



**PARLIAMENT OF TASMANIA**

**LEGISLATIVE COUNCIL**

**REPORT OF DEBATES**

**Tuesday 8 November 2022**

**REVISED EDITION**



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**Tuesday 8 November 2022**

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

## **QUESTIONS ON NOTICE**

### **State of the Environment Report**

[11.04 a.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I have the answer to question No. 7 on the Notice Paper for the member for Nelson regarding the State of the Environment Report.

### **7. STATE OF THE ENVIRONMENT REPORT**

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

With regard to the Government's decision to require the Tasmanian Planning Commission (TPC) to produce a new State of the Environment Report (SoE) by June 2024, despite the October 2020 independent review of the commission, conducted by Professor Roberta Ryan and Mr Alex Lawrie, stating that the commission is not the appropriate body to undertake State of the Environment reporting:

- (1) What was the process by which the Government determined to still require the TPC to produce the new State of the Environment Report;
- (2) upon what advice was the decision-making process based;
- (3)
  - (a) was consideration given by the Government to the option of legislative reform to make the proposed independent Environment Protection Authority (EPA) formally responsible for producing future State of the Environment reports; and
  - (b) if not, why not?
- (4)
  - (a) were either the current EPA and TPC consulted by Government during the decision-making process on potential options for the appropriate location of the SoE; and
  - (b)
    - (i) if so, what was the position of each agency; and
    - (ii) if not, why not?
- (5) which other agencies, if any, were consulted by Government during the decision-making process; and
- (6) when was the TPC advised of the Government's decision to require the commission to undertake the next SoE by June 2024?

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

**Leave granted.**

**See Appendix 1 on page 71 for incorporated answer.**

## **TABLED PAPERS**

### **Government Administration Committee B - Special Report**

[11.05 a.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, in accordance with Legislative Council sessional order number 5(14), I have the honour to present a special report of Government Administration Committee B in relation to an inquiry initiated by the committee on its own motion.

**Report received.**

## **STATEMENT BY PRESIDENT**

### **Welcome to Officers and Staff of Legislative Assembly of Samoa**

[11.06 a.m.]

**Mr PRESIDENT** - Honourable members, before we commence our formal proceedings today, I welcome to the Chamber and to the Parliament officers and staff of the Legislative Assembly of Samoa. Talofa lava. I welcome the Deputy Clerk, Ms Yonita Tuia-Tauiliili; the Clerk Assistant - Chamber and Procedures Office, Ms Valasi Iosefa; the Clerk Assistant - Parliamentary Committees, Ms Ruta Masinalupe; and the Manager - Community Relations Services, Mr Erosi Koria.

The delegates are here for the week to share and exchange knowledge with our parliamentary officers and staff. This exchange has been funded through the Pacific Parliamentary Partnerships Fund. The Pacific Parliamentary Partnerships Fund represents a commitment from Australia's federal, state and territory parliaments to support parliamentary strengthening in the Pacific region.

As most members know, twinning arrangements have been established between Australian and Pacific Island parliaments. The Parliament of Tasmania's twin is the Parliament of Samoa, for many reasons but mainly because our climate is very similar today.

Under the auspices of the partnership, targeted assistance for training and equipment is offered to Pacific Island parliaments on a rotational basis. This year, our own twin has been successful, and they have travelled here to undertake a comprehensive training program. They will be around for the week and members will have the opportunity to greet our delegates and I certainly hope all members take up that opportunity. I know that all members will very warmly welcome our delegation from Samoa here today.

**Members** - Hear, hear.

## **RECOGNITION OF VISITORS**

[11.07 a.m.]

**Mr PRESIDENT** - I also welcome to the Chamber the guests of the member for Prosser, who will be telling us all about them shortly, the AYC Netball Under 13 team and their family and friends who are with us in the Chamber today. I am sure our members welcome you warmly as well and look forward to your time in the parliament.

**Members** - Hear, hear.

## **SPECIAL INTEREST MATTERS**

### **AYC Netball Under-13 Team**

[11.08 a.m.]

**Ms HOWLETT** (Prosser) - Mr President, before I begin I acknowledge the significance of this day in our Parliament. Today, anyone who has been affected by institutional child sexual abuse in Tasmania has been invited to hear the formal apology which will be led by the Premier of Tasmania, Mr Jeremy Rockliff MP, on behalf of the Tasmanian Parliament.

I sincerely acknowledge and pay my respects to all victims/survivors here today and for those who are unable to attend, my thoughts are with you.

I also welcome our friends from Samoa. Welcome to our parliament and I hope you enjoy your week and thank you for bringing such superb weather with you, we do appreciate it.

Last September, the AYC Tasmanian under-13 team made history by becoming the first Tasmanian team to win the combined Australian National Under-13 Netball Championship. It is an absolute pleasure to host a number of members of that team and their family members in this Chamber today.

The 10 members of the AYC Tasmanian team were selected from local netball clubs through our try-outs process. This was then followed by 12 weeks of extremely intensive training in preparation for the championship.

Three of the team members are from my electorate of Prosser, and play for the South-East Suns Netball Club. Welcome to Molly Page of Sorell, Shakoda Oswin of Orielton, and Milly Hassett-Wiggins of Dodges Ferry.

The combined Australian National Netball Championships were hosted in the Brisbane suburb of Beenleigh, from 21 to 27 September. The AYC team arrived in Beenleigh with high hopes for a good result. During the competition, the team competed in nine rostered games, playing up to two games a day with the weather ranging from rain to sunshine and reaching 28 degrees.

The AYC girls were a dominant force in the competition, winning eight of their nine rostered games against teams from right across the country. Their dominance in the rostered games allowed AYC to advance to the senior finals, where they faced the host team, Beenleigh,

who, despite a determined effort, were steamrolled by the girls from Tasmania, in a 61 to 18 thrashing.

The grand final was a showdown between AYC and the Gold Coast team of Pimpama, with AYC winning 44 to 28. It was yet another thrashing.

The AYC dominance of the under-13 division was further encapsulated with team captain, Shakoda Oswin, being awarded the honourable medal for being recognised as the best player in the finals, and being named the most valuable player for the entire under-13 competition.

I asked the players, what was the highlight of competing in this competition, what was it for each of them and what did it mean? Naturally, the overwhelming responses was winning and who can blame them for saying that? Beyond that, one of the girls said that the highlight was the pride that she felt representing Tasmania and wearing the uniform, walking around the airport, and how proud she was to play for her state.

Others said that their highlights were being able to test their skills against the other netball clubs, deepening their relationships with their teammates, as well as making new friends with other team players from across the country.

I wish to commend the AYC under-13 netball team for representing Tasmania on the national sporting stage. You have done yourselves and your state immensely proud. I wish to wholeheartedly congratulate you for winning.

Being a former sports minister, I know there is much more to sport than just winning. It is about having a go. It is about meeting new people, keeping fit and having fun. However, winning is what we all dream of doing and it is the best feeling ever. You should all be so proud of what you have achieved.

I also congratulate everyone who helped and supported the team: coach, Gemma Stevens; team manager, Lynda Mallinson; and yes, of course, the parents and families of the team members, who are so important. As someone who has a teenage daughter who plays a number of different sports, I know that parents have to be as dedicated to the children's sport as much as they are.

The CANA 2023 National Championships will be hosted in Adelaide, where the AYC netball team are hoping to replicate another successful year. I wish you all the very best for your future as netballers. I know you will be rising stars and I very much look forward to watching your careers.

### **Cam River Bridge - Impacts**

[11.15 a.m.]

**Ms FORREST** (Murchison) - Mr President, I wish to provide some lived experiences related to the partial closure of the Cam River Bridge, to highlight the reality that needs to be understood by the Government in undertaking its feasibility study into the need for a second bridge over the Cam River. Unfortunately, I cannot bring these people to parliament. It is not that easy.



I am going to relate their experiences. There are many more experiences like these I will mention. These are only a few. I encourage others impacted by the partial closure to provide details to the minister through this process. It has been a very difficult time for so many and people with questions or concerns regarding individual or shared challenges related to the partial closure of the bridge at the time were advised to call a 1300 number.

This is just a brief summary of some of the realities that the partial let alone full closure of the bridge created. After being told to encourage constituents to call the 1300 number, I heard directly from one who did just that. They called the 1300 number to report issues related to the emergency services and bus priority route through the Somerset CBD to the Bass Highway by the Murchison Highway and then over the bridge. This local resident rang to pass on their observations from the steps of the Somerset Post Office where she walked to from her home, that overlooks these intersections. Both of these intersections were crucial to the working and functionality of the priority route and were choked with vehicles. Thus, the plan to create an emergency services vehicle and fast-track bus route was actually not working. It was clear there needed to be more traffic controllers on the ground to manage the situation and ensure buses and emergency vehicles could get through without delay.

My constituent received a scripted response from the person who answered the 1300 number, stating that someone would respond to them within 10 business days. When my constituent pointed out they were actually trying to help by letting the relevant authorities know about the issues so the problems could be rectified for the remainder of the week, my constituent was informed they did not have sufficient resources to respond earlier. My constituent then rang the police non-emergency number. This call was transferred to the Hobart radio room to advise police that the bus and emergency services route was blocked, no vehicles were moving in Somerset as all intersections were choked.

My constituent suggested there needed to be more police intervention to direct traffic. My constituent was told the police department had insufficient resources as they were responding to other road incidents in the state. I certainly acknowledge there was a high level of demand on our police and emergency services over this time. The Hobart radio room then advised my constituent they should go in person to the Burnie Police Station to discuss the situation. However, at that time, there was no way to drive out of Somerset, not even if they caught the free bus, because they were all caught up in the choked intersections.

Why is this important, Mr President? Well, it was important as the lack of traffic controllers on these crucial intersections led to the complete gridlocking of Somerset streets. A constituent tried really hard to raise that and to get attention. Many important services are located in Falmouth Street, where my constituent overlooked the chaos and the congestion that was creating havoc, preventing critical access to the Somerset Medical Centre, the Somerset pharmacy, the Somerset Post Office, bank and government service agencies, the Somerset veterinary clinic, Yaraandoo aged care facility, Pobblebonks childcare centre and the Somerset Mechanical workshop, as well as truck access to Britton Timbers facility. That is just to name a few in the immediate vicinity, not even going back along the street. The Somerset Fire Station access was also impacted, completely blocked and making any emergency fire response extremely difficult.

To describe the reality of what residents did manage, I will outline a few examples of other matters people raised with me. Families carpooled where possible and they left two to three hours prior to their appointments, then had to wait indefinitely, stuck in traffic for

lengthy delays on the return journey as well. Often two to three hours, both ways. Some others were parking along the western side of the Cam River, then walking over the bridge with their children in all weather conditions to catch awaiting rides from family and friends on the east side of the Cam River. There was a walking path across the bridge. Necessary medical and dental appointments were cancelled. A constituent informed me her Pilates pelvic floor class was cancelled, noting, 'I will need good pelvic floor muscles to be stuck in the traffic for two or three hours'. The Somerset veterinary nurse could not leave work on Thursday night until pet owners, who were stuck in traffic for three to four hours at the time, arrived to collect their pets and the medications for their pets. The nurse could not get back to Burnie and chose to sleep over at their parent's place in Somerset. A grandfather looking after his breastfed grandson in Burnie had to wait three hours for the baby's mother to return from work in Wynyard. He had to settle - or attempt to settle - a distressed, breastfed baby for three hours.

A young mother was struck in traffic travelling to Wynyard with a 12-month-old baby screaming in the car seat. If any of you have had babies screaming in the car seat, you would know how stressful that is. She decided to turn back to Burnie and stay overnight with her parents and then left at 5.30 a.m. to travel to Wynyard to her other children. A man stopped to assist a lady in East Cam Road who had overheated her car by turning the engine off and on in traffic, not allowing the fan to cool the engine.

In Somerset - and this is a person who had no need to cross the bridge; they were not attempting to cross the bridge - a grandmother accompanied her granddaughter to pre-kinder at the Somerset Primary school. She left home at 8.30 a.m. to arrive for a 9.15 a.m. start, normally, a three-minute drive in the car. On the return journey at 10.45 a.m., she was unable to gain access into Falmouth Street to access her home from any direction, or to take her other granddaughter to child care at Pobblebonks, which is along the street that feeds into Falmouth Street. She had to travel right out into the country backroads and down the Murchison Highway to get home. At these times, there were no personnel manning any of the intersections within the Somerset CBD and surrounding streets. Falmouth Street is a critical link in the traffic corridor. Due to the diverted traffic it acted like a funnel, capturing traffic to and from the rural areas of Yolla, Henrietta, Takone, Mount Hicks, Seabrook, Elliott, Back Cam Road, Village Lane and beyond.

I acknowledge the work done by the work crews to see the bridge now fully open, and the work of the traffic controllers when they were there. However, the very real challenges people face could occur again if the single bridge was to be obstructed again, either on the bridge or at the entry or exit from the bridge. It is important that these and other experiences are noted as, in the absence of a second bridge, it could happen again. I raise that because we need to keep this at forefront. I encourage members of my community to let the minister know, through this process, to ensure it is not forgotten.

### **Huon Show 75<sup>th</sup> Anniversary**

[11.29 a.m.]

**Mr HARRISS** (Huon) - Mr President, 75 years is a long time in anyone's language. This Saturday, 12 November 2022, the Huon Show will celebrate its 75<sup>th</sup> anniversary. The show takes place, every year, on the second weekend of November. The show was first held at the Huonville Recreation Ground in 1947. In 1956, it was moved to the current location in Ranelagh, which is known as the Ranelagh Show Grounds. Since this move, a number of

improvements to the area have been made including: the building of the committee room - the Munro Room; a show office; purchase of land adjacent to the showground; and in 2008, a substantial upgrade to the power supply. Some of this was thanks to government funding. The show is organised and managed by a small committee of dedicated volunteers. The event continues to grow, with recent attendance of 10 000-15 000 patrons coming from many regions for the single-day event.

A feature of the show and one of the reasons it continues to be well attended, is that the day has remained as a typical country show, offering a wide range of competitions including woodchopping and horse eventing; entertainment; great food; and a large line-up of agricultural equipment and machinery, to name a few. Agricultural shows are an integral part of the rural community landscape. Back in 1951, there was even a bank holiday declared for Saturday December 8 in Huonville, Cygnet, Franklin and Geeveston on the occasion of the Huon Agricultural Show. As quite often mentioned in this place, volunteers are special and are one of the few ways events in our communities exist. It is no different for the Huon Show, with many volunteers contributing to the ongoing success - some have been volunteering for decades - 10, 30, 50 years.

For example, in Tasmania's agricultural show family Marion Woodward has been a constant. Mrs Woodward has clocked up over five decades of service, including 45 years as secretary for the Huon Agricultural Society. While some elements and features of the Huon Show have changed over the decades, her role has been unwavering. Mrs Woodward's story echoes the profile of many of our volunteers in the community. She grew up in the Huon Valley, the daughter of a dairy farmer; worked for the Royal Agricultural Society of Tasmania; and was a delegate to the Agricultural Show Council of Tasmania for more than 25 years. This year will be Mrs Woodward's last Huon Show, as she will be retiring as secretary at the end of the year to have a well-earned break. I know her dedication and knowledge will be missed, not only by the committee but also by the local community.

The committee has suffered some great loss in 2022 with the passing of three valued volunteers: Mr Geoff Baldwin, who was chief cattle steward for more than 20 years; Mr John Marshall who contributed over 65 years starting at the age of 12 as a volunteer and then ground space manager, to touch on some of his many roles; and my father Paul Harriss who was the show's public announcer for some 15 years. My children in particular loved walking past the PA box and waving to their Pa on their way to get show bags and food and hoping - or probably knowing - he was going to call them up and give them some money for the day; and they spent that well.

**Mrs Hiscutt** - Now they will be able to rely on Dad.

**Mr HARRISS** - That is right. There might be no show bags this year.

**Mr PRESIDENT** - Are you taking on the role?

**Mr HARRISS** - It has been mentioned, but we will see how that goes. Along with Marion's retirement, this represents a loss of over 150 years of combined service to the Agricultural Show. The show has had to adapt to many changes over its history, through such things as technology through to the many regulations required to conduct a public event, and more recently COVID-19, which forced a hiatus.

This year sees the show return in full force. Displays have changed to incorporate new exhibits such as alpacas but is still strong on traditional exhibits such as: beef and dairy cattle; dairy goats; homecrafts; horses; poultry; sheep and commercial lambs; woodchopping and sawing; showjumping; a ute muster; and the famous dog high jump competition that attracts entries from all over the state. The home industries' section always attracts a vast number of entries covering: cooking; flowers; photography; knitwear; home produce; handcrafts; needlework; and the popular schools' section.

In its 75<sup>th</sup> anniversary, there will be a country farmers' apron competition. These are made out of hessian sacks, and it will be interesting to see what unique designs people come up with. There are over 100 stalls showcasing many local businesses.

I acknowledge and praise the extraordinary efforts and commitment of the Huon Agricultural Society and the countless volunteers involved in bringing together this outstanding show for the past 75 years, and I look forward to attending many more with my family into the future.

**Members** - Hear, hear.

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

### **Motion of Apology to Victims/Survivors of Child Sexual Abuse in Institutional Settings**

[11.29 a.m.]

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

The House of Assembly having agreed to the following Resolution, begs now to transmit the same to the Legislative Council, and request its concurrence therein -

*Resolved*, That the House of Assembly invites all members of the Legislative Council to attend in the House of Assembly Chamber at noon today for the purpose of listening to the proceedings of the House in respect of a motion of Apology to Victim Survivors of Child Sexual Abuse in Institutional Settings.

Mark Shelton  
Speaker  
House of Assembly  
8 November 2022

For members who wish to attend in the House of Assembly Chamber, please gather near the House of Assembly Chamber, near the steps to the Chamber by no later than 11.55 a.m. to allow the Assembly staff to give us the appropriate direction into the Chamber.

## MOTION

### Local Government Elections - Compulsory Voting

[11.30 a.m.]

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

That the Legislative Council:

- (1) Notes that the Tasmanian local government elections held in October 2022 were the first local government elections held in this state in which voting was compulsory;
- (2) notes the Government's acknowledgement during debate on the Local Government Amendment (Elections) Bill 2022, that:
  - (a) the introduction of compulsory voting for council elections had not been consulted with the local government sector or more broadly prior to the Government's announced intention to introduce legislative reforms to enact it;
  - (b) the rushed parliamentary debate was not ideal, but necessary to enable the voting reforms to be implemented in time for the October local council elections; and
  - (c) the tight time frame between the act commencing on 16 June and the Tasmanian Electoral Commission (TEC) issue on 3 September of the formal notice of election for the local government polls, by which the community had to adjust to the new compulsory voting requirements and any associated ramifications; and further
- (3) requests the Minister for Local Government undertakes a comprehensive evaluation review of the implementation of compulsory voting in the 2022 local government elections and any matters arising, that:
  - (a) provides a public consultation process;
  - (b) engages with the local government sector, and the broader community;
  - (c) is separate and additional to the Tasmanian Electoral Commission's standard procedural report on elections;
  - (d) is adequately resourced; and
  - (e) the final report of which is to be tabled in both Houses of Parliament once the minister has received and considered its findings.

They are no longer in the Chamber but I also welcome our friends from Samoa who are here today and spending the week with us and wish them all the best for their time with us. I also note the historic nature of the apology from the Premier that will be occurring today on behalf of the Parliament. Without reflecting on that in any great detail, I tell all those victims/survivors to whom the apology is being made that I am thinking of them and I hope that today is an important and positive day for them.

I welcome the opportunity today to debate this motion, which seeks a formal evaluation review of the historic and inaugural use of compulsory voting in the state's recent 2022 local government elections. At the outset, let me extend my congratulations to all candidates who participated in the election period, spanning early September through to Tuesday 25 October, when polling closed.

Whether they were successful in being elected or not, participation is fundamental to a vibrant and robust democracy and I thank them for the efforts that they made. I also extend my specific congratulations to those who were elected to represent the local communities at their respective council tables, some of whom have already had their first meetings as new councillors.

The Tasmanian Electoral Commission team of staff and volunteers must also be commended for their efforts. I commend them for the formidable task of completing a record count of 348 453 total returned ballot packs, representing a statewide return rate of 84.79 per cent, an unprecedented level for local government elections in this state. We know that even though there were 350 000-odd ballot packs, with multiple ballots being included in those, it is well over a million votes counted altogether for this election.

