'from the cradle to the grave', because women needed access to affordable childcare in order to take advantage of wage subsidies for workers under the age of 35.

Women's Electoral Lobby National Convenor, Emma Davidson, said that women and their dependents have been ignored in the Budget. Its jobs, skills and manufacturing sector initiatives were ignoring female-dominated industry sectors.

Executive director of Per Capita, Emma Dawson, agrees it was 'shocking' that no new childcare measures appeared, especially in a downturn widely dubbed as the 'she-cession' or 'pink recession' due to data showing its disproportionate impact on women.

Angela Jackson of Equity Economics said that the chance to boost women's economic participation and long-term economic wellbeing was largely missed in the Budget.

Associate Professor Andrea Carson from La Trobe University said -

Women are carrying a load that doesn't easily go away and it won't with the male-driven recovery scheme ... It will exacerbate. It's not good enough; they haven't analysed how this recession is different from past recessions; they've come at it with the old male toolkit, rather than a toolkit needed for this recession. And that hurts women. Ultimately it will hurt the whole recovery, male jobs as well as female jobs. If you just focus on one section of your economy, (in this case, construction, infrastructure and manufacturing) and not on sections hurting and needing support, then the recovery is going to be much slower.

The Grattan Institute CEO, Danielle Wood, believes one reason that industries in which women are highly represented were overlooked for targeted job stimulus is because 'there is a deep-seated belief that those jobs (caring and education professions) are lesser.'

Sue Morphet, president of Chief Executive Women, was disappointed by the lack of action on childcare and the implications for women's long-term financial security.

Professor Rae Cooper of the University of Sydney Business School agrees that the pandemic had highlighted pre-existing gender inequities and the greater financial vulnerability of Australian women -

All the data suggested women stepped into COVID behind Australian men, and what's happened is an extreme exacerbation of the differences that men and women face in paid work and the labour market, and in terms of what happens at home.

... all the evidence from organisations like the OECD, the World Economic Forum and the ILO says we need a gendered focus on experiences and

outcomes in the labour market. Saying things like, 'women found businesses, women can get an apprenticeship, women drive on roads', doesn't cut it. ... This is not a 'do-gooder' strategy, it reaps enormous economic benefits, not because we're being nice to women, it's well established it will drive labour force participation of women and therefore will improve productivity and massively fuel economic growth.

Dr Neela Janakiramanan said that any budget that was blind to gender is discriminatory. ABC *The Drum's*, Julia Baird, said conservative parties globally had, in her view, politicised the word 'women' as a prefix to belonging to the left and that women inside the Liberal Party are perennially sidelined and frustrated. They fear ostracism if they speak publicly.

In May, Bankwest Curtin Economics Centre released a report on casual workers looking into the Government-stated one-year benchmark. The report found women were more likely than men to be short-term casual workers. Women have been disadvantaged in Australia even prior to the pandemic. Women over the age of 55 are the fastest growing group suffering homelessness.

In 2019 women had a higher under-employment rate of 10 per cent compared to men who had a rate of 6.2 per cent. In Tasmania that under-employment rate is now 12.2 per cent for women. Women only represent 37.8 per cent of full-time workers. In Tasmania we only represent 35.2 per cent of full-time workers. As Georgia Dent said -

The reason that women retire in poverty is because they spend their lives disadvantaged in their ability and capacity to participate in paid work because of the roles they play taking up unpaid work.

All of these credible voices add to the many incredible women who have told their personal stories of poverty and disadvantage in accessing childcare, in the insecurity of their working environment. Do not forget the hit on penalty rates were largely in women-dominated workplaces.

For the federal government to dismiss women's views as not credible defies belief. In Tasmania the under-employment rate of women is 12.2 per cent and Tasmanian women have the lowest participation rate in the country, 56.3 per cent, which is even lower than the experience in lockdown Victoria. These are credible voices and the Tasmanian budget must ensure that these credible voices are heard in our state budget next month and that proper gender budgeting is applied. What we have seen so far is high vis but narrow vision.

International Day of Rural Women

[6.20 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, I am very pleased to speak tonight as Minister for Primary Industries and Water and to pay a tribute to Tasmania's rural women on this special day, International Day of Rural Women. The United Nation's International Day of Rural Women shines a spotlight on rural women and girls for their contribution in agriculture and among other things food security, nutrition and land and natural resource management.

