



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 10 March 2022

REVISED EDITION

Contents

QUESTIONS.....	1
INTEGRITY COMMISSION - RESOURCING.....	1
INTEGRITY COMMISSION - IMPLEMENTATION OF RECOMMENDATIONS	3
INTEGRITY COMMISSION - PUBLIC TRUST ISSUES.....	4
RECOGNITION OF VISITORS	4
RECREATIONAL AND SOCIAL OPTIONS FOR CHILDREN AND YOUNG PEOPLE	5
JAMES GRIFFIN - COMMISSION OF INQUIRY -	7
RELEASE OF INFORMATION BY DEPARTMENT OF HEALTH.....	7
WOMEN IN SPORTS BILL - GOVERNMENT POSITION	8
SOUTH COAST TRACK - PROPOSED DEVELOPMENT	8
JAMES GRIFFIN - COMMISSION OF INQUIRY - RECOMMENDATION OUTCOMES	10
COVID-19 - SUPPORT FOR SMALL BUSINESS SECTOR	11
JAMES GRIFFIN - ACTIONS OF GOVERNMENT	12
NORTHERN SUBURBS RAIL CORRIDOR	14
ABORIGINAL AFFAIRS - CULTURAL HERITAGE LEGISLATION.....	15
BURNIE COURT - EFFECTS OF PROPOSED RELOCATION	16
MEMBER SUSPENDED	18
MEMBER FOR BASS - Ms FINLAY	18
SECURING TASMANIA'S FUTURE - SUPPORTING REGIONAL COMMUNITIES.....	18
MATTER OF INDULGENCE	19
GENDERED LANGUAGE.....	19
PETITIONS	20
BURNIE COURT HOUSE.....	20
UNDER-RESOURCING OF AMBULANCE TASMANIA	20
CRIMINAL CODE AMENDMENT (JUDGE ALONE TRIALS) BILL 2021 (NO. 50).....	20
LIVING MARINE RESOURCES MANAGEMENT AMENDMENT (AQUACULTURE RESEARCH) BILL 2021 (NO. 58).....	20
BILLS RETURNED FROM THE LEGISLATIVE COUNCIL WITHOUT AMENDMENT.	20
WASTE AND RESOURCE RECOVERY BILL 2021 (NO. 55)	21
BILL RETURNED FROM THE LEGISLATIVE COUNCIL WITH AMENDMENTS.....	21
SITTING DATES	21
MATTER OF PUBLIC IMPORTANCE	21
INTEGRITY COMMISSION	21
TREASURY MISCELLANEOUS (AFFORDABLE HOUSING AND YOUTH EMPLOYMENT SUPPORT) BILL 2022 (NO. 7)	31
SECOND READING	31
TREASURY MISCELLANEOUS (AFFORDABLE HOUSING AND YOUTH EMPLOYMENT SUPPORT) BILL 2022 (NO. 7)	46
SECOND READING	46
TREASURY MISCELLANEOUS (AFFORDABLE HOUSING AND YOUTH EMPLOYMENT SUPPORT) BILL 2022 (NO. 7).....	65
IN COMMITTEE	65
WASTE AND RESOURCE RECOVERY BILL 2021 (NO. 55)	74

IN COMMITTEE - CONSIDERATION OF LEGISLATIVE COUNCIL AMENDMENTS	74
CRIMINAL CODE AMENDMENT BILL 2022 (NO. 4).....	87
SECOND READING	87
ADJOURNMENT.....	94
VICTIM/SURVIVOR - APOLOGY	94
VICTIM/SURVIVOR - ATTITUDE OF GOVERNMENT MEMBERS	94
JAMES GRIFFIN - COMMISSION OF INQUIRY -	94
RELEASE OF INFORMATION BY DEPARTMENT OF HEALTH	94
VICTIM/SURVIVOR - ATTITUDE OF GOVERNMENT MEMBERS	96
INTEGRITY COMMISSION - INVESTIGATIONS INTO GOVERNMENT MEMBERS	96
JAMES GRIFFIN - COMMISSION OF INQUIRY -	98
RELEASE OF INFORMATION BY DEPARTMENT OF HEALTH	98
INTEGRITY COMMISSION - AUSTRALIA INSTITUTE REPORT	98
ROWING BOATS - REQUIREMENT FOR LIFE JACKETS	100
BUILDING AND CONSTRUCTION SECTOR - CALL FOR AN INQUIRY	101
JAMES GRIFFIN - COMMISSION OF INQUIRY -	103
RELEASE OF INFORMATION BY DEPARTMENT OF HEALTH	103
SMALL BUSINESSES - PRESSURES	104

Thursday 10 March 2022

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

QUESTIONS

Integrity Commission - Resourcing

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.01 a.m.]

The independent review of the Integrity Commission conducted six years ago by the honourable William Cox AC highlighted the impact of your Governments cuts and found:

On the basis of its current resources, the commission struggles to meet the objectives of the Integrity Commission Act and to adequately address misconduct in the public sector. The commission's investigative capacity and timeliness in delivering outcomes are limited by its inability to adequately fund its operations ...

A report released today highlights Tasmania's Integrity Commission receives the second lowest funding per capita of all integrity bodies in the country, even after last year's Budget saw a meagre increase.

Why have you failed to deliver the resources the Integrity Commission needs to uphold integrity in public office?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for that question. As I said earlier this week, regarding integrity, you set the bar so low that it is not even a trip hazard.

We provided additional funding of \$600 000 to the Integrity Commission in the 2021-22 Budget, I think that was. We began tranche one reforms and there was a range of matters dealt with. We continue to work with the Integrity Commission. In the first tranche, we implemented a number of the recommendations of the Cox review, which made technical and other amendments to the act. The bill addressed recommendations 1 to 6 of the report by providing improved governance and clearer direction to the Integrity Commission. That received royal assent in 2017.

The second tranche of reviews of those matters is under way.

Ms White - The second tranche is under way? It started in 2016.

Mr SPEAKER - Order. Ms White, please allow the Premier to answer.

Mr GUTWEIN - I had a look at the report this morning provided by the left-leaning Australia Institute and noted some of the matters raised in that. Regarding investigations

commenced, on a per capita basis we are in the mix. When you look at New South Wales and Victoria, on a per capita basis there are more investigations being commenced and reports being made public. On a per capita basis we are doing very well.

On budget per capita, we are not New South Wales. They have had systemic corruption right across local government. They have had issues for decades in that state - a number of very well-known Labor luminaries in that state, to be frank.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr GUTWEIN - With our Budget, we are not quite double what is being spent in New South Wales, but very close to it on a per capita basis.

Ms White - What about everyone else?

Mr SPEAKER - Ms White, Order.

Mr GUTWEIN - When you look at staff per million people, we have more than double their number of staff -

Opposition members interjecting.

Mr SPEAKER - Order. We all know it is not appropriate to keep harping when you have asked a question. The Premier is answering the question. You went to the question. The Premier is allowed the opportunity to answer it. Please stop interjecting.

Mr GUTWEIN - Thank you, Mr Speaker. We have more than double the number of staff as New South Wales. In fact, we are broadly in line with Victoria, and we are not too far off the ACT. This report is quite useful. It actually indicates that, across the board, our Integrity Commission is not performing too badly on a per capita basis.

I again make the point that the Integrity Commission has extensive powers. The Criminal Code covers a range of matters, as that side of the House would be well aware. In fact, in the time that I have been here, the former deputy premier on that side of the House had two visits to the Supreme Court, if memory serves me correct, and on both instances was found not innocent.

I am certain we will hear more about this today, but I strongly believe, after 20 years in public life and watching governments of different persuasions govern in this state - and also being involved in many of our local governments around the state - that the evidence of there being any level of systemic corruption has never been brought forward.

Opposition members interjecting.

Mr GUTWEIN - I know some will wave around this report, claiming that it now becomes the bible for matters relating to the Integrity Commission, but on this side of the House we have increased funding, we have moved on tranche one of those reforms, and we continue to work with the Integrity Commission on tranche two.

Integrity Commission - Implementation of Recommendations

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.08 a.m.]

The report released today highlights that you have implemented just six of the 55 recommendations from the Integrity Commission's 2016 review. When will you ever deliver the rest of tranche one, as you call it? The report suggests a consequence of this failure is that the Integrity Commission is completing less than 10 per cent of the number of investigations of some similar bodies on the mainland. Do ever intend to deliver these much-needed improvements, and if so, when? We have been waiting years.

ANSWER

Mr Speaker, I thank the Leader of the Opposition for her question, and for confirming that yes, we have moved on those tranche one reforms. I make an interesting point about what Labor's position was on that review. It goes to the point I have just made. That review was signed by the shadow attorney-general, Lara Giddings. This was the submission that Labor made, and I quote -

At no time did we believe that there was any evidence of corruption in Tasmania that would warrant the establishment of an Independent Commission Against Corruption (ICAC). While there have been cases of misconduct investigated by the Integrity Commission, we are ... still of the view that there is no reason for an ICAC-style body in Tasmania.

Ms White - And how about your Government now?

Mr SPEAKER - Order.

Mr GUTWEIN -

While there have been cases of misconduct investigated by the Integrity Commission, we are of the view that there is no reason for an ICAC-style body in Tasmania.

Mr Speaker, we will continue to work with the Integrity Commission, as I have said. We have recently increased its funding. I understand that the Integrity Commission is now taking a more educative role and is meeting with members of parliament and others to discuss those matters moving forward.

I make the point that the report released today on a number of measures indicates that -

Ms WHITE - Point of order, Mr Speaker; it goes to standing order 45, relevance. I ask you to direct the Premier to the question, which is: does his Government remain committed to delivering the further recommendations that were identified in the 2016 review?

Mr SPEAKER - On the point of order, as previous Speakers have said, I cannot put words into the Premier's mouth. The question has been asked. We always allow a certain amount of leniency and preamble to the question. Therefore, that leniency is also given to

answering the question. I ask the Premier to address the question and to conclude his answer, please.

Mr GUTWEIN - Mr Speaker, to be frank, I thought I had answered it. The Attorney-General continues to work with the Integrity Commission on prioritising matters related to what the next tranche might look like.

Integrity Commission - Public Trust Issues

Ms O'CONNOR question to PREMIER, Mr GUTWEIN

[10.12 a.m.]

What a feeble defence. Premier, as you know, a damning report into the state's Integrity Commission released today confirms it is still ineffectual. The Australia Institute report finds the Integrity Commission is weak and losing public trust. It has never held a public hearing and has run fewer investigations than any other state's integrity body. In the 13 years since its establishment, the commission has only ever referred two people for prosecution, the lowest number of any state. We know that is not because corruption is less of an issue here than on the mainland.

It has been six years since the 2016 independent review into the Integrity Commission and your Government has yet to implement the recommendations of that review. Indeed, your Attorney-General hides behind the review. Do you acknowledge that six years of inaction following a statutory review of a critical independent body is not good enough and that there are serious deficiencies that need to be resolved? What is your Government going to do to address these public trust issues?

Recognition of Visitors

Mr SPEAKER - Honourable members, I acknowledge the presence in the Gallery of the Hobart College legal students. Welcome to parliament.

Members - Hear, hear.

ANSWER

Good morning to the legal students.

Mr Speaker, I thank the Leader of the Greens, Ms O'Connor, for that question. Whilst you can cherry-pick from the report, I have made a number of observations about the report which indicate that on a number of measures our Integrity Commission is faring quite well. I point to the recent submission made by Labor of the Cox review in 2016-17.

Ms O'CONNOR - Mr Speaker, point of order under standing order 45, relevance. This was not a question about Labor's submission. It was a question about the Government's actions.

Mr SPEAKER - On the point of order, Ms O'Connor, as you know I cannot put words in the Premier's mouth. You have put the question. The Premier is allowed an appropriate

amount of time to answer it. In my reading, he was talking about the Integrity Commission, which your question went to. Premier, you have the call.

Mr GUTWEIN - Mr Speaker, we continue to work with the Integrity Commission. We have introduced first tranche reforms. We have provided additional funding to the Integrity Commission and the Attorney-General continues to work with the Integrity Commission on second tranche reforms.

In terms of systemic corruption in this state, which you believe exists, I suggest that if it did and you had examples of it, you would be raising it in here, but you have not. Like the former shadow attorney-general of the Labor Party, Lara Giddings, I firmly believe that systemic corruption does not exist in Tasmania. I point to the report that was released which indicates on a number of measures our Integrity Commission performs quite well.

Recreational and Social Options for Children and Young People

Mr ELLIS question to PREMIER, Mr GUTWEIN

[10.15 a.m.]

Can you please outline the measures taken by the Tasmanian majority Liberal Government to strengthen recreational and social options for children and young people under Child and Youth Wellbeing Strategy and supporting them to reach their full potential?

ANSWER

Mr Speaker, I thank the member for Elwick for his question and his interest in this very important matter. When I first became Premier I set out my vision for Tasmania and that vision captured this very important path. I want Tasmanians, regardless of who they are, where they live, their circumstances or their background, to have opportunities. Thriving families and better outcomes for our children and young people is one of our top priorities.

Last year I launched the state's first comprehensive whole-of-government Child and Youth Wellbeing Strategy. We called it It Takes a Village and that could not be a truer statement: it does take a village to raise a child. The \$100 million strategy provides a long-term direction for Government to improve the wellbeing outcomes for Tasmanian children and young people aged from zero, in fact before birth, through to the age of 25, with a specific focus on the first 1000 days.

Work is now well under way on the 65 actions that were a part of the plan. We are taking steps quickly on those actions where we can. We have doubled the Ticket to Play vouchers to give more kids the opportunity to engage in sport. We have increased funding to Legal Aid to ensure more representation of children and young people. We have secured sites for the modular youth housing and youth coaches project. We have allocated funding to local councils for the Currie skate park as well as the park and playground at Gagebrook and Risdon Vale Bike Collective. We are going to make toilet blocks safer in schools and tenders will be released shortly.

Funding is being provided to expand the successful 24 Carrot kitchen garden program into more schools. Youth mental health first aid training sessions for our school nurses are

being held across the state, with more to be held this month. Funding has been provided to non-government organisations including Families Tasmania, Playgroup Tasmania and Working it Out to build on their existing services to support young people, as well as the Brave Foundation to expand their Supporting Expecting and Parenting Teens program into the north-west of the state.

Funding will shortly be delivered to the Tasmanian Aboriginal Centre and Burnie works to the extension of the Connected Beginnings program into the north and the north-west. We are working with the B4 Early Years Coalition on key indicators and data in an innovative approach which we want to see developed into nation-leading ways to measure child and youth wellbeing outcomes.

Many other key actions are now being finalised, including the expansion of the Bringing Baby Home program to provide pre-birth and residential post-birth support for parents at imminent risk of being placed in care; the Child Health and Parenting Service's sustained nurse home visiting program for families with complex needs; the staged outreach model for child family learning centres; and the establishment of Kids Care Clinics, a new multidisciplinary community paediatric service.

Members will recall the consultation for the Child and Youth Wellbeing Strategy was one of the biggest seen in the state, with over 3500 Tasmanians taking part. An important part of that consultation was engaging with children and young people, listening to what they had to say and acting on what they told us. I received many postcards, some of them extremely hopeful, some with ideas and suggestions and some, unfortunately, that were pretty sad. We intend to work with our community to ensure that no matter where you live, what your circumstances or background, you are provided with opportunities.

One of the things that we asked kids to do was to provide suggestions of what they would like to see around the state in terms of built infrastructure. I launched a one-off grant program, the Premier's Fund for Children and Young People, and allocated funding of \$500 000. Since the grant program opened, and it does not surprise me, we have been blown away by the response. I am advised that there were 89 proposals received from community organisations, local councils, school parents and friends associations across all regions of the state. More than half the suggestions were from regional and rural Tasmania.

As a result of the high level of interest, I am pleased to announce today that the funding for this year's grant program will double from \$500 000 to \$1 million to enable more of the applications to be funded. We are going to expand the program to provide even more opportunities over the next two years, with two more grant rounds of \$500 000 each in 2023 and 2024 to make this a \$2 million program. It will be a \$2 million program for recreational and social infrastructure and programs across Tasmania, specifically for children and young people. I thank all the children and young people who wrote a postcard to me outlining their hopes and dreams.