Further, additional to the ballots for councillors, mayors and deputy mayors, the TEC also had to sort and count about 32 000 ballot papers returned in response to the concurrent Hobart elector poll. It was a mammoth task, achieved within eight calendar days of the closure of polls, 2 p.m. on Tuesday 25 October through to 1 November. It is an achievement for which we must certainly acknowledge and thank the TEC, particularly given the short time frame in which the TEC had to prepare for the introduction of compulsory voting for these local government elections, which brings us to the crux of the motion before us.

A quick refresher on the chronology of key events leading up to the latest round of local council elections is in order for anyone watching or even for new members in this place who were not here at the time. Members may recall that on Monday 23 May this year, the Minister for Local Government, Mr Nic Street MP, issued a media release announcing his intention to introduce a bill when parliament resumed, which was the following day, to introduce compulsory voting for local government elections, starting with the scheduled 2022 October council polls.

At the time of this sudden policy announcement - which it is worth noting was a considerable shift in policy position by this Government which had previously objected to compulsory voting for local council elections when in Opposition - the President of the Local Government Association of Tasmania, Ms Christina Holmdahl, issued a media release which stated this:

The Government should have consulted with the sector before announcing these changes. We have not recently considered the issue of compulsory

voting in local government elections and while the proposal may increase participation in local democracy, this change comes with some risks and importantly, councils have not had sufficient time to consider the implications of such significant change.

On Tuesday 24 May the Local Government Amendment (Elections) Bill 2022 (No. 28) was tabled in the Assembly. On 31 May the bill passed unamended in the lower House. The bill was debated in this place on 1 June, progressed unamended to the third reading on 2 June and received royal assent on 16 June.

These reforms make significant and fundamental changes to the manner in which Tasmanians participate in local government elections, an important tier of our democracy. The haste with which these significant reforms traversed both Chambers of this parliament was extraordinary, indicated by the fact that the time taken between the bill's tabling in one Chamber and third reading in the other was a whole 10 calendar days.

Further, as members may recall, the urgency associated with this sudden and unexpected bill even disrupted the standard procedure associated with the state budget, which was delivered on Thursday 26 May. For those unaware, the usual process is for the budget to take precedence over other business. However, this year we saw debate on the state budget temporarily suspended in this Chamber in order for this bill to be debated instead.

Clearly, as reiterated by the minister in his public statements made at the time, the imminent local council elections drove such haste in the legislative process. Less than three months after the bill receiving royal assent, the Tasmanian Electoral Commission published the formal notice of election on 3 September. Polling opened on 3 October and closed, as we know, on Tuesday 25 October.

In the interests of comprehensiveness, it is also worth noting as part of the contextual backdrop that at the time of the bill's introduction into and deliberation by the parliament the Government's Future of Local Government in Tasmania review was underway. This review was commissioned in January 2022 by the then-minister for Local Government and Planning, the honourable Roger Jaensch MP. Its stage 1 interim report was released in July. If anything in that stage 1 interim report had any bearing on reforms to voting in local government elections, it was not available to inform the parliamentary debate on the Local Government Amendment (Elections) Bill. This is not to reflect on the outcomes of the debate in either Chamber on that bill, but to provide a time line summary of that which is on the public record already.

It is not a matter of contention to state the introduction of mandatory voting for our local government elections was sudden, rushed and with minimal warning. Most acknowledged that this was the case. *The Advocate* editorial on 25 May stated:

The government's bid for compulsory voting in council elections is a perplexing one.

It seemingly came out of nowhere; the announcement buried in a media release issued on Monday by minister Nic Street ahead of parliament's return.

In his second reading speech on 31 May 2022, the minister himself stated:

This reform may seem unexpected to some stakeholders and communities; however, with a view towards the local government elections scheduled for September and October of this year, this Government considers it opportune and, indeed urgent, to act to introduce compulsory voting now ...

Further:

... In the spirit of good faith, I admit that as my first bill through this parliament as a minister, this is not how I wanted it to be.

Labor's shadow local government minister, Anita Dow MP, issued a media release on 24 May which confirmed Labor's support for compulsory voting reforms, but also stated that:

However new Minister Nic Street should have consulted with the community and the sector before announcing this change.

Further, Ms Dow reiterated in her second reading speech on 31 May 2022 the following:

This has come as a bolt out of the blue from this Government. There was not the opportunity to have good consultation with the sector, with all the councils. There has not been time for us to consult individually with all the councils around the state. It would be important to do that. We have spoken at length with the Local Government Association, which made some points to us that we have considered.

It feels like a rushed process.

Similarly, the Greens' local government spokesperson, Rosalie Woodruff, raised in a media release issued on 24 May the fact that:

... the Local Government Association Tasmania has expressed concern at the lack of consultation with the sector.

As members who participated in the debate in this place will recall, similar expressions of disquiet were placed on the public record here, during debate on 1 June, over the rushed process and the lack of meaningful consultation with the local government sector and the broader community.

For the benefit of those who may not have listened to or participated in that debate, and to ensure I provide an accurate summary, it needs to be noted the Leader of Government placed on the record during our debate that the minister did meet with the president and vice-president of LGAT nearly four weeks prior to the tabling of the bill on 5 May, to explain the Government's proposed legislation. We were told the minister also wrote to LGAT's general management committee members, explaining his reasons for this legislation and a working draft of the legislation was provided to LGAT for consultation and feedback at that time. The division of local government also met with LGAT; however, the minister publicly acknowledged there was limited opportunity for LGAT to comment on draft legislation. It must be stressed that those limitations were not just time constraints, but also included the requirement that LGAT not consult its members, but to keep the draft bill confidential until



everyone was told of the Government's intention when it was announced by media release on 23 May.

That is an invidious situation to have placed LGAT in, one which, as the member for Murchison said during debate in this place on this matter, 'makes it awkward' - that was the phrase used - for that organisation to meet its obligations to its members.

As the public record and history show, despite the sometimes-stern expression of disquiet over the process, the bill passed. However, it is a fair summation to say that despite an almost unanimous support in principle for the introduction of compulsory voting for Tasmania's local government elections amongst all political parties and independents represented in this parliament, there was also a broad consensus that the manner of its introduction was worryingly rushed and without the public consultation that such a serious reform in our democracy warrants.

That has provided a background of matters leading up to the passage of the Local Government Amendment (Elections) Bill addressing the historical matters contained in clause 2 of the motion before us.

By doing so, I have attempted to paint the picture of how we got to this particular point, with a focus on the concerns raised at the time these reforms were introduced, specifically regarding a lack of consultation in the unavoidable, rushed implementation in time for the recent elections.

Now, though, I would like to discuss what we can do about it and what we can do about the acknowledged problem at that time - the lack of meaningful consultation with the community and the local government sector prior to implementing the compulsory reforms - and I would follow on now to address clause 3 of the motion I have tabled, to discuss some of those elements.

At the outset, let me state what this motion is not calling for. This motion does not seek to revisit or review whether we should have compulsory voting in local government elections. It is not about undoing that decision, but evaluating how well that policy decision was then implemented, how well the transition to mandatory voting in this tier of elections occurred and whether there are any improvements we can make to refine it in time for the next round of local government elections we encounter in four years.

The proposed evaluation review detailed in this motion will not duplicate nor interfere in any way with the standard TEC election report. It is well established practice in other jurisdictions, including the Australian Parliament, which regularly hold post-federal and state election evaluation inquiries and the parliamentary inquiries, in those senses, are additional and separate to their respective electoral commission's reports. In fact, those electoral commissions participate in post-evaluation processes for local government and other election reviews. Specifically, the proposed review in this motion is an evaluation of the application of a policy decision, which is not something that the TEC normally assesses in its reporting on elections.

I would also like to emphasise this proposed review in the motion does not duplicate or pre-empt that ongoing Future of Local Government Review process, which is currently being chaired by Sue Smith and which is due to report to the minister by June 2023. Just as the Government, at the time of introducing the Local Government Amendment (Elections) Bill

reassured us those policy changes contained in the bill were not to interfere in any way with the established review, nor would the evaluation I am proposing of those policy changes introduced interfere in any way with the Future of Local Government Review - in fact, it should complement and even feed into it quite nicely.

That is what the motion is not about and in contrast, it is about filling in gaps. Part three of this motion is relatively self-explanatory; however, I will briefly address each of the subsections to mention a few points and highlight some things. Section (3) of the motion says this:

- (3) requests the Minister for Local Government undertakes a comprehensive evaluation review of the implementation of compulsory voting in the 2022 local government elections and any matters arising ...

Despite the briefings provided immediately prior to the bill's debate when it came through this place, which included appearances by the minister, his advisers and also representatives of LGAT, there were a range of issues and questions raised, some of which at that time could only be answered partially, while others could not be answered at all. These issues included questions surrounding, for example: postal votes' suitability for compulsory voting; modelling regarding methods to minimise informal voting and potential for ballots to exhaust; the degree to which an educative rather than punitive approach would be taken regarding eligible voters who failed to vote; the capacity of the promised \$100 000 education campaign to reach all those whom it should and could; the costs to councils and costs of counting ballots; the efforts to increase involvement by under-represented groups of the community; and that is to mention a few of the matters raised.

During budget Estimates Committee A hearings, specifically on Thursday 9 June this year, in response to questions regarding the availability of ballots and costs modelling and other matters, the committee was told and I quote:

The modelling, just to stress, is based on assumptions that are unknowable.

Well, now it would be safe to assume there is hard concrete data to test those assumptions and provide accurate evidence-based assessments which can inform how mandatory voting processes and facilities can be improved when implemented in the next round of council elections in four years. Additional to hard data and evidence, people's actual experiences are just as valuable when informing potential future improvements. For example, the experience of voters who are visually impaired, issues with postal ballots not arriving at voters' homes and whether postal voting is effective and efficient when it comes to mandatory voting, are some examples of issues raised publicly in public discussion during the October election campaign.

New South Wales, Victoria, Queensland and the Northern Territory all use compulsory voting in their respective local government elections. What people may not know is that Tasmania appears to be the only state which relies solely upon postal voting for its mandatory voting in local council elections. Queensland local government elections are held every four years on the last Saturday in March, using a dual voting system providing for both attendance at booths on polling day and postal voting for 16 of the 77 local councils, or upon voter application.

**Mrs Hiscutt** - I wonder if the member might adjourn debate?

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

That the debate be adjourned.

**Debate adjourned.**

## **SUSPENSION OF SITTING**

### **Attendance of Members at House of Assembly**

[11.47 a.m.]

**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 to allow members to attend the House of Assembly Chamber to observe the  
Apology to Victims/Survivors of Child Sexual Abuse in Institutional Settings.

**Sitting suspended from 11.47 a.m. until 2.30 p.m.**

## **SUSPENSION OF SITTING**

### **Annual Chamber Photograph**

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

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

**Sitting suspended from 2.31 p.m. until 2.47 p.m.**

## **QUESTIONS**

### **St Helens Marine Rescue Organisation - Funding**

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

[2.47 p.m.]

I add my welcome to our Samoan friends who are with us in the Chamber today. I trust that your experience in the parliament this week will be as much as you hope for, welcome.

My question is to the Leader. What are the current funding arrangements for the operations of the St Helens Marine Rescue organisation? What is the time frame for the replacement vessel for this important east coast rescue service?

## **ANSWER**

I thank the member for her question.

- (1) Surf Life Saving Tasmania has 15 affiliated surf lifesaving clubs and seven affiliated volunteer marine rescue services. Surf Life Saving Tasmania provides equal support to all affiliates, including the same support and subsidies on items such as insurance, IT systems et cetera.

All surf lifesaving clubs receive \$10 000 from the federal government's Beach Safety Equipment Fund to purchase rescue and lifesaving equipment for beach patrols that volunteer marine rescue services do not qualify for. Surf Life Saving Tasmania provides \$10 000 to each volunteer marine rescue service from state Government funding that they can use for operations and other expenses.

Tasmania Police Marine and Rescue Services has an existing fleet of rescue vehicles and helicopters. The two organisations are working together on an agreement outlining the services Surf Life Saving Tasmania and its affiliates will support. Complementing this agreement, Surf Life Saving Tasmania and Tasmania Police are working closely to determine the vessel requirements for the state to ensure that any replacement vessels are filling a current service gap, rather than duplicating existing resources.

Marine and Safety Tasmania has provided data on marine incidents over the past four years where commercial and recreational boaters also provide marine support coverage that will be included in the consideration by Tasmania Police.

- (2) The Australian Maritime Safety Authority has recently completed a survey of existing Surf Life Saving Tasmania and volunteer marine rescue vessels with the marine surveyor currently assessing and interpreting the results. This information will go to Tasmania Police, who will overlay the results with the coverage it currently has, including future plans for new police vessels being purchased, to determine the priority spend for replacement vessels and associated equipment.

No decisions about new vessels will be made until this process has concluded with the recommendations determining the location and type of vessels and associated equipment funding is allocated to. This is also a special condition of the 2018 state Government election funding deed.

**Ms RATTRAY** - A supplementary, Mr President. I thank the Leader for her response, but I asked about the time frame and obviously there is a review process, so is there a time frame attached to the review process?

**Mrs HISCUTT** - We will resubmit that for you.

## **Renewable Energy Expansion**

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

[2.50 p.m.]

With regard to renewable energy expansion in Tasmania, and offshore:

- (1) Will the Government commit to legislated renewable energy zones? If yes:
  - (a) when will this important legislation be progressed, and
  - (b) who and/or which stakeholders will be consulted?
- (2) If not, particularly with the strong support for such legislative certainty, why not?

### **ANSWER**

As part of the implementation of the Government's Renewable Energy Coordination Framework, work is being progressed to support the establishment of Tasmania's first renewable energy zone. In June 2022, Renewables, Climate and Future Industries Tasmania was appointed as the renewable energy zone coordinator.

In performing this function, ReCFIT is leading the process by identifying Tasmania's first REZ and to consider the framework for its establishment. TasNetworks has been appointed to undertake the detailed technical role of REZ planner.

Consultation is a key component in determining and implementing Tasmania's first REZ. This involves multiple stages which will enable local issues to be considered in the strategic planning process.

Tasmania is the first jurisdiction in Australia to undertake consultation prior to announcing its first REZ. This process is currently underway with a range of stakeholder groups identified to ensure that REZ developments will meet the needs, desires, and expectations of communities.

These groups include community organisations, local government, key interest groups, the Aboriginal community, environmental groups, key energy market bodies and renewable energy proponents.

The National Electricity Law/National Electricity Rules provides a national framework for the delivery of REZ linked to the Australian Energy Market Operator's Integrated Systems Plan, which provides the national energy market's whole-of-system road map.

The national REZ framework involves the publication of detailed REZ design reports, which are prepared following extensive public consultation. Other jurisdictions like New South Wales have implemented bespoke legislative models to deliver REZ that involve the legislation of specific geographic REZ.

Tasmania is considering both approaches as it leads towards a REZ announcement in December 2022. The legislated framework for offshore wind developments is provided for by the Commonwealth OffShore Electricity Infrastructure Act 2021, which commenced in June 2022. Under this act, the federal minister for Energy is responsible for declaring areas suitable for offshore infrastructure development.

In August 2022, the federal Energy minister announced a proposed offshore wind zone for the Bass Strait region. The Commonwealth Government will announce further details around their public consultation process for the proposed Bass Strait offshore wind energy zone in Tasmania.

### **Social Housing - Net Loss**

#### **Ms WEBB question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT**

[2.54 p.m.]

Today, I ask the Leader of the Government. In response to media questions regarding the net loss of social housing properties in the Hobart local government area over the last five years, the *Mercury* reported the Minister for State Development, Construction and Housing, Guy Barnett, noted:

Properties were sometimes transferred to community housing providers for management or ownership, while others were sold for affordable housing.

Can the Government please advise:

- (1) The ongoing process for determining when existing social housing stock is to be transferred to community housing providers, or sold for affordable housing;
- (2) How many social housing properties were transferred to community housing providers for management or ownership in each of the last five years in the local government areas of:
  - (a) Hobart;
  - (b) Kingborough;
  - (c) Glenorchy; and
  - (d) Clarence;
- (3) How many social housing properties were sold as affordable housing in each of the last five years in the local government areas of:
  - (a) Hobart;
  - (b) Kingborough;

- (c) Glenorchy; and
  - (d) Clarence;
- (4) How many existing dwellings were acquired and repurposed as social housing in each of the last five years in the local government areas of:
- (a) Hobart;
  - (b) Kingborough;
  - (c) Glenorchy; and
  - (d) Clarence;
- (5) The total number of social housing properties currently occupied in the local government areas of:
- (a) Hobart;
  - (b) Kingborough;
  - (c) Glenorchy; and
  - (d) Clarence;
- (6) The total number of social housing properties currently unoccupied in the local government areas of:
- (a) Hobart;
  - (b) Kingborough;
  - (c) Glenorchy; and
  - (d) Clarence.

**ANSWER**

I thank the member for her question, Mr President. This answer is very data-heavy and I seek leave to table the answer and have it incorporated into Hansard.

**Leave granted.**

**See Appendix 2 on page 73 for incorporated answer.**

## **Northern Hospice**

### **Ms ARMITAGE question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT**

[2.56 p.m.]

Regarding the proposed hospice for the north of the state, and in light of the federal government's commitment to provide \$20 million towards its construction, can the Leader please advise:

- (1) Have any discussions or contractual arrangements been entered into between the state and federal governments to this end? If not, when can a partnership to design and construct the hospice be expected to be entered into between the state and federal governments;
- (2) What progress towards site planning has been made and/or has a location been selected;
- (3) What role, if any, will the Launceston General Hospital have in the planning, development and construction of the hospice; and
- (4) How will the hospice be managed when it is constructed - i.e. how does the Tasmanian Department of Health plan to oversee the operations of the hospice?

### **ANSWER**

I thank the member for her question.

- (1) The Tasmanian Government is committed to ensuring that Tasmanians have access to the best possible palliative care when and where they, their families, and carers need it. Following the federal Labor Government's election commitment in May 2022, to provide funding for construction of a new hospice within the Launceston General Hospital precinct, the incoming Australian Government advised that detailed information on the timing and delivery of its election commitments will be confirmed through the federal budget in October 2022. The Tasmanian Government is pleased that the federal Budget 2022-23, delivered on 25 October 2022, confirms the Australian Government has allocated funding to its commitment to fund construction of a northern hospice. This recent budget announcement will now enable the Australian Government to commence discussions with the Tasmanian Government about delivery of the project.
- (2) Following this recent budget commitment, the Australian Government will begin negotiations with the Tasmanian Department of Health to inform a project agreement to identify the project key deliverables and related time frames. The Department of Health will ensure that workforce, clinical and service planning is undertaken to support operations of the new facility. As the funding has only very recently been confirmed, I can advise that a site is yet to be selected. However, the department is considering possibilities.



- (3) The relevant Launceston General Hospital clinical units will provide clinical input into the functional design brief required to enable planning and design of the hospice facility. The planning, design and construction will be managed by the Department of Health's Infrastructure Services division.

The Department of Health will work with the Palliative Care clinical network and the Friends of Northern Hospice group to plan the new facility, with regard to best-practice design principles and standards for admitted palliative care patients. The Department of Health will also be responsible for developing a service model for the new facility which will consider the service profile, staffing requirements, patient catchment and operational funding.

- (4) Operational and clinical governance arrangements for the new facility will be determined through consultation with Northern Specialist Palliative Care Services, the clinical network and LGH management.

### **Voluntary Conservation Covenants**

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

[2.59 p.m.]

In relation to voluntary conservation covenants:

- (1) For landholders who are on the register of expressions of interest for conservation covenants and who subsequently established a voluntary conservation covenant on title, what is the average number of days they were on the register;
- (2) for landholders who currently remain on the register of expressions of interest for conservation covenants, what is the average number of days they have been on the register;
- (3) what steps is the Government taking to reduce the average number of days landholders spend on the register before being able to establish a covenant;
- (4) noting that only two voluntary conservation covenants have been established on title through the department's EOI process since 2018 and that 41 landholders remain on the register of EOI for conservation covenants, what are the reasons for this low rate of established covenants, and what steps is the Government taking to improve the effectiveness and rate of attainment of the department's EOI process for voluntary conservation covenants;
- (5) how many staff (by FTE and headcount) are currently allocated to managing the EOI process for establishment of voluntary conservation covenants? Are there any plans to increase this staffing allocation, and if so, when and by how much?

## **ANSWER**

The answer is quite lengthy in nature. I am happy to read it in, but the member may permit me to table the answer.

