



PARLIAMENT OF TASMANIA

LEGISLATIVE COUNCIL

REPORT OF DEBATES

Wednesday 26 August 2020

REVISED EDITION

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The President, **Mr Farrell**, took the Chair at 11.00 a.m., acknowledged the Traditional People and read Prayers.

PETITION

National Driver Licence Facial Recognition Solution

[11.03 a.m.]

Ms Webb presented an e-petition from approximately 680 residents of Tasmania, concerned about the transfer of driver licence photos to the National Driver Licence Facial Recognition Solution.

Petition received.

SUSPENSION OF SITTING

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

That the sitting be suspended until the ringing of the division bells.

This is for the purpose of a further briefing.

Sitting suspended from 11.05 a.m. to 11.47 a.m.

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) AMENDMENT (QUARANTINE DEBT RECOVERY) BILL 2020 (No. 29)

Second Reading

[11.08 a.m.]

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

That the bill be read the second time.

The Tasmanian Government has introduced tough border restrictions and mandatory hotel quarantine to manage the risk of importing COVID-19 into Tasmania. These measures have been crucial to containing the spread of this virus, and to protecting the lives of Tasmanians.

In March 2020, the Premier introduced the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 which set out measures to reduce the risks to the state,

and the risk to, or hardship suffered by, our community as a result of the spread of COVID-19 in Tasmania.

As we continue to rebuild a stronger Tasmania, we must continue to ensure safeguards are in place to limit the spread of COVID-19 into Tasmania. Mandatory hotel quarantine remains one of the most effective measures to prevent the importation of COVID-19.

In July 2020, National Cabinet agreed to work toward a uniform model for charging for hotel quarantine across the country. Since that meeting, a model for charging for hotel quarantine is being progressively implemented by other states and territories.

Subsequent to national discussions on 24 July 2020, the Premier announced the Tasmanian Government would start charging for hotel quarantine effective from 31 July 2020, except in certain circumstances. By limiting unnecessary and discretionary travel by introducing these fees, it is our hope we can limit the spread of COVID-19 into Tasmania from affected regions.

Anyone coming into Tasmania, entering into government quarantine, will no longer have the state pay their hotel expenses, but will be required to pay for their quarantine. Currently, the requirement to quarantine in government-designated accommodation applies to Tasmanians travelling from affected regions (such as Victoria) and other non-essential travellers.

The COVID-19 Disease Emergency (Miscellaneous Provisions) Amendment (Quarantine Debt Recovery) Bill 2020 outlines the parameters for charging for hotel quarantine.

The new Part 6A of the bill sets out the mechanism for charging a person or family and the process through which the issuing of invoices and granting of any exemptions will occur.

The Secretary of the Department of Police, Fire and Emergency Management will be responsible for the decision-making within the Tasmanian Hotel Quarantine Payment Scheme. This will enable the scheme to run in accordance with the emergency management response.

Section 25B sets up the requirement to pay for hotel quarantine. It provides for the secretary to issue a quarantine debt order to declare that a person or class of people are to pay an amount of money for their quarantine.

The secretary (or delegate) will also be responsible for making decisions with respect to issuing invoices to people and granting waivers or extensions to payment in certain circumstances.

Under the scheme, a person will be asked to pay an invoice which will outline the payment amount and due date (which is to be a minimum 30-day period).

As announced, the following fortnightly rates will apply -

- \$2800 for a single person
- \$1000 for an additional person

- \$500 or an additional child.

There will be no charge for children under three years of age, and accommodation charges will be capped at \$4800.

The bill provides for pro rata payment, and therefore these figures are reflected as daily rates. This approach is intended to allow for circumstances where a person or family may not be required to quarantine for the full 14-day period.

The daily rates set out in the bill are as follows -

- \$200 for a single person
- \$71.40 for an additional person
- \$35.70 for an additional child

These payment amounts may be adjusted by the secretary, which is permitted by issuing an order under section 25C. This is designed to provide flexibility to adjust the fee for a range of circumstances including increases or decreases in the associated costs to government.

The charges do not reflect the entire cost for hotel accommodation and associated services.

Our Government recognises there needs to be some exemptions to these fees in certain circumstances. We understand that people may need to undertake interstate travel for medical care or for compassionate reasons, and that others may be experiencing financial hardship or other exceptional circumstances.

This bill sets out two mechanisms for waiving and reducing the fees and seeking an alteration to the payment deadline. First, section 25D provides a person may apply for a certificate of exemption to seek an exemption to the fees (full or in part) prior to their travel. Second, on receipt of an invoice a person may apply for a waiver of all or part of the fees in an invoice or to alter the payment date specified in an invoice. Applications will be assessed on a case-by-case basis by the secretary (or delegate).

The definition of hardship has not been specifically defined in the bill, but has been previously defined by the Government in the context of this pandemic in eligibility criteria for the Tasmanian Government's Pandemic Isolation Assistance Grants.

Section 25J provides for the delegation of certain decisions to deputy commissioner or assistant commissioner under the Police Service Act 2003. This delegation is limited to the administrative decisions of the scheme pertaining to issuing invoices and granting waivers or extensions to people or families. This will enable a timely response to applicants. The authority to make orders under this legislation will be retained by the secretary.

This bill will commence on royal assent and apply to people quarantined from 31 July 2020.

Mr President, as we move from response to recovery, it is crucial we continue to prevent the importation of COVID-19 into Tasmania, particularly from high-risk areas.

By introducing charging for hotel quarantine, the Tasmanian Government aims to discourage people from undertaking discretionary or non-time sensitive travel from affected areas. This is vital to ensuring people travelling from restricted areas will either have a genuine need to travel, or be aware of their obligation to pay a fee toward their quarantine.

Mr President, I commend the bill to the House

[11.55 p.m.]

Ms FORREST (Murchison) - Mr President, I watched with great interest when the National Cabinet was putting this suggestion forward. Many in my electorate struggle financially at the best of times. Unemployment is high, it is getting higher under the impact of COVID-19. It frightens the pants off people who may need to travel. I raised this in the briefing. I thank the Leader for the briefing. It was helpful to clarify some points about any person who needs to access specialised cancer treatment that can only be provided at a facility like the Peter MacCallum Cancer Centre in Melbourne. The thought of going to Melbourne at the moment is frightening enough, to access care in a hospital. There have been COVID-19 cases at Peter Mac, for example, as there have in most hospitals. This has been an example of how difficult it is to control the spread of COVID-19 in a healthcare setting.

I hope those people who were pointing fingers at the north-west reflect on that, as I asked them to some time ago. People pointed fingers, criticised and at times abused others because there were healthcare workers who may have seemed to be getting infected, then potentially spreading the disease into their own families. This is nothing any health worker wants to do. It just shows how difficult it is to control this in a healthcare setting.

When we have people who are reluctant to travel, but they need to in order to survive, in order to receive the treatment that they need, we need to make it as easy as possible for those people. We are one country. I raised these in the briefings, but I would like the Leader to address the timing around the application for an exemption more fully in her response.

A constituent who could not afford to travel to Melbourne for treatment was eligible for Patient Travel Assistance Scheme travel - PTAS. That covers the cost of the airfares, accommodation if it is needed outside the hospital in Melbourne and incidentals. It is a really great program. It has been in place for a long time. There are good people running that, who are very responsive to my frequent requests for assistance for constituents in this area.

If that person has to come home and pay \$2800 or more, and it will be more because the person would need to travel with their carer, that becomes an impossible choice. The choice was that they did not have the treatment. I discouraged that choice, but suggested they talk to their medical treating doctors in Melbourne, which they did. The treatment has now been delayed, and hopefully will still proceed. This person is quite frightened about going to Melbourne. Most thinking people are at the moment. My heart goes out to Victorians at the moment. This has been going on for them for a long time now.

My heart goes out to Dan Andrews and his team, and Brett Sutton. They have an extraordinarily difficult task. There will always be naysayers. There will always be people who say they could have done better. I do not think anyone would want to be in their shoes.

That was a little aside, but it is important that we acknowledge the hard work, as I did our own Premier. I continue to commend him on his efforts and the work of the Government in keeping Tasmanians as safe as we can be in this.

For a person to make a decision for treatment, they need to have surety that their exemption will be granted on financial hardship grounds, not medical grounds. The Leader indicated in her slightly modified second reading contribution that the eligibility criteria relate to the hardship payments that were paid under the COVID-19 pandemic response. I would like her to outline what those requirements are in her reply.

I know they are in a fact sheet that is given to returning residents or others who come into the state so they are aware, and it is on the website. But I think it would be really good if the Government - assuming this bill passes - were to proactively put some more information out to the public to let people know that if they have to travel for medical treatment and that sort of thing, they should apply early so they can get a response and know whether they are going to be granted an exemption or not. The last thing I want to see is Tasmanians electing not to go and receive potentially life-preserving treatment because they cannot afford it when they get back.

If the Leader could clarify some of those points and also make a commitment, if she is able to, in regard to that kind of approach that would be taken to enable people to understand. I am happy to tell any constituent who contacts my office. But it was definitely a clear barrier; it does frighten people.

I appreciate this is implementing a National Cabinet agreement to provide some uniform model for charging for hotel quarantine. I know before this was agreed at the National Cabinet level, some people were strongly suggesting that people should be required to pay. At the time I was a bit ambivalent about that because I thought if we make it difficult for people, they are more likely to try to avoid it or try to find a way to get around it and find a way to sneak into the state.

It was interesting. I heard on the news this morning that a luxury yacht arrived in Brisbane, or somewhere in Queensland, from Victoria. They had spent 14 days at sea doing their quarantine on this luxury yacht. There were a good number of them - I think there were 11 or 12 or something like that. They were then 'banged up' into hotel quarantine when they arrived. I am not sure how the authorities discovered this, but they had stopped over in New South Wales on the way at a hotspot and thought it would not matter.

It is not too hard to hop on a luxury yacht, if you are lucky enough to have access to one, and pop down to Tasmania. You could pop down into Port Davey, if you like. Not much quarantine down there. Mind you, it would be a fair walk in from there. You would probably reach 14 days quarantine by the time you got through. But there are ways that people try to sneak in to avoid it. We do not want to make it so restrictive that people look for ways of avoiding this. There are people who will do this. I do not know what the people on the luxury yacht that went from Victoria to Queensland via New South Wales were thinking, whether that was an intentional breach, if you like, or whether they did not think it would really matter. They thought 14 days at sea would be enough. I am not sure for how long they are banged up in the hotel, but they will be there for a little time while they sort that out, I imagine.

I also know that it is not a full debt recovery. You know how much it is to stay in hotels, even some of the highest star ranking hotels. In terms of management of the bed linen and towels after check-out, you cannot wash them in a normal laundry. I imagine they have to be laundered effectively because of the risk, particularly if a COVID-19 case had come in. We have had the odd COVID-19 case come into hotel quarantine. We did not know they were positive when they arrived. There was a young woman down here, and there was a person who was transported by individual air ambulance back to Tasmania after having treatment. I understand from the media that person was still negative on discharge from Victoria.

We need to be sure that people understand that although it sounds like a lot of money in one hit, it is two weeks; it is food; it is a birthday cake on occasions, apparently, so we were told. It must be hard for families being locked down for 14 days in a fairly small hotel room with children. It is not my idea of a holiday even though I love my children to bits, but I think 14 days in a not very big hotel room would be a challenge for most.

Those exemptions are important. Can the Leader clarify that eligibility to receive Patient Travel Assistance Scheme support does not automatically qualify you for an exemption on the cost of the hotel quarantine, but it would probably be favourable? I would like you to clarify that point made in the briefing.