In Australia, women make up 34 per cent of the employees in agriculture and are estimated to provide one third of all farm income. The formal paid employment of women in the Australian agriculture workforce has shown a strong and steady increase for many years from around 26 per cent in 1984 to 34 per cent in 2020. We could all recognise there is much more to do.

I recognise my colleague, Sarah Courtney, Minister for Women, and her tribute today to rural women on this special day. Thank you, Ms Courtney, for your support and recognition.

The Government recognises the vital contribution of women to making the success of our rural industries and communities. We are proud to support these initiatives and organisations that promote the contribution that Tasmania's rural women make. We contribute support to Tasmanian Women in Agriculture, providing a total of \$120 000 over four years, \$30 000 a year since 2018-19. I recognise the establishment of the organisation going all the way back to 1994.

There are a number of annual programs and support and effort that they undertake, projects that build personal and community leadership. I recognise them. I was at the recent annual general meeting and I pay a tribute to Belinda Hazell for her leadership these past few years and put on record my sincere thanks for her leadership.

I congratulate Women in Agriculture for their response to the current restrictions during this COVID-19 pandemic. It has been very challenging but they have undertaken the move. A number of the events have been online with webinars and virtual farm tours. I have been involved in a number of events. They recently set up a regular online paddock talk, inviting speakers to address current issues. These are available for viewing at any time. Topics include Agricultural Industry Forum, Buy Tasmanian First, and Let's Talk Recovery. Belinda Hazell did quite a bit to promote the Buy Tasmanian First campaign earlier this year.

The Government has a vision for a more inclusive Tasmania that empowers and enables women and girls to reach their full potential and fully participate in our economic, social, political and community life. We also want to enable and facilitate more rural women to take on leadership roles in Tasmanian primary industries. I want to recognise, pay honour and congratulate Karen Brock, who was named the Tasmanian winner of the 2020 AgriFutures Rural Women Award. Karen is a former Nuffield scholar, currently the president of Nursery and Garden Industry Australia and has held a number of other industry and leadership roles. I have known Karen for many years. We were neighbours around Hagley and at the Hagley Farm School, my old school. It is one of the privileges of being minister for Primary Industries that I get to present the Rural Women's Award each year. Karen is the most recent in a long line of very impressive women.

I congratulate Caitlin Radford from Moriarty. Radford is a big name in the Moriarty area. Last week she was named the Tasmanian Apprentice of the Year after completing a Certificate III in Agriculture through TasTAFE. She has since commenced work for S W Radford. No surprise there. Caitlin has been an active member of Rural Youth which been important in leading the Agfest organising committee. I pay a tribute to them. I wish her and the Agfest team all the best as they plan to bring Agfest back into the paddock in 2021.

I recently met with Clare Peltzer, former Nuffield Scholar, and vice chair of the Tasmanian Agricultural Education Network, which is based out of the Hagley Farm School. It

is across Tasmania and has shown real leadership prospects and a very refreshing and energetic person she is, so thank you, Clare, for the catch-up and opportunity.

We as a government are definitely on target to grow the farm gate value of agriculture to \$20 billion per year by 2050. That is part of our long-term plan, and to achieve this target rural women farmers and agribusiness women will play a key role to make that happen. The contribution women make to Tasmania's rural industries and communities is a vital one and on this important day we recognise the significant role women play in rural communities and pay them tribute.

West Gate Bridge - Fiftieth Anniversary of Collapse

[6.25 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, today marks the fiftieth anniversary of the collapse of the West Gate Bridge which was by far the worst industrial accident in Australia's history, with 35 men killed and 18 injured. Already critically weakened by a series of engineering and construction failures, the giant structure collapsed at 11.50 a.m. on 15 October 1970, sending 2000 tonnes of steel and concrete plummeting to the ground below. There 35 men lay dead or dying, either thrown 50 metres from the top of the structure or buried beneath broken and twisted wreckage. The collapse affected many families and the brave workers who risked everything to recover the dead and injured.

In the days leading up to the collapse there was unease among some of the workers who spent a lot of time on top of the bridge. Witness accounts stated -

A few people were a bit scared. They said they could feel movement on the bridge.

According to reports, as two spans were brought into close proximity it was revealed that there was a gap of approximately 10 centimetres. The answer seemed simple enough - use cantilever concrete ballast cubes that each weighed about eight tonnes to realign the girders. These concrete cubes were going to be placed on the north half-span in an attempt to push it down to the same height as the south span. However, it would seem that more weight was used than was approved by the engineer and this caused a buckle in the bridge. On Wednesday 14 October, instructions were given to straighten the buckle without further delay.