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

**Leave granted.**

**See Appendix 3 on page 78 for incorporated answer.**

### **Transport Vision Project - Eastern Bypass for Northern Tasmania**

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

[3.01 p.m.]

Further to my questions in August 2019 regarding the prospective eastern bypass for the state's north, can the Leader please advise:

- (1) what progress has been made towards construction of a bypass or any other traffic solution as a result of the Transport Vision project between the Tasmanian Government and the greater Launceston councils;
- (2) how was the \$1.5 million commitment from the federal government in 2019 spent? What results can the Government show for this, particularly as it relates to advancing plans for an eastern bypass; and
- (3) in reference to the answer provided to my questions on this issue in August 2019, what is the progress on the Network Operations Plan for the inner Launceston area?

## **ANSWER**

I thank the member for her question.

- (1) The findings of the study were published on the department's website earlier this year. The study found that the proposal for a new bypass is not aligned with the relevant development strategies, in particular, those of the City of Launceston regarding sustainable economic development, improved livability and land use planning. Traffic modelling shows a bypass is not an attractive option for longer distance trips, which maintain the same travel path as the existing route along the East Tamar and Midland highways, and that a bypass would primarily only benefit some localised traffic. The study has not demonstrated any significant improvements to active transport or reduction of traffic accidents.

The proposed bypass would separate parts of the North Esk flood plain from the main channel, with a potential to increase the flood levels on the river side of the bypass. The bypass would require several bridge or culvert openings to ensure much of the flood plain was usable. The construction of fill embankments over

poor ground in the flood plain is likely to lead to ongoing consolidation of the alluvial soils over a protracted period. The cost-benefit analysis rated the major bypass options as having weak economic feasibility. The department will continue to look at alternative options to reduce vehicle congestion impacts in the centre of Launceston.

- (2) The Government has spent about \$294 000 on the Launceston Eastern Bypass Study, which is available on the Department of State Growth's website. The department is in discussions with the Australian Government to determine how the remaining funds will be used.
- (3) The Launceston Network Operations Plan, along with the Greater Launceston Transport Vision, Launceston Transport Strategy and Central Activities District Parking Implementation Plan were endorsed by the City of Launceston Council on 4 November 2021. Since that time, the Network Operating Plan has been used to guide operational decisions by both council and the Department of State Growth.

#### **AFL - Contracts with North Melbourne and Hawthorn Football Clubs**

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

[3.05 p.m.]

Further to my questions asked and answered in August of this year related to contracts between the Tasmanian Government and the North Melbourne and Hawthorn football clubs, can the Leader please advise:

- (1) what progress has been made in the discussions about a future agreement with the Hawthorn Football Club to play in Tasmania;
- (2) if it is known at this stage, whether the contract with North Melbourne will be renewed; and
- (3) will the issues currently under investigation at the Hawthorn Football Club affect the likelihood of a sponsorship renewal?

#### **ANSWER**

I have an answer to the member for Launceston with her question about the Hawthorn Football Club.

- (1) The Hawthorn Football Club agreement expired at the end of the 2022 season and discussions about a future agreement are tied to the outcome of the ongoing negotiations with the AFL for a Tasmanian licence.
- (2) The North Melbourne Football Club AFLW contract expires at the end of 2024. Therefore, it is too early to consider the renewal of this contract. The North Melbourne Football Club AFL contract is managed by TT-Line.

- (3) The AFL has announced an independent review of these matters, which the Tasmanian Government supports. The Government will consider the findings of the review when they are released.

### **New Stadium in Hobart**

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

[3.06 p.m.]

Can the state Government please provide the following:

- (1) the total estimated borrowing costs that will be associated with the Tasmanian Government's contribution to the new Hobart stadium;
- (2) from where, and how, the new Hobart stadium will be funded;
- (3) in relation to the information supplied to the PwC for the Hobart Stadium Economic Impact Assessment:
  - (a) the basis on which the Government informed PwC that 11 500 spectators will attend A-League matches held at the new stadium in Hobart;
  - (b) the basis on which the Government informed PwC that nearly 15 000 spectators will attend NRL matches held at the new stadium in Hobart;
  - (c) the estimated average attendance figures for Big Bash matches supplied to PwC;
  - (d) the number of Big Bash matches the Government informed PwC would be played at the new Hobart stadium each year;
  - (e) the number of days of international cricket the Government informed PwC would be played at the new Hobart stadium each year;
  - (f) the number of international rugby matches the Government informed PwC would be played at the new stadium each year;
- (4) the estimated cost of bringing six A-League matches to Tasmania each year;
- (5) the estimated cost of bringing seven NRL matches to Tasmania each year;
- (6) the estimated annual profit/loss for the new Hobart stadium;
- (7) the estimated annual operational costs of the new Hobart stadium;
- (8) the estimated annual maintenance cost of the new Hobart stadium; and

- (9) the estimated net present value and internal rate of return of the new Hobart stadium?

**ANSWER**

I thank the member for his question.

- (1) The total estimated borrowing costs associated with the Tasmanian Government's contribution to the Hobart stadium will depend on several factors, such as the state's overall financial position at the time the funds are required, interest rates applicable at the time and also the timing of the payments to be made associated with the delivery of the stadium across a number of years.

- (2) It is intended that the stadium will be funded from the Public Account. The Tasmanian Government has capped its commitment to the proposed arts, entertainment and sports precinct at \$375 million.

- (3) (a) and (b)  
Estimated numbers attending A-League and NRL matches are based on PwC analysis that considers attendance as a percentage of stadium capacity. The department utilises a demand analysis that had been undertaken as part of the stadium feasibility to provide estimated attendance figures by event type. This analysis was provided to PwC to inform their modelling. A conservative estimated economic return from interstate visitation to these matches is \$5.03 million.

(c) and (d)  
The estimated number of BBL games to be played at the new stadium provided to PwC was four per year, with an average attendance of 10 000 per game. However, the PwC analysis considers the number of net new events to be held in Tasmania as a result of the stadium. The number of BBL games played in Tasmania would not increase, therefore, the number of BBL games considered in the analysis is zero.

(e) The PwC analysis is based on one game of international cricket per year at a new stadium based on the demand analysis provided to PwC.

(f) The PwC analysis is based on one game of international rugby per year at a new stadium based on the demand analysis provided to PwC.

- (4) The estimated cost of bringing A-League games to Tasmania in the current market is \$100 000-\$200 000 per game.

- (5) The estimated cost of bringing NRL games to Tasmania in the current market is \$300 000-\$500 000 per game.

- (6) to (9)  
Further work will be undertaken to prepare a business case and associated cost-benefit analysis as part of further feasibility work to be undertaken in coming months.

## **Scottsdale - Demolition of Crown Property**

### **Ms RATTRAY question to LEADER of the GOVERNMENT in the LEGISLATIVE COUNCIL, Mrs HISCUTT**

[3.11 p.m.]

With the completion of the demolition of all buildings at the property at 26 Alfred Street, Scottsdale, property owned by the Crown:

- (1) what is the intended use for this vacant building lot;
- (2) is it intended for social and affordable housing accommodation;
- (3) who are the proponents of any proposed development on this site?

### **ANSWER**

I thank the member for her question.

- (1) Under the department's strategic asset management planning process, 26 Alfred Street, Scottsdale was identified as an end-of-life asset in November 2021 and was subsequently demolished. The site has been identified for redevelopment as new social housing.
- (2) Yes, the site will be redeveloped for social housing for multiple dwellings.
- (3) The Director of Housing is managing the redevelopment of this site. It is likely that future tenancy management of the completed dwellings will be transferred to a community housing provider.

## **Emergency Grants and Funding**

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

[3.13 p.m.]

Regarding applications for grants and emergency assistance such as with the recent floods in state's north and north-west:

- (1) How should applicants who are not computer literate complete applications for financial assistance;
- (2) acknowledging paper forms take time to roll out, will there be future options for people who do not possess or have access to technology or who lack requisite computer literacy to complete forms for financial assistance, without the need for an email address or internet access?

## **ANSWER**

Mr President, I thank the member for her question.

- (1) People who need to apply for emergency assistance for floods and who cannot complete an online application or do not use email can phone the Tasmanian emergency information service on (03) 6145 5303 and the call operators will complete and lodge these applications on their behalf. Similarly, people who need to apply for business or primary producer grants can call Business Tasmania on 1800 440 026 or FarmPoint Tasmania on 1300 292 292 for assistance.

Furthermore, Libraries Tasmania is actively helping people who have limited computer literacy or are not digitally connected to apply for emergency assistance grants. People needing support can drop into libraries in Latrobe, Devonport and Sheffield libraries anytime, and elsewhere as needed, or book a one-on-one appointment to receive digital help with their online application. Libraries Tasmania has worked with the Latrobe and Kentish councils to ensure Libraries Tasmania staff and volunteers are familiar with the flood relief application process and well equipped to provide digital help. This support is consistent with Libraries Tasmania's role in supporting digital inclusion for all Tasmanians across the state.

- (2) We are well equipped to provide this support now and into the future. The option to phone the Tasmanian emergency information service will be available any time emergency assistance grants are being provided, to ensure people are able to phone the service for one-on-one support with applications and to seek information about other support measures available. As mentioned, our Libraries Tasmania staff are also available to provide this support at any time. In most cases, following a significant event like this, there is also support available on the ground in the form of local or state government staff at evacuation or recovery centres, to assist people to work through applications for assistance.

### **Department for Education, Children and Young People - Properties**

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

[3.16 p.m.]

- (1) How many Department for Education, Children and Young People properties are available for education staff and can the state Government provide a breakdown of where they are located;
- (2) What is the total income in rent from the properties and how is rent set;
- (3) What is the annual maintenance budget; and
- (4) When was the last time a new build or major upgrade occurred at any of the sites?

## **ANSWER**

This answer is data-heavy and I seek leave to have the answer tabled and incorporated into *Hansard*.

**Leave granted.**

**See Appendix 4 on page 81 for incorporated document.**

## **SUSPENSION OF STANDING ORDERS**

### **Extension of Sitting Times**

[3.17 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Before we move on, I seek leave to move a motion without notice relating to the suspension of sessional orders relating to the 4 p.m. break.

**Ms FORREST** (Murchison) - Does this mean we are moving on from question time, Mr President? There are questions I have had in the Government's hands for two and three weeks that have not been answered. We have had time in previous weeks and here we are, it is cut off without answers.

**Mrs HISCUTT** - I am happy to move on but we will be seeking leave in this place.

**Mr PRESIDENT** - We have a question before the Chair. The question is for the purpose of the break. Is leave granted?

**Leave granted.**

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

That so much of sessional orders relating to the 4 p.m. break be suspended so as to enable the Council to sit beyond 4 p.m. for today's sitting.

[3.18 p.m.]

**Ms FORREST** (Murchison) - Mr President, I would like the Leader to clarify for us if she can, at what time we intend to finish? We made a commitment in this place to have a 4 p.m. break to give members a break during the afternoon when we are sitting late. We are not through our first motion of the member for Nelson as yet. There are two or three others to be dealt with today, and also Government legislation the Leader would like to deal with, so if we are sitting late, we should have the 4 p.m. break.

**Mrs HISCUTT** - I am happy to withdraw. I do not care.

**Mr PRESIDENT** - We can put the vote and the members will decide. The question is that the motion be agreed to.

**Motion negatived.**



## **MOTION**

### **Local Government Elections - Compulsory Voting**

**Continued from page 14.**

[3.19 p.m.]

**Ms WEBB** (Nelson) - Before we adjourned I was mentioning some other interstate jurisdictions where compulsory voting in local government elections is managed. I spoke about Queensland and now I am moving on to Victoria. Victoria also holds a dual voting system, providing for both attendance booths on a Saturday election day and postal voting, which must be returned the day prior to polling day. However, their latest 2020 local council elections were entirely postal, due to COVID-19 restrictions.

The Northern Territory also holds a dual voting system, providing for attendance booths on a Saturday election day and postal voting. New South Wales holds an attendance Saturday election day and does not use broadscale postal voting.

I ran through some of those other jurisdictions because during the debate on the bill back in June we were told, during the Leader's summing-up of the second reading speech stage:

Compulsory postal voting interstate shows it delivers higher participation rates.

That begs the question, how was that evaluated, and why is it that all other interstate jurisdictions with compulsory voting, which use postal voting, also provide for attendance polling booths between 8 a.m. and 6 p.m. on Saturday polling day? Was that option canvassed by the Tasmanian Government and if not, why not? Would attendance polling day facilities help mitigate issues of missing postal ballot packages as well as people failing to post their completed ballots in time? Would that be the preferred option for those electors with, say, a visual impairment? Would that potentially help increase turnout beyond even the 85 per cent achieved this time?

I do not have the answers to those questions; nor are such matters of government policy usually canvassed in the standard TEC post-election report. However, these and other matters which arose during the election campaign period can, and should, be captured via the formal evaluation process that is proposed in part (3) of this motion.

I will now briefly expand on the nature of the review that section (3) of the motion calls for. As we have previously discussed in this place, some other states and at the federal level have parliamentary committees which conduct routine reviews of all elections. One option would have been to seek to establish such a mechanism here, to inquire into and review the ramifications of mandatory voting in local council elections. After all, this Chamber has previously voted in support of establishing a post-election parliamentary committee to review the unprecedented conjunct May 2021 House of Assembly and Legislative Council elections.

I considered that option; however, I am aware that the minister and his department have already expressed an interest in analysing the outcomes of the October local government elections. During the Committee A budget Estimates hearing on 9 June this year, the minister said:

I would imagine that there will be a process of analysing the results from this local government election to analyse the effects that the changes we instituted in parliament last week have - not just on turnout but on a broad cross-section of demographics and criteria.

Further, he said:

The commitment I can give you is that there'll be no information that I am able to access that I won't be able to make public for people to see. So, if there is further analysis done outside of the TEC report, I'm more than happy to say that I will make that available to members of parliament who've got an interest in the changes that have occurred because of the compulsory voting that's being brought in.

Hence, this motion does not seek to prescribe the type or nature of the post-election evaluation review. That is left open for the minister to determine. Should the minister decide a parliamentary committee is the best option, then he can move to establish one. That would be consistent with this motion.

Should the minister instead prefer, say, a separate standalone departmental review or even to include it as part of the Future of Local Government Review that is ongoing, those options would also be consistent with the intent of this motion; so long as those processes provide for the elements outlined in the subsections of part (3) of the motion.

Part (3), subsection (a) requires that an evaluation review would provide a public consultation process. It is a matter of natural justice to include public consultation as part of the analysis process, particularly given the acknowledged lack of consultation prior to the introduction of such substantial changes to our democratic system of electing local councils.

The motion does not seek to prescribe the manner or format of such public consultation. It may be the submission process that we have seen departments and government agencies employ as part of their standard community consultation undertakings. Specifically requiring the inclusion of community consultation in any appraisal of the inaugural introduction of mandatory voting is also consistent with the expressed wish to improve community engagement with the local government tier, as stated by Government and non-government MPs during the debate on the bill.

In her media release of 24 May, the Labor shadow minister stated:

... to ensure greater participation and elevate the importance of local government across our communities.

Similarly, the minister's media release of 2 June, following the passage of the bill through this place, states:

By making voting compulsory, we will lift community's perception of local government and its importance by bringing local council elections into line with State and Federal elections. We also want to lift the community's engagement with the local government sector ...

Mr President, now the community has become engaged and has participated to a greater degree, just as the Government wished. The question is, will the Government continue to foster that engagement by providing for an evaluation review which includes public consultation?

I believe that subsections (3)(a) and (3)(b) - engaging with the local government sector and the broader community - deliver on those stated positions on the importance of improving Tasmanian voters' connections with, and participation in, the local government sphere.

Subsection (3)(c) says the evaluation review would be:

... separate and additional to the Tasmanian Electoral Commission's standard procedural Report on Elections.

Subsection (3)(c) merely clarifies that the evaluation review is different from the standard TEC election report, with a different remit, and a different purpose. Under this motion, there is nothing preventing the TEC making representations to a separate evaluation review; in fact, I hope that would occur. We can all agree the TEC had a lot on its plate organising these inaugural mandatory voting local council elections, plus the Hobart elector poll, and in such a short time frame. The TEC's own reporting of that process, and its contribution to a broader government evaluation review, would be invaluable to understanding and learning from the experience.

Part (3)(d) requires any evaluation review to be adequately resourced. Depending on the format of the evaluation review, this provision may not impose any additional costs to the Government. One option would be for the department to undertake an evaluation review with an open public submission process, and that may incur very little additional expense. However, if the Government decided to outsource the evaluation review, then it would require appropriate resourcing. It is always worth mentioning and emphasising the need for appropriate resourcing of any process that we undertake, to ensure the outcomes we are looking to gain from it are achieved.

Subsection (3)(e) requires that the final report is to be tabled in both Houses of Parliament, once the minister has received and considered its findings. Regardless of the format of any evaluation review, my opinion is that the tabling of its final report in parliament is crucial. As members would be aware, it is standard for government departments and agencies to release summary reports on public consultation processes, detailing findings - whether on draft substantial legislation, or on matters of policy development. The only slight difference here is that the motion before us requests the public release of the evaluation review's outcomes, via tabling in parliament. That is the only fair and accountable way for it to occur. As the President and the member for Murchison alluded to in their respective contributions in June, it is part of our role of members of state parliament to structure local government.

However, as was also stressed at the time, that role must be exercised respectfully and responsibly. If it is the role of this parliament to structure local government - which I agree with - then it is also our obligation to take responsibility for such intervention when it occurs. We have an equal responsibility in accepting accountability for any structural outcomes and ramifications. One standard mechanism of exercising such responsibility is undertaking a transparent and inclusive review of a major policy change, such as a rapid change to voting

requirements, and ensuring that any findings are formally presented to the parliament, which is the entity responsible for making those changes in the first place.

Part (3) of this motion, and its subsections, seek to secure that further analysis occurs, outside of the TEC report - as mentioned by the minister during budget Estimates. As part of that process, it seeks to formalise the inclusion of public consultation and involvement of the local government sector, to make up for their omission prior to the introduction of the legislation. It also seeks to formalise that reporting to parliament would be part of the process.

Mr President, I can advise the House that I have reached out to as many in the local government sector as I could, including LGAT and newly elected mayors to inform them of this motion and its call for an evaluation review of how well the transition to compulsory voting went in the recent elections, as well as my intention to seek to debate it today.

I also wrote to the minister, the honourable Nic Street MP, and the Labor shadow minister, Anita Dow MP, advising them both of this motion and its intent to reiterate. In my correspondence and discussions, I have stressed this motion is not to revisit whether compulsory voting should be used for local council elections. Instead, it is to evaluate how well its inaugural application worked. What worked well, what could be improved next time round, what further do we need to consider?

I have received positive feedback from some of the mayors I wrote to, which indicated keen support for an evaluation review of the recent election process. I was interested to hear some direct observations of issues arising during the election process that would be very important to capture in a review and consider in relation to preparation for future local government elections.

To provide one brief example: the level of imposition on council staff generated by the compulsory election process. Councils needed to assign staff to manage questions and interactions with the public in relation to the election and, in particular, replacing ballot papers that had not been received.

It was reported to me replacing ballot papers, which for whatever reason had not been received by voters, was a cumbersome process. Replacement needed to occur in person and in many instances was managed by council staff. At those times staff had to manage interactions with voters who were, in some instances, highly irritated and it could be a very stressful experience in some cases, is what I was given to understand. That is just one small example of the kinds of issues a review could and should be allowed to be recorded, analysed and considered for future improvements.

Councils around the state and individual community members will have experiences and observations such as this and more to share through an evaluation process.

To summarise, the evaluation review proposed in this motion does not remove the process from the minister's purview or control, such that a parliamentary committee of inquiry would, nor does it direct that the review must occur within a particular time frame, although one would hope it would be established while people's experiences, feedback and ideas were fresh in their minds.

In the interests of maintaining and extending that good faith the minister relied upon during the bill's debate, this motion offers a compromise between a prescriptive inquiry format and the model outlined above, which emphasises key criteria instead. Yes, the motion does provide for the courtesy of each House receiving a formal report detailing the outcomes of the review undertaken by the minister, but to reiterate, that is standard responsibility and accountability mechanisms for this parliament. I would be surprised if it was a requirement that was balked at.