Overall, it probably strikes a balance here that there is some cost recovery. It does have a deterrent effect. People will think twice about whether they really want to spend potentially \$4000 for a family in hotel quarantine, not of your choice, and perhaps not with the best food from some photos I have seen, with no opportunity to exercise and very little access to fresh air. That would be extremely challenging for some and it has been extremely challenging for some who are not even paying for it in the past. I have had a number of quite distressed calls from family members who are in hotel quarantine, struggling with that very concept.

I believe it will act as an additional deterrent, encouraging people not to travel unless the need to do so is essential. I look forward to the time when we can.

[12.06 p.m.]

Ms ARMITAGE (Launceston) - Mr President, while this bill is retrospective, I do not see that as a problem because it has been widely advertised, with the Premier announcing the proposed fees for hotel quarantining on 24 July. Anyone planning to come to Tasmania from 31 July would have been well aware they would be contributing to their hotel accommodation.

It should be noted this is a contribution only to security, food, laundry and anything the hotel quarantine facility may provide during the stay. As the member for Murchison said, there are many things, particularly if you have someone there and you do not know whether they are going to come down with COVID-19 - the extra precautions they must take, and all the laundry and everything being cleaned more than they normally would. I am sure that is an extra cost, more than there would have been, and some of the hotels people are staying at are five star.

Ms Forrest - Not many in Tasmania.

Ms ARMITAGE - No, I will say four star. I digress a little.

I recall an officer telling me a gentleman turned up at one of the hotels and said, 'I can't stay here, I need to stay somewhere else', and he said, 'Unfortunately, if you had come in

yesterday, you could have stayed at a better hotel, but today this is where you are staying.'. It is interesting people were not paying at that stage, but were still very fussy about where they were going to stay. It should be noted it is a contribution only and is not the full cost of the hotel. However, in saying that, there is an allowance for financial hardship and also, in exceptional circumstances, for particularly exceptional compassionate circumstances.

The bill gives effect to the National Cabinet agreement of 10 July 2020 where it was agreed to work towards a uniform model for charging for hotel quarantine across the country. It is important to be uniform across the country. The bill notes a daily rate that provides the Government with flexibility. Anyone coming from Victoria or hotspots in New South Wales or other states will need hotel quarantine, but there are cases where Tasmanian residents and others not included in those hotspots could be in hotel quarantine for a short time before being allowed to quarantine at home or from the outset quarantine at home. I have had a few of those cases myself.

Like other members here, I have been dealing with quite a lot of quarantine cases and have gone across the gamut now. I do not think there is anything else I have not learned from different people who are coming in. I had one particular case, as the member for Murchison was saying, of a mother and three teenage children in a hotel accommodation when they could have been quarantining at home. Unfortunately, they were not aware of how to supply extra information to prove they had not been in a hotspot. Until you are aware of it and the information can be sent to you for forwarding on, there is a little misinformation or non-information for people who do not realise that to send extra information in, sometimes you have to cancel the information you have already put in.

Ms Forrest - You have to restart the application every time.

Ms ARMITAGE - And restart the whole application. Absolutely. Many people do not appreciate that. They are looking to find how they can put the extra information in. In the meantime, they are actually in hotel accommodation, which with a couple of teenagers, I believe, was quite challenging for this poor lady. She was most delighted to get out a week early, or go home to quarantine a week early.

I understand that if this bill passes, around 484 invoices for 634 guests will be sent out. I also note people can apply for the exemption for financial hardship before, during or after quarantine. It is important there is an opportunity for this, whether it be before, during, or even after they have actually quarantined. I note also the Government can provide payment plans for those who may have difficulty paying these fees, but do not meet the requirements for exemption.

I have had significant involvement with people returning from interstate and needing to quarantine. Without exception people coming from hotspots since 31 July have had no issue whatsoever with paying for their hotel accommodation. In fact, all they wanted to do was simply get back to Tasmania. If they had to pay, they really did not care. I have not had any who actually queried this. I accept the issue mentioned by the member for Murchison and in briefings for people who may need lifesaving treatment in Victoria. It is essential they can be provided with approval in a timely manner, for likely compassionate exemption for the cost of hotel quarantine. It would be an absolutely terrible state of affairs if people forewent necessary treatment because of the cost of returning home. Obviously, to stay in Victoria for long treatments, the cost would be very difficult for many.

Mr President, I accept it is important to discourage non-essential and non-time sensitive travel to and from affected areas and that people travelling have a genuine need to travel. I support the bill.

[12.12 p.m.]

Ms LOVELL (Rumney) - Mr President, I thank the Leader and the advisers for the briefing on this bill this morning and say from the outset I will be supporting this bill. As other members have already outlined, this is a bill that enables us to comply with the National Cabinet decision and it is a decision we support. I have some points I would like to put on the record about quarantine and some questions for the Leader.

We are in a very fortunate position here in Tasmania. The position we have come to is we have almost - well, we have eradicated COVID-19 almost by accident, largely due to our quarantine measures and our ability to impose those restrictions. This was a decision, and has been a decision, the Labor Party called for early on and has supported all the way through. We continue to support those decisions around quarantine.

But the concern that remains is that we must make sure our processes are watertight. We are relying on our quarantine measures to keep our community safe, so we need to make sure we have no loopholes in those processes and that it is easy for people to comply, that we make it as easy as possible. As soon as we start putting barriers up and making it difficult, that will be when, as the member for Murchison said, we may see people start to look for loopholes or ways to breach quarantine requirements.

There are a number of reasons, and very valid reasons, why people will continue to need to travel in and out of the state. We have heard some of those mentioned such as accessing medical treatment. There are many compassionate reasons - we have all had representations from constituents throughout this period. There are issues around work and people being able to move in and out of the state for work. We need to make sure our processes are robust, and we are making it as easy as possible.

We have heard a number of issues spoken publicly about. These are issues I have raised publicly, in particular the G2G PASS app and the process around people being able to apply to enter the state and potentially applying for an exemption from quarantine.

A number of cases have been spoken about publicly where people have been advised that they can quarantine at home, that they have been approved to do that, only to arrive in the state and be told on arrival they are actually going to be put into hotel quarantine.

Those are the sorts of loopholes we need to tighten up. If we are relying on this app to play a critical role in our necessary quarantine measures, we have to be confident that it is working properly.

Leader, have the issues that have been raised been fixed so that people are no longer arriving in the state, having been notified through the app that they can quarantine at home, only to be advised on arrival by Biosecurity staff that they are being transported to a hotel? We have raised these issues in the parliament and publicly. Constituents have raised them, so these are issues that have been well known for many weeks.

My second question is that people who have been caught up in that process - anyone who was advised they would be able to quarantine at home -

Mrs Hiscutt - Just before we go any further, Mr President, we take on board your question. It is not in the scope of the bill, so I am not sure that I can provide that answer today.

Ms LOVELL - Okay. That points to some of the confusion around the quarantine process. It is a cross-agency project managed by a number of different agencies but that makes it difficult for people to find the answers to these questions and to determine who exactly is responsible.

What is relevant to this bill is whether people who have been caught in that confusion and who may have been put into a hotel at their own expense since the date people were charged for their own quarantine, will be granted an exemption from the debt. If people who applied through the app were advised they could quarantine at home only to be told on arrival that they would need to go to a hotel at their own expense, it is too late for them to not come. They are here in the state. Will their debt be waived or is there a process they will need to go through to seek a waiver of that debt?

COVID-19 is still present. It is still a risk to Tasmania. As long as there is movement in and out of the state, it will continue to be a risk. We will see more cases in the state, there is no doubt of that. That on its own is no cause to panic. This is a virus we will need to live with for some time. It is important that we manage to identify those cases early, isolate, do the contact tracing and ensure that they are not spreading into the community. This is why our quarantine measures are so critical. They play an important part in that. We cannot stop people coming in and out of the state because there are many valid reasons why people need to do that. We need to make sure we are making it as easy as possible for people to follow the rules. The vast majority are trying to do the right thing. They want to do the right thing. They understand the risk. They understand the consequences.

Ms Forrest - That is why they get in touch with us because they want to do the right thing.

Ms LOVELL - Exactly right. What we hear from people time and again is that the process is not easy. That is why they end up coming to us, because they are having problems with the application, the app, the process, the guidelines. We are in a quickly moving situation. It is difficult for people to keep up with the information and advice as it changes. We are all happy to play our role and help people find the information and make sure they are up to date. We need to recognise how important it is that we make it as easy as possible for people to follow the rules.

I endorse the comments of the member for Murchison regarding the timeliness of applying for and obtaining exemptions. I urge the Government to ensure that the processes are as streamlined as possible and that there is a public time frame in which people can expect a response. As the member said, when you are planning a trip - we are not talking about people's holidays, we are talking about distressing reasons why people need to travel - sometimes it can be at short notice. People need to know that when they are trying to apply for the PTAS and plan whatever else they have going on in their lives around that trip. This is another thing they are going to have to take into consideration. People need to understand in what time frame

they can expect a response. If they need to travel, how early do they need to apply? The clearer we can be around that, the better.

I support the bill. Our quarantine measures are so important in Tasmania. It is the best protection we currently have in terms of reducing the risk of community transmission and widespread transmission through the state, but we have to make sure it is absolutely watertight and that our processes are as simple as possible for people to follow so there is no temptation for people to do the wrong thing. We know the majority of people are trying to do the right thing and we need to support them in that.

[12.21 p.m.]

Mr VALENTINE (Hobart) - Mr President, I appreciate that this bill is to bring in the National Cabinet agreement and make it uniform across the country. It makes me wonder that if you want to discourage people from travelling, why not simply stop travel unless you have an exemption? At the end of the day this bill can discriminate in a way that the people who have the money and the time can travel, but if you do not have the money and you do not have the time, you cannot.

The exemptions have to be there in terms of medical reasons for people needing to travel. It is stressful enough for people needing to travel to, say, Melbourne for cancer treatment. They have to cope with all the aspects of their illness, but then having to negotiate to get home and to live in their own home and get exemptions to do that is really difficult. They have a good reason to travel.

For people who do not have a reason to travel, except perhaps to go on an extended holiday to Tasmania, for example, they know they have to quarantine for two weeks in a hotel. They have the money to do that and they are prepared to do it because they know at the end of it, they can then get out and enjoy Tasmania, I expect.

This part of it makes me feel that it is discriminatory. I understand it has been agreed nationally, but I have some queries around discrimination. I will listen to what other members say, but I am concerned. It puts the State Controller - but as we know him, he is the Secretary of Police, Fire and Emergency Management -

Ms Forrest - I actually went through the G2G PASS process myself. I would have thought you would not get an approval to enter the state unless you were a Tasmanian, or you could prove you had a reason to come here.

Mr VALENTINE - Can that be clarified?

Ms Forrest - That is what the G2G app does, as I understand it.

Mr VALENTINE - Perhaps the Leader could clarify that because it might allay some of my concerns.

Mrs Hiscutt - I beg your pardon. What are we clarifying?

Mr VALENTINE - Clarifying whether it is only Tasmanians who can travel to this state, unless you are an essential worker. Obviously, essential workers, it seems, are exempt. In other words, if you have the money, can you come to Tasmania and quarantine, regardless of

whether you are Tasmanian? Or is it only Tasmanians who can come to the state unless they have an exemption as an essential worker? That is my question. You might be able to apprise me of that.

In regard to arriving and having to quarantine, regardless of whether you are Tasmanian - whatever the answer to that question is going to be - people say they have been herded onto a bus shoulder to shoulder from an aircraft, travelled to the quarantine hotel, and taken off the bus with members of the public going past. They are in relatively close contact with members of the public and are not suitably quarantined even when being admitted to the hotel. They might be quarantined once they are confined to their room, but in the meantime you wonder if somebody has a home to go to, whether they could transfer from the plane to their car and home without stopping; that might be a consideration. Why can they not do that rather than having to quarantine in a hotel at the expense of \$2800, when they could be staying at home and not exposing themselves to other members of the public or people travelling with them on the plane?