It is important with the expansion of this program that we send a very clear message to our young people that they will be heard, that we will act and that we will all work hard to ensure that we can improve their circumstance and opportunities.

**James Griffin - Commission of Inquiry -
Release of Information by Department of Health**

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.21 a.m.]

The former minister for Health actively tried to discourage public disclosure of the abuse by a paedophile at the Launceston General Hospital. The Department of Health also fought to withhold information victim/survivors were legally entitled to. In a damning review of a Right to Information decision, the Ombudsman found:

While the department's consideration of the interests of its staff and Mr Griffin's associates is understandable, I am concerned that it does not appear to have considered the interests of the victims of Mr Griffin's alleged offending as highly.

I consider that the public interest in protecting the interests of alleged sexual abusers of children is lower than that of the victims of such abuse.

In contrast, the department does not once mention or appear to consider the victims of Mr Griffin's alleged offending or the valid community concern and desire for accountability from the department.

Can you confirm that, despite these damning findings, the department is still fighting the release of some of the information that the Ombudsman found should be released?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for that question. All of us in this place share the same level of concern for victim/survivors to ensure that we can do whatever we possibly can to improve their lot in life as a result of what has occurred.

That is one of the key reasons I introduced a commission of inquiry: one of the key reasons why the Department of Health and other agencies are providing whatever assistance they can to that commission of inquiry.

I do not have any advice before me on the matter you just raised. I am happy to seek some further advice.

Our intention, and my personal desire, is that this commission of inquiry gets to the bottom of these matters and provides a pathway forward that can ensure our kids are provided with the safest framework for their interaction with any agency. This will be difficult. This will not be an easy road but it is important that we do it.

I am proud that my Government has taken these steps to ensure that once and for all the questions are asked and answered, and we have a way forward that can keep our children safe, regardless of which institution, agency or other engagement they may have with state government over their time.

Women in Sports Bill - Government Position

Ms JOHNSTON question to MINISTER for WOMEN, Ms OGILVIE

[10.24 a.m.]

I welcome your response to my question on Tuesday confirming your position on Senator Chandler's unnecessary and hurtful Women in Sports bill is that of the Premier's and the Government's. My question today is very simple: what actions are you specifically going to take to reassure trans women in Tasmania that you stand with them?

ANSWER

Mr Speaker, I thank the member for the question. I am interested in the slant the member puts on this question. The member will be aware that the Government is committed to creating an inclusive Tasmania, where all people are treated fairly, with respect and have an opportunity to engage in our community.

We have increased funding to \$70 000 for our LGBTQI+ grants program, which funds projects that support inclusion, participation, resilience and diversity. A survey of LGBTQI+ Tasmanians was jointly undertaken by the University of Tasmania and the Tasmanian Government to better understand the experience of LGBTQI+ Tasmanians and inform our new framework and action plan. That is the action we are taking.

In relation to federal legislation and bills, they are a matter for federal parliamentarians.

South Coast Track - Proposed Development

Ms O'CONNOR question to MINISTER for PARKS, Mrs PETRUSMA

[10.27 a.m.]

Yesterday on ABC statewide radio, the CEO of Queensland-based ASX-listed company Experience Co confirmed they submitted a draft Reserve Activity Assessment (RAA) to develop a five-star luxury lodge along the wild South Coast Track. This is interesting, given that you admitted the RAA process needs a complete overhaul. The South Coast Track is a heartland of the Tasmanian Aboriginal community.

An Aboriginal heritage report cannot condone the construction required to build five-star lodges and you simply cannot have five-star lodges dotted along the one-star track. It is a track so rough it is described by Tasmanian-based tourism operators as weaving through 85 kilometres of waist-deep mud. Consultants have established that more than \$40 million is required to get the track up to standard for the clientele of these five-star lodges.

Are you prepared to spend more than \$40 million of public money facilitating the pipedreams of the Gold Coast-based white shoe brigade? Given UNESCO's interests in Aboriginal cultural heritage, has an Aboriginal heritage report been commissioned?

ANSWER

Mr Speaker, I thank the honourable member for her question. It is pity she did not listen to the acting secretary of the department on Leon Compton's program this morning. He did an outstanding job in explaining the processes that will be undertaken regarding this proposal.

The proposal's proponent has said that the supporting involvement of the Tasmanian Aboriginal community was central to the plans the company was wanting to undertake and that they want to undertake a raft of consultations with the Tasmanian Aboriginal people. He said:

One of our core values is respect and respect for the environment we work in, the cultures that exist within that environment. Certainly, from our perspective, we are at our core very much about working with local communities, working with indigenous populations and providing opportunities for them in partnership, economically and socially.

He said they will be undertaking this consultation. The Government's expectation is that with this proponent, in fact any proponent who wants to undertake development in the TWWHA, in our wildness areas, they will at all stages undertake community consultation with Tasmanian Aboriginal people, in fact, with the wider Tasmanian people. People nationally and internationally can also have their say -

Ms O'CONNOR - Point of order, Mr Speaker, standing order 45, relevance. Could the minister just let the House know whether an Aboriginal heritage report has been commissioned and whether the state would fund track upgrades?

Mr SPEAKER - As I said earlier, I cannot put words into ministers' mouths. The minister was answering the question. As far as asking them goes, points of order are not an opportunity for members to restate a question and interrupt the minister while they are speaking.

I will ask the minister to address the question; that is all I can do.

Mrs PETRUSMA - Thank you, Mr Speaker. As their proponent made clear, he is doing a draft RAA. When we get the final RAA and undertake the assessments, the expectation is that Aboriginal cultural values assessments will be undertaken on each site because that is a requirement for any development that would happen in the TWWHA.

When the time comes, they will undertake the assessments that need to be undertaken. Whether these are Aboriginal cultural assessments, EPBC assessments, whether to refer it to UNESCO, whether it is under our RAA or local government assessments, the proponent will have to undertake every assessment that they are required to do as part of this process. As was made quite clear on the radio today, each of those individual different elements could take three to 12 months to be undertaken.

As for Ms O'Connor's statement about requiring \$40 million of taxpayer dollars, I am advised that the PWS has not had any discussions with the current or former proponent in relation to the state funding any track works to support this project. Throughout this process - which will not be a quick process if the proponent decides to actually submit an RAA - the Greens will have opportunities, together with all Tasmanians and the Tasmanian Aboriginal

people, to make submissions during the community consultation process, which will happen at numerous times throughout this development.

James Griffin - Commission of Inquiry - Recommendation Outcomes

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.32 a.m.]

Yesterday a victim/survivor of James Griffin was watching question time. This brave woman has since said to me:

I have been robbed of justice. I am collateral damage. All I have, to get any answers, is the Commission of Inquiry.

What she wants to know from you is, and I quote:

Will you guarantee now, to myself and the other victim/survivors watching, that your Government will agree to implement every single recommendation from the commissioners, as experts in their field?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for that question. The first thing I would like to say to the victim/survivor who was watching yesterday is I am so very sorry you are in the circumstances that you are in.

It is my Government's intention, through the commission of inquiry, that we are going to ensure that the circumstances that occurred in the past can never occur again. We have to have that aim as a result of the commission of inquiry. I have said on many occasions that this will be difficult for everyone - and none more so than those victim/survivors - as we work our way through this. I thank them for their bravery in bringing these issues forward, and providing us the opportunity to ensure we get this right.

Again, I would say to the woman who spoke to you yesterday, I am so very sorry that she is in these circumstances. We will do everything we possibly can to understand what has occurred and, importantly, put in place the frameworks to ensure this cannot happen again.

As for providing a guarantee in respect of the commission's recommendations, I would not have started this commission of inquiry if I did not intend to implement its recommendations. I would not have gone down the path of having a commission of inquiry provide recommendations that the Government would ignore. It is my intention that when this process is finished, we will implement the commission's recommendations.

COVID-19 - Support for Small Business Sector

Mrs ALEXANDER question to MINISTER for SMALL BUSINESS, Ms OGILVIE

[10.35 a.m.]

We know there is no greater supporter of Tasmania's 39 000 small businesses than the Tasmanian majority Liberal Government. Can you please outline how the Government is supporting our local small business sector as we continue to transition to living with COVID-19?

ANSWER

Mr Speaker, what a great question. Before I start I also welcome the Hobart College legal studies class, which is my old school and my old class. I hope one day we will see one of you here as a minister.

I thank the member for the question. You are absolutely right: there is no greater supporter of small business than this Government. That is why the latest CommSec State Of the States report for January 2022 has Tasmania leading the nation as the best-performing economy in the country, for the eighth quarter in a row. NAB's January business survey found we had the second-best conditions for business in the nation. Employment is at near record levels, and our unemployment rate is the lowest it has been in our history, sitting at 3.8 per cent.

This shows that the Liberal Government's programs, delivered since the start of the pandemic, have supported our business sector, and our economy is reaping the benefits of this investment. Tasmanian businesses have received more than \$160 million in COVID-19 specific support programs. During the height of the pandemic in 2020, our Government provided the highest level of support for business, per capita, of any jurisdiction in this country. Our Government remains committed to supporting our small business sector as we now transition to living with COVID-19.

In January we announced our COVID-19 Business Impact Support Program to provide support for those businesses experiencing reduced trading caused by loss of staff due to COVID-19 exposure, or loss of business due to significantly lower than usual customer demand. Round one of the program saw 949 applicants receive more than \$1.86 million in funding. So far, 584 applicants have been provided with funding of \$1.3 million in round two, with applications for this round still being assessed.

Since becoming minister, I have been listening to feedback from businesses around the state. I understand that while some businesses are doing very well right now, others are still facing some challenges and doing it tough.

That is why today, as the new Minister for Small Business, I am pleased to announce that we will continue to assist those businesses facing challenges, by making more funding available through a third round of the COVID-19 Business Impact Support Program. Round three will open at 2 pm on 16 March, and provide ongoing funding for businesses that have been impacted by COVID-19 during the period of 15 February to 14 March, 2022.

The program guidelines will be available on the Business Tasmania website from 12 noon today. I encourage any small business owner who is facing challenges to review these guidelines at www.business.tas.gov.au.

I also take this opportunity to say how proud I am of the resilience of Tasmanian businesses, and the small business sector, which has shown throughout the COVID-19 pandemic that they are a force to be reckoned with. As a previous small business owner, I understand the challenges that come with running a small business in what we could now call 'normal' times, but I am in awe of the amazing flexibility that our small business community has shown over the last two years.

I would also like to mention our Government's \$1.2 million COVID-19 Small Business Advice and Financial Guidance Program. It is very important. Grants of between \$750 and \$1500 are available for financial or business guidance services, from qualified specialists or consultants, to assist small businesses to formulate strategies to overcome the impacts of COVID-19.

Mr SPEAKER - If you could wind up, minister, please.

Ms OGILVIE - I will. We have also increased funding to Business Tasmania -

Ms O'CONNOR - Point of order, Ms Speaker, under standing order 48. This is a Dorothy Dixier and the minister has been bloviating for four and a half minutes.

Mr SPEAKER - I have already asked the minister to wind up. I can control this House and it would be far better if we allow ministers to answer questions rather than interrupting with silly points of order.

Ms OGILVIE - Thank you, Mr Speaker, and I will wind up. As well, the Enterprise Centres Tasmania program has received a funding boost. We went into this pandemic from a position of strength, we have worked hard to maintain this and there is no doubt that we have an abundance of opportunities in front of us. The Tasmanian majority Liberal Government is an aspirational government and our eyes look to the horizon.

James Griffin - Actions of Government

Ms WHITE question to PREMIER, Mr GUTWEIN

[10.41 a.m.]

The victim/survivor who watched you yesterday said she saw you, and I quote, 'show no empathy, no warmth or even mention the victims'.

Mr Jaensch - Oh, come on.

Ms WHITE - I beg your pardon? I am directly quoting a victim/survivor. How insulting.

Premier, she said you 'praised your Government three times for its courage but did not once talk about the courage of the victim/survivors and that you 'talked about politics and

deflected responsibility'. At least today, Premier, you have acknowledged them, their bravery and their suffering, but what they deserve is justice.

Given the attempt by your former Health minister to discourage public disclosure of abuse by a paedophile at the LGH, and given the damning findings of the Ombudsman, the question from this victim/survivor is:

What would have happened if there was not a podcast covering James Griffin's offending? Should we assume that instances of the most serious offending against children will only be noticed or responded to if there is national media attention, a year after the Government is made aware of a well-known paedophile working in a paediatric ward?

ANSWER

Mr Speaker, I thank the Leader of the Opposition for that question. Again I say to the victim/survivor the member has been speaking with how sorry I am for the circumstances that she finds herself in and the bravery that victim/survivors have demonstrated in bringing these matters forward.

As to the circumstances regarding Griffin and the LGH, I am sure I speak for many people in this place in that when these matters arose and I first became aware of them, my thoughts went to my own family's interaction with that hospital and the fact that I know many of us here through the time that Griffin was in that hospital had our own children in that hospital.

I cannot hypothecate what might have happened if I was not Premier or had not become aware of these matters. What I can do is speak about what I have done. That is, that when I became aware of these issues and, more broadly, the challenges we have faced as a state in respect of the safety of children in our care, I believe in the vast majority of cases our public servants and those who care for children have done their very best. However, there have been, without doubt, some of the most horrendous sets of circumstances or circumstances occur and people have been hurt, people have been damaged. It is through their bravery that we have become aware of these matters.

Regarding the commission of inquiry, in fact it was raised in this place 18 years ago and I crossed the Floor and put my own political career at risk in voting for a motion before the House to have a similar inquiry. Through that period, we have seen a national royal commission that has been rolled out but we have never as a state had our own commission.

I believe it is absolutely important that we do, so that the questions can be asked and, importantly, the answers can be provided. Where there are shortcomings, where there have been matters that should have been dealt with that were not dealt with, where there are gaps in the system, the commission of inquiry will identify those, make recommendations and then we will implement them to ensure we provide the strongest, safest framework for kids moving forward. That is my intent.

Again I say to the person the Leader has been speaking to that I am so terribly sorry for the circumstances they find themselves in and for others in those circumstances. I acknowledge their bravery in bringing these matters forward. As a government we want to get to the bottom of it and ensure that, moving forward, these matters never occur again.

Northern Suburbs Rail Corridor

Ms HADDAD question to PREMIER, Mr GUTWEIN

[10.45 a.m.]

Four years ago, your Government promised Tasmanians that you would deliver passenger rail to Hobart's northern suburbs within five years. That is next year and clearly you are not going to deliver anything by then. As a result, there is \$25 million of federal funding going to waste. Will you ever deliver passenger transport on the northern suburbs rail corridor and when?

ANSWER

Mr Speaker, I thank Ms Haddad, member for Clark, for that question and her interest in this matter. What I want to say is that in terms of the Hobart City Deal, within the time frame of that, we will deliver passenger transport.

Ms O'Connor - That was not the question.

Mr GUTWEIN - Yes, it was.

Ms O'Connor - It was passenger rail.

Mr GUTWEIN - No, it was passenger transport. If you listened to the question she began with passenger rail and then spoke about transport at the end.

Ms O'Connor - Okay, I withdraw.

Mr GUTWEIN - Mr Speaker, I believe the northern transit corridor will change the shape of this city. I truly believe that. Work has been under way with the partners through the City Deal. All levels of government are looking at what the options and opportunities might be, first of all looking at what the mode of transport might be. As the member would be aware, we have looked at passenger light rail, trackless trams and bus rapid transport. Bus rapid transport seems to be the one that ticks most of the boxes. The member would be well aware that the costs associated with light rail were significant -

Mr Ferguson - It was \$685 million.

Mr GUTWEIN - Thank you, I was going to say around \$700 million. The infrastructure currently there is not fit for purpose. You cannot use it.

My Government is determined to deliver the northern transit corridor to open up the opportunities for urban revitalisation along that corridor, because there are opportunities that exist within the light commercial zones and the other zoned areas along that corridor that could see significant development occur, where homes could be provided and services could be accessed and they need to be grasped. Regarding the Hobart City Deal, all the partners are determined to deliver transport on that corridor before the end of that deal.

Aboriginal Affairs - Cultural Heritage Legislation

Mr TUCKER question to MINISTER for ABORIGINAL AFFAIRS, Mr JAENSCH

[10.49 a.m.]