As a parliament, some of us lodged stern and legitimate objections to the lack of due process and consultation at the time the bill came before us but when we passed it, we enabled the bill to become an act in the space of 10 days. While we may all feel vindicated by the over 84 per cent voter response, we also have an obligation, without rush, without pressure to now hear from those upon whom we suddenly changed the goalposts at the last minute and the community and the local government sector.

At the time we were told by Government that some of our questions, which in some cases we were putting on behalf of constituents and stakeholders reaching out for clarification, could not be answered, as they were in the realm of the unknowable. Now we have the opportunity to evaluate and learn from that which is now knowable and the parliament has the responsibility to ask for that report back on that which is now knowable as a result of this parliament's decision.

The minister, Mr Street, in his closing comments during the second reading of the amendment bill in the other place on 31 May said:

First, I acknowledge the good faith in which the debate has been conducted by everyone. In the spirit of that good faith, I make the admission from the outset ... that the timing of this is not ideal, and nor is the rushed consultation period.

The minister went further to state the following:

I also acknowledge the lack of consultation with the local government sector means that I have some work to do to gain the trust of the local government sector.

The parliament, the community and the local government sector acted in good faith in accordance with the minister's requests and undertakings at the time. It would now be a good and positive return on that expression of collective good faith, for the minister to now commit to undertaking a full evaluation review of the application of these reforms of which we all facilitated the delivery. It may also go some way towards the minister regaining that trust of the local government sector.

I look forward to hearing other members' contributions. I am very aware there are many here with a direct experience of and connection to the local government tier, whose perspective I am sure will be very valuable. I commend the motion to the House.

[3.35 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank the Member for Nelson for her motion. Historically, voter participation

in Tasmanian local government elections has been significantly lower than state or federal elections, particularly in larger urban councils. When the Government introduced compulsory voting for local government elections earlier this year, a key objective was to increase voter participation. We wanted to ensure better demographic outcomes and to give the tier of government closest to the community the recognition it deserves.

In 2018, statewide turnout at Tasmania's council elections was 58 per cent. In 2014, turnout was under 55 per cent. The final statewide return rate for this year's election is 84.79 per cent. This is an extraordinary result, exceeding Tasmania's 2018 electoral turnout by 138 931 votes. This year's results demonstrate we are achieving what we set out to do.

On behalf of the Tasmanian Government, I commend the Tasmanian people for stepping up to the plate and making their vote count. I also want to thank members of this House for their support for this landmark demographic reform when it passed through this place. I also thank the Tasmanian Electoral Commission for its excellent public information campaign.

The Government continues to have a productive relationship with the Local Government Association of Tasmania across a range of issues. In our consultation with them regarding the compulsory voting legislation, and in further discussions in the lead-up to the elections, LGAT provided valuable feedback about the need to ensure that every Tasmanian was aware - as much as possible - that this year's ballot paper was compulsory. We took onboard that important feedback and acted. The compulsory voting advertising campaign, commissioned by the independent Tasmanian Electoral Commission, utilised TV, print, radio, social media and bus advertisements. This was in addition to the usual marketing undertaken for council elections. The Government invested additional resources to ensure the campaign's reach was as broad as possible to ensure all Tasmanian communities were aware of this new responsibility to vote, especially through social media and digital channels. It is clear that this important advertising campaign worked, with the very high turnout figures recorded.

When we introduced the Local Government Amendment (Elections) Bill into parliament, we acknowledged that not only were the statewide voting numbers low, there was also a clear disparity between voter return number in rural and urban councils. Many rural councils have achieved reasonably high turnouts under optional voting in the past, while our urban councils have not shared in the same level of participation. In 2014, participation within two large urban councils was below half of all eligible electors. In 2018, several of our urban councils were seeing voter turnout at around 53 per cent, which was not much better.

By stark comparison, this year's elections have seen every council in the state with a return rate of over 81 per cent. Our urban councils have experienced a fantastic revitalisation of community participation as a result of this measure.

Early indications also suggest the changes brought in this year in relation to voting ballot formality requirements are also having their intended effect on reducing informal voting. Previously, voters were required to number their ballot papers without error or omission from one to the number of candidates to be elected. Due to the amendments, electors were instead required to number a minimum of one to five candidates without error or omission. I will acknowledge members' particular concerns raised in previous debate regarding the potential effect of the one to five voting on vote exhaustion. This measure was implemented to address the risk of unintended, informal voting in large councils, which generally have much larger

candidate fields, which emerged as an issue following the introduction of the all-in, all-out elections in 2013.

The Tasmanian Electoral Commission (TEC) had also called for this change to be considered in its reports on the 2014 and 2018 local government elections. In 2018, Hobart City reported informalities of 8.78 per cent; Launceston City had 7.97 per cent; and Clarence had 7.28 per cent. By comparison, with the introduction of compulsory voting and the one-to-five measure in the 2022 elections, Hobart City and Clarence City councillor ballots are showing informality of 3.3 per cent and 4.73 per cent respectively. Although some members expressed concerns about it during the debate on the legislation, it appears clear that the measure that the Government introduced has had a positive effect.

The independent TEC issues a public report after each local government election, including detailed turnout rates by council area; age; gender; and informality rates. The Minister for Local Government is willing to ask the Office of Local Government to discuss, with the commissioner, the potential for specific additional review elements to be included in the TEC's report for this local government election - given the context of it being the first with compulsory voting. If necessary, resources can be provided to support this analysis.

The Government will ensure that members of the community and stakeholders have an opportunity to provide feedback on their experience with compulsory voting as an input into TEC report. On this basis, this motion calling for an additional, and separately funded, review into the introduction of compulsory voting is not supported by the Government.

I conclude by saying that the Government introduced this reform to increase voter participation and to ensure better democratic outcomes, and to give this tier of government the recognition that it deserves; and it has delivered in spades. Our election voter turnout is also much higher than the most recent elections in the other jurisdictions with compulsory council election voting, including Queensland, New South Wales, and Victoria - with Victoria being the closest at 81.4 per cent.

The Government passes on its thanks to the more than 500 candidates who put their hands up to take a seat at the council table, and congratulates all the mayors, deputy mayors, and councillors across the state who were successful in their campaigns. Finally - thank you to the 348 453 Tasmanians who have played their role in democracy, elevated the importance of the local government elections, and made their voice count.

Mr President, the Government does not support this motion, in light of the reasons that I have just outlined.

[3.43 p.m.]

**Mr VALENTINE** (Hobart) - Mr President, I thank the member for Nelson for bringing this forward. It is a very interesting notion to have a full review like this, and I support the concept.

As the member for Nelson has made clear, this is not about revisiting compulsory voting. It is basically just reviewing people's experience, and what the public thought about this new process that was placed onto them, on pretty short notice; but that is being dealt with. A member described how quickly that all happened and, coming from a council that has been pushing this for some period of time through the Local Government Association (LGAT),

compulsory voting was something that my electorate supported. The council tried to get this through LGAT on a number of occasions, but failed to do so; sometimes very narrowly.

Looking at this proposal and at the background notes that the member for Nelson provided, it is a constructive proposal, seeking a commitment from the Minister for Local Government to undertake a post-election evaluation review of the inaugural application of compulsory voting for the last local government elections.

I consider there has been a benefit in the compulsory voting. Clearly, the voting has improved the number of people who turned out. Whether it was the prospect of receiving a fine, or it was the advertising that gave local government that profile and helped people to realise the importance of local government in their lives, I do not know. It may have been either of those things, or more. We will not know until we test what caused people to vote. We will not know how successful it has been, until we touch base with members of the public and local government, as to whether the one-to-five would work.

I had some concerns with that when we debated it here. I did not necessarily consider that it was full democracy. If there are 12 positions and you are only asking for people to vote one-to-five - yes, they may not know more than four or five people, but they have the information in front of them. They can read that information and at least use that as some sort of an understanding as to where that person is coming from and what their focus and belief is. We get people to come out and vote, and in such numbers - over 80 per cent - that is one thing; but whether the exercising of the vote one-to-five was something that was significantly successful is another. It may not be. We will not really know until we quiz members of the public about that. There is no other way of gauging how the populace received that issue of one-to-five voting.

I consider the case has been well made. It is a sensible review -

**Mrs Hiscutt** - Through you, Mr President. I wonder whether the member heard me say that the Government has committed to consulting with the community and stakeholders?

**Mr VALENTINE** - Through the Electoral Commission?

**Mrs Hiscutt** - Do you want me to give this to you?

**Mr VALENTINE** - No, I do not.

**Ms Webb** - Is it through the commission?

**Mrs Hiscutt** - Yes.

**Mr VALENTINE** - It is through the commission.

**Ms Webb** - You said that could happen.

**Mrs Hiscutt** - No; the minister has committed to consulting with the community and stakeholders when it is looking for feedback.



**Mr VALENTINE** - That is fine; but a proper review, at arm's length, would be the better way to go. I can understand that there may be some information sought from the public via the minister's processes, but it would be great to see a proper, fully independent review done of it so that we can get a hands-off approach. I urge the minister to do it. There is nothing to be lost in this. As the member for Nelson says, the minister can choose the format, but quite clearly the more arm's length it is the better. Most people would appreciate that.

Another point made is to do it while it is fresh in the minds of people, so that they have a chance to reflect. Also, with the sort of approach that is being put forward, the Electoral Commission could participate in it, as opposed to being responsible for delivering the report. That was an important point made by the member for Nelson. I note the member for Nelson's observation that it provides an invaluable opportunity to ground truth the transition and identify potential areas for improvement before the next round of council elections. That is good.

There are things that come up and we all know that people were concerned, some with disability, who found it particularly difficult to participate in the election. There is a real benefit in having an arms-length review and I urge the minister to see that happens. It would be important not just to go to the Local Government Association and councils and councillors who all have skin in the game. It does need to be balanced and for that reason there needs to be a fuller opportunity for member of the public to participate in a major way. That way we do get the insight and the experience of the community.

I support this. It is sensible. It would help us to understand some of the nuances around the way things operate and whether or not there can be some improvement rather than a more casual tapping into a community sentiment. That is my feeling on this. I support the motion.

[3.51 p.m.]

**Ms RATTRAY** (McIntyre) - Mr President, I have appreciated the contributions so far, as we always do in this place. I have had a look at the motion and there are parts of it that appear quite reasonable and then as I consider my support, a lot of other matters come into play.

I am interested in how you might have that broad community consultation because if you put it out for a review process, if you put out to the community an opportunity for them to feed back in, you will probably get a particular cross-section of the community who are well engaged. They are the people who voted anyway because that is the way they go about their business. Then there are others, the percentage who are either disengaged or were not interested in local government elections - whether it be compulsory or not - and we know there is quite a percentage still even though there has been an increase.

I am weighing up whether I support this motion or not. I had a look at the numbers from the local government areas that I am privileged to represent. I thought I would share these with members: Break O'Day - 2018, response rate is 72.14 per cent; 2022 is 86.49 per cent, so around a 14 per cent increase in that area. Dorset, which I know quite well, and I do need to acknowledge that at 3.30 p.m. today my daughter was sworn in for the first time as a Dorset councillor. I am a pretty proud parent today. I know there are a number of other members of this House who also have members of their family who have been successful and successful again, so congratulations to them.

Dorset - 2018, 72.97 per cent response rate; 2022, 86.96 per cent, a 14 per cent increase, similar to Break O'Day. Flinders 2018, 82.91 per cent, a very engaged community; 2022, 85.73 per cent but when you have such a high participation rate not unexpected that there was just a 3 per cent increase because they are already significantly engaged as a community. Kentish - this one was interesting - 2018 response rate was 60.67 per cent; 2022 is 86.41 per cent, a 26 per cent increase. Northern Midlands - 2018 response rate was 61.78 per cent; 2022 is 88.62 per cent, close to a 27 per cent increase. Certainly, significant.

My last local government area, the remaining one, Meander Valley, the response rate in 2018 was 55.81 per cent and in 2022 it was 86.3 per cent, just short of a 31 per cent increase.

That is interesting. We have some really engaged communities, prior and now, and then compulsory elections have made a significant difference to Kentish, Meander and Northern Midlands, and somewhat lesser to Break O'Day and Dorset, and very little to my Flinders community.

I thought that was worth sharing with members. I have not done the numbers on all the others. I thought other members would do that themselves, but I wrote down, was it the fact that we had a significant increase in those candidates who offered a nomination? When you have 32 nominations, then they know such a lot of people. They encourage family and friends and acquaintances to actually return their ballot papers.

I am wondering whether you can pin down, in a review or otherwise, why people have such an increased commitment to local government elections? Is it because it is compulsory or is it because of the considerable number of candidates? I think the Leader said around 500.

**Mrs Hiscutt** - Yes. There were 27 just in Central Coast.

**Ms RATTRAY** - Yes, and 32 in Launceston. Some of the others - Clarence had a significant number, 29. So there we are, and most of those would say that there is a significantly increased number of candidates nominating for the respective councils around the state, compared to what there have been in the past.

**Ms Forrest** - Except for one notable exception in my electorate. We did not get enough.

**Ms RATTRAY** - That was King Island. King Island did not, but when they put it back out to the community, there were three or four nominations for that last seat. People thought, well here is an opportunity, and so then they put their hand up, but for whatever reason they did not do that prior.

It is interesting, and I go back to my thoughts about whether a significant review, alongside, or in addition to, what is already provided by the independent Electoral Commission is going to add anything to this process. Whether it be that people only had to vote for five candidates - and a couple of people said to me I am struggling to find five - that they wanted to vote for, let alone to go to nine or 12, or seven, whatever the number might be.

**Mr Valentine** - It was 44 in my council area.

**Ms Forrest** - You need a spreadsheet in Hobart.

**Ms RATTRAY** - Still only 12 candidates.

**Mr Valentine** - Yes. That is right. 12 positions.

**Ms RATTRAY** - So 12 positions available, in that respect.

I hear what the member for Hobart said, you have your candidates' statements but if you are reading 29 or 32 or however many, it takes a considerable amount of time to read through them and assess the merits of each one of those candidates' statements, I expect.

**Mr Valentine** - I agree with that. Better than looking at a poster, maybe.

**Ms RATTRAY** - I have never seen so many local government posters, certainly in my time. It lifted the profile of a nomination in my view. For some of the smaller councils that I represent, there appeared to be more posters than there are for the state elections, Legislative Council elections, or the federal election.

They certainly had a plethora of posters.

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

## **MOTION**

### **Local Government Elections - Compulsory Voting**

**Ms RATTRAY** (McIntyre) - Mr President, where I was prior to the break, nobody really knows, including myself. That is an interesting dilemma. I know I was talking about the various aspects of what I have been able to just receive around the electorate post-the actual election itself. I talked about how having to find five nominations to vote for was difficult for some people. Certainly, as we spoke of prior to the break, finding 12 would have been even harder for some people or nine or eight or seven. Whatever the appropriate number. Seven is the lowest.

I have had a look at the terms of the motion of the various aspects. Perhaps, if the Leader in her contribution talked about the extra things the Minister for Local Government would undertake on top of what the Tasmanian Electoral Commission would do. For instance, separate and additional to the Electoral Commission's standard procedure report on elections, and certainly adequate resourcing of that is always something we talk about in this place. Particularly, when we put forward something to be done at the will of the House, resourcing is always a challenge. I expect that there would be a lot of people at the TEC probably looking for a bit of a break, let alone undertaking a review. Obviously, that will be a matter for the TEC to manage.

I do not have a lot more to add. I am actually still not quite sure where I might go and I will be interested in other contributions on this particular motion. I appreciate the member for Nelson bringing it forward, particularly in such a timely manner, because it is still very fresh in everyone's mind.

I again offer my congratulations to all of those, not only the candidates successful in the recent local government elections across the state, but those who were brave, put a nomination

forward and were not successful at this point in time. On a Facebook post a couple of weeks ago, I actually congratulated all nominees, because as we know in this place, putting yourself forward for members of the community to judge whether they believe you would be a suitable candidate or have a suitable role, be suitable for the role of an elected member, is quite a big deal. It is not for everyone. Congratulations to all those who did. I certainly hope if it is something they really aspire to, then they consider it four years down the track.

Personally, I am still a big supporter of the previous arrangements where you had a two-year and a four-year term. It still gave people an opportunity if it was not for them without having to reinvent the wheel and have a by-election. People could gracefully move on and not have to cause that by-election. That is a personal opinion and not one we are here to talk about right now.

I thank the member for bringing forward the motion and am happy to listen to others in regard to support or otherwise for what is being proposed.

[4.35 p.m.]

**Ms LOVELL** (Rumney) - Mr President, I would also like to thank the member for Nelson for bringing the motion before the Chamber today. It is an important conversation to have because it was a bill we did have to consider on a tight time frame. I know it made things difficult for a number of members in terms of consultation and feeling like members were in a position where they were able to take an informed position on that bill. It is important we now have the opportunity to come back and talk about what we would like to see happen next as a parliament.

I wanted to touch on a couple of elements of the recent election. I add my thanks to those many people around the state who nominated because we know it is not easy. I have not run for local government myself but it would be one of the more challenging levels of government to nominate and run for because of the nature of the elections, the level of engagement or otherwise of members of the community and the fact you are up against it. In some municipalities there were 30 or 40 other candidates running and everyone has a limited -

**Ms Rattray** - Up against family members.

**Ms LOVELL** - Yes, up against family members and everyone has a limited platform and limited resources available to them. I acknowledge it is a difficult set of circumstances to run for many people. I congratulate and commend those who did take that step and all of those who were elected to their local council in the end. People do this because they are passionate about their community and want to play a role. Whether we agree with people's individual politics, ideology or values we are all in public service because we want to make a difference. I wish them all well for their term.

I also acknowledge the Electoral Commission for the role they played. They, too, had to deal with a significant change to the way council elections were run on a tight time line and they did an outstanding job. To get a return rate of 84.79 per cent is commendable. It is an excellent return rate. It is an excellent rate for any council election compared to last time, 58.7 per cent, when voting was not compulsory. To be able to achieve that in a short period of time is outstanding and then to conduct the count in the way they did. You see people were anxious about results and it always feels like a long wait when you are the one waiting for a personal result. Watching those counts come through at the rate they did when they were

dealing with the volume of counts they had to deal with, they did an outstanding job on that and I wanted to acknowledge them.

It is worth reviewing, particularly when we have any significant change like this, and it is important that reviews are undertaken after the first time a new process is used. In relation to this motion and the type of review that is conducted, I am inclined to not support the motion. There is a review process in place. It might not provide everything people are looking for, but it is a good starting point. I was pleased to hear the minister during question time this morning in the other place, and the Leader has reiterated some of those comments in her contribution, and what came across to me as a genuine commitment to ensuring this review process is thorough and it does involve significant opportunity for public consultation.

I understand the review will be released publicly and the minister has made comments about being committed to having a conversation about where we go next with this. If there are further changes required or if we wanted to reform the way council elections are conducted further then that opportunity is there and I have heard those comments from the minister and the parliament this morning.

I take on board the comments from the member for Hobart, who said in particular he thought review at arm's length is important. This review called for in this motion is less at arm's length than the review that will be conducted by the TEC because this is calling for the minister to conduct a review himself.

**Ms WEBB** - No, to clarify, it does not.

**Ms LOVELL** - Well the way I read the motion, it says:

- (3) requests the Minister for Local Government undertakes a comprehensive evaluation review of the implementation of compulsory voting ...

It does not call on that to be an independent review, or there is nothing prescriptive around the conduct of that review or the makeup of who conducts the review.

**Mr Valentine** - To clarify, I was saying it would be good if it could be an arms-length review.

**Ms LOVELL** - Yes, and I agree with that, but I feel that this motion, as it stands, does not set up an arms-length review, or a review that would be necessarily any more arms-length than the Electoral Commission, which is itself, by its nature, at arm's length from the Government.

I am comfortable with the review process in place. I do think it is important we review it, but I have confidence the TEC will conduct that review in a manner in light of the minister's comments this morning. In a manner that does provide the type of information we need to be able to review the process and see where we go to next.

I would be reluctant to duplicate that process and am concerned that is what setting up another review would do to duplicate a process already in place. Particularly when, as other members have commented on, it is when we are looking at level of engagement, it can be

difficult to engage with people in a review, if they are not engaged with the process, or not engaged with the very thing you are reviewing. If we try to duplicate that too many times, we risk watering down that engagement process.

That is not to say that once that review by the Electoral Commission is done and released, that we might not come back and decide there needs to be further examination of the matters that come out of the review. That there might be a more appropriate or more thorough way that could be done. That is a conversation down the track, and in terms of a first step, I am comfortable as a first step the Electoral Commission will conduct that review in a manner that provides us with the information we need to determine where we go from there.