Ms Forrest - Except for the minor issue of noncompliance.

Mr VALENTINE - It is all about exposure to the public. If you are coming on a plane - and yes, you might be not compliant and have the disease, but if you are asked to go to a hotel to quarantine, and are herded onto a bus shoulder to shoulder with other people, you are exposing other people to the disease. Let us say you have the disease, and you get off the bus with members of the public walking up and down the footpath while you are getting closer to them -

Ms Forrest - If I saw the quarantine bus arrive, I would go to the other side of the road.

Mr VALENTINE - Well, you might, but you might not know that it was a quarantine bus - the bus does not say in big lights, 'I am a quarantine bus.'. There are questions about this.

Ms Forrest - I meant the noncompliance about people not staying in their own homes.

Mr VALENTINE - I appreciate that; there is a process to try to make sure they do, but there is noncompliance in a hotel. We have had that happen and I am sure members of the Subordinate Legislation Committee have dealt with many of these scenarios.

Ms Forrest - No.

Mrs Hiscutt - The member is talking about something outside the scope of this bill, but we will attend -

Mr VALENTINE - I know it is outside the scope of this bill, but regarding the travel linked to it, can you answer that?

Mrs Hiscutt - Just to finish what I was going to say, we will attempt to get some words about it.

Mr VALENTINE - Depending on the answer that comes back, it is in a sense discriminatory and I have concerns.

[12.28 p.m.]

Ms RATTRAY (McIntyre) - Mr President, this legislation is significant because it means Tasmanians coming back to this state from COVID-19 hotspots are required to pay large sums of money. It is not a holiday with two weeks quarantine. I am pleased I have not had to undertake it. Certainly, from what I hear and read, it is not a time you would want to repeat. Given it is a National Cabinet approach - and in this time of COVID 19 with the disease emergency situation, some rules, regulations and requirements have to be put in place to protect our community. The protection we have received in Tasmania to date has us well placed to be able to manage this disease for now. We do not know what the future holds. That is one of the significant issues.

I will not oppose this bill, even though we know from other members that there are some concerns about the process. I have spoken in this place previously about the fact that I have had no success for any of the people whom I have represented through the exemption process for people coming into the state. Not one of the people I represented was able to receive an exemption for families, funerals, all the things near and dear to many people. Other people have had more success. Their situations may well have been different. I could not see the differences from time to time, but that is for another debate.

I will support the bill, but I do so with some trepidation. It is a lot of money for many people. They are possibly going to have to use the hardship process when they apply, but we also need to protect the Tasmanian community as best we can. I support the bill.

[12.31 p.m.]

Mr DEAN (Windermere) - Mr President, this is all about national consistency and the requirements of the federal government. That is why I have embarked on this process. I raised a couple of points in the briefing, one of which was about retrospectivity. I am satisfied that all people who have quarantined in hotels since 31 July have been made well and truly aware of the fact that they would be required to make a payment towards their quarantine costs. It is made clear in the second reading speech that it is not a full cost, that it is subsidised by the Government. At least people were aware of it. They knew it was likely to happen. That was very important.

Ms Rattray - It was to happen.

Mr DEAN - Pardon?

Ms Rattray - It was to happen. Not likely, it was.

Mr DEAN - It is not a surprise to people. We are always concerned about retrospectivity when we see it in legislation. It is something we need to be aware of.

My other point was that the guidelines relating to the hardship areas need to show clearly what constitutes hardship and what criteria have to be met for a person in quarantine to be able to meet these guidelines under the hardship situation.

I thought the Leader was going to table some guidelines. Was that mentioned in the briefing? Was some documentation to be tabled?

Mrs Hiscutt - Which one were you given? Members received two sheets. I think we are talking another bill.

Mr DEAN - The hardship guidelines.

Mrs Hiscutt - I will seek some advice on that.

Mr DEAN - I am concerned about just how closely this whole thing is being monitored. I have had two complaints made to me - other members might have had similar complaints - about people coming from Victoria on two occasions. These people travelled to Deloraine. The complaints were made to me by people at Deloraine who said the people had called in there. One went to a hairdresser, where they had a hair appointment. They talked freely about coming back from Victoria that day and that it was their intention, after leaving Deloraine, to go home and isolate. They were going to St Helens.

Ms Forrest - That is why you bang them up in a hotel.

Mr DEAN - I was concerned about that. I passed it on to the Premier's office and I passed it on to the Minister for Health's office as well.

I am not quite sure what happened as a result. I did not get any feedback, but I am not sure whether it was followed up or whether that sort of situation has now been cut off. Can it still happen? Can Tasmanians still come back from Victoria with their car, do their shopping on the way and then go to their home and isolate? If they can do that, it is an absolute nonsense, it really is.

I wonder really how serious we are, if that allegation were shown to be right. I understand it was. The allegation was made to me by people from the Deloraine area. I am hoping that we have that right. We do not need too much here for an exposure to occur and we will be in a similar situation to Victoria. If we go down that path, it would be absolutely devastating. We would see many more people going to the wall.

Having said that, I support the legislation. It is necessary. It is a requirement of the national situation. I will be supporting the bill.

[12.36 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I have quite a few responses and I will work my way through them.

Just to start with a clarification about the number of people with invoices, which the members for Launceston and Hobart spoke about. There are 634 guests and there will be 486 invoices.

The member for Hobart asked a couple of questions. The member asked about a clause in the bill that he thought may not be right so our advisors checked with the Office of Parliamentary Counsel. OPC advises that proposed section 25C does not need an alternative amount as each of the sections described in 25C(1), such as proposed section 25F(1), refers to another amount specified. That will clear that one up.

The member for Murchison had quite a few questions so I will work my way through them.

There were comments regarding fees and exemptions. The answer is that if a person is unable to pay the fee or there are relevant circumstances that they think should be considered, they may apply to the Secretary of the Department of Police, Fire and Emergency Management - DPFEM - or their delegate to have the hotel quarantine fee waived or reduced.

There are two categories under which a fee may be waived or reduced. One is relevant evidence for an application on the basis of medical reasons. It may include documents confirming the applicant's eligibility for assistance under the Tasmanian Government Patient Travel Assistance Scheme - PTAS - given the need to travel interstate to access a specialist medical service that is not available in this state.

For an application on the basis of other exceptional circumstances, an applicant could provide, for example, a statutory declaration telling of their circumstances. Each application will be assessed on a case-by-case basis by the Secretary, DPFEM or their delegate.

The member also spoke about the timings of the exemptions. There were two categories under which a fee may be waived or reduced - financial hardship or where there are compassionate or medical reasons for travel or exceptional circumstances that would make the requirement to pay a hotel quarantine fee unreasonable or unfair. Applicants will need to provide relevant evidence to support their application to have the fee waived or reduced. I will get that corrected in *Hansard*.

Ms Forrest - They need to know they need to provide it at the outset, because otherwise if they do not provide it, they have to start the whole process again and that is the pain of it all.

Mrs HISCUTT - I will get it corrected in *Hansard* so that for anybody who wants to read through it will be corrected.

Then the member talks about the stage at which a person can seek an exemption to the fee. The bill provides two mechanisms that enable a person to apply for a waiver of all or part of the fee or an alteration to the payment date. In proposed section 25D, before invoicing, a person may apply for a certificate of exemption prior to entering quarantine. After invoicing, a person may apply for a waiver of all or part of the fee amount or an extension to the payment date on receipt of an invoice; that is in proposed section 25I. Each application will be assessed on a case-by-case basis by the Secretary, DPFEM or their delegate. If the application is sufficiently in advance of the travel date, they should receive the exemption advice prior to travel. I encourage all applicants to apply with as much notice as possible, but no later than seven days before travel. It will also be important that the applicant provides supporting documentation in a timely manner. Things should work properly if it is done in a timely manner.

Then we go to outlining the eligibility criteria. The eligibility criteria must be low incomes evidenced by Centrelink, a Health Care card or pension concession card, or otherwise demonstrating genuine financial hardship. Also, when it comes to timing, the State Control Centre or the Department of Communities Tasmania will be implementing processes and policies to ensure applications are completed in a timely manner, so hopefully we will be able to get on top of that and encourage people to do it in a timely manner.

We spoke about difficulty in applying. For an application on the basis of financial hardship, an applicant needs to provide evidence they are having difficulty meeting their current financial obligations or that the fee would cause financial hardship to the applicant. Examples of evidence of financial hardship may include a Centrelink statement, a low income Health Care or similar card, a debt agreement, a notice of bankruptcy, or an official eviction notice. This evidence aligns to that required for pandemic assistance grants.

For an application on the basis of compassionate grounds, examples of evidence may include a statutory declaration outlining the circumstances or a death certificate or a funeral notice. Relevant evidence for application on the basis of medical reasons may include documents confirming the applicant's eligibility for assistance under the Tasmanian Government's Patient Travel Assistance Scheme, given the need to travel interstate to access specialist medical service not available in the state. For an application on the basis of other exceptional circumstances, an applicant could provide, for example, a statutory declaration detailing the circumstances. Each application will be assessed on a case-by-case basis by the Secretary, DPFEM or their delegate. The process is not difficult or onerous and it should not be a barrier to anybody.

The member spoke about an automatic exemption for PTAS. The State Controller or their delegate will consider each applicant individually, including medical travel.

The bill establishes a framework that allows the decision-maker to consider a range of circumstances in which a person may be experiencing financial hardship or where the requirements to pay fees may cause financial hardship.

The member for Rumney spoke about the quarantine process. People are able to apply for an exemption in accordance with the processes. The responsible person or the State Controller will make those decisions.

Ms Lovell - That was for people who have been put into quarantine when they were expecting to quarantine at home; is that right, honourable Leader?

Mrs HISCUTT - I will just get a bit more clarity on that but I will push on.

If there is any confusion, I am advised that people can apply to the State Controller for an exemption. The bill provides for the person to seek a waiver for any time they are in a hotel, be it a day or 14 days. In your example, they can apply for an exemption under exceptional circumstances. Does that cover the previous question?

Ms Lovell - Yes.

Mrs HISCUTT - Yes. Comments on certainty around exemptions, I think we have covered that by answers to a question from the member for Murchison.

Then to the member for Hobart's comments: Why not just stop travel? This bill creates discrimination. Why is the fee being introduced?

In July 2020 the National Cabinet agreed to work towards a uniform model for charging for hotel quarantine for international arrivals across the country. Subsequent to national

discussions, the Premier announced on 24 July 2020 that the Tasmanian Government will begin charging hotel quarantine fees for people arriving from 31 July 2020 onwards, except in certain circumstances.

The rationale for introducing these fees is centred on four core aims -

- (1) National consistency - other states and territories have implemented or are moving towards a model for charging for hotel quarantine. The fees proposed in Tasmania are consistent with fees introduced in other jurisdictions.
- (2) The cost recovery to Government - introducing quarantine fees aims to recover some of the high costs incurred by the Government in delivering hotel quarantine.
- (3) Preventing importation of COVID-19 - the introduction of fees aims to encourage travellers to reconsider undertaking discretionary or non-time sensitive travel, particularly from affected areas or hotspots.
- (4) Decreasing unnecessary travel - we had a high number of people travelling to Tasmania. Since the announcement of charging for quarantine, there has been a decrease in the number of arrivals. So, that is the intention of it.

The \$2800 fee for an individual person for 14 days is the average cost for the accommodation and associated services, including food, wi-fi and laundry. The fees are consistent with fees in other states and territories. In some cases our fee is even less.

It is to gain consistency as agreed by the National Cabinet. I am advised that under the Constitution, you cannot limit travel - you can only put restrictions on it. That is section 92.

Mr Valentine - That means that people other than Tasmanians can travel to this state. If they choose to travel to this state, they will have to quarantine and pay a fee.

Mrs HISCUTT - Unless they can justify a hardship. I will seek some advice on that.