Can you please update the House on the Government's plan to develop new, stronger Tasmanian Aboriginal cultural heritage legislation?

ANSWER

Mr Speaker, I thank my colleague Mr Tucker for his question and his genuine personal interest in this matter. This Government recognises the importance of Tasmania's Aboriginal cultural heritage to Tasmanian Aboriginal people and to all Tasmanians. It is ancient, unique and irreplaceable. It spans tens of thousands of years and we are only starting to appreciate its extent and its significance. It deserves to be recognised and protected by effective and modern laws that respect its significance and support Aboriginal people to exercise their roles as its custodians.

Last year I was pleased to table in parliament a report detailing the outcome of the statutory review of the Aboriginal Heritage Act 1975, carried out on my behalf by the Department of Natural Resources and Environment Tasmania. With it I also tabled the Government's response whereby we accepted the key findings of the review report and committed to developing a new, stronger Tasmanian Aboriginal Cultural Heritage Act as a matter of priority.

This work is well under way. Today I am pleased to release a consultation paper that marks our next steps towards new legislation to better protect Tasmania's Aboriginal cultural heritage. This paper outlines the Government's proposed way forward on key elements of the new legislation based on the findings of the review report. Several matters that must be addressed in the new legislation are complex and we expect there to be a range of views among Aboriginal Tasmanians, stakeholders and the broader community. We want to hear them all.

One of the most important issues addressed in this paper is the ownership of Aboriginal cultural heritage. Tasmania's current legislation assigns ownership of Aboriginal cultural heritage on Crown land to the Crown. We propose that the new legislation should instead formally recognise Aboriginal people as the custodians of their cultural heritage and ensure that Aboriginal people play the lead role in decisions about how it is managed.

To that extent, we are proposing that the new legislation should provide for a strengthened Aboriginal Heritage Council that will have decision-making powers on matters such as what constitutes Aboriginal cultural heritage, the granting of permits for interfering with or harming Aboriginal cultural heritage, the approval of Aboriginal cultural heritage management plans for complex activities that pose a risk to Aboriginal cultural heritage, and responsibility for repatriation processes.

This is an important shift because under the existing legislation most decisions about what happens to Aboriginal heritage are ultimately made by the minister with the Aboriginal Heritage Council having an advisory role.

As for the Tasmanian Heritage Council, we propose that the Aboriginal Heritage Council's decisions should be able to be appealed, as is the case with other modern Aboriginal cultural heritage legislation in Australia. If a proponent in the Aboriginal Heritage Council cannot reach agreement on an Aboriginal cultural heritage management plan after exhausting good faith efforts to reach agreement, we believe there needs to be a pathway of last resort for the minister to propose a resolution. This is because, in some circumstances, the minister and the government may have ways to assist a resolution that are not available to the proponent or the Aboriginal Heritage Council to enable an agreement to be reached. The proposal is for the new act to ensure that the circumstances under which the minister can become involved should be strictly limited and defined by specified criteria.

Working with the Aboriginal Heritage Council to manage risks to Aboriginal cultural heritage should be the norm, with recourse to the minister only in exceptional circumstances. The overarching intent of the new act will be to incentivise proponents to identify and plan to protect Aboriginal cultural heritage in the earliest stages of any proposal.

We want to hear the views of Tasmanian Aboriginal people regarding additional categories of Aboriginal cultural heritage that could be considered in a new act, including intangible heritage such as songs, language and stories, as well as cultural landscapes. We are also proposing that the act could create Aboriginal cultural heritage protected areas to ensure the permanent protection of places that warrant the highest form of protection, with the Aboriginal Heritage Council playing a central role in their creation. In addition, like modern legislation in other jurisdictions, we are proposing provisions for protective stop orders to preventable avoidable harm to heritage as well as provisions enabling the issuing of infringement notices and remediation orders within clearly defined criteria for when and how they may be used and what types of conditions they may contain.

My commitment is to listen carefully to all views and to introduce legislation that is contemporary and balanced and most importantly that provides for the effective and respectful management and conservation of Tasmania's unique Aboriginal heritage by the rightful custodians of that heritage, Tasmania's Aboriginal people.

Feedback we receive will be used to guide the drafting of the new legislation which will be released in the form of draft exposure bill for further consultation by early 2023. The consultation paper is available now on the Department of Natural Resources and Environment website. Submissions close on 24 April.

Burnie Court - Effects of Proposed Relocation

Ms DOW question to PREMIER, Mr GUTWEIN

[10.55 a.m.]

In your state of the state address last week you pledged to meet with the mayor of Burnie, the Burnie City Council and the north-west business community to listen to their concerns over your proposal to relocate the Burnie court out of the CBD. It is a move that will take 50 000 people out of the CBD each year. This will have a devastating impact on small business.

Can you confirm you no longer plan to deliver on your commitment to meet with the entire Burnie City Council and instead just plan to discuss the issue with the mayor? When

will you meet with the business community? Given the community also deserves to have their voice heard, will you commit to attending a public meeting in Burnie with me?

ANSWER

Mr Speaker, I thank the member for Braddon for her question. After her efforts over the past week in this place I am pleased that she is happy to show her face in public again. I will be meeting with the mayor later today. I understand that he has some travel planned and could not meet in the off-parliament week, so I will be having a discussion with him today. I intend to meet with the Burnie business community next week, I think, to have a discussion on this matter. After I have spoken with the mayor if I feel there is still a need to meet with the entire council then I am more than happy to speak with them.

The Burnie CBD needs revitalising, regardless of the court. At Salamanca, the court across the road is not the economic engine room for Salamanca. What drives CBDs are people living in them. If you have a look at Launceston, for example -

Ms DOW - Point of order, Mr Speaker, standing order 45, relevance. The Burnie court is a very important part of the Burnie CBD. My question to the Premier was will you attend a public meeting with me?

Mr SPEAKER - Deputy Leader of the Opposition, the Premier has the call.

Mr GUTWEIN - I thought that was the joke. No, I will not. I will consult with the mayor today. I will consult with the business community. I want to understand what we can do to ensure the Burnie CBD is revitalised and becomes the dynamic place I know it can be. I look forward to the discussion with the mayor of Burnie later today, who I am certain will represent the community's views to me. We will be meeting with representatives of the Burnie business community next week and they will put the Burnie business community's and the community's views to us.

The court across the road does not drive Salamanca. We want to have a conversation about how we can revitalise, how we can attract investment.

Ms Finlay interjecting.

Mr SPEAKER - Order, member for Bass.

Mr GUTWEIN - What can be done to ensure that Burnie -

Members interjecting.

Mr SPEAKER - Order. We will take a few moments to settle down. The Premier has been asked a question, he is answering it and there is continuous interjection from the Opposition. I will just give you a moment or two to calm down. I now ask the Premier to conclude his answer.

Ms O'CONNOR - Mr Speaker, on a point of order, I draw your attention to the fact that Ms Archer and Mr Ferguson have been incessantly interjecting as well.

Mr SPEAKER - I do not need your assistance, Ms O'Connor.

Ms O'Connor - I am just asking for consistency.

Ms Finlay - The disrespect for the Speaker across that side is appalling.

Members interjecting.

Member Suspended

Member for Bass - Ms Finlay

Mr SPEAKER - Order. The member for Bass can leave the Chamber for an hour until 12 o'clock. It is totally inappropriate for members to interject when I have just asked everybody to be quiet.

Ms Finlay withdrew.

Mr GUTWEIN - Mr Speaker, as I outlined in the state of state last week, I will be meeting with the mayor and having a conversation with him today. I am certain that he will provide broad representation, both in terms of the business community and the community more widely, of the views he wants me to be aware of. As I have indicated, we will also be meeting with the Burnie business community next week. I am not sure who the representatives of that are but I understand that has been arranged.

I want to understand what we can do to revitalise Burnie. What are the ideas they have in how we get more people living, working and, importantly, spending money in that city and driving the economic heart of the CBD? I very much look forward to that discussion.

Ms DOW - Mr Speaker, on a point of clarification, the Premier has not answered my question.

Mr SPEAKER - There is no such thing as a point of clarification.

Securing Tasmania's Future - Supporting Regional Communities

Mr ELLIS question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[10.03 a.m.]

Can you please outline to the House how the Tasmanian majority Liberal Government is delivering our plan to secure Tasmania's future by supporting agricultural industry growth, job creation and prosperity in our regional communities?

ANSWER

Mr Speaker, I thank the member for his question and I know his strong interest in this matter. On this side of the House we are supportive of agriculture and sustainable growth in

Tasmania. Tasmanian farmers are the most confident in all Australia because they love the policy and our vision for agriculture. We have a \$50 million visionary budget and commitment. It is not just to water, but water is liquid gold, and we are backing it in. Last week we announced last week the plans for the largest irrigation scheme in Tasmanian history, in the south-east, the Southern Midlands.

We have had massive growth, 13 per cent, in the 2019-20 year; the farmers are confident and we are backing them. At the election we agreed we would expand the Government's Strategic Industry Partnership Program with an extra \$2 million for our partners in the sector - beef, dairy, fruit and vegetables in particular.

Today I am very pleased to announce the first five successful applicants for this grants program. The recipients are the Tasmanian Hemp Association, the Tasmanian Seed Industry Group, the Tasmanian Agricultural Productivity Group, Dairy Tasmania and Cider Tasmania. There is \$273 000 for these projects that will include a range of activities, educating consumers about the health benefits of hemp as food; progressing the Tasmanian Crop and Pasture Seed Industry Plan; raising awareness about the important innovations in precision agriculture and technology through the Ag Innovation Expo at my old former school, Hagley Farm Primary School; supporting the dairy sector as it continues to manage the effects of COVID-19; and increasing awareness of consumers and knowledge of hospitality workers around the unique aspects of the Tasmanian craft cider industry.

This is all consistent with the Government's Sustainable Agri-Food Plan through to 2023. It is consistent with our Competitiveness of Agriculture Plan through to 2050. This will help us get to that \$10 billion farmgate value by 2050. We are on track and we are growing.

With respect to the other side, there are no plans, no policies, no ideas, nothing, big zippo. Notwithstanding that, Mr Speaker, we will get on with the job and deliver for agriculture and those rural and regional communities and more jobs in those areas. We have a plan, unlike the other side.

Time expired.

MATTER OF INDULGENCE

Gendered Language

[11.06 a.m.]

Ms O'BYRNE (Bass) - Mr Speaker, on indulgence - and you can rule this out of order if you wish - I wanted to raise the issue during question time. Interjections are unparliamentary and you as Speaker have absolutely every right to admonish members for interjecting, but to use gendered language such as 'harping' when addressing female members of the parliament is unacceptable. I ask all members to reflect on the language they use and seek some information from you about whether calling women 'harping' is parliamentary? On indulgence seeking advice from the Chair.

Mr SPEAKER - I accept the point.

Mr FERGUSON (Bass - Leader of the House) - Mr Speaker, I encourage that comment to be left where it is. You may take time to examine the record and examine Ms O'Byrne's comments but certainly the Government speaks well of your handling of the Chamber this morning.

Ms O'BYRNE - Point of order, Mr Speaker. On that response, I do not seek to reflect on the Chair individually.

Mr Ferguson - It is not a point of order.

Ms O'BYRNE - I am not sure what standing order Mr Ferguson was using either, but I have raised an issue that I took offence to but which also goes to the conduct of people in this House. I find the use of the word 'harping' when admonishing female members of parliament deeply offensive.

Mr SPEAKER - I will reflect on your comments and I will check the *Hansard*.

PETITIONS

Burnie Court House

[11.08 a.m.]

Ms Dow presented two petitions, a written petition signed by approximately 33 petitioners and an e-petition signed by approximately 1192 petitioners, praying that the House call upon the Government to immediately halt plans to relocate the Burnie CBD Courthouse to Mooreville Road and commit to redeveloping the court on the current site or find a new location for the Burnie Court House within the Burnie CBD.

Petitions received.

Under-Resourcing of Ambulance Tasmania

[11.10 a.m.]

Ms Johnston presented an e-petition from approximately 1031 citizens of Tasmania, praying that the House approve the appointment to Ambulance Tasmania of an additional 229 full-time equivalent employees over a period of three years made up of 188 front-line paramedics, 16 state operation centre staff, and 25 non-operational support staff.

Petition received.

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

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

Bills returned from the Legislative Council without amendment.

WASTE AND RESOURCE RECOVERY BILL 2021 (No. 55)

Bill returned from the Legislative Council with amendments.

Mr FERGUSON (Bass - Leader of the House) - Mr Speaker, I move -

That the amendments be made an order of the day at a later hour.

Mr Jaensch will call it as an order of the day at the conclusion of the Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Bill and prior to the Criminal Code Amendment Bill, to give members an opportunity to make sure this bill is dealt with by the House today.

Motion agreed to.

SITTING DATES

[11.15 a.m.]

Mr FERGUSON (Bass - Leader of the House) (by leave) - Mr Speaker, I move -

That the House, at its rising, adjourn to Tuesday 22 March next at 10 a.m.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

Integrity Commission

[11.16 a.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I move -

That the House take note of the following matter: Integrity Commission.

I bring to the House's attention a critical report on Tasmania's integrity body titled *Still toothless: jurisdictional, funding and secrecy issues in the Integrity Commission Tasmania* by the Australia Institute. I apologise to the Government, I would have circulated it to you beforehand. It was on the front page of the newspaper and I only received a copy of it this morning. I have circulated it to the Opposition and the Independent member. I assume the Attorney-General would be aware of this report since it was on the front page of the *Mercury*. I seek to table the report.

Mr Deputy Speaker, I seek leave to table this paper.

Leave granted.

Dr WOODRUFF - This is an incredibly damning report. Its findings are simple, that our integrity body, the hallmark, the cornerstone of -

Mr DEPUTY SPEAKER - Excuse me, Dr Woodruff, could you please bring a copy up to the table too.

Dr WOODRUFF - It is a matter of incredible importance to this state. It goes to the cornerstone of democracy. If we do not have a functioning, independent and fearless public Integrity Commission, then we can have no confidence that matters of corruption, matters of bribery and serious matters of nepotism are brought to light and the people who are undertaking these matters of democratic perfidy are brought to account and, if they have caused criminal actions, then they should be charged and convicted. That would be the best outcome for Tasmania.

The majority of Tasmanians are concerned that we do not have a sufficiently robust Integrity Commission. They understand that what we have in place is functionally toothless.

I thank the researchers, Eloise Carr and Rachel Hay, for the report they have produced on behalf of Tasmanians who care about democracy. Their research found that 80 per cent of Tasmanians believe the Integrity Commission needs to undergo structural change so that its design is improved, its existing powers are used properly and that it holds public hearings. The Integrity Commission in Tasmania has only ever referred two people for prosecution. It has never referred a person holding a public office for prosecution. As the report finds, appallingly, we are the only state that has never had public hearings. We have never had a publicly conducted investigation in Tasmania.

It is clear that this is not because we do not have failures of integrity in Tasmania. It is clear that this is not evidence of no corruption in Tasmania, and it is not no evidence of corruption in public office. From the very first inception of the Integrity Commission in Tasmania back in 2012 and 2013, the first Integrity Commission period, they surveyed Tasmanians and found 88 per cent of people agreed that our public sector is just as likely to behave unethically as people in any other public sector in Australia. It is totally naive to think that Bass Strait is some inoculator for corruption. It is absolutely naive.

In the words of the honourable Murray Kellam:

To assert, as this government has done in earlier days, that bodies such as Tasmania Police have the capacity to detect and investigate such public sector corruption ...

Murray Kellam was Tasmania's first Integrity Commission chief commissioner. He took that role from 2010, the start of the Integrity Commission, to 2015. His parting shot in the letter he wrote when he finished his term on 7 August 2015 says everything about where we are today. The antecedents for today's failures to bring public corruption and bribery to light are written in Murray Kellam's parting letter seven years ago. If the honourable Mr Kellam were here today, I am sure he would be nodding his head vigorously at the contents of this report, because he had the foresight to write down, seven years ago, all the problems that are written in this report from the Australia Institute - and all the problems that the Greens and others who care about democracy in this state have been speaking about ever since the Liberals took government.

The point that Murray Kellam made was that as soon as they came to government, the Liberals took 20 per cent out of the Integrity Commission's budget. They just slashed it. Their argument was based on, in his words -

The mistaken understanding about the complaint numbers.