Starting at around 8.30 a.m. on 15 October, the task of straightening the buckle began. The removal of a large amount of bolts commenced, which caused a significant degree of slippage. It was then suggested that the bolts be re-tightened with an air gun. When the pressure of this caused the bolts to break, the shock reaction of the bolts failing and tension created stress. This resulted in a sliding moment which made many of the bolt holes disappear, meaning they could not re-bolt the span and it also created more buckling to several other panels of the bridge.

At around 11 a.m. the section engineer contacted Jack Hindshaw, the resident engineer, and advised that things were not going well. Jack Hindshaw arrived on site and was instantly aware that a potentially dangerous situation was imminent and decided to get further advice, making a phone call to Gerit Hardenber, a senior representative of WSC Melbourne.

The last words Hindshaw was heard saying were, 'Shall I get the bobs off?', referring to the workers. It was then at 11.50 a.m. that span 10 to 11 collapsed, taking the lives of 35 men, Jack Hindshaw amongst them. The first section of the 110-metre span on the bridge that hit the ground landed on workers who were having their lunch, crushing them instantly. Another section fell on the diesel tanks at the site, triggering a huge explosion that could be heard kilometres away.

One of my very good friends lost her dad that day. He was in the construction industry and was working on the West Gate Bridge that day and lost his life at work. She grew up without a father. When I asked her how she feels 50 years on she stated, 'It's not about me, it's about my dad dying in the construction industry.' This is what my friend said -

After the disaster my mum had 49 cents to keep us going. John Holland was the construction company. They refused to pay compensation. The Boilermakers Welders Union and a man named Jim Rolston engaged lawyers who took the case before Justice Young in Melbourne. My mum was one of the few who won. The union was ecstatic but many of the families of the men who died that day were not compensated.

I read a story on the ABC news site about another man who lost a parent. His name is Victor Gerada. He was a baby when his father went to work on the bridge and his father also never came home. He said, 'I did not know my father but from what people tell me, he was a good man'. Victor was born Stephen Gerada but his mother, Doris, renamed him in honour of his father who had immigrated with his wife from Malta to Melbourne and taken a job as an iron worker on the West Gate Bridge. Doris was watching television at home and nursing her young son when she saw the news that the bridge had collapsed and rushed to the scene, only to learn that her husband and father of her four children was dead. She recognised his shirtsleeves sticking out from one of the white sheets covering the bodies of the dead.

Victor Gerada left behind four children when he was killed in that collapse. 'You miss all those things you do with a father that I do with my daughter now', said Victor, recalling how after the accident his mother worked two jobs to make ends meet and she always made sure there was food on the table and they always had shoes on their feet.

The accident became a turning point in workplace safety in Australia and a royal commission into the disaster was scathing of the design and methods used by the two companies building the bridge, John Holland and World Services, and the attempts to rectify the bridge's flaws. Many in the construction industry trace improvements in the field, particularly workplace safety and compensation, back to the West Gate Bridge disaster.

Riggers on the project prior to 1970 worked, incredibly, without harnesses, and welders shielded themselves with material made from asbestos. If the workers had concerns about safety, they had very little option but to strike, an issue raised in the royal commission's final report framed as a criticism of the workers themselves. For their behaviour on the contract, the report said, 'The unions and men must bear their share of responsibility for the tragedy'. It was a criticism that rankled the workers at the time and still sits uneasily with those who survived today.

'You don't have the process you have today', said Pat Preston, who went on to become the manager of a construction union health and safety division, years after the accident. 'You've

got health and safety legislation, you've got a process. We didn't have that. If you were concerned about something, you got a flat no. You didn't have any other means of redress'.

Fifty years on for the families, it does not take away the pain, but we pay our respects to the people who lost their lives and the families who lost so much.

Tassal Fish Farm Operations - Issues

[6.32 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, Tasmanians have a very special connection to their waterways. We are prolific campers, fishers and swimmers and we cherish the island and its incredible coastlines and rivers.

The palawa people lived sustainably from the bounty of the sea long before Europeans were even aware that lutruwita existed. People living in coastal communities around the state or visiting their favourite beaches are highly attuned to their place and we notice the smallest changes, the shifting sandbars and the erosion of a favourite fishing spot.