Ms Forrest - They still need approval through the app.

Mrs HISCUTT - I think there is a bit more detail to follow that might help you with that.

The member also had three other questions. Why do they need to quarantine? That is outside the scope of this bill, but the aim of hotel quarantine is to prevent COVID-19 from entering the Tasmanian community via people travelling to the state. Quarantine for 14 days in a government-managed accommodation facility continues to be one of the most effective risk-mitigation measures of control, and it is important to keep COVID-19 out of Tasmania.

Hotel quarantine was established to facilitate the State Controller's direction, which requires people arriving in Tasmania after 11.59 p.m. on 29 March 2020 to complete 14 days quarantine in a government-managed accommodation facility.

Regarding the fees, in July 2020 - I will seek some advice.

One of the other questions was: why is the fee being introduced? I have read that into *Hansard* already, so I will not go into that again.

Coming to Tasmania is outside this bill; however, the information is on the coronavirus.tas.gov.au website for anyone who wants to look at that.

Spending time in an affected region or premises - anyone arriving in Tasmania who has spent time in an affected region or premises in the 14 days prior to arrival in Tasmania and who is not an essential traveller must have pre-approval from the State Controller to enter the state. Any non-essential traveller who does not have prior approval from the State Controller may be required to leave Tassie or enter government hotels. If you have not been in an affected region, Tasmanian residents who are not classified as essential are required to quarantine for 14 days at their primary residence.

Mr Valentine - Tasmanian residents.

Mrs HISCUTT - Non-Tasmanians have to go a quarantine hotel, yes. You also asked about buses. How does the bus transport work?

Guests who are required to quarantine in government-provided accommodation are transported from their arrival port by bus. The Department of Communities Tasmania books the buses and manages the relationship with the bus company. Upon arrival at the border, guests required to quarantine are provided with a face mask and gloves by Biosecurity Tasmania. Guests collect their luggage and are overseen by Tasmania Police to board the bus. The bus has signage reminding guests of the requirements to wear their face masks and gloves during transit. Social distancing is practised on board. Dare I venture to say that if you are husband and wife you may very well be sitting together?

Ms Forrest - And the teenage kids.

Mrs HISCUTT - As a family. The bus is escorted by Tasmania Police to the quarantine accommodation. Tasmania Police oversee the passengers alighting from the bus and into a hotel. The bus driver wears PPE. Buses are cleaned after each trip and the bus companies are required to maintain a cleaning schedule.

Regarding the hardship guidelines. I am advised that if parliament approves the bill today, the hardship guidelines and information will be uploaded to the website. I referred to the guidelines in the second reading speech.

The member talked about noncompliance. If people are concerned people are not self-isolating, they should report the matter to the Public Health Hotline, and Public Health will work with the police.

Mr Dean - That is not always easy to do. I had people saying they did that and got the run around. Somebody had problems when they rang on a weekend.

Ms Forrest - There is also a portal on the website you can do it on, which I find is pretty effective.

Mrs HISCUTT - I found, as a member of my local community, that I had phone calls. I had seen this person down the road. I must admit I had no trouble contacting the Public Health Hotline using the 1800 671 738 number. We all know that now. Action was taken and it was reported. I did not have any trouble with that.

Honourable members, I thank you very much for your contributions and hope I have answered all your questions. I will sort out that first answer in *Hansard* to make sure it reads properly.

Bill read the second time.

**COVID-19 DISEASE EMERGENCY (MISCELLANEOUS
PROVISIONS) AMENDMENT (QUARANTINE DEBT
RECOVERY) BILL 2020 (No. 29)**

In Committee

Madam CHAIR (Ms Forrest) - Before we start, because clause 4 of the bill is where everything is, we will take a few subclauses at a time so members have a chance to ask questions on each subclause if they wish.

Clauses 1 to 3 agreed to.

Clause 4 -

25A Interpretation of Part 6A

Ms RATTRAY - In regard to the accommodation agreement in proposed section 25A, there have been some horrific stories about the lack of cleanliness and suitability of some of accommodation places, not necessarily in Tasmania.

Who checks on these? This is an agreement between the Crown and the owner or occupier of the hotel or motel under which the owner/occupier provides accommodation, goods and services to persons at the request of the Crown or an agent of the Crown.

How does this process work and who checks on the facilities?

Are they checked prior to new people moving into quarantine? It would be a rolling process because some people's 14 days would be up before others, so they would not all be at one place at the one time.

Leader, what detail you can give regarding who does the checking? In New South Wales, it is the police, but I do not know who does it in Tasmania on behalf of the state.

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

QUESTIONS

Burnie Court Complex - Relocation - Community Consultation

**Ms FORREST to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT**

[2.31 p.m.]

I note the Burnie Court Complex is not fit for purpose and for some time has been inadequate in providing appropriate access to justice and a safe workplace environment for people attending court and those who work in it.

With regard to the recent announcement to relocate the Burnie Court to a more suitable premises -

- (1) What consultation was undertaken regarding the proposed relocation to the Mooreville Road site used by the University of Tasmania - UTAS?
- (2) Who were the stakeholders engaged in this consultation and when did this consultation occur?
- (3)
 - (a) Was refurbishment of the current site, if expansion may have been possible, considered?
 - (b) If so, what were the costings of refurbishment, including relocation of the current court to an alternative location during the refurbishment period?
- (4) What other potential sites were considered?
- (5) What costings have been undertaken with regard to the work necessary to refurbish the UTAS buildings, including security?
- (6) When will genuine community consultation occur with regard to the Burnie Court Complex refurbishment/relocation, an important and necessary decision?

Mr Dean - Inadequate when I was there in 1997, so it has done well.

ANSWER

Mr President, I thank the member for Murchison for her questions.

(1) to (6)

The Tasmanian Government is committed to ensuring all Tasmanians have access to an effective and efficient justice system. Approximately 50 000 Tasmanians rely on access to the courts in Burnie each year alone. The Department of Justice completed extensive background and design work on the redevelopment of the

current Burnie Court Complex in Alexander Street. During this investigation and design phases, it was clear the current complex was no longer suitable.

The department then investigated other options, including the possibility of a redeveloped building on existing sites within the Burnie CBD and potential greenfield sites. These options were likely to have resulted in significant disruption to court services and were deemed to be cost-prohibitive.

The decision by the University of Tasmania to relocate its Burnie campus from its current Mooreville Road location presented the Government with an exciting opportunity to develop this site into a modern court facility that will serve the Burnie community well into the future. The Tasmanian Government's \$15 million investment in the relocation of the Burnie Court Complex will provide better access to justice for those in the north-west and Burnie specifically, and will ensure the new facility meets the needs of the multidisciplinary nature of the courts, all court users and the community well into the future.

The site is already owned by the Crown and will allow a more modern, fit-for-purpose design. It will be serviced from the Burnie CBD and immediate surrounds by public transport; there is also a considerable amount of onsite parking available.

Importantly, it is recognised this relocation development will also ensure minimal interruption to service delivery.

Key stakeholders have already been consulted, including the Department of Education; the courts and the legal profession; UTAS; Burnie City Council through senior officials given council's role as the planning authority; Community Corrections; and relevant unions. A number of these are providing ongoing input to the development. These key stakeholders, including Burnie City Council senior officials, were consulted prior to the Tasmanian Government making its announcement on the relocation. Feedback has been very positive, given this will be a modern, fit-for-purpose complex for judges and magistrates who conduct both civil and criminal matters which will provide a broad range of benefits to all court users. Stakeholders also recognised this will ensure service delivery is maintained in the transition.

The fit-out of the new court complex will include modern technology that assists in court operation, while the design will provide up-to-date court and jurors' facilities, judicial chambers and space suitable for the various aspects of court operation in both civil and criminal jurisdictions, including hearings, case conferences, mediation or reconciliation and client meetings, administration and security entrance.

The community should rest assured that individuals who are in custody appearing for matters are always securely transported to and from court, as they currently are.

This court complex will have the same highly secure transfer and holding facilities required to meet these needs, but it should be recognised that this new court complex will service a range of other jurisdictional matters. At this stage, it is anticipated that UTAS will vacate part of the Mooreville Road premises in the

second half of 2021, which would allow works on the site to commence and be completed by the end of 2023.

It is important to note that the Burnie City Council will play an important role in any planning assessment that may be required for the new site as the relevant planning authority. As with all infrastructure projects, the Government will ensure the normal planning processes, including consultation, are followed.

In the meantime, design works and pre-planning matters are being worked through and, over the coming months, we will continue to consult with legal and other stakeholders on how to maximise the opportunity with which we are being presented by the availability of this new site.

Community consultation will, as is standard practice, form part of the planning process for the development application.

Burnie Court Complex - Relocation - Community Consultation

**Ms FORREST to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT**

[2.37 p.m.]

The Leader stated there was broad support. There is definitely a need to do something. It seriously needs to be done, but the community had no knowledge of this relocation until it was announced. My question was around community consultation. The Leader is focusing on the planning process. It is a real shame no community consultation was done to at least inform the community about this.

I will put this question on notice to the Leader: what measures will be taken to engage the community ahead of the work starting so that those who live in the vicinity feel like they are included?

ANSWER

Mr President, I thank the member for Murchison for her question.

In response to the member for Murchison, you are talking about stakeholders other than the ones that I have named?

Ms Forrest - Yes, the community who live in the area.

Mrs HISCUTT - The Department of Education, courts, legal profession, UTAS and Burnie City Council senior officials, Community Corrections and unions. Do you want to know who else?

Ms Forrest - There is Umina Park, an aged care facility; there is a primary school just over the road; there are a number of residents who live directly adjacent.

Mrs HISCUTT - I ask the member to refine her question.

Climate Change - New Action Plan

Mr VALENTINE to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT

[2.38 p.m.]

A slight preamble: in January this year, the Climate Change portfolio was created with the Premier, Mr Gutwein, taking on the role of minister for that portfolio, for which he is to be congratulated. It is not before time we had such a minister; indeed, it is encouraging to see as recently as last Saturday the Government's move to hybrid and electric vehicles.

Ms Rattray - Is that not your area of interest?

Mr VALENTINE - Yes, I support it; I have an interest in that. It is nice to see others catching up.

- (1) Given that the present 2017-2021 Climate Change Action Plan has a very short time to run, can the Leader inform the House as to when we will see the next climate action plan delivered by our new Minister for Climate Change?
- (2) Given the urgent need for action on climate change for the good not of only our planet but also our community and our economy as a whole, will the Government, with a much-needed apolitical spirit, seriously collaborate with Climate Tasmania, a think tank of professionals and dedicated individuals focused on addressing climate change issues, when formulating that next strategic plan?

ANSWER

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

- (1) The Department of Premier and Cabinet's Tasmanian Climate Change Office - TCCO - has commenced the process of developing the next climate change action plan, which will be completed in time to replace the Climate Action 21.

Development of the next climate change action plan includes the following key phases -

- evaluation of Climate Action 21;
- research into the climate science and an interjurisdictional review of climate change adaption and mitigation strategies, policies and programs;
- broad engagement and consultation with the community, industry, government (state and local) and businesses; and

- drafting the action plan, including scoping actions across climate change mitigation and adaption.

The development of the next action phase will be informed by the outcomes of the review of Tasmania's future emissions, which will explore opportunities for Tasmania to set a more ambitious emissions reduction target and by the outcomes of the next independent review of the Climate Change (State Action) Act 2008 which will commence this year.

- (2) The Tasmanian Government is committed to developing Tasmania's next climate change action plan in partnership with the Tasmanian community. Climate change mitigation and adaption actions for the next action plan will be developed in consultation with non-government organisations and peak bodies, businesses and industry, research entities, state and local governments, and the community. Climate Tasmania is encouraged to take part.