Time expired.

[11.23 a.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Deputy Speaker, I rise to speak on this matter of public importance, and I will reiterate that I am deeply concerned about the commentary that is repeatedly made in this place - and indeed outside this place in the media - about Tasmania's Integrity Commission.

Before I go to the substantive issue of the Greens' MPI, I will address the concerning reports in today's newspaper, which I assume are the reason behind it, because the report has been tabled. It is interesting that the Greens were given a copy of this report, but not the Government. I therefore question the veracity and quality of the so-called data that is included in the report released by the Australia Institute - which we all know is a Greens front group that has a history, unfortunately, of misleading and incorrect polls and reports.

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Ms ARCHER - Let me be clear, Mr Deputy Speaker, I listened to Dr Woodruff in silence so that I could make my points. I am entitled to speak on my views in this place as well.

Ms O'Connor - It is a public document. The Premier has a copy of it, but you were wrong about something you have just said.

Dr Woodruff - You are entitled to be wrong and we are entitled to point it out.

Mr DEPUTY SPEAKER - Order.

Ms ARCHER - While I have not had time to consider the report in detail, it appears to be a rehash of its earlier 2018 work, which was found to be inaccurate and misleading, according to the then chief executive officer, Richard Bingham. In a quote from the 2018 *Mercury* article in response to the release of this previous report, Mr Bingham said he was not consulted by the Australia Institute and its findings were simply wrong. I quote:

It contains some factual errors and ill-informed speculation about how we apply our jurisdiction and the matters we may or may not be investigating. It also contains opinions with which the Commission does not agree.

While this latest report appears to have been somewhat updated, and at least now acknowledges that two actually independent reviews have been carried out in relation to the Integrity Commission, what the report again fails to recognise is that considerable work is currently under way. In fact, one of the key recommendations in this report is for our

Government to implement the recommendations of the Cox review, and I can confirm that is exactly what we are doing.

As I have stated in this place on numerous occasions - including in budget Estimates in November last year - my department is currently working with the Integrity Commission to consider areas for reform of the Integrity Commission Act 2009. This involves considerable work to ensure that any proposed options for reform are considered in a measured, sensible and balanced way, allowing for appropriate consultation and opportunity for appropriate scrutiny.

As all members are aware, the comprehensive final report contains 55 recommendations, with one of them proposing 45 technical amendments to the Integrity Commission Act. Importantly, we accepted the majority of the recommendations made in the Cox report, in full or in principle, noting that some of the recommendations require further consideration and consultation. As a result of the consultations between my department and the commission, a number of the recommendations have been identified to be included in the next range of reforms as priority matters. This will include areas such as expanding the ability for the commission, as part of any code of conduct investigation, to treat information gathered by agencies as part of assessments or investigations for behaviours involving potential breaches of the State Service Code of Conduct.

Potential amendments in this space will broaden the ability of the commission to access information and remove duplication, also improving its powers to commence, dismiss or cease complaints or own-motion investigations where appropriate. Also, considering whether to introduce a mechanism to allow the Integrity Commission to accept referrals from the Local Government Association Code of Conduct Panel. Also, amendments to allow for flexibility around time frames for compliance, with notices to produce information or provide evidence, as there is limited ability to allow for extended or shortened periods depending on the circumstances, allowing the ability of the chief executive officer to appoint more than one investigator in relation to complaints, as well as consideration for the expansive number of other technical matters to improve the operation of the act.

I have also ensured the Integrity Commission is adequately resourced, with increased funding in the 2021-22 budget, with an additional \$600 000 per annum over the forward Estimates to boost capacity to carry out its compliance and monitoring work, and expand its preventive and education delivery services. I recently met with the CEO and have been advised that the commission is using this additional funding to advertise for these six new roles, which are expected to commence shortly.

The CEO, Michael Easton, has also stated that he is satisfied the commission has sufficient and broad powers regarding his role to investigate and prosecute misconduct, and the fact he has not been required to use them demonstrates that the commission is working and fulfilling its role well. This has been supported through the independent findings of two recent reviews of the commission that did not find any substantial issues with the commission's powers. Not only is it the role of the commission to investigate and prosecute misconduct, but a supplementary and equally important role is to deliver education and guidance to members of this place and the public sector workforce. That education role is critical, and one they are taking very seriously.

To address my more serious concerns that certain members continue to make serious and continued assertions that there are fundamental integrity issues that are not currently being

addressed, I strongly challenge these allegations, as there has not been one specific incident or issue identified that backs up these incredulous claims.

I will reiterate: the fact that the commission has not had to use its broad powers - for example, to conduct public hearings - or that there have been no cases of corruption found in Tasmania, does not indicate that there is a fundamental flaw with the Integrity Commission. Rather, it demonstrates that the commission is working and fulfilling its role well.

No evidence has been brought forward that corruption exists. If anyone has legitimate concerns, they should - and indeed must - report such behaviour to the Integrity Commission, Tasmania Police or the DPP, as the appropriate and responsible authorities to investigate such misconduct or criminal offences, to ensure any claim is investigated in accordance with the law.

As I have stated, the department has commenced work on the remaining recommendations in the report. This debate today, on the back of the questionably incorrect and misleading report, strongly and offensively criticises our independent body of the Integrity Commission.

Time expired.

[11.30 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I rise on this very important matter that has been brought on for discussion around the report into the Integrity Commission, its functions and its powers and note that the heading of the Australian Institute report states very clearly that it is, *Still toothless: Jurisdictional funding and secrecy issues in the Integrity Commission Tasmania*.

We know very much that this is a critical issue for us to get to the bottom of because integrity in government is fundamental for the community to have trust in government. I go to some of the remarks that were made by the Attorney-General where she claimed that only the Greens had been provided with a copy of this report. I can categorically state that is not true. The Premier was seen holding a copy of this report in the Chamber today, copies have been emailed to MPs, I have a copy of this report and the *Mercury* newspaper has a copy of the report. They used it to inform their reporting on this issue which is front-page news today.

We know that this Government does not like scrutiny or transparency or upholding integrity. We have seen it, unfortunately, play out time and time again and quite acutely with recent events where the Premier and this Government have failed to uphold integrity. There can be no other explanation as to why the recommendations from 2016 made by William Cox AC have not been progressed, bar six out of the 55. How can the Government claim that a report into the functions and powers of the Integrity Commission that was undertaken in 2016 remains a priority for them when in the last six years they have only progressed six of the 55 recommendations? That in and of itself tells you everything you need to know about how highly this Government values integrity. It is at the bottom of their priorities. There can be no other explanation.

Now we have the Premier today and the Attorney-General give commitment to progress the next tranche of reforms with no time frame for when they will be delivered. We have been waiting six years, what is another six? We know this Government does not value transparency

or integrity. Their actions, whether on this issue or a range of other issues we have been questioning them about, are clear illustrations of that.

This report highlights some failures of the Tasmanian legislation that need to be remedied to ensure that we can have confidence that the Integrity Commission has both the jurisdiction it needs to do its work but also the powers and the resourcing it deserves so that we can uphold integrity in public office.

There are two specific jurisdictional issues mentioned in this report that I would like to talk about further. The first is the fact that ministers are not within jurisdiction while parliament is dissolved. There was a report made last year by the Tasmanian Greens to the commission urging them to investigate Premier Peter Gutwein's handling of the preselection support and resignation of Adam Brooks as the candidate for Braddon in the 2021 state election. As we all know, the Integrity Commission was unable to take that complaint on board and progress it because it was outside their jurisdiction. It was revealed that in an election period the commission is unable to investigate the handling of a situation because its governing legislation only allows it to investigate public officers and once elections have been called the Premier and all other elected representatives are no longer members of parliament and therefore no longer public officers.

That is quite obviously a massive failure in the legislation that needs to be rectified quite urgently because, arguably, the greatest risk for when corruption or misconduct can happen is during election time. It is a massive gap in the legislation that must be fixed and we cannot wait another six years for this Government to get on with the second tranche of recommendations they claim they are going to implement that we have been waiting six years for already.

A second issue that was referred to the Integrity Commission at that time that they were unable to progress because it was not within their jurisdiction was a matter referred by my colleague, the member for Clark, Ella Haddad, in relation to the use of public funds, taxpayer funds, by the Liberal Party to distribute flyers during an election period. About \$150 000 of taxpayer funds were used to print these glossy brochures that were distributed during the election period. However, the Integrity Commission was unable to investigate the matter, and one of the reasons was because of jurisdiction, because the act specifies that the commission only has jurisdiction over public officers and when parliament is not in session, we are not public officers.

Despite the fact these were distributed during an election period, and the material looks exactly the same as the 'Vote 1' material that was also distributed, because the Premier knew precisely when the election would be called, he instructed his office to order these materials before the election so that they were outside of the scope for them to be examined by the police as a breach of the Criminal Code.

This is very serious stuff we are talking about, the use of public money in a way that progresses the objectives of the government of the day. Despite not being found to be criminal, it is certainly very murky, and I argue it does not pass the pub test.

This report is important reading for the Government and if the Attorney-General has not read it I urge her to; she should not just dismiss it out of hand like I heard in her remarks just then. I could go on but I do not have time.

Mr DEPUTY SPEAKER - The member for Braddon, Mr Ellis, was the loudest, so I will go with him.

Mr ELLIS (Braddon) - Mr Deputy Speaker -

Ms O'CONNOR - Point of order, Mr Deputy Speaker. All three of us rose at precisely the same time. This is the Greens' matter of public importance debate so we should have an opportunity, but so too should Ms Johnston, who does not have her own MPI allocated. All we are going to hear now is the same thing we heard from the Attorney-General. This is not a fair call because Mr Ellis did not jump first.

Mr DEPUTY SPEAKER - Ms O'Connor, I did hear the member for Braddon first. I was actually concentrating and I heard the member for Braddon first.

Ms O'Connor - You heard him first?

Ms Archer - You actually have to seek the call verbally, not just jump.

Ms JOHNSTON - Point of clarification, Mr Deputy Speaker. Is it on the voice or is it on who actually stands first under the Standing Orders? I am quite a distance away from you and the member for Braddon is much closer, and we do have masks on, Mr Deputy Speaker.

Mr DEPUTY SPEAKER - Ms Johnston, I heard Mr Ellis first. I think you are probably right that everyone jumped probably very closely together, but I did hear his voice first.

Ms O'Connor - It is the member who rose first who should get the call, not the member who shouts.

Mr DEPUTY SPEAKER - That is what I said; I thought that he jumped first as well, but I definitely heard his voice first, so that would tell me that he jumped first because I heard his voice first.

Members interjecting.

Dr WOODRUFF - Point of clarification, Mr Deputy Speaker. Is it the case that a man who has a louder voice than two women who jumped gets heard first? Is it if the man has the louder voice that is what happens in this place? What a surprise that a man would hear another man's voice first.

Ms O'Connor - It's just going to be some read-out piece of garbage that you've passed on to him.

Mr DEPUTY SPEAKER - Excuse me, Ms O'Connor, I have given the call to the person who I thought called first, and that is the order of the House, so Mr Ellis, please proceed.

Mr FERGUSON - Mr Deputy Speaker, if I may, given the fact that Mr Ellis is only now being called I hope he will be afforded his time.

Dr Woodruff - Absolutely not. No way.

Ms O'Connor - Never has that happened before.

Dr Woodruff - Otherwise, tabling papers took three minutes out of my seven minutes. There is no standing order for that.

Mr SPEAKER - Order. The call has been made. The member has been given the call. There is no debate.

[11.40 a.m.]

Mr ELLIS (Braddon) - Mr Speaker, just before you arrived, I was requesting that I get my full time, because I have not actually had the call.

Mr SPEAKER - There is no opportunity to extend the time. It is a 35-minute debate.

Mr ELLIS - Thank you, Mr Speaker. It is a real pleasure to speak on this matter brought forward by the Greens, publicising their Greens Australia Institute report today. One of the things that probably -

Ms O'CONNOR - Mr Speaker, point of order. Mr Ellis has just told a complete falsehood to the House. The Australia Institute and the Greens are not the same entity.

Mr SPEAKER - It is not a point of order and, again, it is an interjection on the member. The member shall be heard in silence.

Mr ELLIS - I know they are very sensitive about this because they are essentially a front group for the Greens. What does surprise me, however, is that the Labor Party comes in here and also tries to publicise it. We saw the Leader of the Opposition waving the Greens Australia Institute report around here today. It is just the Greens-backed Australia Institute.

Ms O'CONNOR - Point of order. Mr Speaker, on behalf of the director of the Australia Institute, who is not here to defend her independence, please ask Mr Ellis to stop.

Mr SPEAKER - The member is allowed his opinion and to express his views. If you have a different view, you can express it at a later time.

Mr ELLIS - Thank you, Mr Speaker. We know they are sensitive about it but it does surprise me because the Australia Institute has authored reports that are anti-forestry, anti-native timber, anti-underground mining, anti-natural gas manufacturing and anti-stopping the Bob Brown Foundation using its charity platform for political campaigning.

It surprises me that the Labor Party would want to associate themselves with the reports of the Australia Institute, given their attempts to try to crab-walk away from their longstanding positions to lock up parts of this country, to destroy Australian and Tasmanian jobs. To see the two walking in lockstep together today is very sad indeed.

The chief executive officer, Richard Bingham, stated - on the 2018 report that was also done by the Greens Australia Institute on the same matter -

It contains some factual errors and ill-informed speculation about how we apply our jurisdiction and the matters we may or may not be investigating. It also contains opinions with which the Commission does not agree.

Mr Speaker, that is very gentle language for a very strong rejection of the kind of rank speculation that we are seeing from the Australia Institute, and just another part of their left-wing activities.

While this latest report appears to have been somewhat updated, and at least now acknowledges that two actually independent reviews have been carried out in relation to the Integrity Commission - and we know Ms O'Connor got an advanced copy of this, and I wonder how that happened exactly -

Ms O'CONNOR - Point of order, Mr Speaker. Mr Ellis is being untruthful again. Everyone in the House got an advanced copy.

Mr SPEAKER - Ms O'Connor, please sit down. You know it is not an opportunity. You have interrupted the member enough. This is a limited debate, so I ask members to allow him to continue.

Mr ELLIS - Thank you, Mr Speaker. I will move on because I know this is a very touchy subject.

We know that the Integrity Commission is to investigate and prosecute misconduct, but the supplementary and equally important role is to deliver education and guidance to members of parliament and the public sector workforce. We have also increased funding for the Integrity Commission with an additional \$600 000, which the Labor Party does not seem to have an opinion about because it was not in their alternative budget.

Time expired.

[11.44 a.m.]

Ms JOHNSTON (Clark) - Mr Speaker, apologies to Hansard if they were yelling.

I rise today to speak on this very important matter. There is no more important matter than integrity in government. Today's report on the front page of the *Mercury*, which everyone would have seen, and the Government surely would have seen, comes as no real surprise. It reiterates what most people in Tasmania - with the notable exception of the Government - know.

I begin by acknowledging the time the CEO of the Integrity Commission gave me recently to brief me on the functions and operations of the commission, and I understand that invitation is extended to all members of parliament but after that briefing, there was nothing really that allayed my concerns.

The report released by the Australia Institute is damning. It is important to read the very front page of that report - and I am sure the Government has it and should read it:

Still toothless: Jurisdictional, funding and secrecy issues in the Integrity Commission Tasmania

Tasmania's Integrity Commission is weak and is losing public trust. It has never held a public hearing. It has run fewer investigations than any other state's integrity body. It has the second lowest per capita budget. It has only ever referred two people for prosecution, the lowest number of any state. Tasmania's Commission needs broader jurisdiction, public hearings and more funding.

Damning indeed. What has been the Government's response, Mr Speaker? Their heads have gone firmly in the sand, but perhaps that is a too-generous description of their response. It is more likely they are scared of what a properly functioning Integrity Commission will uncover - a bit like their federal counterparts, running scared from an anti-corruption watchdog.

Because of our Government's lack of action - and clearly no desire to make improvements, as they have not got around to implementing the full tranche of recommendations from six years ago - we still have a toothless tiger. It is little wonder that polling shows that 48.5 per cent of Tasmanians lack trust in the Integrity Commission - the very authority that is supposed to ensure we have integrity in our system of government. That is absolutely disgraceful. It is appalling. I suspect, from having talked to many people on the street, that this is a conservative estimate. I suspect the number is much higher.