At this stage, I will not be supporting the motion.

[4.42 p.m.]

**Ms FORREST** (Murchison) - Mr President, like the member for Rumney, I commend all those who put their hands up in the recent local government elections. There was an extremely large number in some areas and one needed a spreadsheet to assist in eliminating people.

We have the privilege of voting in two different municipalities. As I was doing this I thought, particularly in my home electorate, in the Waratah/Wynyard area, but in the broader north-west region, how many people would struggle with actually reading and understanding what they were being presented with in the candidate statements and actually being able to work through it.

I do agree, the member for Elwick said it was more than what is on an election poster. It might have been the member for Hobart. It is certainly more information than you might see on an election poster, yes and I would hope there have been other - in most municipalities there were public forums and that sort of thing, to try to help. They are not always accessible even if you can get their digital recording that is made available. Some people do not have access to a digital recording either.

It is an important aspect of participating in democracy, some of these things, in terms of how do we ensure people have the best information they can to cast their vote.

This is something that perhaps, whether it is part of this review or just in general thinking, is about how that we assist people to participate in meaningful ways, but the same point applies to state and federal government elections.

There is more media attention around the candidates associated with federal and state government elections. There may be a little local media coverage on their local candidates, but when you have 44 in Hobart, and 27 in Central Coast - there were 34 in Launceston - to actually allow the media to give all those people some time on air is impossible and to do it fairly would be a massive challenge.

I commend everyone for putting their hands up. I observe some candidate forums. It is interesting watching the dynamics between the candidates there at those times. It is not easy to put yourself out there and subject yourself to public scrutiny in a way you feel like if you get one answer wrong, or muck it up, that could be the end of your career right there and then.

It takes a lot of courage for a lot of people to stand up and speak publicly like that. I also commend all those who were elected, and those who were elected as mayor and deputy mayor. For the very first time, the north-west coast has elected women right across the board. The only area where we do not have women in both positions - or two, I suppose, if you go to the Central Coast. Circular Head has a male mayor and a female deputy mayor, Waratah-Wynyard has females in both positions, Burnie City Council has a female in both positions, the Cradle Coast has a female mayor -

**Mrs Hiscutt** - The Central Coast?

**Ms FORREST** - What did I say?

**Mrs Hiscutt** - The Cradle Coast.

**Ms FORREST** - Sorry, the Central Coast.

**Mrs Hiscutt** - There is a female in both.

**Ms FORREST** - Yes. It is a significant change because some of these councils have never had a female mayor.

**Mrs Hiscutt** - Devonport.

**Ms FORREST** - That is right. Devonport is another one, just along the coast. It is encouraging to see that more women are putting their hands up and being supported. Then we look at the commentary about the Launceston City Council election, where not many women put their hands up and the reasons why.

**Mrs Hiscutt** - Kentish Council has two females.

**Ms FORREST** - Kentish has as well? I did not look that far afield. I commend all of them. It is a task to work together, as it is an odd collection of people in some respects because they are all there on their merit and their own voter base. It is incumbent on them to broadly represent the community and not just to push their own agendas, which can be a bit of a challenge for some of them at the outset perhaps, as we have seen in the past.

I also commend the TEC for their amazing job in running an election like that with so many candidates. I think the member for Rumney was referring to getting the count done in such a prompt manner. It was a tense time for many people. I was watching the social media feeds of people waiting and thinking, am I in or am I not? It is tense. Most of us have been in that situation in this place but it perhaps it has not taken quite as long for some; for some it has.

In terms of the motion before us, I support a review of the most recent election and as the member for Nelson alluded to, this compulsory voting that was utilised for this most recent election was brought into the parliament in haste. It was not properly consulted or fully consulted and many members at that time spoke about that. I did support it. Compulsory voting has a much bigger benefit for democracy overall but because of that, it is imperative that there is a review. The question is, is the TEC's review that they do after every election adequate in the circumstances or do we need a further review? I go back to the member for

Rumney's comment that - certainly in the first instance - we do need and we will have the TEC review.

I listened to the Leader's comments regarding this. I did not hear the minister's comments downstairs that the member for Rumney referred to, but the Leader made reference to including other matters that the Electoral Commissioner may consider. I know the Leader has spoken on this but I am interested to understand that it is likely to be followed through and it is not just a tacit, yes, we will include some other things here because it is the first time this format has been used. It was brought in as a legislative change in haste. It is important to make sure that matters related to some of those challenges are included in the review.

**Mrs Hiscutt** - I can confirm that the minister has made a commitment to do that and he will ensure that members of the community and stakeholders have the opportunity to provide feedback on their experiences of that compulsory voting as an input to the TEC report.

**Ms FORREST** - Sure. I appreciate that being clarified. I know that it was raised with me and I know other members would have the same concerns raised about people with visual impairments being able to lodge a confidential ballot. People who are out of the state, overseas being able to participate, particularly in a compulsory election. Those matters need to be well considered and to hear from the people who may have felt unable to fully engage or participate.

If you are going to make voting in an election compulsory - and I have said I support that in principle - you need to make it accessible. You need to make it accessible for all, not just those who are literate, who are not visually impaired, who are residents in the state or in the country but may not be there physically present at the time. Any other access issues should be considered as well.

We know that the local government elections are carried out by postal ballot. Personally, I find that helpful to have time to read through the whole brochure, particularly when there were 44 or a few less, fill out the spreadsheet, move people up and down depending on some of their views. Particularly when you do not know all the people, and nobody would know all the people putting their hands up, except perhaps on King Island, and maybe Flinders Island as well. You probably do know all the people. However, in the majority of councils that is not the case. So it does give people time to take their time over it. You do not necessarily have the pressure of being in a polling booth without all that information in front of you, and then trying not to muck it up under pressure. So there are benefits with that.

There are other people who say, 'Well, if we are going to have compulsory voting, it should be in a polling booth and under the same mechanism that we have for state and federal governments. I am not sure if this is something that will be reviewed by the TEC, but I am hoping it will be a consideration in terms of what is the most - and this is again, communication and consultation with the public. They have now done both, most of them have. Those who have participated have voted by postal ballot, and in other elections they have gone to a polling booth, unless they have voted early or previously requested a postal ballot.

That is an important thing to consider, and how you are likely to get the best and most effective participation. If postal ballots are the best option, why do we not promote that more for other state and federal government elections? It opens up a bigger question but these things need to be considered. We need to ask the key stakeholders, who are the people of Tasmania, what they think about that.



I also believe that the TEC is an independent body that will do an independent review. I had the same concern as the member for Rumney in regard to the wording of the motion. It did not actually say it was to be an independent review, if it was an extra one. Aside from that, I believe the TEC will undertake an independent review. I am comforted to a degree by the Leader's commitment - or the minister's commitment via the Leader - that these other matters will be considered and that the community will be consulted on them. Hopefully, the community can be well informed to enable them to bring forward matters that may be of concern to them, whether it is accessibility in undertaking a private ballot or the fact that they were not able to receive their papers because they were not at a location where the mail was going to be delivered in a timely fashion. This is particularly so when you cannot rely on Australia Post very much to get things a lot of places in a timely fashion. It still takes three, four or five days to get mail from Hobart to Wynyard.

One of my constituents had their ballot paper sent to an address they had been registered at about 10 or 15 years ago, even though their registration on the TEC had their current address. Thankfully, the person at that address knew what to do with it, and they put it back into the system. However, they were waiting for their ballot papers. I had mine days ahead of that. They did come through, but I wonder how that would have occurred when they have the actual, current address registered. We checked the electoral roll. I am not sure how that happened. Anyway, that person did get their ballot papers, and were able to participate. It did make me a little concerned though. This is just one that came to my attention.

With those comments, I am not inclined to support the motion in terms of the aspect calling for an additional review. I absolutely support the need for a review into the operations of the last local government elections, particularly to look at the matters that were raised during that process with the great haste it was brought in, even though I support the principle of compulsory voting at all levels of government elections.

[4.55 p.m.]

**Ms WEBB** (Nelson) - Thank you to members for their contributions on the motion. I appreciate everyone sharing their thoughts. It is interesting that we are in furious agreement on this motion, which is surprising - considering most of the contributors have just confirmed they are going to vote against it. That is a shame. I will outline some of my thoughts on that.

We have all agreed that it is a good idea to review something we have done for the first time. That is uncontroversial. The motion plainly leaves it open as to what that might look like. It is the minister's responsibility to ensure it happens, and the minister has confirmed that he is going to ensure that a review of sorts happens. That is in line with what is called for in part (3) of the motion. The Leader has confirmed there will be a process where local government and the community will have an opportunity to be consulted and provide input, and that aligns with subsections (3)(a) and (3)(b) of the motion. The Leader confirmed that adequate resources would be provided for the review to take place, which is part (3)(d). I presume there would be no problem with providing the final report to parliament. It is going to be publicly released, as the Leader confirmed as the minister's commitment.

It appears to come down to part (3)(c). What the Leader has described as the minister's commitment and intention aligns with part (3)(c), which says:

... is separate and additional to the Tasmanian Electoral Commission's standard procedural Report on Elections;

What the Leader described as the minister's commitment, is a process which is additional to the standard procedural report that is done by the TEC. I have the 2018 Local Government Elections Report here. It is called a report, not a review, because it is a reporting of data and it is excellent. It is a wonderful resource and an important way that we track how things have occurred in our elections at the local government level, as we know it is done at the upper levels too. That is a report of data. That is the standard procedural report. Everything that we understand the minister has committed to in the other place this morning, and via the Leader's comments in response to this motion, is additional and separate to that standard report. Normally there is no public consultation or necessarily consultation on matters beyond the data that is presented in the report. There is going to be scope for that to occur this time, and resources provided for it to occur if necessary. Excellent.

That is why I am a little confused as to why we are not agreeing that what this is calling for is something that the minister has confirmed that he intends to do, and we are all agreeing that is a positive and good way forward. I am yet to see how that does not sit well with what is being called for in this motion. The motion does not require this to be any particular form of review, so the minister's decision to task the TEC to do something additional to its standard procedure is aligned with what is being called for here. I agree that it is arm's length. I kept it broad in the motion, without specifying that it must be arm's length in some way. That is up to the minister. The minister has decided to go down that path with the TEC; a good decision.

What has been committed to and what is being called for in this motion, neither of them in their alignment together water down what would normally happen. We know the TEC will still do its report on the data, as it does every time. The motion does not require something that affects the scope of that normal data collection and reporting.

I am interested to hear more about the decision of the minister to task the TEC with this additional review function, alongside its normal reporting of data. I would be interested to know more about it; and perhaps that will come to light in due course. What will be the scope? What will it cover that is additional to that data reporting? Who will be the decision-maker on the scope of that review by the TEC? That would be useful and interesting to know, once it has been decided. It would also be good to know when that process is going to occur and when it does, how it will be communicated. It has been indicated the minister has committed to public consultation and also consultation with the local government sector; how will that occur and how will that be communicated and encouraged? That would be interesting to know.

When the bill came through earlier, the minister indicated that there are further legislative tranches of local government reform to come to this place. It would also be good to know whether the additional review that is being undertaken by the TEC, as tasked by the minister, will include recommendations for legislative reform to come in those further tranches; and, if so, what areas might that cover? That would help us understand the scope that review might have. That would be interesting information to have and to better understand.

We know that the Electoral Commission has confirmed they will be issuing fine letters for non-voting in the recent local government elections. That is definitely an indication that we should do a little more to encourage people to provide feedback. If we have introduced something new fairly abruptly and we may fine people for their lack of compliance, we should certainly be prepared to actively seek input; particularly, in that instance, about what did or did not work for people, in terms of their participation. Other members have spoken about that

too, that it would be an important part of a review. It would be good to understand if that will be part of the TEC additional review function.

I appreciated the member for McIntyre's contribution. We did have a lot of candidates in some instances; but also, I heard some similar comments that people sometimes found it hard to find the five, if not the 12 or more, that they needed to find. That is an interesting question too: how do we encourage good candidates to put themselves forward? What works well to encourage that, what might we need to do more of? That would be another good question for a review. I am not sure if that will be included in what the TEC will be looking at through the minister's request but perhaps we will find out.

**Ms Rattray** - Through you, Mr President, hence my suggestion. How do you engage with those people who are disengaged? You probably have no trouble engaging with the ones that are already engaged.

**Ms WEBB** - That is true; although there would be ways to pose questions and whenever there is a public consultation there are those who come forward and many who do not. Providing the opportunity is the first important step, I suppose, for people to come forward.

The question about whether the standard TEC report is adequate - we can all agree it is adequate for the function that it has served for quite some years. Each time we have one come out after a local government election, the data presented is a useful resource. We refer to it at different times, in different ways, and there is no question as to its value. However, we have all agreed on the value of looking at something broader than that this time around; something that captures some of those other elements of the new environment we found ourselves in. It was the intent of the motion, to express that.

I probably do not need to go much further with my summing-up than to say, I am quite puzzled because I believe we generally agreed. What we agreed on, from my perspective, was the call in this motion. I do not believe it presented anything beyond what the Leader indicated the minister has committed to already. This was a positive opportunity for us to confirm and agree this was a good way forward in terms of an additional element of review on local government elections that occurred in such an extraordinary way. A first-of-its-kind way in this state for our local government elections.

I encourage members here at the last gasp to reconsider their vote.

**Ms Forrest** - It is not your last gasp.

**Ms WEBB** - On the motion.

**Ms Forrest** - Okay.

**Ms WEBB** - This is the last speak on this motion. We are about to vote on it. In that instance, the last gasp on this motion. I encourage members to perhaps reconsider, there is nothing in the motion and particularly in part (3), the call part of the motion, that presents anything untoward or beyond what we have actually agreed on. I welcome the confirmation from the Leader and from the minister via the Leader of the intended ways forward on the review. It would have been a wonderful way for us to agree and put this motion to bed in a very positive way.

We still may do that. Let us see.

**Motion negatived.**

## **MOTION**

### **Consideration and Noting - Report of the Parliamentary Standing Committee of Public Accounts - Review of Selected Public Works Committee Reports: Report 41 of 2020: Sorell Emergency Services Hub; and Report 15 of 2020: Major Redevelopment of Sorell School**

[5.07 p.m.]

**Ms FORREST** (Murchison) - Mr President, in speaking to the motion the Clerk has read out, I will make a few comments around the purpose for doing the inquiry and the general role of PAC.

To date, the Parliamentary Joint Standing Committee of Public Accounts has followed up reports of the Parliamentary Joint Standing Committee on Public Works, following the completion of major infrastructure that have been recommended by the PWC. Members will recall debates on some of the more recent reports related to works particularly on the Midland Highway, for example.

This review is a little bit different. This reviews the works recommended by the Public Works Committee, but it was different because this project was still under construction when the PAC resolved to consider the progress of these two projects. We did this particularly to consider any cost or other variations to the recommended works in light of the increased construction cost, which we are all aware of, particularly some of them COVID-19-related, but other factors outside our control. The shortage of workers and of some building materials would add significantly with the impact of the COVID-19 pandemic. Because these are buildings that are being constructed, not just roads, there are a heap of other materials required to build a building.

The committee noted in the report the Tasmanian construction supply chains have been significantly impacted by COVID-19-related cost and workforce pressures, resulting in increases in construction material cost, as demand exceeded supply and there may also have been a shortage of skilled labour, partly through the COVID-19 restrictions which were in place during this period, when this project was on foot. Amongst other building and construction industry drivers being impacted and since the approvals of each of the respective projects, the committee was concerned these things may have had a significant impact on the progress of these projects. This is one of the areas the PAC was interested in: understanding what impact there had been, if any, on these two projects. The member for Elwick may speak more about this in terms of the impact on other businesses in relation to these works.

The two building projects that are subject to this review are the Sorell Emergency Services Hub and the major redevelopment of the Sorell School. To provide a little detail on these projects - the report does cover them in great detail - I will not go through all of it, but as noted in the report, the Public Works Committee considered and recommended works to construct an emergency services hub on a greenfield site in Sorell at 47 Cole Street, with

Tasmania Police, the Tasmania Fire Service and the State Emergency Service personnel to be co-located in a modern state-of-the-art emergency services facility.

The Sorell Emergency Services Hub would allow response crews for each emergency service to be directly based in the same area, which is expected to improve critical response times and enhance community safety. They were not previously co-located, obviously.

The works were supported noting Sorell has an existing police station, but does not have a fire station, nor a dedicated SES facility in the area. The State Emergency Services Southern Regional Unit is the closest SES express response to Sorell located in Mornington, 20 kilometres away. The nearest volunteer fire stations were located in Midway Point, Dodges Ferry, Orielson and Wattle Hill.

The current Sorell Police Station provides policing services to the Sorell municipality, which includes the Sorell township, Midway Point, Forcett, Lewisham, Dodges Ferry, Primrose Sands and Orielson. It also serves as the need to often provide backup to the one-person stations at Richmond and Nubeena and the two-person station at Dunally.

The committee was informed the proposed works aimed to provide the following advantages and benefits:

- to greatly improve critical response times for road crash rescues and other emergencies;
- to enhance community safety in the south-east region;
- to provide a modern and efficient operating environment contained within the building's functional layout including state-of-the-art IT technologies;
- to reduce maintenance and operating costs resulting from facilities sharing and building efficiency;
- to increase capacity to deliver emergency service functions to meet the demands of the rapid growth in the south-east region now and into the future;
- to create additional location for incident management at incident staging due to the inclusion of a major incident room/incident control centre;
- to improve the work, health and safety of employees and volunteers through the provision of the state-of-the-art purpose-built facilities;
- to improve access, safety and security for the local community.

While the current Sorell Police Station will close and possibly may have closed, the volunteer fire service and SES units in the south-east region will be retained and complement the new facility. That was the major rationale behind the emergency services hub.

With regard to the major development of the Sorell School, this was proposed with the aim of consolidating the school as an integrated kindergarten to year 12 campus and providing contemporary learning environments for the school students. The main campus of the school

is situated at 41 Gordon Street, Sorell. It is the only school that caters for high-school-age students within the Sorell municipality. The school also includes an additional kindergarten at Midway Point.

The proposed works aim to provide the following advantages and benefits:

- To transform the school as an attractive and welcoming facility with a sense of community ownership.
- To create one school by connecting all existing and new facilities.
- To create a contemporary, safe and welcoming learning environment from birth to adult.
- To consolidate all the facilities into one clearly identified educational community precinct.
- To assist the school in this transition to a major regional education centre for south-east Tasmania.
- To remove aged buildings and infrastructure, refurbish all facilities and provide highly visible and welcoming new buildings.

These two projects were considered by the Public Works Committee in recommending 2020 in report numbers 41 of 2020 and 15 of 2020 respectively.

As I noted, the Parliamentary Joint Standing Committee of Public Accounts determined by its own motion to undertake an inquiry into the progress of these two important projects. In light of some identified delays and in view of the COVID-19 pandemic related challenges.

The committee was particularly interested in the progress of the respective development applications and building approvals for the respective public works projects; a potential impact of any delays to the commencement of the projects to the Tasmanian community, the contractors involved in or engaged with the respective public works projects; any financial impact or outcome of respective public works projects and the projects as recommended; and the contingencies that were in place to deal with any potential contract variations, noting the apparent difficulty in sourcing building material and construction materials in the current Tasmanian market.

The committee wrote to the two relevant ministers, Mrs Petrusma, the then minister for Police, Fire and Emergency Management, and Mr Jaensch, seeking a written response to questions related to the above matters and we also held subsequent public hearings. The written and oral submissions have informed this report.

As has been the experience of many committees during the inquiry, the parliament was prorogued twice following the resignations of the former premier, Peter Gutwein, and Jacquie Petrusma. The work of the committee was also suspended out of respect for the passing of Her Majesty, Queen Elizabeth II. All these events delayed the progress of this inquiry, nothing new to members of committees in this place.

With regard to the progress on the two projects under consideration, of note there were delays that have been identified due to soil conditions and necessary additional community consultation. I am always interested when there has to be additional community consultation. That is what happens at the outset. It is further elaborated on in the report.

In terms of the focus of the committee, despite these delays the projects remained on track to be completed within the contracted time frames which was good news and we were pleased to hear that. With regard to the concern of significant costs increases in the construction sector, the Public Accounts Committee was advised that significant additional costs had largely been avoided due to prior planning and procurement of building and fit-out materials and equipment. The department got in early and a big tick for that as well. This is pleasing to note, particularly in light of the cost increases associated with building products and building materials and labour workforce issues that many in the construction and other sectors are currently facing.