The gradual increase in heavy-duty ropes and black plastic piping that is being washed up onto shorelines around the state have not gone unnoticed by locals, but it was the stinking mass of filamentous algae in Long Bay on the Tasman Peninsula in December last year that would not have been missed by anybody.

The peninsula residents were expected to suffer the idea that the massive expansion of Tassal's fish farm operations into Long Bay had nothing to do with the green slime that was choking the seagrass there, but anybody who saw Long Bay beforehand understands that the approximately 150 tonnes of dissolved nitrogen from the nearby fish farm operation clearly was the cause.

The fact is Tasmanians know what is going on and they are seeing step changes in marine ecosystems around beaches that are being spoiled and are watching waterways being emptied of fish. They know something is very wrong.

The most recent evidence was a tremendous amount of filamentous algae that washed up on the incredibly popular and beautiful White Beach near Nubeena on the peninsula. A resident called my office gobsmacked and emotional at the sight. Residents have never seen that level of algae on White Beach. It has always been a pristine, white sand coastline.

It beggars belief that the nutrient load from the local Tassal farm operation that was recently established is not obviously the cause, if not a major contributor if not the total cause.

We wrote to the EPA and we are not satisfied with the answers that were provided. They were vague, they were non-specific, they were limp. They were essentially unconcerned and had no substance in their ability or preparedness to do anything concrete to either investigate or to make sure that this situation does not happen again.

The community is not going to take this sort of rubbish lying down. They are sick of the paper shuffling waffle and the inaction when damage occurs like this. It is the outright rubberstamping by the Government of industry expansion and self-monitoring of impacts on

the environment that is making people sick. They are seeing the changes in their coastlines and the waterways that they love are getting worse and they are not going to put up with it any longer.

This week, the Bruny Island Killora Community Association joined with the Tasmanian Alliance for Marine Protection. They are calling for fish farm operations to leave the north D'Entrecasteaux Channel off Bruny Island. It is the constant noise and lights which has turned this peaceful area into an industrial farming wastewater landscape. They cannot deal with it any longer. The community were never consulted about the appropriateness of that site.

The flourishing fish rich marine channel was changed from public to private at the stroke of a pen and they were never asked. Bruny locals are gravely concerned that the north D'Entrecasteaux Channel has been fundamentally damaged by large scale fish farming. The shallow waters and the weak currents just cannot flush out the immense amount of fish waste that is going into the area.

Gone are the flatheads, gone are the scallops. Instead there is algae and jellyfish. The north D'Entrecasteaux Channel ecological collapse is not a one-off occurrence. The disaster of Macquarie Harbour should have been warning enough about the woeful state of our regulation and our planning framework. It should be protecting marine life from the impacts of fish farming but instead it is entirely toothless.

Currently, the industry can effectively pick and choose where they want to farm and the functioning, so-called, of the Marine Farm Planning Review Panel process was axed by the Labor Party and now is ultimately dictated to by the minister of the day. We saw that process play out during the Storm Bay assessment. The EPA does not have any say over where fish pens are located. This means that the Marine Farm Planning Review Panel is the only body able to conduct an environmental assessment before a lease is established. During the Storm Bay assessment, two independent expert scientists resigned from the panel because the process they said was 'inherently compromised'.

I am not surprised that communities around the Tasman Peninsula and Bruny Island have lost faith in working with the industry and the Government to sort our fish farm impacts. Good on them for standing up and coming out and making a stand. I am very confident more people will come out and join them.

Until we completely rework the laws that govern the industry and put the emphasis back on the community to have a say, and on scientists to regulate for the protection of the environment, we will not have sustainable industry and we will have increasing loss of marine diversity.

Mental Health Week Tunes in the Tulips

[6.39 p.m.]

Ms DOW (Braddon) - Mr Deputy Speaker, I rise tonight to speak about a number of great events that I attended across my electorate over the last few weeks.

The first events that I wanted to speak about tonight were organised during Mental Health Week, which was last week. I attended events in both Burnie and Penguin and I wanted to extend my congratulations to Lindsay Morgan from the Ulverstone West Rotary Club for organising the barbecue that was held at the Big Penguin in Penguin. It was a very informal morning, hosted by the Rotary Club, providing information and services to people in a relaxed environment and talking about the importance of being open about mental health and that it is okay to talk to your mates about mental health. It was a very welcoming environment and was a very well-done event. I congratulate them and all those who were involved in organising it.