The absence of public hearings is one concern that people constantly raise with me - particularly given the way ICAC conduct themselves, and the very public way they go about uncovering corruption in that state. The absence of justice being seen to be done is a real issue for Tasmanians. It leaves them disillusioned. As the Attorney-General said earlier, they have not had to have public hearings. I said that is not correct: the Integrity Commission has chosen not to hold public hearings.

Ms O'Connor - That is true. I went to the briefing too.

Ms JOHNSTON - It is absolutely true. They have chosen not to conduct public hearings. It is not, as this Government has suggested, that we have no corruption in this state. Tasmanians simply do not believe this.

What worries me is that Tasmania's lack of trust leads to apathy - or at the very least reluctance to report instances of corruption or misconduct. If you do not trust the very authority that is supposed to do the investigation - that is supposed to uncover corruption and misconduct and hold every member of this House and every member of government to account - then what is the point in reporting, if your complaint goes nowhere? What is the point in reporting if when they do receive your complaint, it is dealt with behind closed doors and in secret and you do not understand the reasons why it was not further investigated.

This is especially the case when the conduct complained of clearly does not pass the pub test, like the behaviour complained of during the 2018 election. Members of the public were left wondering: why was this not investigated? The suggestion is because there was a lack of jurisdiction. That needs to be fixed.

We have a Government that is absolutely unwilling to address this key jurisdictional issue. It is a disgrace.

If you are lucky enough to have your complaint accepted for investigation - as I did with my complaint at the conduct of three senior public officials at Glenorchy City Council - then you have to wait in the dark for an investigation to take place in secret.

My complaint was one of the very few that saw the light of day in the Integrity Commission investigation pyramid. It made significant findings of fact suggesting very serious conflicts of interest with three public officials.

The report, Investigation Pyramid, was one of three reports. It detailed 12 pages - findings of fact - of serious issues of conflict of interest. What was done? It was referred back to the public authority, the council, for further action. It was damn lucky that I as complainant was mayor at the time, so I was the officer charged with receiving the report.

What would have happened had I not been the mayor at the time? What would have happened if one of the people complained of was the mayor at the time? There would have been no further action. In listening to the Integrity Commission on that matter, and considering their referral back to me, I was asked to act, with little regard to the fact that as mayor, under the Local Government Act I had absolutely no authority to act to deal with the findings of fact of serious conflict of interest that occurred at that time. Where did that report go on behalf of the people of Glenorchy? It went nowhere. They were so disillusioned with the Integrity Commission, and this is what this report highlights. You can make a complaint, but the Integrity Commission is a toothless tiger. It goes nowhere, so why waste your time? It is an absolute shame that this is the way this state deals with matters of integrity.

Time expired.

Matter noted.

TREASURY MISCELLANEOUS (AFFORDABLE HOUSING AND YOUTH EMPLOYMENT SUPPORT) BILL 2022 (No. 7)

Second Reading

[11.52 a.m.]

Mr FERGUSON (Bass - Minister for Finance) - Mr Speaker, I move -

That the bill be read the second time.

On 1 March 2022 the Premier delivered the state of the state address, in which he outlined the Government's roadmap to secure Tasmania's future. In that address, the Government promised to increase the conveyance threshold for the first home buyer and pensioner duty concession from \$500 000 to \$600 000, and continue the First Home Owner Grant at \$30 000. In addition, the Government will also extend the payroll tax rebate for apprentices, trainees, and youth employees, and allow the Commissioner of State Revenue to extend the completion date requirements of the Tasmanian HomeBuilder Grant. This bill delivers on these commitments.

The Government recognises that there are challenges in our housing market. That is why we are continuing to provide targeted action to support home ownership. The Government will

continue to provide support to first home buyers and pensioners downsizing through duty concessions for a further 12 months until 30 June 2023. In addition, the conveyance duty thresholds for these concessions will be increased from \$500 000 to \$600 000. This change will apply from 1 January 2022 to ensure that potential transactions are not delayed between the date of announcement and legislative change. The Government is extending the First Home Owner Grant at \$30 000 for an additional 12 months to 30 June 2023. The First Home Owner Grant remains the most comprehensive in Australia. The Government's continued focus on the construction of new homes will contribute to the supply of new housing, and support employment in the Tasmanian building and construction sector.

The Australian Government and the Tasmanian HomeBuilder Grants have been a great success in boosting the Tasmanian building and construction sector, supporting local jobs and the Tasmanian economy. The Government is aware that some recipients of the Tasmanian HomeBuilder Grant will be impacted by builders no longer able to operate, so the bill will provide the Commissioner of State Revenue with the discretion to extend the completion period in certain circumstances. This will provide grant recipients with an opportunity to engage a new builder to complete the build and agree to a new completion date.

The Government recognises that Tasmanian businesses play an important role in our community and have endured significant challenges created through the COVID-19 pandemic. To support local businesses that invest in apprentices, trainees, and youth employees, the Government will extend the payroll tax rebate for apprentices, trainees, and youth employees until 30 June 2024. The continuation of this scheme reiterates the Government's commitment to support the employment of young Tasmanians.

This bill gives effect to the Government's tax and grant initiatives announced in the state of the state address as well as other measures to provide more sustainable housing outcomes across the state and encourages businesses to employ young Tasmanians.

I commend this bill to the House.

[11.55 a.m.]

Dr BROAD (Braddon) - Mr Speaker, I rise to give my response to the bill. I will be taking this through today on behalf of Mr Winter, who is absent.

I thank the minister for making a briefing available. I thank Sam Kalimnios, Damien Jarvis and Genevieve Henderson for their briefing. It was very welcome.

This is implementing the Government's announcements, as the minister outlined in his second reading speech. I have some questions to ask, as do some of my colleagues, which I hope the minister can respond to. There are some sensible changes here, including the extension of the First Home Owner Grant and also the pensioner downsizing grants.

Saul Eslake, eminent economist, makes a good point when he talks about the first home buyers or builders grants as being better described as a 'home vendor's grant'. Over this period house prices have increased at a greater rate than this grant would cover. We have also seen the cost of building increase at a rate which this grant would not be able to cover. It gives those first home buyers a slight advantage; however, we are seeing a capitalisation of those grants in terms of how much a vendor gets for their property and also builders covering their increased costs.

Maybe, we need to have a rethink about how we do this. It seems like a good idea but it would be good if the Government did some work to investigate whether the first home builders or buyers grants are achieving what they set out to achieve. Saul Eslake raises some very pertinent questions.

The downsizing grant for pensioners is being extended from \$500 000 to \$600 000. You probably cannot even buy a three-bedroom house in Moonah for \$500 000. From what I gather and clarified after the briefing, the property must be of lower value rather than of smaller size.

That was interesting to find out. I thought the idea of the downsizer grant was, for example, a pensioner couple in a four-bedroom house having an incentive to downsize into a smaller property, like a two-bedroom house, therefore, in theory, making that larger property available for a family. Subsequent to the briefing, it was suggested that the downsizing relates to the value of the property. I would like clarification of that.

I have spoken about the eligible period. When it comes to the First Home Owner Grant, especially the building of a new home, if you have not commenced within 18 months then you are ruled out. The legislation does not extend the commencement date, it only extends the completion date. I am not sure if there is anybody out there who has not reached the stage where they can be said to have commenced. I am not sure how many people would have missed out. I know that builders have been busy through this whole period and that there are a number of builders who got their clients to that commencement stage, which was the foundations or the slab, and there are a number of buildings that are stalled at that stage. They have managed to have commenced but have not managed to be built. Extending the finalisation of those buildings is sensible given that the market was well and truly overheated and there is a number of buildings that have not been completed and look unlikely to be completed within the original time frame.

It is sensible to extend the completion date but I just wonder if the Government has any idea of how many people may miss out because they have missed out on reaching that commencement phase, because if they have this bill does not cover them. People may have purchased and empty property like a piece of land and through no fault of their own they have not managed to get to that stage defined as commencement under the previous legislation. I wonder if the Government have any idea of how many people are possibly captured by that.

It is sensible to extend the completion date given that there are so many builders who have taken on a number of jobs and are trying to complete those jobs as quickly as they can. I also know there have been a number of builders who have not been able to progress simply because trusses and windows are very hard to come by and the waiting lists for things like those are extraordinary. Hopefully capacity has been built up and those issues are being dealt with but I know there were huge wait times on both trusses and windows especially, which meant it would be absolutely impossible for builders, even with their best endeavours, to finish properties within the time frame of the previous legislation. That is good.

From what I gather, this bill is in effect retrospective, so the extension of the completion time frame covers everybody who has reached that commencement phase within the appropriate time frame. That is good. That is the First Home Owner Grant and the Home Builders part.

There are a few issues around the duty of the commissioner. Parts 3 and 4 rely on decisions made by the commissioner. I am interested how much the minister expects the work load of the commissioner to increase, given that there is a number of people who may require an extension from the commissioner. Is there any assessment of potential increased workload there and if there is, is the Government proposing any increased resources for the commissioner to cover any increased workload? It would more than likely be just in the interim until all those houses flow through the system and are completed. If the minister could give an indication about whether any extra resources would be required or available to the commissioner, that would be good. I ask the minister to give me an answer on that.

In Part 13A it says the commissioner may extend a period for transaction completion in certain circumstances. In the minister's second reading speech he talked about people going out of business, but what other circumstances could there be? Could the minister give a bit more guidance on other circumstances beyond the control of the home builder? What are we talking about? What happens if the builder literally cannot get to the job through no fault of the home builder? Is that a circumstance?

There was talk in the briefing about a reasonableness test in order for considering that application. What sort of reasonable steps should people take to meet that qualification? Is there a test there? Could the minister outline a reasonableness test and what sort of things are reasonable in those circumstances?

Also there is a lot of power here for the commissioner, and there is discussion of the duration of the extension but there is no defined extension period. Does the minister have any guidelines around the possible time frames within reason? Are we talking six months, 12 months or longer? It is not defined in the bill. I can understand why it is not defined, people may have different circumstances, but could the minister give us some guidance as to what sort of period the Government is assuming would be the extension required?

Additionally, there is a lot of power in the hands of the commissioner. Are there any appeal rights? Is there any mechanism for appealing a decision if the commissioner makes a decision not to extend, or only extend for a short period? Is there a period that the home builder may think is not enough to achieve completion? Is there any sort of appeal rights there?

Apart from that, payroll tax rebates for apprentices, trainings and youth employees is welcome, extending that for another year. I would like to say from the outset that Labor will support this bill moving through to the upper House but we have those questions to answer, and if the minister could answer those questions, that would be very welcome.

[12.07 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, the Greens will be supporting the Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Bill of 2022 but I can indicate to the House that we wish to go into Committee because we have a number of amendments that acknowledge that the housing and homelessness crisis, and the enormous difficulty Tasmanians have buying a home will not be over by the middle of next year, and we are likely to be back in here to enact further extensions of changes to the Duties Act, the First Home Owner Grant Act and the Home Builder Grants Act next year.

It is interesting when you look at the proposed changes to the stamp duty concessions in the Duties Act: they extend the duty concessions for first time buyers and pensioners

downsizing until 30 June 2023. We will be still in the grip of the housing and homelessness crisis so we are proposing that that be changed to 2025, but also to increase the maximum dutiable value of property for both of these duty concessions from \$500 000 to \$600 000.

I thought it might be an interesting exercise to update the House on median house prices in Tasmania. You will struggle now to find a home for under \$500 000. Six months ago, I was looking at a real estate website and there was a weatherboard box on the Brooker Highway in an obvious state of disrepair for \$550 000. Median house prices as of today are as follows: in Moonah, \$642 000; Howrah, \$780 000; Geilston Bay, \$727 000; Lindisfarne, \$770 000; Rosetta, which used to be a suburb for young families and first-home buyers, \$715 000; Kingston, again a very popular suburb for first-time buyers and young families, \$710 000; and Margate, \$715 000. In Launceston: Trevallyn, \$613 000; Launceston itself, \$700 000; West Launceston, \$620 000. Closer to home, if you want to buy a place in Lauderdale, you will struggle to find anywhere under \$800 000, and this for a suburb, let us be frank, which is at sea level and will have significant problems in the future. In Montagu Bay, median house price \$634 000; Lenah Valley, a couple of suburbs over, \$835 000. If you want to buy a place in Bellerive, you will need in the vicinity of \$1 million because the median house price in Bellerive is \$940 000; in Taroona, \$978 000; Prospect Vale, \$640 000; Riverside, \$610 000; Newstead, \$638 000; and in Dodges Ferry, \$640 000 is the median house price.

It tells us that Tasmanians are being priced out of their own paradise. It tells us that young people have very little hope of being able to buy a home for themselves in Tasmania today. It tells us that housing as a portfolio, as critical social infrastructure, was neglected for too long by this Liberal Government, which for the first three years after 2014 refused to allocate any extra funding to increase the supply of social and affordable housing.

When the Greens raised this back then we were flicked off, as we so often are. The Government has underinvested in increasing the supply of social and affordable housing. It favours property investors at every turn. It is refusing to regulate short-stay accommodation to free up more homes. It is refusing to look at the positive benefits of a vacant residence tax. There is somewhere in the vicinity of 2000 vacant homes in Tasmania. We have a public housing wait list of almost 4500.

We have a Government that at every step has failed to deliver on housing. Now we are tinkering with some of the settings around stamp duty, first home owners and first home builders grants. For so many young people this will have no effect on their capacity to buy a home.

Because of the shortage of supply and soaring rents, we have people who are experiencing homelessness. I know of people who have gone to the mainland to find an affordable home. It is not so obvious anymore because we do not have tents at the showground. Talk to housing and homelessness providers and they will tell you that homelessness is on the rise. This is happening on this Government's watch, while every question time we get this delusional and insulting propaganda about how great life is for Tasmanian people. Tasmanians cannot afford to live here anymore.

We had Mr Tucker yesterday saying to the bright Tasmanians and young people interstate, 'Come here, come back home'. They will take one look at what is happening in the housing market and decide not to. There is a new form of brain and capacity brain on this island. It is people who are leaving because they have been priced out of their own paradise.

I do not know if the Government's refusing to extend these grants and concessions for more than a year because it wants to be able to come in next year and pump itself again.

Dr Broad - More than likely.

Ms O'CONNOR - Indeed. This is band-aiding over what is a serious social and economic malaise that has settled over this island. It goes back to 2014. You can see it in the data. You can see it in the way house prices have soared. You can see it in what is happening with rents. Hobart is the least affordable capital city in the country. I have a brother on a disability support pension told by the landlord a few months ago his rent is going up an extra \$50 a week.

This is happening all over the island. When you have a Commonwealth Government that will not increase commonwealth rent assistance to the proportion that it needs to be increased and you have rents going up, what does that mean for people who are reliant on commonwealth support? What does it mean for single parent families? Rents are going up for a very ordinary two-bedroom house in the northern suburbs of Hobart to \$600 a week.

It is one thing to provide a stamp duty concession. It is one thing to provide first home buyers and builders grants. What is this Government doing to help renters? Nothing. Given opportunities to rein in rents or at least have some regulation around rents like they successfully do in the Australian Capital Territory, this Government has refused to do so and voted it down. Given opportunities in this House to regulate short-stay accommodation, this Government does not want to know about it because they do not want to offend the property class.

Everyone in here, most likely, is lucky enough to have bought a place to call home. Talk to young Tasmanians under the age of 30 and the vast majority of them have given up on that dream. It is not just the state Government's fault. We have federal settings around negative gearing and capital gains tax which means it is easier for an investor to buy their seventh, eighth or ninth property than it is for a young person or a young couple to buy their first. The whole system is geared to shaft the poor and geared to shaft young people.

The Government gives a \$220 million land tax gift, again to the property class and that includes all of us, then lies about the impact that could have on rents. We are gaslit by a Government that says its gift to property investors will bring down rents. In the face of expert evidence, for example Saul Eslake, that is completely untrue. The Premier and Treasurer digs in on his untruth. We had a land tax cut a year ago. What happened? Rents went up. Rents will continue to go up because this Government does not care enough about people who are on the breadline.

This Government's constituency is the property class, investors -

Mr Ellis - I wonder if you are going to vote for us?