A number of approaches are proposed for consulting on the actions of the next action plan, including community engagement through written responses to a public consultation paper; targeted meetings and workshops with industry, government and community organisations; and surveys by social media. More information on how the community can participate in the development of the next action plan will be made available on the TCCO website.

Racing Industry - Point of Consumption Tax

Mr WILLIE to MINISTER for RACING, Ms HOWLETT

[2.43 p.m.]

While the racing industry has now returned, there is no doubt it is feeling the impacts of the Government's actions. Tasmania was the only state to shut down racing and the economic impact on the industry has been significant. The industry is also angry that the revenue promised by your Government's new tax on the industry - the point of consumption tax - is not being fairly shared with the industry through an equitable increase in stakes.

To compound the industry's concerns going unheard, it is understood your racing advisor does not live in Tasmania but in Victoria. Is this true, minister?

ANSWER

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

There is no doubt it was a difficult period for the industry. It was great to see the industry return to racing on 14 June. We have increased stakes, as I announced last week in Devonport, by an additional 3 per cent. That it is 6 per cent in total this financial year. That will give the industry some confidence in the future.

As far as the distribution of these stakes is concerned, Tasracing is meeting with key bodies in the coming weeks to work out the distribution of stakes.

In relation to the member's question about my principal advisor for Racing, yes, he is stuck in Melbourne at the moment. He will be here as soon as the borders open.

Mr Willie - He takes up residency in Tasmania, does he?

Ms HOWLETT - He resides?

Mr Willie - He lives here?

Ms HOWLETT - Before the pandemic, he resided here, yes.

Mr Willie - So now he is in Melbourne and he is planning to stay there?

Ms HOWLETT - No, he is planning on coming back when he can fly home on weekends.

Mr Willie - Okay, on weekends. Thank you.

AFL Tasmania - Change of CEO's Position

Mr DEAN to MINISTER for SPORT AND RECREATION, Ms HOWLETT

[2.45 p.m.]

I am not sure, Minister, whether you have been briefed on this. With the changes in relation to AFL Tasmania and the change of the chief executive officer's position -

- (1) What impact is that going to have in relation to the AFL position in Tasmania?
- (2) Will there be replacements for that and any other position that might be vacant because of that move?
- (3) What impact will it have on AFL in Tasmania?

ANSWER

Mr President, I thank the member for Windermere for his question and his interest in this subject. It was very disappointing to read the comments in the *Mercury* about Tasmania's talent pathway, that it would be run out of Melbourne's AFL House.

I will seek more information from AFL House in Melbourne about the impact of such a change on Tasmanian football, for our emerging talent and what will occur there. It would be totally unacceptable if this change has any detrimental impact on Tasmanian football and emerging young players from this state. I am waiting on information from AFL House.

Mr Dean - When you receive that information, will you be in a position to brief us or pass that on?

Ms HOWLETT - I will certainly brief you.

Mr Dean - Thank you.

Tasracing - Stake money Increases

Ms RATTRAY to MINISTER for RACING, Ms HOWLETT

[2.46 p.m.]

In regard to the recent report undertaken by the racing industry, which was somewhat critical of Tasracing and the Government, particularly on the distribution of stake money as indicated by the member for Elwick -

- (1) How is the 16 per cent target promised at the 2018 election going to be met - that is the Government's target of increasing stake money, given that we have only had, as you have just indicated, minister, a 6 per cent increase? Does that mean there will be a 10 per cent increase, five and five? How is this going to work?
- (2) As asserted in the report, is Tasracing top-heavy and does it take a great many resources out of the industry before it gets to the codes?

ANSWER

Mr President, I thank the member for McIntyre for her question and her interest in this subject.

- (1) The total stakes increase takes us now to 12.2 per cent, so it is in line with the Government's election commitment. I made a commitment that at the beginning of next financial year, there will be another significant increase in stakes for the industry. It has to be a sustainable and affordable increase for the industry and for Tasracing. This increase will be also funded through the point of consumption tax.
- (2) As far as your question in relation to Tasracing being top-heavy, I am yet to see the end-of-year financial report. I expect to see it in October and I will certainly be analysing it then.

Tasracing - Stake money Increases

Ms RATTRAY to MINISTER for RACING, Ms HOWLETT

I thank the minister for her response, and have a follow-on question from that.

The minister indicated Tasracing will be negotiating with the codes for increased stake money -

- (1) Is it fair and reasonable in your mind that they are the ones negotiating the stake money increases, when they also need significant funds to fund their organisation?
- (2) Would it not be better to have someone independent of Tasracing allocate that additional stake money? It is so important to the sustainability of the industry, as you have alluded to.

ANSWER

Mr President, I thank the member for McIntyre for her questions.

It is very important to the industry and this is the way the industry has worked. Every year it meets with the three codes and with the heads of those three codes - the greyhounds, the harness racing and the thoroughbreds - and they determine where those stakes are allocated.

For example, in the Thoroughbred Code the participants might want more money on the TASBRED Incentive Scheme. It varies - they may choose a particular race to add increased stakes for, or they may choose to spread it evenly over all races. It is a matter for the industry to work out with Tasracing, and the way it has always been done.

Ms Rattray - And they have never been happy any of them, but anyway.

Ms HOWLETT - Let us hope this stakes increase gives the industry the confidence it needs.

COVID-19 - Ear, Nose and Throat Surgeries

Ms FORREST to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT

Mr President, the long and torturous road to get an answer to a question with multiple versions. This question was going to be asked much earlier, but there were a few little glitches along the way.

With regard to the number of ear, nose and throat - ENT - surgeries in Tasmania prior to the COVID-19 pandemic and further reductions made to assist with COVID-19 health planning -

- (1) Were the number of ENT surgeries reduced prior to the COVID-19 pandemic measures? If so, what was the reason for this reduction and what impacts did it have on waiting lists and waiting times?
- (2) What decisions regarding reductions in ENT surgery during the COVID-19 pandemic were made as with all areas of elective surgery?
- (3) What are the current waiting times in the north-west for Category 1 ENT surgery?

- (4) What are the actions taken to facilitate access to Category 1 or urgent ENT surgery, especially when related to cancer?

ANSWER

Mr President, I thank the member for Murchison for her questions.

- (1) The Launceston General Hospital added additional theatres to clear the majority of the waiting list for ENT surgeries late in 2019/early 2020. Levels were then profiled following this activity. There are currently 85 patients on the combined north-west ENT surgery waiting list.
- (2) From 25 March to 27 April 2020, all non-urgent elective surgery was suspended. Only Category 1 and some urgent Category 2 surgery, including ENT surgery, were prioritised. Less urgent Category 2 and all Category 3 surgical cases were deferred during the early COVID-19 period.
- (3) During the North West Regional Hospital closure, all surgeries, including ENT, ceased. All ENT surgeries ceased early in the COVID-19 pandemic because of the risk of surgery to all staff in the operating theatres with airway surgery, which is considered an aerosol-generating procedure. Tasmania's approach was in line with all other states as well as with the early advice from ENT colleges around the world. All elective surgeries, including ENT surgery, have now resumed to pre-COVID-19 activities.
- (4) I am advised that as at 26 August, there are currently four Category 1 patients with an average waiting time of 18 days.
- (5) The LGH has one staff specialist ENT surgeon and two operating the VMO ENT surgeons. Access is available for Category 1 surgeries. The LGH has two plastic surgeons trained in head and neck cancer surgery and patients with these cancers are cared for by a combination of plastic surgeons and the staff specialist ENT surgeon. The North West Regional Hospital has a single ENT surgeon who works with the Department of Surgery and Perioperative which continues to make available theatre sessions as and when clinically appropriate. You did not ask question (5) on your list.

Ms Forrest - No. We have had a few iterations of this, but anyway keep going.

Mrs HISCUTT - The member did not ask question (5) so I might just put that on the record. Question (5) was 'response to the questions asked in letter 26 June 2020'. It has here 'A response to your letter of the 26th of June 2020 was sent to you dated 4th August 2020'.

Ms Forrest - It did not answer all those questions I have just asked you. That is why they are back on.

Mrs HISCUTT - I anticipate getting some more follow-up.

Ms Forrest - No, no. You probably got it this time, but we will see.

Glenorchy Employment Hub

**Mr WILLIE to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT**

[2.55 p.m.]

In March the Government announced a Glenorchy employment hub. It was a commitment of \$1.3 million over two years until 30 June 2022.

- (1) Has the Glenorchy Workforce Development Coordinator been employed?
- (2) Has the Glenorchy Employment Hub been established?
- (3) Has a training fund been established to specifically support the Glenorchy Employment Hub?
- (4) Has an employment transport program been implemented?

ANSWER

Mr President, I thank the member for Elwick for his questions.

A two-phased approach has been undertaken to the establishment of the Glenorchy Jobs Hub to ensure that the model developed meets Glenorchy's specific needs now and into the future. Phase 1 includes the council's employment of a workforce development coordinator, which is progressing, and the procurement of the Workforce Development Plan which will identify current workforce capability and capacity and forecast requirements to meet future needs. This type of plan was a precursor to the development of the successful Sorell employment hub and is seen as crucial in identifying the specific needs and opportunities of Glenorchy City, taking the disruption caused by COVID-19 into account. The Workforce Development Plan will lay the foundation for phase 2, which includes establishment of the employment hub and identification of specific strategies and actions to address any workforce training needs or transport-related needs where there are gaps in existing services.

I am advised that the Minister for Strategic Growth has approved the council's proposed commissioning of this work and that council is now working with the Department of Premier and Cabinet to progress this through a deed arrangement.

COVID-19 - Family Violence Services

**Mr DEAN to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT**

[2.57 p.m.]

During the COVID-19 period, March to July 2020 thus far, contact with family violence services for support is said to have increased. During a similar period, Tasmania Police has stated family violence reports have decreased.

Will the Leader please advise -

- (1) During the period from 1 March to 31 July 2020, what number of approaches were made to family violence services for assistance or support?
- (2) What did the approaches entail? That is, were they new or previous cases involving family violence or both?
- (3) During this period how many family violence reports were made to Tasmania Police?
- (4) During a similar period in 2019, how many family violence reports were made to Tasmania Police?

I appreciate these questions are across a couple of areas. Unfortunately, that is the way it is.

ANSWER

Mr President, I thank the member for Windemere for his questions and his understanding across the portfolios.

I have two answers to two of your questions from the police department. The answers to the first two questions will be provided by Communities Tasmania. I am yet to receive them.

(1) and (2)

To be provided by Communities Tasmania.

- (3) Between 1 March 2020 and 31 July 2020, a total of 2290 family violence-related reports were made to Tasmania Police. These comprised 1369 family violence incidents and 921 family arguments.
- (4) During the same period in 2019, there was a total of 2403 family violence-related reports. This total comprised 1488 family violence incidents and 915 family arguments.

As soon as we get the answers to the other two questions, we will let you know.

COVID-19 - Impact on Gyms

Ms FORREST to MINISTER for SPORT AND RECREATION, Ms HOWLETT

[2.59 p.m.]

COVID-19 has had a significant impact on a number of businesses in our state. One sector particularly impacted is the gyms, particularly the small privately owned gyms around the state, where the restrictions that have been imposed on them do not work. They do not have

the number of members. Most of them, particularly some small ones in my electorate, have gone to extraordinary lengths to put in place measures, but every time they try, they are still knocked back on the option to be open 24 hours, even with cameras and diligent COVID-19 safety plans. This is pushing some businesses to the wall and significantly stressing the mental health of some of these very small business owners.

Can the minister advise what work and action is being taken to review these requirements and make it possible for these businesses to operate, bearing in mind that there has been a number of gyms open on the mainland where there has been no transmission of COVID-19?

ANSWER

Mr President, I thank the member for Murchison for her question.

This has been a very difficult issue. I have had lots of emails about this. We are working through it. We are having regular meetings each week about a way forward for this.