The second event, also held on that day, which was last Friday, World Mental Health Day, was the Mental Health Expo. It was held at the Burnie Arts and Function Centre in the Town Hall. I congratulate Debbie King for her work in bringing together this fantastic community event which was a collection of service providers coming together to provide an overview of the services that they provide to the community, how people can access those for support and information. It also was a very well attended and well-organised event. Congratulations to Debbie and everybody involved in organising the Mental Health Expo.

The other event that I wanted to speak about tonight was Tunes in the Tulips which was held at the Table Cape Tulip Farm a couple of Saturdays ago which I attended with my daughter. This event was hosted by Big Hart and put together by the young women of Project O, a fantastic initiative for women across the Wynyard and Smithton communities. It was a music versus science event and quite unique. We attended individual music and narrative sessions provided by scientists and very, very talented scientists and musicians, I would say. There was a kelp session, a pollen session and a rain session and they were held in various greenhouses and sheds across the farm.

It was a wonderful event bringing together people from right across the community with an emphasis on sustainable agriculture and the work that the Roberts-Thomson have done at the Table Cape Tulip Farm around sustainable agriculture. There was wonderful catering from Red Cow Dairy, a great local agribusiness, and Middle Sister. It was really enjoyable and very different and quite enlightening in many ways. I congratulate everybody who was involved and if you have not been to Table Cape to enjoy the beautiful tulips this year then I encourage you to visit.

Guide Dogs Tasmania - Graduation Ceremony

[6.42 p.m.]

Ms STANDEN (Franklin) - Mr Deputy Speaker, I rise to provide an update. A few weeks ago I was pleased to introduce Grady, the guide dog puppy in training, to the House. He was here, not in person but I suppose, in dog. He was a very gorgeous boy indeed.

Today I am very pleased to provide an exciting update to the House. Earlier this week, it brought me enormous pride to attend Guide Dogs Tasmania's graduation ceremony for seven special and beautiful dogs: four as guide dogs going into service and three other very special jobs with special roles. It was explained that sometimes health or behavioural issues interrupt guide dog training and they have to transfer from the guide dog program to another.

This year Guide Dogs Tasmania graduated its very first dog assisted therapy dog, none other than our Grady, who is joining the VisAbility's Occupational Therapy team with Hannah

Stockley-Smith at Kites, their children's centre at Bellerive. Here is a photo of Grady on his graduation day in his Kite's shirt looking very beautiful indeed.

The dog assisted therapy uses creative ways to engage and motivate children to meet their therapy goals through the use of a dog present in sessions. This can include being a motivational tool to engage children to practise skills, assisting with physical tasks such as turning the pages of a book or walking side by side, social skill development such as taking turns, eye contact, listening and waiting, emotional support to provide a calming effect on a child. Also self-care, dressing and feeding skills, play and language skills, engaging the dog in imaginative play and role play.

Kim Ryan, the wonderful program manager at Guide Dogs Services, researched and developed the program and supervised Grady's training here in Tasmania based on international evidence. Grady, as I can attest, loves to please. He loves his treats and he loves praise, so he picked up tasks quickly. Kim reported that he is always eager to learn something new.

My family, including eight-year-old Buddy, our withdrawn guide dog, who is also a black labrador, welcomed Grady and we opened our home to him as boarders. We continued his training, setting up obstacles and activities at home during the COVID-19 lockdown. It offered a wonderful experience for our son to take on the responsibility of that training aspect.

Our contribution meant Grady can be placed this year as a dog-assisted therapy dog and he graduated this week. This is a picture of my 12-year-old son Nick and me with Sue McConnell, the puppy raiser for Grady. It was a wonderful opportunity to celebrate.

My family and I are so proud to have been part of Grady's big journey. Soon Grady will formerly conclude his training and then he will go to work. For now he will continue to board with us. Over the past six months he has not only worked his way into our family but into our hearts.

Guide Dog Tasmania's graduation day so powerfully demonstrated the impact of guide dogs and alternative service and handler dogs and how they can change lives. We heard from puppy raisers and a handler powerful stories of how dogs change lives and acknowledged individual and corporate sponsors.

We recognise the service of recently retired ambassador dog, Dexter. It was an extremely moving ceremony, one that I will never forget. Once again, I thank Guide Dogs Tasmania for being part of this very special occasion.