Ms O'CONNOR - Mr Speaker, Mr Ellis is persistently interjecting on my contribution. I ask you to ask him to cease in the same way that you asked us to cease when we interject on others.

Mr Ellis - Asking for a standard that you cannot make yourself.

Mr SPEAKER - Order.

Ms O'CONNOR - It is not what it is about. We are pulled up constantly and you people interject all the time and nothing happens. It is true. Do you think we have not spotted it? Hypocrites. Snickering away like children up the back there.

Mr SPEAKER - Order, Ms O'Connor. You will not reflect on other members like that.

Ms O'CONNOR - I certainly saw Mr Ellis snickering.

I understand why members of the Government feel a bit cut when we tell the truth about people's lives out there because it runs so counter to the daily propaganda we cop in here about the state of Tasmania: a Government that thinks that we live in an economy, not a society. I understand why Mr Ellis would want to interject. I am just telling the truth.

Mr Speaker, our amendments would be:

- clause 4 - leave out '2023', and insert instead '2025'
- clause 5 - leave out '\$600 000', and insert instead '\$800 000', to reflect the reality of what is happening to our obscenely expensive property market
- clause 6 - leave out '2023', and insert instead '2025'
- clause 7 - leave out '\$600 000', and insert instead '\$800 000'
- clause 10 - leave out '2023', and insert instead '2025'.

Because it is a Greens amendment - which should be non-contentious because it makes sense because we all know the housing situation is not going to be any better in a year - I expect the minister to say he will not be supporting the amendment. He needs to lay out the arguments for why you would not support our amendment, instead of just dismissing it out of hand. It is a sensible amendment. Our amendments are sensible. They are realistic about the state of the housing market.

While it might suit the Government each year to announce that they are again extending home buyers or builders' grants and duty concessions, it is not good policy, and it is not good lawmaking to allow this parliament each year to déjà vu all over again - to extend again these programs designed to help at least some people have a roof over their head. I cannot let this opportunity go by.

The contrast is between a Government that splashes a \$750 million stadium on the front page of the *Mercury* while people are sleeping in greater numbers in tents, and on the Domain, and young people are leaving the state.

It reminds me of the dying days of the Roman Empire: bread and circuses; send the peasants to the colosseum. At least some of the time at the stadium, which will have a retractable roof, some people will have a roof over their head, but this is a stadium that will be empty for most of the year - \$750 million in public funding, and a far-off promise to deliver the homes that Tasmanians desperately need. A far off promise. Ten years from now, apparently 10 000 homes. Five years from now, a stadium.

It is rubbish. It is heartless. The first duty of a government is to provide for its citizens. We have seen at a national level what happens when you have a government that does not

believe in governing. We saw it during the bushfires. We know there is a \$4.8 billion emergency response fund that the Morrison Government has not spent helping bushfire victims recover, and is now refusing to spend helping the people of southern Queensland and New South Wales recover from devastating climate-induced floods.

I do not know if other members of this place keep an eye on the news from anywhere else except here, but we should. Those pictures coming out of northern New South Wales, and Lismore particularly, and those stories of flood victims who have been left without any help from a Commonwealth, are an indictment on the heartlessness of the Morrison Government.

I have never in my life, as an Australian, seen a government so comprehensively abandon its duty to the Australian people. There are still bodies being found in receding floodwaters in Lismore, but what you will not find is support from the Morrison Government.

What did they do three days ago? Send in a few members of the Australian Defence Force for a photo opportunity. Then, Morrison, the Prime Minister, goes up there yesterday into Lismore and would not let the cameras come with him, because he knew those people felt so thoroughly abandoned by his government.

Dr Woodruff - It would be like Bega and the bushfires.

Ms O'CONNOR - It is exactly the same as the bushfires.

You have conservative governments that do not believe in governing. Indeed, they call the expectation the Australian people have - that governments will be there for them when they need it - they call it socialism.

It is my greatest hope that come the federal election, Scott Morrison and his crooked band of cronies are smashed out of office. They are the most corrupt, least deserving, least competent and capable federal government we have had in Australia's history. They abandoned us on the procurement of vaccines, on rapid antigen tests, opened this country up to COVID-19 and just let it rip - and thousands of Australians have died just this year as a consequence: one Australian dying every half an hour from COVID-19 - preventable deaths - caused by a government that does not care about people.

It seems to be a hallmark of right-wing, conservative governments, this lack of empathy, a belief that people who do not have a lot of money are leaners - does everyone remember the former treasurer Joe Hockey, the leaners? - while people who are working and have a mortgage, they are the lifters. That mindset filters through conservative governments.

Mr Speaker, this bill has some positives in it. This bill will help some people buy or build a home. This bill will help some older Tasmanians downsize. It will not help most Tasmanians who do not already own property to buy a home, it will not.

We also support the payroll tax rebate for apprentices, trainees and other youth employees. I have always been a bit troubled by payroll tax as a tax - why would you tax jobs? Why are we not taxing pollution and environmental damage, for example? However, we are certainly comfortable supporting that rebate.

I commend our amendments to the House, once the House goes into Committee, because we will be dealing with the real world - not the world of propaganda and spin that we have to swallow in question time here every day. The real world. That is what our amendments are about, and we commend them to the House.

[12.29 p.m.]

Ms JOHNSTON (Clark) - Mr Speaker, I rise to speak on this bill, and continue on from the contribution from the Leader of Greens, that this bill does indeed help some people. I am sure some in our community will welcome the initiatives that the Government have put forward - but it does not help many, many Tasmanians.

I want to take some time to reflect on what some of the people who come through my electorate office are experiencing at the moment, with the housing disaster we have in this state. It is not a housing crisis anymore. I think it has gone beyond a crisis to an absolute disaster. It is important to take the time to tell their stories, to remind people in this House that whilst we can do something with this bill, and indeed we will, to assist some Tasmanians, there is a great deal more that we need to do.

I want to tell the story of four people in particular who have come through my electorate office. I will change their names to maintain their confidentiality but their stories are common, sadly, stories that so many families would be facing. I am sure if anyone was listening to this debate today or reading it later in *Hansard*, they would see similarities with their own lives.

The first person I want to speak about I will call Sarah. I handed a letter to the minister on Tuesday regarding Sarah and I want to read that letter out because it really tells a very important story. It says:

Dear Minister,

Today my office met with Sarah and heard of the desperation situation she is currently experiencing, which sees her sleeping on a mattress in one small room with her four children aged 11, 10, seven and five. Sarah and her family previously lived in a three-bedroom private rental in Berriedale; however, like many Tasmanians, Sarah and her family were forced to leave their home due to the property agent's intention to raise the rent to an amount of \$700 per week.

Facing the prospect of homelessness, Sarah gratefully accepted an offer from her uncle to move herself and her children into his two-bedroom social housing unit in Glenorchy and the family have lived there for the past four months. The sleeping arrangements are deplorable and totally unacceptable. Sarah and her four children sleep on a mattress crammed onto the floor of one bedroom. One can only imagine the stress and anxiety this is causing the young family.

Sarah's seven-year-old son, and I shall call him Matthew, was born with meningitis and has suffered a number of health issues during his young life. Matthew also suffers from epilepsy and is undergoing an assessment for autism. Through the NDIS, Matthew is eligible for at-home sessions with a support worker which are very beneficial, but unfortunately NDIS have

ceased this service as Matthew is not classified as being in his own home. External NDIS appointments for Matthew are not an option due to this being an extremely traumatic and triggering experience for him.

This is extremely shattering for Sarah, who worries greatly for Matthew's immediate future without the benefit of these in-home professional support sessions.

The Housing Tasmania property where the family live with Sarah's uncle is located in Glenorchy and was previously renovated to suit a tenant with disabilities. Housing Tasmania have already indicated their interest in moving Sarah's uncle to a one-bedroom property to enable a tenant with special needs to take up residence. Should this occur, Sarah and her children will be rendered homeless.

Desperate to do all she can for her family, Sarah engaged the services of a support worker from Catholic Care at the advice of Housing Tasmania. Unfortunately, Sarah tells my office that her support worker advised her that he is closing her file because nothing more can be done.

Sarah also advises that she has an active social housing application for a five-bedroom property but would accept four bedrooms, has selected a broad range of suburbs and engages regularly with Housing Connect, who are aware of her situation. Sarah is also a victim of domestic violence and a family violence order is currently in place on her ex-husband.

Minister, Sarah and her young children are in this desperate situation through no fault of their own. A young Tasmanian family of five living in one bedroom and sleeping on the floor in the year 2022 is truly heartbreaking. I respectfully request an urgent update on Sarah's application and any further information that can assist this desperate young family. I know I only gave that to the minister on Tuesday and am still waiting on a response, but it is typical of the kinds of stories I am constantly hearing through my office.

Another one, and I will call this gentleman John, is a single father of three children, twins aged 13 and a nine-year-old girl. He took sole custody of the children on the advice of Child Protection. His nine-year-old daughter was sexually assaulted by the children's uncle. He was forced to move in with his elderly father. John and his family have been sleeping on a floor on a mattress since he applied for social housing assistance over three years ago. John has been diagnosed with wedge compression fractures in his spine due to his poor sleeping support. The two girls share a room and the son another very small room. The son has ADHD and no space for him to self-regulate. John and his family are desperate.

Another story, and I will call this person Wendy. Wendy was attacked and beaten around the head with a hammer when she was 15 years old and left for dead on the banks of the Derwent River. She spent three months in hospital and was left with an acquired brain injury. She entered a relationship in her early twenties and was subjected to repeated acts of physical, sexual and psychological domestic violence. She is single with a young child and on a disability pension. She applied for housing assistance on 19 June 2015. She has been paying private rent ever since. However, rent increases are now making general living unaffordable. She cannot afford her daily bills. She requires ongoing treatment and medication, which is

expensive. She has to choose between a roof over her head and her medication. She unfortunately is regularly having to enter into loan agreements to purchase basic household items for her daughter.

Finally, I want to tell the story of Jane. Jane is a domestic violence survivor. Her ex-husband had a drug addiction, which meant she was left with nothing after her divorce. She lived in her car for six months and suffers from PTSD and depression. She was unable to find employment because she was living in a car. She followed all the advice from Housing Tasmania. She had a broad range of suburb selection. She rang them twice a week, engaged with a support worker and did all the right things. She is currently in a women's shelter. No hope, still waiting.

These are the stories of real Tasmanians who deserve so much more, yet this Government continues to reject proposals put forward that would see homes opened up immediately to help these real Tasmanians.

It is really easy to look at bills such as the one before us and to applaud them and say how great it is and how in the long term it is going to release more houses into the market and increase supply. It is much harder, though, to sit down with real Tasmanians, as I do in my electoral office, and hear their stories and to say to them, 'I simply don't have an answer for you about what to do tonight'. That is much harder.

Whilst I will support this bill, I encourage and urge and plead with this Government to give serious considerations to proposals which would release homes right now. Regulate and limit short-stay accommodation to the owner's principal place of residence. Look at empty houses. Approximately 2000 homes across Tasmania are sitting empty at the moment, yet we have these poor people, Sarah, John, Wendy and Jane and their families, doing it incredibly tough. It is heartbreaking. Please do more; you have to do more. Too many Tasmanians are suffering.

I will support this bill, but I really hope that my pleas and I know the pleas of the Opposition and the Greens and indeed of so many Tasmanians, are not going to fall on deaf ears again, because it is not good enough. I do not want to have to sit through more conversations with constituents who are heartbroken and desperate and whose children are going without. It is not good enough for Tasmanians in 2022 to be in this position.

[12.39 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I would like to thank the independent member for Clark for bringing those stories to the House. Like her, one of my electorate offices has a large number of people who come in to see us, asking for help as local members, as I am sure most members in the House have.

When I was working as an electorate officer in Michael Polley's Bridgewater office about 14 years ago, people would come into that office seeking housing assistance. I would ask them whether they had anywhere to stay for a few nights? That extended over the years to a week or so as it could take a bit of time. Then that extended to a month or so. Then it extended to a matter of months to go. Then it extended to contacting all the shelters in the area, which were full. We had to tell them there was nothing we could do but we would try.

Now my electorate officers go home devastated and cannot sleep because of the number of people who have come into the office seeking assistance, especially in winter. It is so cold for people sleeping in cars and tents and it is just horrendous, its grotesque.

It has changed so much over the 14 years or so. As a member of parliament you feel a significant burden of responsibility because you are elected to represent and assist people. You cannot help homeless people because housing has not been prioritised as a policy and it should have been prioritised as a policy.

It is fundamental. It goes back to health, it goes back to people's mental ill-health, it goes back to looking after children, it goes back to education, it goes back to so many aspects; it goes back to a roof over your head. It is so important that we get this right.

I digress. Regarding the bill, I seek clarification from the minister in relation to Part 4 Home Builder Grants Act 2020 Amended. During debate on the original bill the minister answered questions well. I have a few more questions today.

I would like to reiterate our dissatisfaction with the original bill and the definition of the commencement being laying foundations instead of cutting in. We were one of the first states to pass that bill. It was part of a Commonwealth arrangement. We were lobbied by HIA and other stakeholders for that definition of commencement to not be laying the foundations, for it to be cutting in. That was viewed as being reasonable.

That commencement, according to the stakeholders and expert advice we were given, would provide the industry and the environment an opportunity to not be in such a rush. How many concrete trucks did we have in Tasmania to be able to provide those slabs in order for people to meet those grants? We knew it was unreasonable.

The Government was belligerent when it came to our arguments. It passed with the definition of commencement being laying the foundations. Subsequent to that other states, taking advice from stakeholder groups such as HIA and expert opinion, did amend that legislation for that definition of commencement. I wish we had done that.

These amendments, I believe, are a band-aid solution to a much bigger issue, that is the fundamental regulatory and legislative deficiencies which govern the Tasmanian building and construction sector and the inaction by this Government to ensure that the foundations underpinning the industry were sound in the first place.

I have advice that 1800 concrete slabs have been laid between Launceston and Wynyard. That is how many are sitting there at the moment waiting to be built. That has provided a big peak, but we do not want a building and construction sector which runs on peaks and troughs. We want a streamline of work which our industry can meet, which our consumers can enjoy. That was not well thought through.

Labor has demanded an inquiry into the Tasmanian building and construction sector regarding the collapse of building firms, the inadequacy of CBOS to assist consumers, the rising cost of materials, the lack of quality control and training. Phoenixing is a huge issue. Tasmania does not do much to protect consumers from phoenixing. There is poor financial literacy within the industry and poor financial literacy among Tasmanians who for the first time are endeavouring to build a home and sign a residential building contract. They have never

done this before. There is no free advocacy service where they can go to to find out what their rights are. They are just told that it is an HIA contract or a Master Builders Australia.

There are a few people who question these things and have it looked at. However, so many people go into this with complete trust in the process and they get burnt. There are so many areas where we can improve. That is why, again, we will be moving for there to be a parliamentary building inquiry. It does not have to be, as some stakeholders are calling it, a witch hunt. The minister for Construction patronisingly called it a 'talkfest'. That is rubbish.

This is a good opportunity to provide expert opinion to a committee made up of two Liberal members, two Labor members and an independent member. Ask consumers to provide their experiences, have industry experts provide their experience, have stakeholders from all around Australia talk to us about their home builder warranty insurance schemes, talk to us about the rising cost of product, talk to us about difficulties with supply, talk to us about licensing issues, about the lack of consumer protection, about legal fees and the length of time it takes for issues to be resolved. All of that can be put on the table and we can have a transparent discussion on how we future-proof this industry. It employs 20 000. It is really important we get this right. The industry needs better regulation and legislation in order to function more efficiently. So do consumers. They need a lot more protection, minister.

We welcome extending the period for transaction completion in certain circumstances, which these amendments provide. It will benefit many people who have been caught in the collapse of various building companies.

We are seeking clarification, minister, in what circumstances the commissioner may consider waiting times for a builder to have the project at a completion. Will that be considered? Dr Broad raised the same question. It is important that we have an understanding of whether or not the commissioner will, say for instance, take into consideration that the builder has not been able to get to one of those 1800 concrete slabs between Launceston and Wynyard to be able to conduct the framing and be able to meet the completion time. That is completely out of the grant recipients' control, so would that be considered?