Currently gyms and fitness centres are required to have a staff member present during hours of operation, to make sure social distancing, hygiene and cleaning requirements are adhered to, and to ensure the health and safety of their members.

While we understand the current requirements may limit the opening hours of gyms and fitness centres, may inconvenience many users, and may require more staffing, this is based on advice from Public Health and the Australian Health Protection Principal Committee, the key decision-making committee for health emergencies.

We will continue to monitor and review our response to COVID-19 and the restrictions that apply in response to what are dynamic and challenging circumstances. As I said, this is a situation on which we are working with Public Health on a weekly basis to try to find a solution.

Tasmania Prison Service

**Mr DEAN to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL,
Mrs HISCUTT**

[3.02 p.m.]

I have written to the Tasmania Prison Service. In 2013, a report was tabled in parliament regarding, among other things, staffing and overtime levels. A \$5 million annual overtime bill was seen to be excessive at that time. The Government Administration Committee B report made strong recommendations relative to TPS, and most, if not all, were accepted by the government of the day. It seems that probably not much, if anything, has happened since then.

- (1) What is the overtime amount for the financial years 2017-18, 2018-19 and 2019-20?
- (2) What is the split of overtime for those years between correctional officers, frontline personnel, management and administration staff?

- (3) What has been the average overtime payment for each frontline correctional officer in the financial year 2019-20?
- (4) What is the amount of overtime paid to top earners in the financial year 2019-20?
- (5) What has been the main causes of overtime?
- (6) Will we continue to see increases in overtime payments in 2020-21 to that similar amount? I think it is about \$8 million now.
- (7) What number of sick leave days were taken by correctional officers in the financial year 2017-18, 2018-19 and 2019-20?
- (8) What number of TPS members are currently on extended sick leave and workers compensation?

ANSWER

Mr President, I thank the member for Windermere for his questions. I know you have been on about this ever since I have known you.

Mr Dean - Yes, I have.

Ms Forrest - And before you were here, too.

Mrs HISCUTT - I will race through this as quickly as possible.

- (1) The total overtime expenditure for the Tasmania Prison Service for all employees over the last financial year was \$8 142 314 for 2019-20; \$7 260 198 for the year 2018-19; and \$6 531 124 for the year 2017-18.
- (2) Overtime is split across staff as follows. I will read the classification first then the percentage. The classification for superintendent is 1.6 per cent; correctional supervisors, 10.06 per cent; correctional officers, 85.78 per cent; and administration, 2.56 per cent.
- (3) The average overtime paid per correctional officer, all ranks, in 2019-20 was \$21 738.
- (4) It is not appropriate to disclose the amount of overtime paid to individual staff members of the TPS. Instead I would like to highlight that the average overtime paid per correctional officer for all ranks for 2019-20 was \$21 738.
- (5) Historically TPS overtime is primarily driven by additional correctional shifts arising from increased prisoner numbers, including constant observations, escorts and hospital escorts, and staff absences, primarily due to sick leave and workers compensation, in addition to vacant positions. However, during 2019-20 the TPS moved to a new rostering arrangement to reduce the risk of COVID-19 entering the

prison system and to best manage it if it did enter the system. These risk management initiatives increased overtime costs in the short term.

- (6) The TPS has recently returned to its normal rosters, which should reduce the additional overtime costs generated as part of the TPS COVID-19 response procedures as well as increasing staff through current recruitment. The TPS continues to address the underlying causes of overtime through a range of measures, including continuing to amend staffing structures, adaptive rostering practices and comprehensive absence management strategies.

Shiftwork Solutions was engaged in 2018 to undertake a thorough review of the TPS staffing model. Managers are now able to accurately predict staffing needs, develop recruitment plans, address over-reliance on overtime, ensure shifts are as family friendly as possible while improving out-of-cell hours and allowing for access to service providers for prisoners. The Department of Justice also has a reporting analysis and modelling branch that, among other functions, undertakes predictive modelling of prisoner numbers to assist in the management of staffing needs. The TPS rostering and overtime policy was updated in January 2020 and excess overtime continues to be actively managed. It has been addressed in a number of individual cases.

- (7) Correctional staff shifts vary from eight hours to 12 hours, with 12-hour shifts being the most common shift length. Based on the number of hours of personal leave, including sick leave and carers leave, taken in the last three years, the number of days of personal leave based on 12 hour shifts would be: in 2019-20, 2722; 2018-19, 2396; and 2017-18, 2250.
- (8) The TPS currently has 22 staff totally incapacitated on extended workers compensation or extended sick leave.

Mr Dean - Mr President, this is a supplementary question that I raise by way of interjection. I never asked for any person to be identified as an overtime earner; I simply asked what the top earners were receiving as a result of overtime. It was very high during the Government Administration Committee B inquiry in 2013. That is all I am asking for. I would not have thought that is confidential, so I ask that question again. I expect support from the member for Rosevears because the previous member for Rosevears was also very strong on this point.

**COVID-19 DISEASE EMERGENCY (MISCELLANEOUS
PROVISIONS) AMENDMENT (QUARANTINE DEBT
RECOVERY) BILL 2020 (No. 29)**

In Committee

Clause 4 -

25A Interpretation of Part 6A

Mrs HISCUTT - Madam Chair, I had a question on the books just before we broke so I will answer that now.

The Department of Communities regularly checks and there are government liaison officers at each site. Each facility is cleaned regularly and each room is cleaned after each guest leaves. The checks you are asking for, the government liaison officer also checks those things.

Hotels must provide or have in place -

- a COVID-19 plan;
- exclusive use of the hotel rooms, so no accommodation bookings from the public;
- rooms with their own bathroom facilities;
- breakfast, lunch and dinner delivered to each room with one non-alcoholic drink with each, with options to suit specific dietary requirements;
- outside exercise and smoking areas that are not accessible to the public;
- a linen service provided every third day including sheets, pillow cases, towels, soap, shampoos and conditioners and rubbish bags. Rooms are not serviced by hotel staff during the guests' stay;
- one external laundry or dry-cleaning service per guest for their 14-day stay;
- access to hotel wi-fi;
- provision of a suitable area for the government liaison officer to be based to provide contactless support to guests, obviously phone-based; and
- an appropriate number of security guards to monitor entry and exit points and exercise areas.

Also hotels are inspected prior to engagement to ensure they meet appropriate levels of amenity and configuration. Hotels have a safety COVID-19 plan in place, which I have already mentioned.

The service model is a contactless model with guests being confined to their rooms following check-in, with exception of accessing dedicated exercise or smoking areas. When moving between their room and exercise or smoking areas, guests are required to wear face masks.

Government liaison officers are based at all sites. In addition to assisting guests, they provide an onsite presence with the ability to raise issues with the Department of Communities Tasmania emergency operations centre.

The Department of Communities emergency operations centre holds a weekly meeting with all hotel managers and security providers where issues are identified, discussed and resolved.

Hotel providers are required to complete a weekly return that confirms all staff are trained in the appropriate use of personal protective equipment, that a COVID-19 safety plan does exist and all staff have been inducted. PPE is provided for all staff to use onsite. Disposal facilities for PPE are provided.

Worksafe Tasmania has recently undertaken a series of inspections of quarantine hotel sites and provided reports, including recommendations for improvements where required. Such recommendations are implemented.

Healthcare professionals attend all sites to administer day 5 and day 12 COVID-19 testing. If these healthcare professionals were to identify concerns, that would be raised with the Department of Communities Tasmania emergency operations centre.

Rooms are cleaned at the end of the guests' 14-day stay. The standard operating protocols are being reviewed by Public Health services. Any changes will be conveyed to hotel and security partners.

Communities Tasmania is recruiting two site managers. The role of the site manager would be to monitor ongoing compliance with standard operating protocols. One position will be based in the south and the other in the north.

Proposed section 25A agreed to.

Proposed sections 25B to 25G agreed to.

25H Amount specified in invoice is debt due and payable by payment day -

Mr DEAN - What is the process required to be entered into? As I understand it, the Crown will provide an invoice to that person. What are the time frames? What is the time expected for this whole process to be completed? If the person receiving the invoice is of a view they could demonstrate hardship, what do they have to do? Do they have to put it in writing or are they invited to make some other submission? How is it done?

I take it the process would then be that it goes to the State Controller to determine? If it is disputed by the State Controller, and that could happen, would the person receiving the invoice have to provide further information and details?. How exactly will this occur and is there an expected time frame for these matters to be concluded?

Mrs HISCUTT - I will seek some advice but I imagine there would be some coming and going until a position is settled.

I will work through this, and I think it will cover everything the member is asking about but we will see how we go towards the end.

Invoices will have 30-day standard repayment terms, so it is a 30-day account. Under the Tasmanian Hotel Quarantine Payment Scheme, a person may apply to the Secretary, DPFEM or their delegate to have their payment date extended in circumstances of financial hardship. If a person cannot pay the invoice within the prescribed terms, they can contact the issuing agency to discuss entering into a payment arrangement. The invoices will list the

payment options, which include BPAY, cheque, IVR, or in person at Service Tasmania or Australia Post. Detailed payment instructions will be provided on the invoice.

People required to quarantine in a Tasmanian government-managed accommodation facility will be issued with an invoice for their stay. Subject to the passage of this bill, the following process will occur: if a person is in a government-managed accommodation facility from 31 July to 31 August 2020, they will be sent an invoice for the hotel quarantine fee after they leave quarantine; from 1 September 2020 onwards, people will be issued with an invoice while they are at the government-managed accommodation facilities.

I am happy to stand on my feet for a moment if you are happy with that.

Proposed section 25H agreed to.

Proposed sections 25I and 25J agreed to.

Clause 4 agreed to.

Clause 5 agreed to and bill taken through remainder of the Committee stage.

MESSAGE FROM HOUSE OF ASSEMBLY

Resolution - Draft Code of Practice - Fuel Pricing

Mr PRESIDENT - Honourable members, I have received the following message from the House of Assembly -

Mr President

The House of Assembly having agreed to the following Resolution, begs now to transmit the same to the Legislative Council, and to request its concurrence therein — That pursuant to Section 37 of the Australian Consumer Law (Tasmania) Act 2010, the _____ House of Assembly endorse the draft code of practice prepared in accordance with Section 37(3) of the Australian Consumer Law (Tasmania) Act 2010.

S Hickey
Speaker
House of Assembly
20 August

MOTION

Resolution - Draft Code of Practice - Fuel Pricing

[3.21 p.m.]

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

That the resolution from the House of Assembly be agreed to and that the blanks be filled up with the words, 'Legislative Council' and 'and the'.

Mr President, the Government knows that the cost of living is a real issue for Tasmanians. We want Tasmania to remain one of the most affordable places in the country to live, work and raise a family, especially for the elderly and those on low and fixed incomes.

The challenges of the COVID-19 pandemic and the recovery from its economic impacts highlight the importance of keeping the cost of living low, including the cost of fuel. We know that the fickle price of fuel is a cause of frustration for many Tasmanians. Motorists want improved availability and clarity of fuel price information so they can make an informed choice when they fill up at the bowser. Difficulty in knowing the best available prices can increase the impact of fuel purchases on many Tasmanian household budgets.

In 2017, the Government acted to introduce price transparency requirements so that only the undiscounted petrol prices were displayed on petrol price boards at service stations. While fuel prices on the mainland reduced quickly in early 2020 in line with global oil markets, the same did not occur in Tasmania.

To help put downward pressure on fuel prices, the Tasmanian Government announced in May this year that it would introduce a mandatory real-time fuel price reporting scheme. As part of this scheme all fuel retailers will be required to update fuel prices as they occur, providing a vastly enhanced level of transparency. The Government's action on fuel price reporting and introducing an app or website brings the state into line with the approach taken in other jurisdictions, including New South Wales, Western Australia and the Northern Territory.