The Public Accounts Committee also noted the additional challenges associated with the construction of a new school facility on a currently operating school site and the likely disruption that it would create to teaching and learning. The committee noted that appropriate additional resourcing is critical in supporting schools engaged in major capital works upgrades and projects. In addition, the committee notes the value and opportunity provided in attracting emergency services volunteers and collaboration opportunities offered by the new Sorell Emergency Services Hub model. The committee suggested that other local communities throughout Tasmania would benefit from a similar approach in co-locating emergency services.

Other matters were explored by the committee with regard to the use of local contractors, future development of the Sorell School and the benefits of co-location of the emergency services and support for the volunteers related to these projects. It was interesting that a subsequent report released by the Public Works Committee in relation to the Glenorchy emergency services recommended a separation. That was favoured over a consolidation of emergency services. That is another report that members are going to look at.

Other committee members may wish to speak further on those matters so I will focus on the overall findings and recommendations. I can always wrap up if there are additional matters that have not been covered. The committee reported eight findings related to these projects, noting the progress to date, the contingencies in place to respond to the price increases and the reported benefits associated with the co-location of emergency services, including the attraction of volunteers.

The committee also noted the Department of Education conceded that ongoing capital works during a school term was disruptive to the Sorell School - and any school for that matter - and their operations generally. The department had supported the Sorell School through this difficult period and for anyone who has had school works in their electorate going on during a school term, it is disruptive.

**Mr Willie** - Or who work in a school when it is happening.

**Ms FORREST** - Yes. I remember when Burnie High had to be rebuilt after the fire. It needed to be rebuilt for the obvious reason, apart from that a fair bit of it was burnt down, and it needed to happen during school term, even though the fire happened on the last day of school. You cannot build a new facility quite that quickly as in the summer school holidays.

In addition to the current works program, the committee noted the potential for a new gymnasium and oval at the Sorell School and we understand that will be explored by the Department of Education on future capital works submissions made as part of the department's annual budget process. I am sure the local member will keep an eye on that.

The committee made one recommendation to each relevant department. The committee recommended that DPFEM consider, as part of its future infrastructure programs, other sites that would benefit from an emergency services response facility similar to the Sorell Emergency Services Hub model.

The evidence we received as a committee was clear that there were benefits in attracting volunteers, in having shared resources, in having spaces where you can debrief together for the emergency services who have responded to perhaps a not pleasant experience or incident. It was interesting to read a more recent Public Works Committee report, after we had done this work, regarding the Glenorchy Ambulance Station where the opposite was stated as a benefit. You cannot have it both ways. I would be interested to know what is the Government's view on that. Is it a benefit to have them co-located or is it not?

**Mr PRESIDENT** - It probably depends on the real estate dealer.

**Ms FORREST** - It probably depends on the real estate dealer; it might depend on the geographic location a little bit. This is Sorell, that was Glenorchy, they are similarly populated areas. It would be very beneficial in some of our rural communities to have them co-located, particularly as they struggle for volunteers. Many volunteers on the west coast and Circular Head and places like that - and I am sure it is the same for places around the north-east - they do not just volunteer for the ambulance service, they volunteer for the fire and SES as well. For everything. You can only be fulfilling one role at a time.

If there is a shared facility it might make it encouraging for more people to participate. I was somewhat fascinated by that different approach taken by the Public Works Committee report on the Glenorchy Ambulance Station, as was referred to in the Sorell Emergency Services Hub.

With regard to the Department of Education, the committee recommended the department continue to support all schools with appropriate additional resourcing when undertaking major capital works programs to minimise disruption to normal activities, particularly where teaching and learning is going on.

I am sure you and other members would see the value of reviewing some of our larger capital works projects during their construction, as the Public Accounts Committee chose to do on this occasion. It was the first one we have done of this nature. We have generally waited until other projects have been finished and then pulled the relevant department in to see whether it was delivered on time, on budget, what variations were necessary and of the impact and did it deliver the intended outcomes. It is important with some of our larger projects such as this, and there may be others, that we will review the Public Works Committee's reports before the project is complete and as it is ongoing, particularly where sometimes there have been concerns raised by community members or businesses impacted or affected by the major works. Rather than saying we will just have to wait until that project is finished and then we will hear from you, we can actually hear from people during the process. As the Public Accounts Committee remit is to look at the expenditure of public monies, it very much fits inside our remit.



I thank all the members of the committee and the committee secretariat for their work on this inquiry. It is helpful to actually assess projects that are on foot and not just those that have been completed. I look forward to other members' contributions.

[5.23 p.m.]

**Mr WILLIE** (Elwick) - As a committee member, I support the Chair of the Public Accounts Committee. There is not much left to say after that.

**Ms Forrest** - I left some important bits for you.

**Mr WILLIE** - Yes. I will read out that press release. In relation to some of the comments regarding the Glenorchy emergency services area, I have visited there and I have read that report from the Public Accounts -

**Ms Forrest** - Public Works.

**Mr WILLIE** - Public Works. I do not think there would be a site in Glenorchy of a size where you could co-locate. It is about moving the Ambulance Service out of there and - correct me if I am wrong, Public Works Committee members - increasing the capacity of the ambulance service for the future population it relates to. A huge amount of space for ambulance and decontamination areas and a whole lot of other stuff. There is not enough space in the current site, basically. That will just become a purpose fire station. That is why I think they are recommending separated areas. As the President said, it might depend on real estate a bit too.

Clearly there are benefits for the Sorell community in terms of co-location and this is a valuable process where the Public Accounts does follow up on Public Works reports. It is not just an opportunity for scrutiny of Government and Government ministers. This is an also opportunity for the Government to tell a good story if they have things on budget and on time.

There has some been some reprofiling of both of these projects across the budget. The then minister, Mrs Petrusma, was able to add some explanation. Obviously, the soil concerns and COVID-19. The Sorell Emergency Services Hub blew out to 2024, but then it came back to 2023 and they were back on track again. We heard the benefits in terms of the integration of volunteers and they were going to do a whole lot of work, too, with neighbouring areas. There was that opportunity.

In terms of the school, there was a little concern from me in hearing the minister was trying to minimise the impact and the delays. Having worked in a school that has been redeveloped, it is significant to student learning and the staff. I remember one day I was teaching a lesson, for example, and there were tradesmen sort of hanging out the window with plumbers' cracks and bad language, which was more engaging than my lesson at the time for the students.

**Mr PRESIDENT** - Says a lot for your teaching.

**Mrs Hiscutt** - You did not recognise anybody, did you?

**Mr WILLIE** - No. However, having people coming onsite is a big distraction and it does impact learning programs. Sometimes significantly. I had heard from that school

community and particularly some members, some parents, who passed on some feedback to me that people in the school community were getting frustrated. Things like the Year 11 and 12s had to be located in the trade training centre and that was impacting that operation.

The child and family centre delay has meant that project had been impacted and they were doing pop-ups in the Sorell municipality. Child and family centres are great, everyone in here in this Chamber knows my passion for those. I am pleased there are six new ones being built. The Government had to be dragged to some of those commitments, but I am pleased they are following through. The opportunity with the Sorell School is to have a birth to Year 12 site and an acknowledgement from the department they do have a responsibility in those early years to prepare families and kids for school.

Then there are obviously the other impacts. There was a basketball court closed, which means activities are limited for students because of the delays. The main oval is not in service, which was contributing to behaviour issues. We should not minimise the impacts of these developments here in school terms. It does have an impact. That said, we are all in agreeance that fit-for-purpose education facilities, we would all support that and there are many schools around the state and in our own electorates that require work, sometimes significant work. We should be investing in those. There is probably broad support across the parliament for -

**Mrs Forrest** - Montello Primary School, it needs to be bulldozed, and a new one built. Or a new one built, and then bulldozed.

**Mr WILLIE** - Well, it is funny, in the election campaign, as the shadow Education spokesperson we announced a neglected schools fund, and then suddenly all these schools on the priority list were getting funded. Funny how it took two parliamentary terms for that to happen.

**Mrs Hiscutt** - Montello has not yet been that lucky.

**Mr WILLIE** - Yes. The other thing I was made aware of leading into the inquiry was a business that had gone into receivership. They actually issued a press release which I will pass on to the minister. It was Elphinstone Enterprises. The press release was in April 2022. Elphinstone Enterprises at Burnie was placed into the hands of administrator Shaw Gidley due to losses sustained during COVID-19.

The Covid outbreak has caused increasing costs in products and materials, ongoing delays in projects and a shortage of skilled labour to meet demand. We have also been seriously affected by staff absenteeism due to Covid isolation rules imposed on employees for being close contacts since the border re-opening.

Although we have battled through the pandemic to this point it has been a long hard road. We thought that our situation was improving when we obtained over \$1.3m worth of contracts in the middle of 2021 to be completed by the end of January 2022. To date, these projects have not been completed for the following reasons ...

Sorell High School was listed as December and there were site issues. That might have been the soil and they started on site in April. Then Sorell Emergency Services, January,

plumbing permit not issued and they started in April as well. They went on to say the delays were not caused by them but it is always sad when a business goes into administration.

**Ms Forrest** - Particularly when they had a lot of contracts lined up for government work.

**Mr WILLIE** - Yes, a lot of contracts lined up and they thought they could work their way out of their issues and the impact from the pandemic but unfortunately for them, some of these project delays caught up with them in the end.

**Ms Forrest** - That media release is attached to the report.

**Mr WILLIE** - That is in the report, yes. I did provide that to the minister too if he wanted to follow up on that with the people involved. Apart from that, the Chair covered most of the findings and recommendations and I look forward to looking at more of these reports and following up. That is an important function of the Public Accounts Committee. I look forward to working with our Public Works Committee members on anything they see as an opportunity to follow up.

I guess driving through the area, it is good to see the school under construction and hope it does improve the environment for learning. The built environment alone does not make for great schools, it is the people in them too and we need to invest in them also, which I am sure we will have a keen focus on that tomorrow.

[5.32 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Mr President, as it crosses two different departments, I have two separate responses from the two ministers.

The first one I will deliver is from the Department of Police, Fire and Emergency Management, report No. 41 of 2020.

Mr President, the Tasmanian Government is committed to providing a safe, secure and resilient Tasmania, including developing significant infrastructure to support our emergency services personnel. As part of this, \$12 million has been allocated to establish the Emergency Services Hub in Sorell. This exciting development represents the first of its kind in Tasmania and will see Tasmania Police, Tasmania Fire Service and the State Emergency Service co-located on a new, purpose-build site providing Sorell and the greater south-east Tasmania community with a substantial increase in emergency services capability. The hub is being designed to provide a facility that will support both the individual and collective needs of all emergency services, both now and well into the future and will help to build a positive working relationship between emergency personnel and the community that they serve.

The Sorell population is one of south-east Tasmania's fastest growing regions. It has a population of over 14 000, with current growth exceeding the state average by between five to six times the state average. This is forecast to continue until 2042. According to strategic work commissioned by the South East Region Development Association undertaken by KPMG in 2015, the broader region could grow between 20 000 to 90 000 in the next 10 to 15 years. As a result of predicted growth rates, in addition to the large number of interstate and overseas tourists who pass through the area on their way to the east coast and the Tasman Peninsula, the

timely provision of emergency services and associated infrastructure will become increasingly significant for the area.

In particular, road crash rescue will be an enhanced capability to support this region. At present, the Sorell township has an existing police station which provides policing services to Sorell as well as the surrounding areas of Midway Point, Carlton, Forcett, Lewisham, Dodges Ferry, Primrose Sands, Nugent and Orielton.

The current building was built in 1966 as a rural police station and was refurbished in 1996, but has not been upgraded since then. The police station no longer has the appropriate space, layout or supporting infrastructure to adequately support police operations, nor can it accommodate the increase in police numbers. Sorell does not have its own fire station, with neighbouring volunteer brigades located at Midway Point, Dodges Ferry, Orielton and Wattle Hill. There is also no dedicated state emergency service facility in the area, with the nearest SES unit being the Southern Regional Unit located in Mornington, which is 20 kilometres away. This unit services the greater Hobart area which includes Sorell but also Clarence, Hobart, Kingborough and Glenorchy. This is a concern as the existing facilities are located in a densely populated residential zone in the Clarence municipality and can face issues with resource allocation and traffic congestion on all roads, particularly during peak periods. It is therefore not suitable to solely service growth in the south-east region.

The new hub will accommodate approximately 14 police officers, up to 50 TFS members and up to 40 SES volunteers. A volunteer recruitment drive for the TFS and SES commenced in March 2022, with recruitment sessions held on 2 and 3 April. There was a strong response from the local community with 39 applications received, and these volunteers have now commenced their training. The location of the hub itself, situated at 47 Cole Street, is ideal for shared emergency service purposes. It is currently located and encompasses other community services, including a health centre, the Sorell Council Chambers, the local RSL, the Lions Club and a Men's Shed. It provides plenty of space and easy access for emergency response vehicles, the marine boat and personnel, and will greatly improve critical response times and enhance community safety.

The wider municipality will also benefit from the construction stage of the project, with asset upgrades such as increased stormwater catchment capacity. The funding commitment by the Government covers both construction and non-construction costs, including architectural fees, furniture and IT infrastructure, plus an \$80 000 public art component. It was initially anticipated that construction will be completed by the end of this year. However, civil works were stopped in December 2021 due to latent soil issues. The halt in civil work took place largely over the Christmas period when most trades people have a break in any event. Contractors involved were not adversely impacted by the pause and the other contracted works could irrespectively progress.

Work recommenced in February 2022 and the project is now expected to be finalised in early 2023. Funding has been brought forward to 2022-23 to align with this revised time frame. The Government has also provided \$420 000 to operationalise the hub, which will allow for the purchase of SES rescue vehicles and a trailer. I have outlined for members why the establishment of an emergency services hub makes sound operational sense. It is an exciting and long-anticipated project for the Sorell community and will enable Tasmania Police, Tasmania Fire Service and the State Emergency Service to provide dedicated and enhanced essential emergency service responses to the region.

I will now move on to the contribution from the Department for Education, Children and Young People. The Sorell region and surrounding areas are fast growing communities, and the Tasmanian Government is making a significant investment to support them with high-quality education facilities. As part of the 2018 election commitments, the Government committed to undertake a major redevelopment of the Sorell School. The redevelopment will be a mix of new and refurbished buildings, consolidating the school and creating contemporary kindergarten to Year 12 learning facilities. The project is well progressed and the contractor, Fairbrother, commenced construction on site in September 2021 with works to be completed in late 2024. A new, separately funded child and family learning centre is also planned for the school site, and will be built once enabling works are completed as part of the school redevelopment. These exciting projects will bring enormous benefit to the Sorell area during construction and for a long time into the future.

Mr President, extensive community consultation has been undertaken since 2018 to provide opportunities for the community to help shape the redevelopment of the Sorell School. A concept master plan was developed by the architect working with the project working group, which includes representation from the school, school association, the Department for Education, Children, and Young People, and the Mayor of Sorell. The local community was provided an opportunity to view and provide feedback on the concept master plan in 2019.

The Government committed capital funding of \$25.75 million to undertake a major redevelopment of the Sorell School. Prior to tendering, the construction estimate provided by the quantity surveyor (QS), was \$24 million, which allowed for a total contingency of \$2.2 million. All tenders received were higher than the QS estimate. The awarded contract was for \$24.598 million, with \$1.44 million set aside in the project budget for contingency.

As with most major capital projects, variations occur during the construction phase due to unforeseen circumstances, which is why contingencies are held. Some variations have arisen through the Sorell project as a result of site conditions - rocks. However, these are well inside the contingency allowance and the department's project team continues to work closely with the contractor to manage and monitor the project budget and any contract variations.

**Ms Forrest** - They were probably very big rocks, I reckon.

**Mrs HISCUTT** - They needed a rock breaker. A stick of dynamite.

The original completion year was 2021, which was changed to 2023 in the 2020-21 state Budget. Completion was pushed out to 2024 in the 2021-22 state Budget, based on the construction program submitted by the successful tenderer, Fairbrother. The Sorell School redevelopment project has experienced delays due to the extensive consultation process and extremely busy local construction market slowing the design phase; the national shortage of the building materials; the addition of the new child and family learning centre into the project scope; and the requirement to stage the works to ensure learning is not disrupted.

Construction is occurring in three phases over a total of three years, to allow the school to continue to operate while new buildings are added and then others renovated. The school continues to operate during the construction phase, and as such, the impact to the local community arising from delays is nominal. The school has provided regular communications to its community and neighbouring businesses and residents about the progress of the

redevelopment, and the Department for Education, Children, and Young People has engaged closely with the Sorell Council.

The department continues to support the Sorell School, and all schools, with appropriate additional resourcing when undertaking major capital works programs to minimise disruption to normal activities. This support includes an additional Assistant Principal allocation of 1.4 FTE in 2021, and 2.0 FTE in 2022, as well as additional admin funding of \$60 000 over the life of the project to support the increased community engagement during the construction.

Recommendation two is about the DoE continues to support all schools where appropriate with additional resourcing when undertaking major capital works program to minimise disruption to normal activities. The Government acknowledges the recommendation of the committee, and the department will continue to place a strong focus on maintaining learning for the current student cohort during major capital works at their school.

Mr President, the Government notes the motion.

[5.45 p.m.]

**Mr VALENTINE** (Hobart) - Once again, I thank the Public Accounts Committee for taking up the cudgel, if you like, following up on the other end of these sorts of developments. We are presented with various projects to look at and we examine them as best we can but when it comes to construction and actually putting the digger in the ground, a lot can transpire. It is interesting to be able to see how things have actually gone and the Public Accounts Committee does a very valuable job with respect to that.

The only extra comment I would make is one that was an observation that was drawn from the separation of stations and how at Sorell there is a co-location and in Glenorchy, there is not. The departments actually come to us with these things. We do not have the capacity to modify a development to that extent. It is a Governor's - what shall we say - reference and we have to deal with the reference that is before us as it is presented to us.

Just reading through the Glenorchy report - this is not about the Glenorchy report, I have to say - it is about another one but we did raise the issue as to the co-location. I remember when I worked for the department for 20 years in health, this is something that often came up and there was always a bit of a belief that they had their own fiefdoms. What seems to have come out of the discussion regarding this is that co-located sites seem to have day-only crews. In cities, where you have significantly greater activity, it would seem that that is a cause for having standalone sites.

You might look at the site in Hobart, in Melville Street - fire services with its own site, the ambulance service a bit further down on the same block but next corner. They are separated because it is such high activity. With that particular Glenorchy site, they had to garage up to 18 vehicles, which is quite a significant number of vehicles and it is a lot cheaper to garage them out there at Glenorchy than it would be in the city centre. Also, you have extended care paramedics who are also being taken care of and non-emergency patient transport vehicles that are also being taken care of. So, there is a significant amount of activity that seemed to be being sold as the reason why it was a separate -

**Mr Willie** - There are capacity issues at the Hobart station. That is why they want to expand at Glenorchy. They have nowhere to expand there.

**Mr VALENTINE** - Yes, and they are actually looking at bringing Claremont into it as well, back into that Glenorchy site. If you take the time to read that Glenorchy report, it is an interesting one but they were challenged on it. Is this just a matter of wanting to protect your own fiefdom? The clear answer came back, no, this is about space and it is about having enough space to be able to deal with all the vehicles.

**Ms Forrest** - As the President said, real estate.

**Mr VALENTINE** - Yes, real estate. It is interesting. They are not far from each other, about 600 metres out at Glenorchy, between the Glenorchy Fire Station and the new site.

**Mr Willie** - Different sides of the highway.

**Mr VALENTINE** - Different sides of the highway but interesting access from both those sites and having control of the lights and all sorts of things. It was fascinating to delve into that, was it not, member for McIntyre, when we dealt with that? It will always be dollars. Are the dollars there to do a major infrastructure upgrade? It would take up a huge site if the site was available to be able to see it operate more efficiently. The reference is as it is. It was challenged and at the end of the day the arguments were put up as to what they needed that space for.