Also, would the commissioner for state revenue consider building-defect rectification as a reason for extending the completion date? We know that when there are defects in properties, it is a time-consuming process to have them rectified. The defects are out of the control of the grant applicant. The defects often end up in legal proceedings, which are really lengthy - I think the average when it comes to defect rectification in Tasmania is about two years - and it is also very expensive.

That grant money is really important to that homebuilder during that time. They are having to cough up an incredible amount of money to pay legal fees because there is no consumer protection for Tasmanians. It is true what a constituent said to me: 'You have more protection in Tasmania when you buy a toaster than when you build a residential property.'

They are the main questions that I would like you to answer.

We also want some information on the appeals process. The commissioner has made a recommendation. They have either accepted or rejected whether or not they can appeal. Also, some time lines for the commissioner's findings, and how that process works with being able to provide that information to the grant recipients.

[12.52 p.m.]

Mr ELLIS (Braddon) - Mr Speaker, it is a real pleasure to speak on this landmark bill, which speaks to the aspirations of so many young Tasmanians and their families. One of the cornerstones of a decent life is to own your own home. We know some in our community may feel it is a little way off but there are many for whom it is well within their grasp and we want to give them the opportunity to realise that dream in Tasmania so that they can really get set up for life.

I reflect on some of the earlier contributions, particularly from Ms O'Connor. She does have a tendency to approach debates around the economy and jobs and housing in Tasmania with something of a Dickensian flavour - 'Please sir, I'd like some more' - but she really took things to a whole other level of ridiculousness when she shifted to an analogy from Gibbons' *Decline and Fall of the Roman Empire*.

I do not think I have ever seen anything like it in this place. It is certainly completely out of touch with what I hear in my communities in the north-west, west coast and King Island. People do not think Tasmania is in some state of decline and fall.

Dr Woodruff interjecting.

Mr SPEAKER - Order.

Mr ELLIS - They think it is actually the best place in the world to live right now. They are really looking forward to the opportunities -

Dr Woodruff interjecting.

Mr SPEAKER - Order, member for Franklin.

Mr ELLIS - that you can achieve as a young person in our growing state, where there are opportunities, and there are beautiful places to live, and I hear -

Dr Woodruff interjecting.

Mr SPEAKER - That is the third time, member for Franklin.

Mr ELLIS - I hear more whingeing and complaining from the Greens. Sadly, that is typically all we get from them. We know whingeing is not a policy. We know complaining is not a platform. Sadly, the Greens are just fresh out of ideas and completely out of touch with the communities that we come from.

I want to talk about some of the key aspects of this bill. There are some extraordinary opportunities in here for young Tasmanians, for families, and for the construction industry as well, which is a driver of so much of our economic progress and opportunities in this state, as well as a lot of our tax revenue. When the construction industry is doing well, Tasmania is doing well, and that is exactly what we are seeing at the moment.

There are a few key aspects to this. The duties act extends the duty concessions for first home buyers and pensioners downsizing until 30 June 2023. It increased the maximum dutiable value of both of those duty concessions from \$500 000 to \$600 000: the first home

owner grant act to retain the first home owner grant at \$30 000 for an additional 12 months to 30 June 2023: the home builder grants act to give the commissioner of state revenue discretion to extend the construction completion date for recipients of the Tasmanian home builder grant. The payroll tax rebate for apprentices, trainees and youth employees act will extend the payroll tax rebate scheme for apprentices, trainees and youth employees until 30 June 2024.

We are seeing an increase in home values across Tasmania and I have to say it is an extraordinary result. As the Premier has said, who would have predicted, at the start of the pandemic, that two years on we would be in a situation where homes in Tasmania would have increased in value.

There were predictions early on in the pandemic that we would have a 12 per cent unemployment rate in Tasmania - that is also at Labor-Greens level. There were predictions that we would have an enormous decline in values of our homes but with the strength of our economy and businesses, the innovation and hard work of workers right across Tasmania - and also the view that Tasmania is a place in which people actually want to come and live - it was bizarre that Ms O'Connor took talking down Tasmania to a completely new level today.

To say that the destination in Australia where young people want to move, to start a family and to start a life, that this was not happening - and in fact we were witnessing some sort of civilisational collapse and decline with the barbarians at the gate - was truly something else.

We live in a place people actually aspire to live in. I get phone calls from young people who I have met around Australia saying, gee, I cannot wait to get down to Tasmania. There are Facebook groups specifically titled 'Moving to Tassie'. There are people right around the country - and right around the world now - who have discovered what Tasmania is about. They love it, they want to be part of it, and a lot of Tasmanians want to be here. We heard a bizarre claim that Tasmania's population is declining; in fact, it is increasing.

Ms Butler - Not by much.

Mr ELLIS - It was declining under the Labor-Greens government, which Ms Butler was a staffer in, but under this Government it is increasing. That is part of the reason we are having an increase in the home values in Tasmania. It is because this is a place where people want to live, they want to come and, they want to buy a house. They want what Tasmania has and they are willing to come here to get it.

We have a population growth strategy to get to 650 000 people in this state by 2050. That will be a good thing, because it will bring all sorts of talents, creativity, businesses, innovation and opportunities for the young people of Tasmania, so that they do not have to do what they did under the failed Labor-Greens government, where they left. They can actually stay here, start a family, get a great job and live a wonderful life in the best place in the world.

Obviously, we have historically low interest rates, which is creating cheap money, and there is a property boom right around Australia, and for a lot of the world as well. It did make me wonder if Ms O'Connor thinks that young Tasmanians are leaving because of the prices in Tasmania. I think the median house price where I live in the north-west is about \$379 000, so I am not sure where they are going to.

I do not see too many young Tasmanians saying, 'Gee, I cannot afford to live in north-west Tasmania so I am going to move to Sydney and Melbourne'. That is just simply a ludicrous, absurd statement to make because we know that in those places the median house price -

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

TREASURY MISCELLANEOUS (AFFORDABLE HOUSING AND YOUTH EMPLOYMENT SUPPORT) BILL 2022 (No. 7)

Second Reading

Resumed from above.

Mr ELLIS (Braddon) - Mr Speaker, as I was saying, this is an extraordinarily important bill because it speaks to the aspirations, particularly of young Tasmanians, to own their own home and set themselves up financially by getting off the rental roundabout and into a place of their very own.

As I was noting, there are some increased cost pressures when it comes to housing. I have spoken briefly about historically low interest rates, the value of money and easier credit but due to global supply chain shortages which people around the world are well aware of, including here in Tasmania, we are seeing major increases in prices.

The Opposition mentioned things like trusses and various different other materials which have been difficult to get. Tasmania is not alone in that situation and, of course, any actual solutions from the Opposition were absent from their contributions. That does not really surprise anybody. I do not really expect them to have things they could do about global supply chain shortages. It is a little bit like complaining about the price of fuel in the middle of a global economic surge and a land war in Europe that involves one of the world's largest oil producers in Russia. We need to have a clear understanding of what the challenges are and the solutions we can provide so that we can actually help Tasmanian people rather than just whingeing and complaining.

Fortunately, there are some very helpful trends when it comes to addressing some of those cost and supply issues. Chief among them, other than the historically low unemployment rates we have here in Tasmania, is the highest annual wage growth in the country, at 3 per cent. There have probably been very few times in Tasmania's history when members of parliament would be able to say that. I encourage the Opposition to be supportive of that situation because they are our shared constituents who are benefiting from the highest annualised rate of increase for wages around the country. People who work in the construction sector - and I will come to them later in my speech - have seen big increases in available overtime as well as big increases in their job offers and pay rises. I must say they have earned it as well because our tradies are some of the hardest working, most dedicated and best people you will ever meet.

We have also seen, pleasingly, a big increase in the number of dwelling approvals here in Tasmania. In 2020-21 we had 4228. That compares to the dark old days of the failed Labor-Greens government in 2012-13 when there were less than half of that, at 1760. One of the really sad things about young people fleeing Tasmania in droves under the failed policies of

the 'lock everything up' Labor-Greens government was that unfortunately it meant that people were not willing to invest their hard-earned money and their futures in Tasmania so they were not willing to build the houses they would have otherwise done, and which they are now currently doing at double the rate than they were in those times.

The Tasmanian Government has also taken a very strong plan to the election and will deliver that. We have now taken the next step, which is this massive 10-year \$1.5 billion housing and homeownership package, to build on our existing reforms and to take further actions to address affordable housing.

The new statutory authority, Housing Tasmania, will be charged with increasing housing supply, delivering more affordable homes and units and ensuring that we leave no stone unturned to deliver the stock of houses and the services required to cater for what is a growing demand. We are delivering a range of measures designed to build more houses, help and support people to own their own homes and make it easier for all Tasmanians to get their first step onto the property ladder by helping less advantaged Tasmanians by delivering 10 000 new social and affordable homes by 2032.

I will continue to speak more about this in my contribution but expanding the HomeShare Program to be the housing market entry program will basically allow lower and middle-income Tasmanians and first home buyers with the opportunity to buy their own home even if they have not had the opportunity to save up the 20 per cent deposit that has historically been required to get into their own homes. The Government is stepping in and making sure that people who can make the payments on a mortgage but who are stuck currently making payments on a rental will be able to step up into that and start building the equity that will back their family over the years to come.

We are also going to invest \$10 million into a residential land release rebate which will unlock new land supply into the market and that is very exciting for tradies and home owners alike. We are also extending First Home Owner Grant and increasing housing supply with our expanded Ancillary Dwelling Incentive Program for rentals. I am still not sure why we call it the Ancillary Dwelling Incentive Program when most people know it as the granny flat program. I get plenty of good feedback in our community about this program because, as we know, there are many families where people will come down to Tasmania to retire - and we are in this boat as well - and they will be able to give people who are part of their family a place to live on the property in a smaller part of it, or potentially a renter who is looking for something that is smaller than is perhaps catered for by the more mainstream housing market. They will have an opportunity to get into the market that way.

It is also making better use of the land supply that we currently have. The big old quarter-acre block that a lot of families used to value back in the day, in some quarters is not the aspirations people have now. They are looking at smaller and more manageable gardens but would love to have that additional rental stream coming in through better utilisation of their land and property.

We are also increasing the threshold for stamp duty concessions to \$600 000 for Tasmanians buying their first home or pensioners downsizing. Stamp duty is a cost that you need to pay upfront and much like the 20 per cent deposit that can be difficult to save, you also need to be able to afford the stamp duty when you buy into that home. If you are not in the housing market already, that can be difficult. Through our First Home Owner Grant we are

basically reducing the tax on them which will mean they can more easily get into their first home. It is also great for pensioners as well who are downsizing.

Dr Broad went on a bit of a strange jaunt about maybe we should be judging houses by their footprint and their size rather than their value, but at the end of the day size is a great determinant of price, but more than that, we probably do not want people wandering into every home in Tasmania and measuring things up and trying to split hairs when really the price is a good measure of the size of the home but obviously also of the value as well. I am looking forward to whatever weird hair-splitting solutions Dr Broad is maybe thinking about. Perhaps there is not one, it is just more carping and complaining.

Not only is this Government building the homes that Tasmanians need for the future but we are also upskilling young Tasmanians and employing them to build these homes. Mr Ferguson has spoken about the Government's affordable pipeline and what that has meant for companies and organisations that are taking part in that. A fantastic example is St Joseph Affordable Homes, which has recently employed six new apprentices, making a total of 17 that the organisation is employing to build social housing for those that need it most. It is an amazing image to have potentially low-income, disadvantaged kids being employed, building homes in the communities in which they have grown up, that they have aspirations for, that they want to see continue to improve and that they want to be a part of.

In my neck of the woods a lot of tradies and trade businesses are taking advantage of the big pipeline of work that this Government has with building social and affordable homes. Companies such as Beardwood and others have been able to take advantage of the continuous pipeline of work, so they can confidently take on building apprentices for three years and plumbing apprentices for four years. They know they have work ahead of them, know they will get paid and that they will be able to deliver a fantastic product they can show off to future clients. It is a win-win in many ways.

The construction industry has an outsize influence on the health of our economy as well as the health of our tax receipts. If we are supporting that industry to build the homes Tasmanians rely on and employ the next generation of apprentices, then I can only see that being a good thing. That is why this bill extends the payroll tax rebate scheme for apprentices, trainees and youth employees. This means more young Tasmanians are being taught the skills needed to work in our construction sector to build the homes we need in both social housing and the private sector. Payroll tax is an important revenue stream but in the case of apprentices, we do not want payroll tax being a disincentive to taking on these future workers.

Every apprentice who goes through their time will come out with enormous job opportunities and the ability to support a family, to own a home and build a life based on the certainty that ticket can provide. By doing the Liberal thing, reducing taxes on jobs and incentivising small businesses to provide opportunities, we will continue to employ the apprentices who will become the tradesmen of the future, who will be building and working in our homes.

These particular sectors are often areas of skill shortage. If we are able to have not just a pipeline of work but a pipeline of skilled labour in those sectors, we will be able to benefit from that skill and expertise in our community. Having apprentices working on projects such as social and affordable housing benefits everyone in the community because those skills are

very transportable across the two sectors. Many tradesmen, including myself, have worked for clients in both the public sector and the private sector while being in the same job.

This is what it means to address housing affordability. It is not pushing for a housing tax, like the Greens and the green independent members have been doing. They are essentially saying, 'We should be taxing housing and we should be taxing homes'. That is only going to pass on greater cost to our state's vulnerable in the form of higher rents and for people right across the spectrum who either rent a home or own one. The taxes that governments levy for the many important projects that they do is one of the building blocks of the cost of rents and the cost of upkeep on a home. Sadly, for the Greens and the green independents, and to be frank as well -

Ms O'CONNOR - Point of order, Mr Speaker. Mr Ellis is speaking falsehoods. There are no Green independents in this House. I do not know who he is talking about.

Mr SPEAKER - It is not a point of order. A member can express their views and if other members have different views then when they get an opportunity to speak they can express them. The member has the call.

Mr ELLIS - Thank you, Mr Speaker. I suppose you could say the small 'g' green independent. They have been in lockstep in this place and in the community calling for more costs to be put on housing and home owners and renters as well.

Ms O'Connor - How? That is just not true.

Mr SPEAKER - Order, Ms O'Connor, order.

Mr ELLIS - It really is only a bizarre form of Marxist economics where you can tax your way to prosperity and tax your way to lower prices. You could make the argument that if you pushed up taxes high enough and everyone left and no one wanted to own a home, then the price of housing would be lower. I do not think anyone in our community wants to go down that path, for very good reason.

This bill does not implement rent caps, as the Greens have called for. That is a failed policy. It seems that there is not a problem those opposite do not think would be solved by higher taxes or price controls. It is a form of left-wing trickle-down economics where you give all your money to the government in the hope some of it comes back to you one day.

The Government knows that we cannot tax our way into prosperity and that lower taxes mean lower costs for those renting and those looking to enter the home ownership market in our state. Our Government wants markets to be competitive. That is how they work best. At the same time we want to support those who are struggling in our community. A cap on rent is likely to have the perverse impact of making tenure less secure for rents. It is a case of unintended consequences and perverse outcomes. Perhaps it is well meant. I have made comments about well-meaning and misguided people in his place.

In the event that the landlord needs to increase rent, for example, to deal with the increase costs of owning and maintaining a property, which would come from potentially higher taxes, they will only be able to do that by terminating an agreement at its expiry and finding new tenants. That is in no-one's interests. If we can step away from rent controls and higher taxes

as a community we will be in a far better place. These are the policies that we see others in this Chamber advocating for that will do nothing to make homes more affordable for Tasmanians.

The reality that those opposite will not admit is that the only way to address housing affordability in the long-term is to reduce input costs as well as increasing the supply of housing. In my neck of the woods some of the really fantastic councils do a great job approving a lot of homes. My local municipality of Latrobe is one of the hot spots where people really want to live. They want to move there because you can buy an affordable home. The council has the perspective that if we can build more homes we will get more people in the homes. Their costs will not go up in the same way and there will be a lot of jobs for tradies who also want to live close to where the work is in their local area.

Other places around the state have done similar things. The Premier and the minister both speak fondly of the growth at Legana and the opportunities happening there. It is true in southern Tasmania as well, at places such as Sorell which is going gangbusters. They are places people want to live. Sadly certain councils, particularly those aligned with the ideology of the Greens, believe we are in a housing crisis but are at the same time are stopping developers building more houses. It is a very strange state of affairs -

Ms O'CONNOR - Point of order, Mr Speaker. First of all, we are supposed to tell the truth in this place. Second, we are not stopping developers from building houses, so why is Mr Ellis allowed to lie?