COVID-19 - Australians Stranded Overseas

[6.47 p.m.]

Ms OGILVIE (Clark) - Mr Deputy Speaker, I wanted to update the House on an issue I have been working on for many months, which is of the greatest importance. That is people who remain stuck overseas during the pandemic.

The House will be aware that we have had quite a few successes in getting people home, but there is still a huge amount of work to do. My team and I worked closely with the state Government and anyone we can get to help us internationally to get people home. We have

people still stranded, particularly in the United Kingdom and also the Philippines. I am always very concerned about the mums with young kids who are stranded.

We have a particular case at the moment whose husband is FIFO-ing and working in another country. She is stranded in the Phillipines with two children under the age of three. It is a very difficult circumstance. While we have been very fortunate in Tasmania to have the dome down over our beautiful island state and have time to breathe and feel safe, that is not what is happening everywhere else around the globe.

I was heartened to hear that the Prime Minister after National Cabinet had made some progress in relation to organising for more people to be able to return. I understand that he visited Cairns on Thursday and was looking at the final stages of boosting quarantine capabilities at Howard Springs in the Northern Territory.

From early in this pandemic, when Max Quick was in trouble in Argentina right through to now, there were calls for us to do more. I always wondered why you could not scramble the jets. We have all that defence force capacity. It became clear very quickly that it was the quarantine processing. Then Melbourne and Tullamarine went offline for all that time. It has been dreadfully difficult. I am sure we all have friends and relatives in Melbourne. I am glad their kids are back at school.

My understanding is that the cap on the numbers being able to return per week can be increased in line with additional quarantine facilities being brought online in the Northern Territory. It is something that we are going to have to address more formerly as a state, particularly if and when we are able to receive flights directly from New Zealand as we used to when I was growing up here: not just our airport upgrade but also how we do the quarantining and care and control of the free movement of people. We have had quite a few people come home. It is often difficult when you are working with these families overseas to truly comprehend and understand the difficult situations and circumstances they are in. My team and I took the view very early on that if people are reaching out to us they are in a really bad situation and some people are able to articulate the need and the desire to come home better than others. Sometimes we did not realise until people were back how difficult things had been for them. Certainly, for those who had been separated from health care and older people who needed constant care or at least to be in contact with their GPs and other service providers had been separated from them for some time, it was very difficult.

I would like us to think more about how we actually do this quarantine business. It is something that I know every country around the globe is looking at, and it is done very differently in different places. Certainly, if you look at the Swedish experience it is very different from what is happening in the United Kingdom. The outbreak in the north of the United Kingdom is devastating and making things very difficult for people over there. I have a niece who is at St Andrews University in the halls of residence there and they have been locked down for weeks. It is very difficult for them.

This is an opportunity for Tasmania because we are in a better position. Our university is good. Maybe we can do something about helping those kids to get through their university studies, perhaps even with some time in Australia.

The international arrivals cap in September was lifted from 4000 to 6000 per week but we know there are 30 000 people out there who have registered to come home but hundreds of

thousands of Australians - because we are such good travellers - are overseas. It may well be that at some point - well, the number may not change.

When people are stuck it is very important that they feel that their state can look after them and that we are here to help. We have done a lot of work on that and it has not gone unnoticed by the communities who needed that help when they reached out for assistance. Again, I express my gratitude to the state Government which stepped up and established the overseas travellers' help line when we asked when this problem unfolded and when we identified that this issue had occurred.

There is still work to be done so that is what we will be concentrating on over the next couple of weeks. We have to get a few more families home, particularly the babies and children. I am worried about them. The problem will not just resolve itself. It is going to have to be a full court press and I hope that everybody will appreciate the fact that we are working hard for Tasmanians.

International Rural Women's Day Potato Importation into Tasmania

[6.53 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, today is International Rural Women's Day and I would like to recognise all the women in Tasmania who are involved in the agriculture sector - both women and girls who contribute so much to their own farms, their rural communities and to our society and economy.

As someone who grew up on a farm I understand the value of hard work from that experience but also know the great rewards that come from being involved in agriculture and I want to recognise all the Tasmanian women and girls involved in agriculture in our state.