**Ms Forrest** - I think you are off the track.

**Mr VALENTINE** - No. I am talking about -

**Ms Forrest** - Exactly.

**Mr Willie** - You started it.

**Mr VALENTINE** - You asked the question. I am responding to the observation that was made.

**Ms Forrest** - It was a comment, not a question.

**Mr VALENTINE** - Okay, it was a comment and I am responding to that.

**Ms Rattray** - Getting in early before the next report is announced.

**Mr VALENTINE** - As far as the Sorell hub is concerned, it is a significant hub and the arguments were well put as to why it needed to be built. It is good to see that it is progressing without too much of an issue. There is a bit of a soil issue there to start with but it seems it is not a show stopper. It is a significant development for that area and the way they are progressing from kindergarten right through to Years 11 and 12, there is upwards of \$24 million or more that is being spent on that site. It is significant for Sorell itself and it is money well spent.

During the discussion on this in the Public Works Committee, the query was, why take the kindergarten out of Midway Point when Midway Point was exploding with growth, there are a lot of houses being built at Midway Point. It is not just what you see as you drive through. If you go out the back it is significant as the member for Prosser will attest. There are a lot of

young families there and it was a query and it was answered by the fact that yes, it is a one-stop shop situation. You do not have parents having to drop off children at two different locations.

**Ms Forrest** - Not with the traffic out there like it is.

**Mr VALENTINE** - That is right. Although coming from Sorell back into Midway Point there are two lanes that turn right at that point. It is fascinating, but it soon comes into one. It is what is called storage of vehicles. It is money well spent and it is good to see that they are progressing well and I hope it augurs well for Sorell in the future because it is a significant community that is fast building quite clearly. You only have to look at the traffic that travels through that area. I note the report.

[5.54 p.m.]

**Ms FORREST** (Murchison) - It always good to lay down the gauntlet for the member for Hobart. He cannot help but take the bait.

**Mr Valentine** - That is exactly right. Hook, line and sinker.

**Ms FORREST** - To clarify, the comment about the Glenorchy Ambulance Station was not so much the comment of the committee, it was the comment of the Government. It was not the committee's comments on that; it was what the Government told the committee. It is interesting how different facilities can attract completely different reasons in supporting the application for the request for the approval or recommendation of the Public Works Committee.

**Ms Rattray** - They do tell it under oath.

**Ms FORREST** - I am not suggesting they were not saying the right thing. It is just interesting how for a different project you can almost use the opposite argument. Anyway, that is beside the point in many respects.

It was an interesting observation, but when we did the report we were actually referring to here, in our review of those two projects, the committee did look at co-location of some of these services, particularly in our regions where the committee felt there could be significant benefit, while accepting the density, the real estate issues and that in our cities, it may not be such an easy process to take. Obviously, with emergency services, you need rapid access to a major highway - which is a problem with the new Burnie Ambulance Station, which you have looked at in the past as well.

I thank members for their contributions on this. I also appreciate the response from the Government in terms of outlining some of the additional information. Some of the community probably did not hear all of that, but time has passed since the committee did our work, when we took our evidence.

It highlights that it is difficult for members of this place, particularly newer members, to track the pushing out of projects through the budget papers. The Leader referred to two 'pushings out,' if you like, of the Sorell School project - I am pretty sure it was the Sorell School project - as was determined in the budget process. If you pick up the budget for 2020-21 and look at that in isolation, and then you pick up the 2021-22 budget papers, you may not realise that it has actually just been shunted and pushed out. There are good reasons for that, I am not



suggesting it is the wrong thing to do. I am just saying that it helpful for the Leader to be open and up-front about that. That is what happens. If you are not tracking it - which you may be if it is in your electorate and you are particularly watching it - you might think, 'that is a nice lot of money for the Sorell School', when effectively, it is just re-announced and pushed out.

It is always important for us when we are scrutinising that to look backwards as well to look at what is in front of us, to see what was expected and to then understand the reasons as to why a project may have been deferred. There are many good reasons, particularly in some of our road projects at the moment with the significant heavy rains and flooding we have had. That can certainly delay projects or have to divert resources at times, to deal with major problems.

I was interested in the Leader's comments about community engagement and that was one of the reasons it was pushed out a little bit; particularly around the school commencement of the works there. The message in this, not just from what the committee heard, but also from the Leader's comments, is the absolute imperative of having meaningful open and up-front consultation, particularly with the school community, when school works are going to be undertaken. It is disruptive by its nature, for the children who are at the school at the time, particularly the kids in the senior part of the school, whether it be a primary school going to Years 5 and 6 or a high school that goes through to Year 11 or 12 and the students continue on, or whether they leave in Year 10 and go on to a college. Those students are often the most impacted and they are the ones who do not get the benefit. They do not get to access the beautiful new facilities. They deal with the disruption, the challenges - these are kids at the senior part of their education - and they do not get the benefit. We need to be very proactive in engaging our school communities. If it does take a bit longer at the front end, then that is okay, if we get it right and make sure that the whole school community is aware and taken along on the journey.

It is often not until you talk to some of the families and the staff who access the school daily, that you hear what the actual challenges are. I will harp on about this for as long as I am in this place. Sadly, people who make some of these decisions have no idea about the reality on the ground. I make that point about some of the decisions being made about schools like Montello, where money was being spent and allocated but did not address some of the very real challenges that the teachers and families and students that use that school every day know about. We have to do a better job on this, in many respects, to ensure that those lived experience challenges that are experienced by the people who are there are not brushed over, ignored or minimised, by people in Hobart making decision for the benefit of our schools and our regions and other areas. I will bang on about it, because it happens far too often. People say it does not happen. I was talking to a friend of mine the other day who had a bit of research in this area. Our electorate in the north-west is called Braddon, our lower House federal electorate; and Mr Braddon had a major problem with this and almost had a bruise on his forehead from bashing his head on the wall because he was not heard in Hobart.

It is not new. It is historical, and it continues to go on. If you need any further proof, look at the debacle of the Cam River Bridge. People were not believed, even though they were standing there looking at the problem, as I spoke about in my earlier speech. Getting off the track? Absolutely; but it was around that important part of the consultation with the local community when you are doing school works. We saw it in Sorell, which is in Hobart. I am sure members are aware of that. Even that required further consultation before the project could be progressed. It is a vital part. You need to talk to the people who have the lived

experience of using that facility, particularly when you are going to continue to provide teaching and learning in that environment. It is disruptive, and the children most impacted are the ones who will not get the benefit.

I thank members for their contribution and I look forward to other Public Accounts Committee inquiries into works that are in progress. The Bridgewater Bridge is a nice one to think about; but there are many other big projects that it would be sensible to call in during the process, not wait until the completion of the process or project. It is a useful and helpful process.

If there are any members who have areas in their electorate that members of the committee may not be aware of, feel free to reach out to the Public Accounts Committee on those matters and also the Public Works Committee. We appreciate things being flagged from this as well; as has happened.

Thanks for the members' contribution. Mr President, I note the motion.

**Report considered and noted.**

**OCCUPATIONAL LICENSING (AUTOMATIC MUTUAL RECOGNITION  
CONSEQUENTIAL AMENDMENTS) BILL 2022 (No. 27)**

**ROADS AND JETTIES AMENDMENT BILL 2022 (No. 12)**

**TRAFFIC AMENDMENT (ELECTRONIC BILLBOARDS) BILL 2022 (No. 5)**

**ELECTRICITY SAFETY BILL 2022 (No. 11)**

**Third Reading**

**Bills read the third time.**

**MOTION**

**Deferral of Business**

[6.05 p.m.]

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

That intervening business be postponed until after consideration of order of the day No. 14.

**Motion agreed to.**

## **CLIMATE CHANGE (STATE ACTION) AMENDMENT BILL 2021 (No. 63)**

### **Order of the Day Discharged - Recommittal of Committee of the Whole Council**

[6.06 p.m.]

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

That the Order of the Day be discharged and the bill be recommitted to a Committee of the Whole of Council for the purposes of reconsidering clause 6 proposed new section 5F.

In speaking to the motion: during the debate, the Government argued strenuously against the amendment on the basis that such a legislative requirement across diverse policy settings entails significant legal risk, including judicial review, implementation issues, potential unintended consequences, and is untested.

Some other members also highlighted these risks and raised valid questions about the amendment. Also, during the debate, the Government noted that climate change should be consistently considered in decision-making, but the knowledge and capability to meet this duty across the General Government sector varies considerably.

Following an interjurisdictional review of other approaches and consultation with Tasmanian government departments, the Government determined to develop a policy framework to build the capacity of the public sector to consistently consider climate change in all relevant policies, strategies, and plans.

Members will recall that the Government did not bring the bill back for its third reading in the last session. This was in order to seek additional advice on the impact of the amendment. The Government has now received further advice through ReCFIT and other agencies and sources and it reinforces the Government's view that the amendment is ambiguous, uncertain, and imposes significant legal risk.

For this reason, I seek the Council's support to return to the Committee for this clause.

Members will remember that during that clause, I did speak strenuously about the unintended consequences and what it meant. Since that time, the minister has sought some legal advice and with departments and other sectors of government, and we are very concerned about that particular amendment, and would like to recommit that for further consideration, Mr President.

**Mr VALENTINE** (Hobart) - A question on recommittal.

**Mr PRESIDENT** - Yes, the question is that the order of the day be discharged, and we recommit the bill.

**Mr VALENTINE** - Okay.

**Mr PRESIDENT** - That was the motion.

**Mr VALENTINE** - Sorry.

**Mr PRESIDENT** - That is fine.

**Motion agreed to.**

## **CLIMATE CHANGE (STATE ACTION) AMENDMENT BILL 2021 (No. 63)**

### **In Committee**

#### **Clause 6 -**

Proposed new section 5F

**Mrs HISCUTT** - Madam Chair, I move -

That the amendment proposed to Clause 6 by inserting new section 5F be disagreed to.

The Government has taken further advice through ReCFIT and other agencies and sources and it reinforces the Government's view that the amendment is ambiguous, uncertain and imposes significant legal risk. Firstly, legislation should be clear, not vague. As currently drafted, we are advised the amendment is ambiguous, uncertain and it is not specific. Key areas of uncertainty and ambiguity in relation to the provisions are, and I will list them:

- What and who it applies to, and what constitutes a policy decision? The term policy is undefined. Even if the ordinary meaning of policy is applied, the definition is still broad and unclear.
- What is the amendment intended to apply to? Does it apply to every policy made by the government and government agencies? Does it apply to wages policy, sentencing policy, WH&S policies? Does the amendment apply to making a policy or making a decision in accordance with the policy or both? Who does the amendment apply to? Does it apply to Cabinet, ministers, a finance officer in an agency, a traffic engineer in State Growth, a planning officer in local government, an engineer in a government business enterprise?

These were questions that were posed. Members, how would the amendment apply in practice and how would it be demonstrated by the Tasmanian policymaker, whoever that may be? Does the amendment require written evidence that climate change has been considered? Does it require a statement of reasons? What is the weighting used when taking climate change into account in a policy decision? Climate change is just one of a number of considerations for a decision-maker. Other factors include for example, costs, safety, existing standards, social impacts.

Another question was, how will the Government take into account a policy's effect on climate change? Taking the effect on climate into account is a broad requirement. In the majority of cases it will not be possible to determine the direct impact a policy is likely to have on climate change. Policies are often broad and have a range of actions. Many policies may be associated with emissions that are indirect or immeasurable. Even for other more tangible

measures, such as infrastructure projects, calculating emissions from projects is complex and requires a comprehensive assessment of all inputs into the project, baseline measurements of emissions from current operations, life cycle analysis, including embodied carbon - the carbon contained in a building material - and ongoing tracking and reporting of future operations.

Members, the Government is proposing a policy framework approach and that will build capacity of the public sector to be able to consider these factors. The policy framework approach is where this should be considered. Climate change policy encompasses both mitigation, that is reducing emissions, and adaptation to manage the risks and opportunities of a changing climate. As currently drafted it is not clear if adaptation is to be considered as part of this duty by policymakers. How does the provision interact with other statutory obligations? The amendment is unclear and the implementation by a Tasmanian decision-maker is difficult to predict. It is likely to have indirect impacts in some instances and direct impacts in others. It may increase judicial review of policy and statutory decisions.

We will now go to the application of the provision. Given the ambiguities and uncertainties associated with key elements of the amendment, it is not clear who it applies to, how the provision can be applied in practice or how it would be considered in a judicial setting. It creates the scope for it to be interpreted in variety of ways, raising the risk that it could be used to contest and oppose decisions at different levels of government, from routine administrative decisions right up to decisions of Cabinet. Further, it is not clear how the provisions interact with existing statutory decision-making, including, for example, the Forest Practices Act and its code, the Mineral Resources Development Act or government business requirements.

As outlined, the consequence of this ambiguity for the Tasmanian policymaker is also uncertain. There are limited Tasmanian precedents for a provision such as this. Most legislative duties placed on employees are very specific. For example, the State Service Code of Conduct under the State Service Act 2000. Where a general duty does exist, for example, in the Biosecurity Act 2019, section 70 and the Environmental Management and Pollution Control Act 1994, section 23A these provisions are well defined in the legislation, are clear who they are apply to and what is required by the responsible officer under these provisions.

They also relate to a specific subject, unlike climate change, which is inherently broad. I will talk now about the policy framework. The Government does not want to impose a legal obligation that directs Tasmanian policy decision-makers to consider the effect on climate change on their decisions, when they have not been provided with guidance or advice on how to do so or what the implications are. This concept has been tested with Tasmanian policymakers and the strong feedback has been that a policy framework focused on building capability is much preferred. The policy framework approach acknowledges the fact that not all decision-makers have the same level of understanding or skills regarding how to consider climate change in decision-making and that a base level of understanding and capability needs to be built across the public sector. The policy framework will provide meaningful guidance for decision-makers on what to consider when making decisions to promote consistent decision-making across the government. It will be co-designed with agencies to ensure it is flexible, fit for purpose, applies to relevant policies, plans and strategies and meets community expectations.

It will include ministerial guidelines, principles to guide decision-making, guidance material and support tools, information on recent scientific, legal and market developments and

training opportunities. The overarching purpose of the policy framework is to build capability and embed climate change considerations into decision-making across the General Government sector. Once the framework is embedded within the public service and there is consistent understanding, there will be an opportunity to review the effectiveness of this approach.

To sum all that up, in developing legislation, this law should be clear and not vague and ambiguous. The Government has taken further advice through ReCFIT and other sources and we are advised the provisions entail significant ambiguity, risk and uncertainty and the Government cannot support it. The Government has outlined its intentions to develop a policy framework, rather than a legislative approach. The Government cannot support the new clause as it entails significant legal risk, potential unintended consequences and is untested.

The minister wanted me to hold the bill in our House until he had that information. He has sought legal information and this is the outcome of what was there. Members, I urge you to reject this clause here and now because this is the opportunity. We are very concerned about the legal consequences of this amendment being in the bill. I urge you not to support it.

[6.19 p.m.]

**Mr GAFFNEY** - I am not against looking at this further and investigating it, but we have just been hearing three or four pages of information. I would prefer, if we could, to adjourn this debate so I can have a copy of that information, report progress or whatever we have to do, so I can take this home tonight, look into it and then come back tomorrow. When the Leader says, 'so and so' and 'other sources', and 'other sources' gives me no information - that could be my Dad over the back fence saying 'that is another source'. That does not give me enough information. For us to sit here and debate this on the three or four pages does not give me enough time to go through that piece by piece, pull it apart, contact some of the people I know, say, 'what do you think about this? How do you feel about it?'.

I am not against debating it. That is fine and reasonable. We could do that tomorrow. That is not the issue here but I do not want to debate here on the spot something I have just been presented with. If I had received that two or three days ago, so I could have had a look at it, then I would have been prepared for a response. However, to do it here - and there is a lot of common sense in what has been put in front of us, but we have been told in this place before, this and this. We have been checked off by the Government, blah, blah, and then it gets to the High Court and it is overturned. There are some times that we need to take a bit of care and consideration, give us the night to have a look at this, and then debate it tomorrow.

I would ask that this be, report progress or is it question for the Chair?

**Madam CHAIR** - The Leader would have to withdraw to report progress, and restart again tomorrow. The Leader can have as many speaks as she likes, but if other members want to speak on their thought on it, you might want to give them the opportunity. However, the Leader would have to seek leave to withdraw it before we could actually report progress.

**Mr GAFFNEY** - That is fine. I am comfortable now that other people have heard how I feel about this, people can discuss it, put their thoughts forward. I would like a copy of what we have just been presented with. Unlike some of you here, I cannot remember four pages of information that we have just had read out to try to then debate it productively, with any certainty, in this forum without having to go through all those things and have a look at what

I believe and what I do not. That is how I am feeling at the moment, that we should get the Leader to withdraw and debate it tomorrow once we have had a copy of the information.

**Mrs HISCUTT** - Madam Chair, the Government is not of a mind to withdraw. We will speak strongly against any progress of report. What I have put on the table just now, I mean, we have had the debate before. This is now new evidence, and the Government has sought advice from a variety of sources, including legal advice. We can go backwards and forwards forever with different lawyers. This is the Government's advice from a variety of sources, including legal advice. This is what it tells us. We are very concerned about this amendment. Waiting overnight is not going to make any difference except another lawyer might give another opinion.

We have sought legal advice from a variety of sources, legal advice. Yes, I am right here. We would like to proceed tonight, Madam Chair.

**Mr GAFFNEY** - Let us make this very clear, this is where it annoys me with this Government, and the Leader, that we have just been presented with something, four pages worth of information, and now you are saying you are not willing to give us 12 hours for us to have a look at that, present us with that document, so that we can have a think about it. You wanting us to debate that here on the Floor is really unfair.

You have had plenty of time to get that information to us beforehand. We could have read it. We could have been prepared for this. We could have checked our sources and now, the Leader of the Government is not mindful, so we want to get on with this now. This has been on the books for 12 or 15 months. Then suddenly you cannot give us 12 hours, and you just said yourself, new information; information that has not been presented to us before, and you want us to have a debate or make a decision now, in the next hour or so, because the minister wants that to happen.

It might be on your checklist to get this out of the road, but it is definitely not on mine, and it is not a good way to do legislation.

**Mrs HISCUTT** - The legal information from our sources is not going to change overnight.

**Mr VALENTINE** - Members may have noticed I was on my feet when it was first announced that we were going to do this. I simply wanted to ask whether we were going to get a briefing before we actually went into it. I know that could not be possible until it was actually moved. I can understand that but I would appreciate the opportunity to have had a briefing where we had that information before us. Twelve hours, the member for Mersey is talking about. It is not a huge impost, when we are talking about something that is so important for Tasmania - and for the nation in some ways - in terms of how we go forward with these sorts of things. I would like to properly absorb what the Leader has just told us. I am in the same boat as the member for Mersey on that; and I consider it is a fair ask. Report progress.

**Madam CHAIR** - The Leader would have to withdraw it.

**Mr VALENTINE** - Yes. Give us the information and come back to it tomorrow.

**Mrs HISCUTT** - The new information is in response to an amendment that was presented in the last debate. The amendment itself was not tested or briefed on before it was voted on originally. What I have just presented to you is information that the Government has sourced, including legal advice to say that we are very concerned about this amendment in the bill. Having a briefing will not change anything than what I have just said; the Government has sourced advice and this is the advice that we have received and it is not going to change. This amendment in this bill, 5F, is extremely problematic because of the reasons I have laid out and Government wishes to proceed with it.

**Madam CHAIR** - Before anyone gets to their feet, I remind them that the question before the Chair is that this be voted against. The member for Mersey has used three calls now, arguing for more time. That is not the question before the Chair. Be conscious of the calls you are using, in case you want to speak on the principle of this.

**Ms WEBB** - Thank you Madam Chair, and thank you for that reminder. I will use my first call to speak to the process that is occurring here, because I also find it very disturbing. While we may not have received a briefing on the amendment when it was first presented, the amendment went out to everybody well ahead of the debate that we had on that amendment. So, everybody had the courtesy of considering that amendment well ahead of the time we spent in this Chamber debating it and passing it the first time. So, just be very clear about that.

I wonder when the Government received this advice and whether it would have been available to share with us in some briefing fashion; either sending it to us by email or having a briefing before landing it on us. I do not even have this bill with me today, because it was not on the Notice Paper that we would have expected to have the third reading today, until we had an updated email to that effect during the course of the day.

What the Government is overlooking here, and perhaps would have the courtesy to consider, is that this is not just about the Government doing its job. It is fine that the Government has received advice and has a firm position that this should be removed from the bill. That is the Government doing its job. We are all here to do a job. The job that the rest of us are doing is scrutinising and reviewing legislations that come through and considering matters and questions before the Chair on elements of legislation.