To provide access to these real-time prices, a free app will be provided to allow Tasmanian motorists to easily search for the cheapest fuel by location, price, fuel type or brand in this state. The Tasmanian app can be downloaded to mobile phones using Apple iOS or Android operating systems.

The Tasmanian Government has purchased rights to use the fuel check app developed by the New South Wales department of fair trading. The New South Wales Government app has been rebranded as FuelCheck Tas. A licensing agreement with New South Wales includes technical support for one year. This app has been operating in New South Wales for over four years. It has been extensively downloaded and used by the public with over 8 million hits. The NSW Fair Trading app is superior to commercial fuel reporting apps that rely on individual motorists to upload details, as prices are often incomplete or quickly become outdated.

Over 2000 New South Wales service stations are using this app in real time. There is a high level - 94 per cent - of satisfaction reported by users.

While consumers cannot control the price of fuel at the bowser, the FuelCheck app lets them decide when and where to buy the cheapest fuel in their area, by using this app with real time updates from all local stations. Whether it is to help reduce your vehicle's fuel consumption during your daily commute or to stretch your holiday dollars further on your next road trip across our state, browsing the app is the best way to be certain to get the best deal at the bowser before you head off.

The provision of price information by retailers will be closely monitored by the Government, with penalties for failing to provide accurate information. In the case of petrol prices, we want to ensure consumers are protected from potentially misleading information on fuel prices. The code will ensure the prices reported by retailers are accurate and up to date. The code will ensure the prices on the app are the same as the price on the bowser. This code will be the associated FuelCheck app, in another step in the Government's plan to reduce the cost of living for Tasmanians.

The Government has worked closely with key stakeholders and sought the views of the public in developing the code of practice that has been tabled in the parliament. A draft code was released for public consultation in July 2020. Key stakeholders, including the Tasmanian Chamber of Commerce and Industry, the Royal Automobile Club of Tasmania, the Tasmanian Automobile Chamber of Commerce and the Australasian Convenience and Petroleum Marketers Association, have indicated their support for the proposed code.

The Australian Consumer Law (Tasmania) Act 2010 provided the mechanism for Tasmania to create regulations relating to a code of practice for fuel price reporting. However, prior to making those regulations by the Governor-in-Council, the act requires the draft code of practice be endorsed by the resolution of both Houses of parliament. I therefore commend this resolution to the Council.

[3.27 p.m.]

Mr DEAN (Windermere) - Mr President, this is an important motion relating fuel pricing, but I am not convinced it will make any difference to fuel prices across the board. I cannot see it making our fuel prices any cheaper and I do not think we will see our prices coming down even near to what they are in most areas on the mainland. That is a sad situation; really, I find it difficult.

The complaint of the motoring public is about the high price of fuel in this state compared with mainland prices. In some cases, we are talking about 30 and 40 cents per litre dearer and probably even higher in some cases - the price we pay for fuel in this state is just extraordinary. The question asked by the public is why, and I asked some questions of the Government recently on this very point. I will refer to those questions in a moment, and one or two of the answers I was given.

We know Bass Strait is a very expensive piece of water. As members would be aware, to get produce and whatever else across Bass Strait is a greater cost than to bring it from China, Korea or somewhere else. It costs more to cross Bass Strait - it is just ridiculous. The Bass Strait Passenger Vehicle Equalisation Scheme is about equalising the costs of bringing produce or people travelling to a similar price as if you were travelling on a national highway; in fact, Bass Strait is part of a national highway.

Ms Forrest - It is supposed to be.

Mr DEAN - Supposed to be, and I have raised that in this place previously. I gave a special interest speech on this very point, but that equalisation is not being adhered to. I have an approach that will shortly be made to the Government about what it is going to do because it is not good enough. We are told by the Government that a lack of competition is probably causing a lot of this. Does this mean that because of a lack of competition, these fuel retailers can simply charge what they like and expect the public to pay for it?

I suspect we are probably subsidising some outlets on the mainland. We could be doing that in this state. It is an incredible situation. Will this change make any real difference? That is the real price at the time being disclosed to the public. I understand that most places are doing that now. There are not too many outlets that do not disclose the price of their fuel. It is easily available to any member of the public wanting to refuel at those outlets.

Mr Valentine - I think sometimes it is with a discount applied. If somebody has a discount docket, that is the price sometimes displayed.

Mr DEAN - It is. Most places where I have seen that, at Shell and Woolworths outlets in particular, they normally have that. It is normally clear that if you have a voucher, it is four cents less or whatever. You are right; it is probably not as clear as it ought to be.

Mr Valentine - It is misleading.

Mr DEAN - I cannot see it making a big difference. I hope it does. If these service stations do not comply with this, what action can be taken against them? The Leader will probably clear this up for me. It is the feather duster treatment.

Ms Rattray - Limp lettuce leaf.

Mr DEAN - Unless I have read it wrong, it simply means an application to a magistrate for them to comply. Is some other penalty included here?

Mr Valentine - The Director of Consumer Affairs can apply to a magistrate.

Mr DEAN - No fine, no other penalty, and by the time the matter is before the magistrate - it has to go before a magistrate for noncompliance, as I understand it -

Mr Valentine - I believe from *Hansard* that is what the minister said.

Mr DEAN - By the time it got through that process - I am not quite sure how long it would take - I would be surprised -

Ms Forrest - Probably run out of petrol by then.

Mr DEAN - Absolutely right. Fuel prices would have changed in the meantime anyway. It would not be a quick process. The Lewisham service station has been selling both petrol and diesel at 115 cents a litre for six, eight, nine months. They obviously make a reasonable profit from it.

At Midway Point, fuel is being sold at 134 cents a litre for diesel. Petrol might be slightly cheaper than that.

Mr Valentine - Dunalley was below a dollar at one point.

Mr DEAN - Is that right?

Ms Forrest - Recently?

Mr Valentine - About two months ago.

Mr DEAN - They are obviously freehold for that to occur. That is where we have these differences.

Freehold can do that. These big companies ought to be able to do it for even less than that. That is not quite the way it is occurring.

On 30 April 2020, I asked the Government if 'yes', what has the Government done to cause a fair and reasonable cost for diesel and petrol?

The Government said -

Whilst the Government is not in a position to pass comment on whether motorists are being ripped off at the bowser the Minister for Building and Construction, the honourable Elise Archer MP, has written to the ACCC to request that they investigate the fuel practices in Tasmania as a part of her ongoing fuel motoring role.

What has happened as a result of that? Have we had a reply back yet from the ACCC in relation to the question by the minister and perhaps other questions that might have been asked at the same time? Do we have a response? If we do, could we be given some answers to that. I certainly support it, but I cannot be satisfied at all that it will make any difference whatsoever. The motorist is the one paying for this - it is sad we are having to pay these fuel costs when people are getting fuel at much cheaper rates on the mainland. It is a pretty sad situation.

[3.35 p.m.]

Mr VALENTINE (Hobart) - Mr President, it is certainly worth having this app available and this particular code put in place. People like to be able to shop around and to be able to get accurate information.

Ms Forrest - Bit hard when you live 50 kilometres from the next servo.

Mr VALENTINE - Sorry?

Ms Forrest - Bit hard when the next servo is 50 kilometres away, as around my electorate.

Mr VALENTINE - Well, some of that is the case. Absolutely. But then there may be three or four service stations available in the next town, wherever you travel.

Ms Forrest - No, 300 kilometres - now we are talking.

Mr VALENTINE - The point is that for many Tasmanians - not every one of them - it is important to have this information available to them. As I said through interjection again - in the *Hansard* provided to us with this particular code - for any breach, the Director of Consumer Affairs has the capacity to take that to a magistrate. The magistrate sorts out the level of fine. I do not think there is an established fine. Maybe the Leader can confirm there is not an established fine. I believe the magistrate decides this. If that could be confirmed, Leader, in your summing up, that would be good.

It is a step in the right direction. The member for Murchison is probably right - it is not going to benefit everybody. If you live on King Island, where there are one or two service stations -

Ms Forrest - And it is already really expensive.

Mr VALENTINE - and if you are going to eat away the benefit by travelling across to the other service station, it might not help. Congratulations to Government for bringing it on.

[3.38 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I have a couple of answers to some questions.

The member for Windermere is not convinced the FuelCheck app will make a difference. In some places, of course, it cannot - King Island was suggested earlier; Flinders Island would be the same.

Ms Forrest - Or the west coast.

Mrs HISCUTT - There is one service station in Penguin. We are not pretending this is a silver bullet solution to reducing fuel prices. The Government is confident, however, that this new scheme will help increase competitive behaviour and price transparency, thus helping to put downward pressure on prices. When the scheme was announced, the Government indicated in the event the measure is not effective, it will consider direct regulation on fuel prices. We also talked about the penalty; both members mentioned this. The experience in New South Wales suggests that compliance from retailers will be high, with limited need for enforcement. Most larger retailers are used to such schemes in other jurisdictions. The Director of Consumer Affairs may apply to a magistrate's court for enforcement should it be necessary.

Mr Dean - No penalty, just enforcement?

Mrs HISCUTT - Is there an established fine? No, the magistrate may determine a fine they may consider appropriate. That is a magistrate's call.

Mr Dean - A magistrate's court can impose a fine. There is an avenue for imposing fines. Is that it, or not?

Mrs HISCUTT - They may consider a fine being appropriate. Yes, if they wish, yes, a magistrate may apply a penalty they determine appropriate to a noncompliant retailer under the

Australian Consumer Law. This is how compliance power for codes of practice work. I am advised that compliance with other Tasmanian codes of practice, such as for fuel price boards, has been high. The Government will monitor the code and consider amendments to the act when it is or should it be necessary.

With regards to monitoring, consumers will be able to report a price mismatch through the app and these reports will be investigated by Consumer, Building and Occupational Services - CBOS.

There was a question about the ACCC. It is seeking that information as we speak. Did the honourable member have something else?

Mr Dean - What is the position of the retailers in relation to this change? As I understand it, they have accepted it. There has not been a murmur from them. They are obviously not worried about the impact on them. Is that right?

Mrs HISCUTT - I will seek some information on that. I still have another answer coming.

Will it cost retailers to implement? Retailers will not have to pay to access the pricing scheme. The technology will be made available for the schemes, and it will make it relatively easy and quick to put new prices into the system. The app has been working in New South Wales for quite a while now and there has been no problem. CBOS will be assisting smaller self-managed service stations so we do not anticipate any problem from the retailers. I think they accept it and they will move on with it.

What happens if a retailer refuses to provide up-to-date prices? CBOS will manage the mandatory fuel pricing scheme. It will be monitoring all retailers. Any retailer who fails to comply with the new code of practice will be subject to penalties under the act. As I said earlier, there is a high compliance among the retailers and it has been working well in New South Wales.

Mrs HISCUTT - One of your questions was: what has happened as a result of the minister contacting the ACCC? The ACCC did not agree to the minister's request to investigate Tasmanian fuel prices. It was on this basis that the Government decided to proceed with the code and the app.

Motion agreed to.

PREMIER'S ADDRESS

Note - Premier's Address

Continued from 4 June 2020 (page 31).

[3.47 p.m.]

Ms HOWLETT (Prosser - Minister for Racing, Sport and Recreation) - Mr President, I want to take the opportunity to touch on my portfolio areas within my State of the State response.

Sporting clubs and organisations play an enormous role in our state, and in many areas they are the glue that brings communities together. Community sporting clubs around the country have suffered a financial toll from the COVID-19 pandemic, with local memberships' income plummeting since March when most restrictions were first introduced. The Government acknowledges the difficulties being faced by sporting clubs and participants across Tasmania as a result of the COVID-19 pandemic, with a broad range of competitions, rosters and events interrupted in accordance with Public Health advice.