I also recognise Susie Daly. She and her husband, Gerard, were awarded Australian Farmers of the Year last year which was an extraordinary achievement. They received that award for their work with the Daly Potato Company and the innovation that business has demonstrated over a number of years to grow and to diversify their market. They are joined in that business by their children. I acknowledge Ruby Daly who, on this day of International Rural Women's Day, has done an enormous job creating her own business as a part of the Daly Potato Company. She works incredibly hard to grow that market too.

I also make the point tonight that it was Ruby Daly who discovered that the Tasmanian Government had allowed South Australian potatoes to come into Tasmania. You cannot imagine how devastating that news was to her and her family, and of course we know the entire industry feels rocked by that. The industry found out by accident, and it was an accident discovered by Ruby Daly.

The industry was not consulted about the decision by the Tasmanian Government to allow South Australian potatoes to come into this state and in the hasty review the Government has done since, they were not consulted again. This is despite the Premier acknowledging that the initial process that was undertaken was deeply flawed and the community and the industry should have been consulted.

I am shocked that the Government failed again to consult with the industry before announcing the results of that review, which has surprisingly upheld the earlier decision of the Government to import potatoes to Tasmania. They found out about that in the media on Monday night.

This is a \$400 million industry. There are family farmers like the Dalys. There are important investors. There are processors like McCain and Simplot and packers right across the state who are dependent on Tasmania maintaining the disease-free status it currently enjoys for potato farming. They found out about a review undertaken by the Government, the first time by accident, the second time about the results of the review through the media. It is simply not good enough. The farmers have been treated with contempt by this Government and the minister responsible for agriculture should hang his head in shame. The potato industry is furious.

Mr BARNETT - Point of order, Mr Deputy Speaker. The Opposition Leader is being misleading. There was consultation and she should correct the record.

Ms WHITE - With whom? I would be very interested to learn who the minister thinks was consulted as a part of the review. Everyone I have spoken to in the industry was not consulted. The Dalys were not consulted as growers of fresh potatoes. The McCain committee were not consulted. I would be very interested if the minister can indulge the House by explaining who was consulted because my advice is that they found out in the media on Monday night, and it is simply not good enough.

The potato industry is furious. They feel they have been completely screwed over by this Government. They are important to us, they are important to Labor. We back our farmers and we back Tassie spuds. This decision by the Government risks decimating an industry that employs hundreds of people and is worth \$400 million to the Tasmanian economy and the disease risk is too great. The Government has not considered, in its assessment, all of the disease risks.

Mr Barnett - So you are smarter than Biosecurity Tasmania? You are smarter than the experts.

Ms WHITE - Mr Deputy Speaker, I am very interested to hear the interjections from the minister trying to defend a process that the industry itself says is flawed. They are the ones who know it better than you or me, and they are telling me that the process is flawed. Biosecurity Tasmania engaged an independent consultant to do some work who did not consider all of the disease risks that are present on the mainland and the risk that could pose to Tasmania.

I might point out Tasmanians are very proud of our farmers and we are very proud of our potatoes. We grow the best potatoes in the country and we grow seed potato. It is the seed potato stock, in particular, that is going to be most at risk because of the decision made by this minister. This is not over. Family farmers, packers, processors and the Tasmanian community agree the Government has got this wrong and has not considered all the risks.

Mr Barnett - Have you talked to the TFGA?

Ms WHITE - There is something coming there. You will be very interested to learn the outcome of that but I will not tell you because you are not talking to anyone, so why should I talk to you?

Mr Deputy Speaker, we will keep standing up for Tassie farmers. I believe you will be found to be called out very soon, Mr Barnett, so I would watch what you are saying there.

I back Tassie farmers, I back our family farmers, I back our processors, I back McCain, I back Simplot, I back our packers. I know what they are saying because I am talking to them. I do not know who the minister is talking to but I tell you right now, Tasmanian farmers are furious with this Government. Their livelihoods have been put in jeopardy because of this decision. The minister can sit there and smirk all he likes but he has this wrong. He has failed to back Tassie farmers. He has failed to assess all the risks that are present on the mainland when it comes to diseases.

He is looking at his phone now, probably trying to get some advice, but I still have not heard him say who was consulted before this decision was announced on Monday that they were going to continue to import potatoes from South Australia into Tasmania. I bet my last dollar that he did not talk to the Dalys. They were not consulted. They did not talk to McCain because the committee was not consulted. There were significant players in this industry who were not consulted and the minister knows he has got this wrong.

The House adjourned at 7 p.m.