While your Government's view and the advice and the position you have may not change in the next 12 hours, what the 12 hours would provide for us is the opportunity for each of us to do our job and feel that we have met the responsibilities that we have here. We are all voted in here from the communities that put us forward. We are all here to do a job. What 12 hours gives us, is the opportunity to receive and digest the information that the Government has provided on the argument to withdraw this from the bill. It allows us, if we wish, to do some quick consulting with people we have already been consulting with, regularly and comprehensively, about this bill, and about this particular amendment that was put in. It would be a courtesy all of us would appreciate, so that we are undertaking our jobs in all due diligence and in good faith with the stakeholders we have engaged with.

The 12 hours that could be provided by the Government withdrawing this and bringing it back to us tomorrow - that 12 hours allows us to go away and do our job. We may well come back able to agree with the Government position - understand it and consider it properly, consult on it if we wish and come to an agreement. There is nothing to say we are coming back



to fight harder against it. However, it gives each of us, as members here, the courtesy to undertake our role in this Chamber.

So I would speak to this at some point, whether it is tonight or whether it is in 12 hours. I hope that the Government would reconsider, simply as a matter of good parliamentary process. Knowing that you have done your job and are confident with the position, the advice you have, is fine; you could have the courtesy to allow us to do ours and have 12 hours to consider what you verbally put to us now but that we have not seen in writing.

**Mrs HISCUTT** - Madam Chair, the debate we would have pursuant to this would be the same as the debate that we had during the substantial bill. What I have just given you now is information that backs up our original fears. There is nothing more to be said. If you look back at *Hansard*, what I have read out to you is probably almost a copy of what the Government was saying at the time - it is untested, it is ambiguous. We are not sure of the legal consequences, and all I have presented to you now is a confirmation of that.

**Mr Gaffney** - You said 'new information', in the first iteration.

**Mrs HISCUTT** - The amendment was put into the bill in the debate about a week ago. The Government went away to seek advice from a variety of sources, based on this new amendment. We have recently received and considered the advice and are bringing it to the Council at the earliest possible time. The advice backs up the advice the Government has provided. It may not be new and compelling, but it is new and compelling in that it absolutely backs up what I said before. That is why is it new and compelling.

**Ms ARMITAGE** - Madam Chair, I am not going to go into whether we do it tonight or whether we do it tomorrow. My comments are that I did not support the amendment previously and I certainly do not support it now. Obviously, climate change does need to be considered in policy and decision-making; however I had concerns then, and I have concerns now, about putting in a legislative requirement, and the potential unintended consequences. I certainly support taking it out of the bill.

**Ms RATTRAY** - Madam Chair, from a member who did support the amendment at an earlier time, the information that the Leader has provided gives me a different view on that support. However, I also acknowledge that in this place, if members require more time, it is usually provided. I am interested in what would be the big issue with the Government to leave the vote until tomorrow to appease those members who are asking for that additional time. We are here until Thursday, so that still gives the Government the opportunity to take it back to the other place and for us, as a House, to do the third reading. So, I am interested in whether there is any real issue. As has been pointed out by my colleague, I will not be here in 12 hours either; but I will be here tomorrow when parliament recommences. I am certainly reconsidering my position for supporting the motion and voting in line with the request, because it was never my intention that we provide something that is unworkable, in this place.

**Mrs HISCUTT** - Madam Chair, we are certainly convinced that during the debate on the original bill that our advice was correct. The advice we have received now backs that up and it is the Government's clear aim to pass the bill as soon as possible. However, the Government is prepared to go with the will of the House and withdraw the amendment.

**Leave granted.**

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

That we report progress.

**Progress reported. Committee to sit again tomorrow.**

## **STADIUMS TASMANIA AMENDMENT (TRANSFERS) BILL 2022 (No. 39)**

### **First Reading**

**Bill received from the House of Assembly and read the first time.**

### **ADJOURNMENT**

[6.37 p.m.]

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

That at its rising the Council does adjourn until 11.00 a.m. Wednesday  
9 November 2022.

**Motion agreed to.**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) -  
Before I move the adjournment, I remind members of our briefing, starting at 9 a.m. tomorrow morning, starting with the Legal Profession Amendment Bill, followed by the EMCA bill and then the Animal Welfare Amendment Bill.

Mr President, I move -

That that Council do now adjourn.

**The Council adjourned at 6.38 p.m.**

## Appendix 1

Tabled and incorporated  
into Hansard  
L. Hiscutt

8 NOV 2022

### QUESTION ON/ WITHOUT NOTICE

#### Question No. [number] of 2022 Legislative Council

ASKED BY: Hon. Meg Webb MLC

ANSWERED BY: Hon. Leonie Hiscutt MLC

#### QUESTIONS:

With regard to the Government's decision to require the Tasmanian Planning Commission (TPC) to produce a new State of the Environment Report (SoE) by June 2024, despite the October 2020 Independent Review of the Commission, conducted by Professor Roberta Ryan and Mr Alex Lawrie, stating that the Commission is not the appropriate body to undertake State of the Environment Reporting:

- 1) What was the process by which the Government determined to still require the TPC to produce the new State of the Environment Report;
- 2) Upon what advice was the decision-making process based;
- 3) a) Was consideration given by the Government to the option of legislative reform to make the proposed-independent Environmental Protection Authority (EPA) formally responsible for producing future State of the Environment Reports, and  
b) if not, why not?
- 4) a) Were either the current EPA and TPC consulted by Government during the decision-making process on potential options for the appropriate location of the SoE;  
b) (i) if so, what was the position of each agency; and  
(ii) if not, why not?
- 5) Which other agencies, if any, were consulted by Government during the decision-making process; and
- 6) When was the TPC advised of the Government's decision to require the Commission to undertake the next SoE by June 2024?

CA

## ANSWERS:

- 1-3 The new Minister for Planning was made aware that a SoE Report had not been prepared since 2009 and after seeking advice from the Deputy Secretary, Department of Justice and the Office of the Minister for the Environment, determined to direct the TPC to prepare the 2024 SoE Report.
- 4 a) The Office of the Minister for the Environment consulted with the current EPA.
- The TPC were not directly consulted in relation to the SoE Report, but through the Deputy Secretary, Department of Justice the Executive Commissioner was consulted in regard to preparation of the 2024 SoE Report.
- 4 b) i) The EPA advised that it would be able to produce a SoE Report, noting that this would require legislative amendments if the TPC were not to fulfil this role.
- The TPC's position was to acknowledge that they could be directed by the Minister to prepare the 2024 SoE Report and would be required to act in accordance with that direction.
- 4 b) ii) N/A
- 5 No other agencies were consulted.
- 6 The TPC were advised of the Minister for Planning's decision to issue a Direction requiring the TPC to prepare the 2024 SoE Report on 29 September 2022 and the Direction was published in the *Tasmanian Government Gazette* on 12 October 2022.

APPROVED



Michael Ferguson MP  
Deputy Premier  
Minister for Planning

Date: 4/11/22

## Appendix 2

WITS No.: MIN/22/2167

### Questions without Notice

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**Name:** Hon. Meg Webb MLC

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#### Questions:

In response to media questions regarding the net-loss of social housing properties in the Hobart LGA over the last five years, the Mercury reported that Minister for State Development, Construction and Housing Guy Barnett noted *'properties were sometimes transferred to community housing providers for management or ownership, while others were sold for affordable housing.'* Can the Government please advise:

- 1 The on-going process for determining when existing social housing stock is to be transferred to community housing providers or sold for affordable housing
- 2 How many social housing properties were transferred to community housing providers for management or ownership in each of the last five years in the Local Government Areas of
  - a) Hobart
  - b) Kingborough
  - c) Glenorchy; and
  - d) Clarence
- 3 How many social housing properties were sold as affordable housing in each of the last five years in the Local Government Areas of
  - a) Hobart
  - b) Kingborough
  - c) Glenorchy; and
  - d) Clarence
- 4 How many existing dwellings were acquired and repurposed as social housing in each of the last five years in the Local Government Areas of
  - a) Hobart
  - b) Kingborough
  - c) Glenorchy; and
  - d) Clarence

Page 1 of 5

- 5 The total number of social housing properties currently occupied in the Local Government Areas of
- a) Hobart
  - b) Kingborough
  - c) Glenorchy; and
  - d) Clarence
- 6 The total number of social housing properties currently unoccupied in the Local Government Areas of
- a) Hobart
  - b) Kingborough
  - c) Glenorchy; and
  - d) Clarence

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**Answered by:** Hon. Leonie Hiscutt MLC  
Leader of the Government in the Legislative Council

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**Answers:**

- I Assets owned by the Director of Housing used for residential purposes - either public or social housing - are managed in accordance with a strategic asset management plan. Under this plan all properties are provisionally assessed for retention for lease, redevelopment, sale, or future sale. When any dwellings become vacant, the strategic assessment is reviewed to ensure that the current status is still valid having regard to any new policies and programs, and to ensure that the highest and best use of the asset is carefully considered having regard to the level of need for housing in the area, the development potential of the land, the local density of Director owned assets, and the cost of maintenance or upgrades required to make it safe and appropriate for continued tenancing. Strategic assessment management decisions will include retaining the dwelling for re-tenancing, undertaking maintenance or upgrade works, redeveloping the dwelling (that may include demolition and construction of one or more new dwellings) or the sale of the dwelling.

Most if not all sale properties are made available for affordable home ownership, to the target client group through the MyHome program, but occasionally homes may be offered for sale on the open market if significant works are required or the asset is considered end-of-life.

Dwellings may also be sold or transferred for ownership by Community Housing Providers under their contractual agreements. A Community Housing Provider may request the transfer or sale of a dwelling when opportunities arise such as when a property becomes vacant and/or when a property requires significant maintenance or upgrade that may include damage by fire. This provides an opportunity to

improve the amenity of a current dwelling, redevelop a dwelling or reinvest sales proceeds into new supply of social housing.

- 2 Tables 1a and 1b show the transfer of management or ownership of a Public Housing dwelling to Community Housing Providers from 2019.

Table 1a - Dwellings where the management of the dwelling has transferred from Public Housing to Community Housing Providers - by specific LGAs – 2019 to 2022

LGA	2019	2020	2021	2022	Total
Clarence	2	1	475	11	489
Glenorchy	4	1	318	18	341
Hobart	0	1	47	14	62
Kingborough	0	0	0	3	3
<b>Total</b>	<b>6</b>	<b>3</b>	<b>840</b>	<b>46</b>	<b>895</b>

Notes to table:

- LGA data is only available from 2019 due to IT systems recording of program types
- 2022 data is current as at 30 September 2022
- Increase in transfers of management in 2021 due to the Community Housing Growth Program

Table 1b - Dwellings where the ownership of the dwelling has transferred from Public Housing to Community Housing Providers - by specific LGAs – 2019 to 2022.

LGA	2019	2020	2021	2022	Total
Clarence	7	0	4	0	11
Glenorchy	26	0	2	0	28
Hobart	1	1	3	0	5
Kingborough	2	0	0	0	2
<b>Total</b>	<b>36</b>	<b>1</b>	<b>9</b>	<b>0</b>	<b>46</b>

Notes to table:

- 2022 data is current as at 30 September 2022

- 3 Table 2 shows the number of Director of Housing owned dwellings that were sold through the Streets Ahead Incentive Program and HomeShare/My Home in the South over the past five years. Unfortunately, data limitations mean we cannot disaggregate these numbers by LGA.

Table 2 - Sales of Director of Housing owned properties in Southern Tasmania – 2018 to 2022.

Region	2018	2019	2020	2021	2022	Total
South	16	23	11	9	0	59
<b>Total</b>	<b>16</b>	<b>23</b>	<b>11</b>	<b>9</b>	<b>0</b>	<b>59</b>

Notes to table:

- 2022 data is current as at 30 September 2022
- In 2022, very few social housing properties are being sold, particularly in high demand areas. Where properties are at end-of-life they are typically being demolished and redeveloped to deliver new accommodation with higher densities. Where sales of Director of Housing owned properties do occur its usually at a price point beyond the capacity of purchasers under Streets Ahead or MyHome

- 4 Table 3 shows the number of existing dwellings that have been acquired or repurposed in the South. Unfortunately, data limitations mean we cannot disaggregate these numbers by LGA.

Table 3 - Existing dwellings that have been acquired or repurposed as social housing in Southern Tasmania – 2018 to 2022.

Region	2018	2019	2020	2021	2022	Total
South	0	29	20	1	0	50
<b>Total</b>	<b>0</b>	<b>29</b>	<b>20</b>	<b>1</b>	<b>0</b>	<b>50</b>

Notes to table:

- 2022 data is current as at 30 September 2022

- 5 and 6 Table 4 answers questions 5 and 6 by summarising:

- the total number of dwellings in each LGA
- the total number of dwellings that are occupied by tenants
- the total number of dwellings that are vacant (undergoing vacation maintenance for re-tenanting)
- the total number of dwellings that are offline (which includes those at end of life, damaged by arson or other issues, or require significant refurbishment)

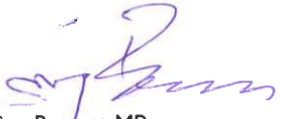


Table 4 - Public Housing dwellings that are occupied, vacant or offline - by specific LGAs – as at 30 September 2022.

<b>LGA</b>	<b>Total number of dwellings</b>	<b>Total number occupied</b>	<b>Total number vacant</b>	<b>Total number offline</b>	<b>Occupancy Rate</b>
Clarence	335	332	2	1	99.4
Glenorchy	1 305	1 283	9	13	99.3
Hobart	566	554	8	4	98.6
Kingborough	335	327	2	6	99.4
<b>Total</b>	<b>2 541</b>	<b>2 496</b>	<b>21</b>	<b>24</b>	<b>99.2</b>

Notes to table:

- This data only includes Public Housing and Aboriginal Housing and excludes Community Housing. Communities Tas does not record LGA data for Community Housing occupancy.

  
 Guy Barnett MP  
 Minister for State Development,  
 Construction and Housing

8/11/22

## Appendix 3

# QUESTION WITHOUT NOTICE

## Legislative Council

**ASKED BY:** Sarah Lovell MLC, Member for Rumney

**ANSWERED BY:** Hon Leonie Hiscutt, Leader of the Government in the Legislative Council

**QUESTION:**

In relation to voluntary conservation covenants:

1. For landholders who were on the register of Expressions of Interest for conservation covenants and who subsequently established a voluntary conservation covenant on title, what is the average number of days they were on the register?
2. For landholders who currently remain on the register of EOI for conservation covenants, what is the average number of days they have been on the register?
3. What steps is the Government taking to reduce the average number of days landholders spend on the register before being able to establish a covenant?
4. Noting that only two voluntary conservation covenants have been established on title through the Department's EOI process since 2018 and that 41 landholders remain on the register of EOI for conservation covenants, what are the reasons for this low rate of established covenants and what steps is the Government taking to improve the effectiveness and rate of attainment of the Department's EOI process for voluntary conservation covenants?
5. How many staff (by FTE and headcount) are currently allocated to managing the EOI process for establishment of voluntary conservation covenants? Are there any plans to increase this staffing allocation, and if so, by when and by how much?

**ANSWER:**

1. In 2013, the Australian Government ceased funding for covenanting programs. Since then, there have been no new Australian Government funding for covenants. Importantly however, voluntary conservation covenants continue to be progressed, with priority given to areas of land with significant natural values such as threatened species.

For landholders who were on the register of Expressions of Interest (EOI) for voluntary conservation covenants and who subsequently established a

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conservation covenant on title, the average number of days they were on the register was 1180 days (N=2).

2. For landholders who currently remain on the register of EOI for conservation covenants, the average number of days they have been on the register is 1359 days (N=44)
3. In the short-term, the Program is amending the EOI process and associated communications to better manage stakeholder expectations. In the longer term, the Program is being reviewed with recommendations informing future delivery of the Program.
4. The Private Land Conservation Program, like all effective long-running Programs, is reviewed and revised on a regular basis to identify potential efficiencies and ensure the Program is delivering maximised outcomes for Tasmania.

The process for establishing conservation covenants on title requires considerable resourcing, as does their administration in perpetuity. The Program has continued to grow the number and extent of conservation covenants, currently comprising 929 conservation covenant agreements (as at 4 Oct 2022). However, the majority of the Program focusses on managing the existing private reserve estate and providing a range of essential services to covenant landowners.

The EOI register represents one of several avenues for identifying and progressing new conservation covenants. Whilst only two conservation covenants have been registered through the EOI process since 2018, an additional 24 voluntary conservation covenants have been registered by the Department since 2018 through other avenues (i.e. via the Tasmanian Land Conservancy and NRM programs).

In addition, this figure does not include conservation covenants that have been established as offsets to meet regulatory requirements and contribute to sustainable development.

5. Managing the EOI register requires minimal resourcing as it primarily involves fielding enquiries from prospective covenant applicants, recommending alternative options for proposals that do not meet minimum thresholds, and maintaining a record of enquiries and associated properties that are proposed for covenanting.

An additional 0.5 FTE (approximately) is currently allocated to managing the new covenant process. This includes liaising with covenant applicants and covenant brokers, reviewing and assessing applications, preparation of maps and documents, and liaison with key stakeholders.

The remaining ~4.5 FTE (across 6 staff) of the Program are largely focussed on administering and maintaining the current reserve estate, as outlined above.

There are no current plans to increase resources within the Program to manage new covenanting processes.

APPROVED / NOT APPROVED

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a horizontal line extending to the right.

Hon Roger Jaensch MP  
Minister for Environment and Climate Change

Date: 7 November 2022

## Appendix 4

*Tabled & incorporated  
into Hansard L. Hiscutt*  
**QUESTION WITHOUT NOTICE 8. Nov 2022**

*lengthy  
tables inc.  
take & incorporate  
into Hansard.  
L. Hiscutt*

### Legislative Council

ASKED BY: Hon Josh Willie MLC

ANSWERED BY: Hon Leonie Hiscutt MLC, Leader of the  
Government in the Legislative Council

#### QUESTION:

My question is to the Honorable Leader

How many Department for Education, Children and Young People properties are available for education staff and can the State Government provide a breakdown of where they are located?

1. What is the total income in rent from the properties and how is rent set?
2. What is the annual maintenance budget?
3. When was the last time a new build or major upgrade occurred at any of the sites?

**ANSWER:**

1. The below table provides details of the 137 Department owned residential properties.

<b>Residential Properties</b>	
<b>Suburb</b>	<b>Properties</b>
Alonnah (Bruny Island)	2
Avoca	2
Bicheno	1
Bothwell	2
Brighton	1
Campbell Town	3
Cape Barren	2
Currie (King Island)	11
Dover	1
Edith Creek	1
Fingal	1
Forest	1
Geeveston	2
Glenora	1
Hagley	3
Mole Creek	1

<b>Residential Properties</b>	
<b>Suburb</b>	<b>Properties</b>
Nubeena	1
Oatlands	7
Ouse	2
Queenstown	24
Redpa	1
Rosebery	16
Scottsdale	8
Sheffield	1
Smithton	13
St Helens	2
Stanley	1
Strahan	3
Swansea	1
Triabunna	1
Whitemark (Flinders Island)	6
Winnaleah	4
Woodbridge	1
Zeehan	10
<b>Total</b>	<b>137</b>

2. The Department cannot provide information on the total rent collected as this is collected and managed at an individual school level.

Rent is set as per the attached Residential Portfolio Policy. Refer extract in the following table.

Location	Rent Per Staff Member Per Week
Bicheno, Bothwell, Campbell Town, Edith Creek, Fingal, Forest, Geeveston, Hagley, Mole Creek, Nubeena, Oatlands, Ouse, Scottsdale, Sheffield, St Helens, Swansea, Stanley, Smithton, Triabunna, Winnaleah, Woodbridge	\$50
Bruny Island, Cape Barren Island, Flinders Island, King Island, Queenstown, Redpa, Rosebery, Strahan, Zeehan	\$10

3. The Department has an annual centrally managed maintenance budget for residential properties of \$400 000.

Rental income is collected and managed by each school with funds reinvested in minor maintenance activities on residences.

Requests to assist with maintenance works are received from schools each year and managed within the annual central budget. For example

- Three one bedroom units were built and completed in Zeehan in 2020.
- King Island maintenance works in 2021 to upgrade residential properties.



- Rosebery has existing maintenance works to upgrade a number of properties, which is due to be completed by the end of 2022.
- Planning works are underway to construct two units in the Smithton area in 2023-24.

APPROVED/NOT APPROVED



Hon Roger Jaensch MP  
Minister for Education, Children and Youth

Date: 7/11/22