Our Government was the first in Australia to announce grants to maintain employment in sporting organisations following the collapse in revenues such as registration fees, gate receipts, bar and canteen takings. While maintaining employment is a key priority, we also wanted to ensure that interruptions to sport competitions did not lead to a long-term decline in sports participation.

Tranche 1 of the COVID-19 Sport and Recreation Grants Program provided peak sporting organisations with grants of up to \$150 000 to assist with maintaining employment for six months in eligible sporting organisations facing reduced revenue streams due to the pandemic. Under tranche 1 of our \$2 million support package, 25 organisations were successful in their funding bids. This has ensured 187 Tasmanians remained in their jobs throughout this crisis, ensuring continuity for the community sports that help us to keep Tasmanians fit, healthy and connected. Under the COVID-19 Sport and Recreation Grants program tranche 2 funding, \$914 000 is now available for clubs to access, whether to buy new equipment to improve the quality, safety and physical activity experiences, including balls, bats, rackets, helmets, batting pads or safety and sanitisation requirements such as COVID-19-related signage and sanitisation stations.

Tranche 2 opened for applications on 25 June 2020 and will close at the end of this month. I am pleased to advise that more than 160 organisations have received funding since the Program opened, totalling over \$350 000. In addition, we have recently announced the \$10 million Improving the Playing Field fund, which is now open. That will provide grants to local councils and sporting clubs and associations to improve playing facilities across Tasmania and to maintain and build participation across sporting codes following the COVID-19 pandemic.

Grants of between \$25 000 and \$250 000 will be considered for approved capital works, which may include change rooms, toilets, shower facilities, accessibility, lighting, security, fencing, scoreboards, drainage and any other civil construction work. Importantly, this investment will support Tasmania's building and construction sector, and help support and create local jobs.

Last, our Ticket to Play program has been a great success, allowing thousands of young, eligible Tasmanians the opportunity to participate in a sport of their chosen code. I was pleased to announce recently that we have doubled the support available under the program from \$100 to \$200 for eligible applicants aged from 5 to 17 years of age to access a Ticket to Play voucher and engage in sport potentially for the very first time. Under this initiative, successful applicants will receive their voucher in the 2020-21 financial year, and will be able to choose to redeem the \$200 against one sport, or split the \$100 between two sports, a winter and a summer sport.

I am pleased to say that, as a government, we have done everything possible to keep sporting competitions alive and ready to bounce back. I sincerely thank all Tasmanian sporting organisations, including their players, coaches, officials, supporters and volunteers, particularly, for their understanding and resilience during this extremely difficult period.

As we know, racing is another area in my portfolio. Racing is an area I am truly passionate about. I acknowledge the contribution the racing industry makes to our economy, and employment - particularly in regional and rural areas of Tasmania. I grew up in the country, and my first job was in the industry. I was so very pleased to see racing return on 14 June, after the shutdown. I thank those industry participants for their forbearance through this very difficult period, especially those who availed themselves of the \$4 million provided through the support package to keep their animals active during this time.

There is no doubt this was really difficult for the industry, as it has been for many other sectors, but the recommencement has gone extremely well, and all three codes have experienced healthy numbers of starters and quality races on the return. While I understand the frustrations felt across the industry, the decision to suspend racing within the state was a very difficult decision, and was made taking into full account Public Health advice and the need to stop travel between regions of our state.

Earlier in August, I was thrilled to join a number of racing industry participants to announce a major stakes increase across all three codes. This injection in stakes represents a 6 per cent increase for the current financial year, and will provide great confidence to those working in the industry, and those investing in the Tasmanian racing industry. This brings a total stakes increase over the three years to more than 12 per cent, in line with our election commitment of an average of 4 per cent per year. This increase is affordable, and it is sustainable. This increase will largely be funded through the revenues from the point of consumption tax, which began on 1 July this year. Eighty per cent of the additional revenue from the point of consumption tax is going to the racing industry, with the majority for stakes, while there is also provision for additional animal welfare initiatives, as well as infrastructure upgrades.

The COVID-19 pandemic is an unprecedented ordeal no-one predicted would occur. The year 2020 began as a year of optimism, but for many it has turned into a year of difficulty, uncertainty, a lot of sadness and tragedy. Our number one priority throughout COVID-19 has been the health, the safety and the wellbeing of all Tasmanians. On one hand we have had to deal with a pandemic at the risk of a health crisis, while on the other, we face economic and social challenges unlike anything we have ever faced before.

As a government, since the beginning of this year, we have needed to be agile, proactive and responsive. Tasmanians will get through this; we will be stronger than ever before. I take this opportunity to thank our clinicians; our frontline workers; our cleaners; Public Health; Dr Mark Veitch, Dr Scott McKeown and their teams; our State Controller, Darren Hine, and his fantastic team; the Premier and my colleagues - all members of this House and all members of the other House. I know we have had phone calls from 6.00 a.m. until 11.00 to 12.00 midnight on a regular daily basis. We have helped, all of us, assist many of those people on which direction they need to take, whether it be for various information through websites, et cetera. I know all members of this House and the other House have assisted so many people. Thank you very much. I also thank every Tasmanian across our state who has played their part in keeping Tasmanians safe.

[3.57 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I am so glad to have this off the books; it has been so long.

Mr PRESIDENT - It has only taken five months, according to the schedule.

Mrs HISCUTT - There has been a pandemic in the middle of it all, so I am finally pleased to be able to wrap it up. I have some answers to questions, which I will put on the record here and now. These were compiled over many months. We have some questions from the member for Windermere, who talked about additional police numbers. He wanted to know how many more police are being recruited in Glenorchy, which is 10; Bridgewater, which is 10 -

Mr Dean - I asked those questions, did I?

Mrs HISCUTT - Have these been recruited since the end of the financial year 2019? Five each in 2019. How many are likely, or have been, recruited to Burnie? There are eight; Devonport, nine; Smithton, two. The final number will be determined in consultation with the Commissioner of Police.

The member for Windermere also asked about the container deposit scheme. When will this scheme go live? Why has it taken so long? How long will it take to achieve implementation, bearing in mind these questions were answered all those months ago.

Work is well underway on a detailed model for a container refund scheme in Tasmania. This includes consultation with interstate counterparts, the local community, businesses and industry. Specialist advice from a number of departments and the establishment of an expert reference group will be critical to the scheme's success. The expert reference group will be appointed shortly, allowing valuable stakeholder input into the development of the scheme in Tasmania. An investigation of the scheme's fundamental design is important before we construct the legislative regime for the state. The dynamic nature of current national waste policy will also need to be taken into consideration with the design of the container refund scheme. Once we have engaged and consulted to make sure we have the best scheme for Tasmania, appropriate legislation will be brought before parliament. It is anticipated this will be introduced in mid-2020-21, for the scheme to be introduced in 2022 as scheduled.

The member for Windemere also asked about the stamp duty concession for elderly home owners who are downsizing. How much is the scheme costing the state and how often does it get used? Since being implemented in February 2018 and as at 19 March 2020, the Government has assisted 533 pensioners into new homes through the concession for eligible pensioners who downsize. In the 2019-20 to 19 March 2020, the Government has assisted 233 pensioners into new homes through the concession to eligible pensioners who downsize. The value of the foregone revenue to date is \$2.6 million. The average concession has been \$4807.

The member for McIntyre asked a few questions about the bypass at Perth, which now well underway. How much money has the Perth bypass cost?

Ms Rattray - Good job I am sitting down.

Mrs HISCUTT - Are you ready? The Perth bypass project forecast cost is \$92.3 million.

Ms Rattray - For that we could have bitumened the whole of the state that wasn't bitumened.

Mrs HISCUTT - The next question was: how much relative to the Midland Highway upgrade? The \$92.3 million equates to approximately 18 per cent of the \$500 million Midland Highway 10-Year Action Plan.

The member also asked about pull over lanes or bypasses -

Ms Rattray - Lay by areas?

Mrs HISCUTT - Is the Government looking to put in more pull over bays in the state, specifically in the north-east?

Ms Rattray - If they are not, why not?

Mrs HISCUTT - The Department of State Growth is currently working to identify potential locations across the state that would benefit from the installation of stopping bays. If the member has anything in mind, she might want to give her opinions to the Department of State Growth for its consideration.

Ms Rattray - I would appreciate a contact in the Department of State Growth. My previous contact was unable to accept my emails so it would be good to have them sent where I know they would be looked at.

Mrs HISCUTT - I am getting Mandy to send a note to me to remind me to do that for you.

Ms Rattray - I will be able to give the exact time and date for the backhoe on the Hollybank straight.

Mrs HISCUTT - Thank you. They were not aware of that. The member for Hobart talked about mums and babies. Mothers from the north and north-west are presently able to be referred to the mother and baby service at St Helens Private Hospital, which is accessible to public Tasmanian Health Service - THS - patients.

Mr Valentine - That is the one in Hobart, not St Helens?

Mrs HISCUTT - Yes, of course.

Ms Rattray - We have some wonderful mothers and babies in St Helens.

Mrs HISCUTT - We are talking about the St Helens Private Hospital service. Perinatal support was provided through Mental Health Services in the north and the north-west, as well as support available through the Child Health and Parenting Service.

As part of the Launceston General Hospital master plan, which will inform the next stages of the \$18 million LGH redevelopment, the THS will be undertaking clinical planning.

It is expected that consideration of perinatal services will be part of that process. Importantly, the federal government is also delivering additional funding to support improved perinatal and mental health services in the north and the north-west.

Mr PRESIDENT - Many of those children have grown up since you asked the question.

Mrs HISCUTT - That is the sum of the answers I have, thank you.

Premier's Address noted.

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

Second Reading

[4.05 p.m.]

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

That the bill be read the second time.

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

Begging often stems from homelessness, chronic poverty and disadvantage. In these situations, it is usually a last resort to meet immediate needs and the criminal law is not the appropriate response.

Recognising this, the bill amends section 8 of the Police Offences Act 1935 by repealing subsections (1) and (1AA), which currently set out the offence of begging and the associated penalty.

The repeal of the offence and the associated move on powers I will speak to shortly, effectively to reflect what Tasmania Police has been doing in practice. The number of instances where persons were charged with begging was extremely small - 7 in the 2018-19 financial year. However, the number of complaints received by police were more significant - 61 over the same period.

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

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

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

The expansion of the dispersal of persons power enables a police officer to direct a person to leave a public place for a specified period, of not less than 4 hours, if the police officer believes on reasonable grounds the person is begging in that public place and has -

- intimidated or harassed a person;
- prevented or deterred persons from patronising a business, or the conduct of the business; or
- prevented or deterred persons from using a public facility.

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

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

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

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

Mr President, the bill will become law on the day on which it receives royal assent.

I commend the bill to the House.

SUSPENSION OF SITTING

[4.11 p.m.]

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

That the Council adjourn until the ringing of the division bells.

Sitting suspended from 4.11 p.m. to 5.20 p.m.

ADJOURNMENT

[5.21 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, in light of the conversation during briefings, I will move to adjourn the Council at this point. I make the point, and this is mainly for newer or younger members -

Ms Forrest - Younger members?

Mrs HISCUTT - Yes, the newer members, Mr President.

The list of Government business that I put on the back of the sitting schedule is always subject to change. Members should come prepared to move through that list throughout the week at any time because I have to manage what is happening behind me. This is what we are doing at the moment. I remind members that the bill package for this particular bill was sent out on 31 October 2019.

Before I move the adjournment, I remind honourable members that the Anti-Discrimination Commissioner, Sarah Bolt, will be in tomorrow at 9.30 a.m. I believe the updated schedule has been sent around to members with who is coming tomorrow.

Mr PRESIDENT - Honourable members, before I call the adjournment, I remind you all of the welcome that will be taking place within the next half an hour.

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

That the Council at its rising adjourn to 11 a.m. on Thursday, 27 August 2020.

Motion agreed to.

The Council adjourned at 5.22 p.m.