Mr SPEAKER - Ms O'Connor, please sit down. It is not a point of order. As I have said, members are allowed to express their views. When you get a chance, you can do the same.

Ms O'Connor - On the point of order, we are supposed to tell the truth.

Mr SPEAKER - The member has the call.

Mr ELLIS - Thank you, Mr Speaker. You only need to look at the number of dwellings that have been knocked back by certain councils in southern Tasmania. I am surprised Ms O'Connor wants to associate herself with those decisions, but if that is her will, we cannot stop her, I suppose.

The 2019 Select Committee into Housing Affordability - of which Ms O'Connor was a member - was informed of the fact that more supply means you can help make things more affordable for people. The committee made a number of recommendations -

Ms O'Connor - Hello, I was the minister for four years. I know this.

Mr ELLIS - You were here before me, and I really wish you had listened a little bit more in the time that you were here and I was not, Ms O'Connor.

A number of recommendations were made, including that work be undertaken to ensure the supply of new apprentices in the construction industry to meet that demand. This bill will do that. The Government assessed unmet need for social housing, and revised targets in the Affordable Housing Action Plan 2 accordingly. This Government has just recently announced,

in this bill, a commitment to 10 000 social and affordable homes to be built by 2032. The committee was told that increasing taxes on housing was driving up housing and rental costs, with constrained supply and increasing taxes and charges being major contributors to driving up house prices, according to the Housing Industry Association. If Ms O'Connor does not want to listen to the experts, that is up to her. In this case, Mr Speaker, we are backing them. It is a simple case of supply and demand.

The Government is addressing these issues with this bill, as well as other initiatives. Only last year, the Premier and minister Ferguson held a roundtable discussion with the building and construction sector to work collaboratively with the sector to grow our construction sector by 6500 skilled workers between now and 2025. That is 6500 young people who will have the opportunity not only to get a great job, not only to save up, but to own their own home as well. We want more tradies in this place. We want more homes to be built. That is why I am very proud to support this motion and this bill.

[2.53 p.m.]

Mrs ALEXANDER (Bass) - Mr Speaker, I support the Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Bill 2022 - a bill that will go a long way to assist Tasmanians into the dream of home ownership, as well as employing and upskilling young Tasmanians to get them into the workforce.

This Government knows how important housing affordability and accessibility is to Tasmanians. The bill is just part of our comprehensive plan to ensure that housing is accessible for all Tasmanians.

A world finance article dated September 2021 identified that the last half of 2020 and the first half of 2022 have both seen housing prices across the world dramatically increase. In America, prices rose by 11 per cent during the period - the fastest pace in 15 years - while across the pond in New Zealand, house prices went up by 22 per cent. Rapidly rising house prices are not uniquely Tasmanian or Australian. Historically low interest rates are creating cheap money, which is fuelling a property boom across Australia, and indeed many parts of the world.

While increasing house prices is a national trend, Tasmania's very strong local economy - and the fact that our state is one of the safest and most desirable places in the world to live, work and raise a family - is a contributing factor, because people are moving here, and Tasmanians are returning home in many cases. New homes are also costing more, due to high rises in input costs. Land prices are at unprecedented levels, and material prices are growing at the highest rate since 1981, with a record 12 per cent growth in the year 2021. Fortunately, Tasmania has the highest annual wage growth in the country with 3 per cent, moderating some of these housing cost increases.

This bill will assist many Tasmanians wanting to enter the housing market, by extending the First Home Owners Grant and stamp duty concession. It will also give the commissioner of state revenue the discretion to extend the construction completion date for recipients of the HomeBuilder grant. This will provide grant recipients the opportunity to engage a new builder to complete the build, and agree to a new completion date. This will make the dream of home ownership more accessible for so many Tasmanians and will help them get their foot in the door of the property market.

It has been said today that this bill will help some Tasmanians, but not all. This can be a bit unhelpful and a bit misleading. This particular bill, on its own, does not pretend to be an all-in-one solution or comprehensive plan to tackle housing affordability, nor has anyone on this side suggested so. Rather, this bill is but one element of this Government's comprehensive and literally unprecedented 10-year \$1.5 billion housing package, which builds on our existing reforms and takes further action to address affordable housing in both the private and social housing sectors.

We acknowledge that there are still many who require other supports, which is why the Government is continuing to deliver on its plan to build and acquire new social and affordable homes to help our most vulnerable by 2032. The latest annual report on government services, for 2020-21, confirms the Tasmanian Government's commitment to reducing housing stress and homelessness throughout the state, and is delivering results. The report shows Tasmania was the only state or territory government to grow social housing sufficiently to keep pace with population growth, with more than 1250 new properties built since the start of our affordable housing strategy. Additionally, 410 properties during the reporting period were made available under the affordable home ownership program, helping more Tasmanians into home ownership, and further alleviating pressure on the housing register. Unfortunately, a further 176 properties were lost to arson during this period.

The report also shows priority being given to those who need it most, with 97.4 per cent of public housing allocations given to those identified as having the greatest need - the second-best of all jurisdictions, and significantly higher than the national average, which sits at only 81.1 per cent. This is despite a significant increase in the number of people on the housing register, which has increased by 23 per cent from the previous year - from 3373 applicants in 2019-20, to 4144 applicants in 2020-21. Importantly, we are already acting to meet this demand, with our unprecedented \$615 million spending on social and affordable housing and homelessness initiatives. These are achieving more houses, right now, for those who need them.

Tasmania has the lowest rate of homelessness in the nation, at 31.8 per 10 000 people, compared to 49.8 per 10 000 nationally, being quite a low rate. While any amount of homelessness is a worry and a concern, it is important to reflect and dive into some of the historical data.

According to the Census, in 2006 there were 1445 reported homeless people in Tasmania. However, this number increased five years later by 434 people, to 1579 people in the year 2011. This did not occur under the Liberal government but unfortunately under the previous government. Though the homelessness numbers increased in the following five years after 2011, this increase was at a rate of 2.72 per cent, which contrasts with the 2006-11 increase rate of 37.9 per cent.

Looking further back into some of the statistics, the Australian Bureau of Statistics report in October 2001 looked at the population of Tasmania and analysed that it was expected to change from 470 800 at the end of June 1999 to almost 434 500 or 480 000 people by June 2021. However, as at March 2021, our population reached almost 542 000 people, a significant increase on the number that the ABS forecast back in October 2001.

We know that planning is based on forecasts and what is expected to occur, so obviously reports such as the one I was referring to produced by the ABS have informed decision-making

for previous governments. Why are these figures important to discuss? They identify past performances and expectations. However, we know the normal course of life has been challenged over the last two years. Over the last two years, Tasmania became a haven for many people from the mainland wanting to call this place home.

Homelessness is an issue that all governments should tackle. Regardless of the comments made by the other side, the Liberal Government in Tasmania is tackling this problem, no doubt. We have the lowest overall numbers of homeless people in Australia. Tasmania also improved its rate of meeting client needs for accommodation, with the unmet proportion decreasing from 20.6 per cent in 2019-20 to 18.4 per cent in 2020-21. This was significantly better than the national average of clients in need of accommodation being unmet, which sits at 32.3 per cent.

We also have 1355 units of new social housing supported accommodation and homeless accommodation projects currently in the pipeline of works. These are projects where land is secured and we have project progress milestones. Of those 1355 units, 1060 are new social housing dwellings, 192 are new units of supported accommodation and 103 are new units of homeless accommodation. These projects, as well as some others, are scheduled to be completed by the end of June 2023. This current pipeline of works forms part of the Government's delivery under the Affordable Housing Strategy, which set targets of 2351 new social housing dwellings, more than 200 new units of supported accommodation and more than 150 units of homeless accommodation to be delivered by the end of June 2023.

In the past 12 months to December 2021, new supply completed has included 270 long-term homes, 59 households assisted into home ownership through HomeShare, and 31 lots of land released. Since the commencement of the Affordable Housing Strategy, there have been 1234 new long-term homes built, including 270 in the past year.

Mr Speaker, housing ends homelessness. Shelter Tas, the housing and homelessness peak body, identified in their submission to the inquiry into homelessness in Australia in June 2020 that:

Homelessness can be ended by an adequate supply of appropriate, affordable and secure housing, along with a support needed to help people to stay housed.

to keep that roof over their head. They also said:

Increased investment in Tasmanian homelessness and crisis accommodation support is needed.

This is what this Liberal Government is doing through the many positive initiatives that have been announced.

This bill also extends the Payroll Tax Rebate Scheme for apprentices, trainees and youth employees until 30 June 2024. This will go a long way to incentivise the construction sector to employ, train and upskill our young Tasmanians to build the very homes we need for the future and to provide them with the skills to live meaningful careers in our state's construction sector, a very good sector.

The Tasmanian Liberal Government took a strong plan to the election and we have now taken the next step by announcing a massive 10-year \$1.5 billion housing package to build on our existing reforms and take further action to address affordable housing, helping less advantaged Tasmanians by delivering the 10 000 new social and affordable houses by 2032, which I have mentioned.

The new statutory authority, Housing Tasmania, will be charged with increasing housing supply, delivering more affordable homes and units and ensuring we leave no stone unturned to deliver the stock of houses and the services required to cater for growing demand, which we know there is. We are expanding the HomeShare Program to be the housing market entry program to allow more low-income Tasmanians and first home buyers with the opportunity to buy their own home. We are also extending the First Home Owner Grant, which is a beautiful initiative. It is how I managed to get my first house in Australia in 2003 when I lived in Western Australia, with the benefit of a first homeowner grant which was available in the state at that time. It was not as high as it is here; I remember it was only about \$7000.

Mr Speaker, it is very important to mention the current projects funded under the capital investment program, such as 50 new units of supported accommodation for older Tasmanians in Bellerive at the Wirksworth integrated aged care facility to be managed by Wintringham. Under the Commonwealth family violence Safe Places program, there will be 50 new units of homeless accommodation for women in Launceston by the expansion of Magnolia House; two new units of homeless accommodation for women in Kingston by the expansion of Jireh House; and six new units of homeless accommodation for women in New Town to be managed by the Salvation Army.

There will be 50 new units of homeless accommodation for men in Hobart to be managed by Bethlehem House; seven new units of homeless accommodation for men in Rokeby to be managed by Hobart City Mission; seven new units of homeless accommodation for men in Devonport; eight new units of homeless accommodation for children and youth aged 12 to 15 years in Launceston at the new Youth at Risk Centre; 20 new units of supported accommodation for youth aged 16 to 24 years in Launceston by the expansion of the Thyne House Youth to Independence facility managed by Anglicare; 25 new units of supported accommodation for youth aged 16 to 24 in Burnie at a new Youth to Independence facility; another 26 new units of supported accommodation for youth aged 16 to 24 in Hobart at a new Youth to Independence facility; and eight new units of homeless accommodation and 50 new units of supported accommodation for youth aged 13 to 20 years in Burnie at a new shelter to be managed by Youth Family and Community Connections, YFCC. There will be 24 new units of supported accommodation for mental health recovery in Chigwell to be managed by Richmond Fellowship; and three new units of supported accommodation for mental health recovery in Rocherlea to be managed by Anglicare.

Due to concerns around the absence of shelters in regional areas, the Tasmanian Government made an election promise to commission a \$50 000 feasibility study for a new safe emergency accommodation facility in the northern midlands. In 2019-20 there were 2998 clients who were assisted with emergency accommodation. A significant majority, almost 73 per cent of these clients, were recorded as needing only one support period, likely meaning that they were able to achieve a safe and secure housing outcome at the end of their support. Around one-third of clients accessing shelters are accommodated for no longer than one week.

The Tasmanian Liberal Government will continue doing all we can to maintain these gains and deliver more housing and homelessness support right around the state. This bill goes a long way to make the dream of home ownership accessible for Tasmanians.

[3.10 p.m.]

Mr TUCKER (Lyons) - Mr Speaker, the Premier delivered the state of the state address on 3 March. In his speech, the Premier outlined the Government's strategy to secure Tasmania's future. Amendments to the Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Bill 2022, amends the Duties Act 2001, the First Home Owner Grant Act 2000, the HomeBuilder Grants Act 2020, and the Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act in 2017.

This bill will explicitly extend the duty concessions for first home buyers, and pensioners downsizing, until 30 June 2023, increasing the maximum dutiful value of property for both of these duty concessions from \$500 000 to \$600 000 by royal assent. It will retain the First Home Owner Grant at \$30 000 for an additional 12 months to 30 June 2023 and provide the Commissioner of State Revenue discretion to extend the construction completion date for recipients of the HomeBuilder Grants by royal assent. It will extend the payroll tax scheme for apprentices, trainees, and youth employees until 30 June 2024 by royal assent. The bill delivers on these commitments.

The Government recognises that there are challenges in our housing market. That is why we are continuing to provide targeted action to support home ownership. The Government will continue to provide support to first home buyers and pensioners downsizing through duty concessions for a further 12 months until 30 June 2023. In addition, the conveyancing duty threshold for these concessions will be increased from \$500 000 to \$600 000. This change will apply from the 1 January 2022. The Government is also extending the First Home Owner Grant at \$30 000 for an additional 12 months to 30 June 2023. The First Home Owner Grant remains the most comprehensive in Australia. This Government's continued focus on the construction of new homes will also contribute to supply of new housing and support employment in the Tasmanian building and construction sector.

The Australian Government and the Tasmanian HomeBuilder Grants have been a great success in boosting the Tasmanian building construction sector and supporting local jobs in the Tasmanian economy. The Government is aware that some recipients of the Tasmanian home builder grant will be impacted by builders no longer able to operate. The bill will provide the Commissioner of State Revenue with the discretion to extend the completion period in certain circumstances. This will provide grant recipients with an opportunity to engage with a new builder to complete the build and agree to a new completion date.

This Government recognises that Tasmanian businesses play an important role in our community and have endured significant challenges created through the COVID-19 pandemic. To support local businesses that invest in apprentices, trainees, and youth employees, the Government will extend the payroll tax rebate for apprentices, trainees and youth employees until 30 June 2024. The continuation of this scheme reiterates the Government's commitment to support the employment of young Tasmanians.

This bill gives effect to the Government's tax and grant initiatives announced in the state of the state address, as well as other measures to provide more sustainable housing outcomes. This Government is doing everything possible to address the existing housing crisis. Rapidly

rising house prices are not exclusively a Tasmanian or Australian issue. Our interest rates are at all time historical lows. This is creating low-cost money, stimulating a property boom across Australia. Tasmania's population grew by 3237 in 2020. It is something we are very proud of. Tasmania's growth rate of 0.6 per cent was the highest in the nation. More people are moving to Tasmania as it is a tranquil place we call home. The Apple Isle has become known as one of the safest places in the world to live, work, and raise a family.

We are seeing Tasmanians return home. New homes are costing more to build as a result of high rises in input costs. Land prices are at a record high, the cost of materials is continuing to grow, with a 12 per cent increase in 2021.

The Tasmanian Liberal government has a strong plan, with a massive \$1.5 billion housing package over the next 10 years to build on existing reforms and address affordable housing by taking further action. The Government wants to see more houses being built, and to make it easier for all Tasmanians to get into the market. To make this achievable, we will deliver 10 000 new social and affordable houses by 2032 for less advantaged Tasmanians. We need to unlock the supply of new land into the market and \$10 million will be invested into a residential land release rebate to assist.

To enable more low income Tasmanians and first home buyers to buy their own home we shall be expanding the HomeShare program into the Housing Market Entry Program. The Tasmanian Liberal Government has created an innovative grants program to help put more roofs over the heads of Tasmanians.

The \$2.5 million Ancillary Dwelling Grants Program provides \$10 000 grants to support the construction of ancillary dwellings as a way of adding extra living space to an existing home or backyard. Ancillary dwellings are self-contained additional living spaces, with a floor area of up to 60 square metres, adding to an existing residence. The dwellings can be detached like a granny flat, semi-detached, or share an outside or internal walls like a self-contained downstairs area. This program will help more Tasmanians add additional living quarters to their home and support those looking for somewhere to rent. Once built, applicants are required to make their ancillary dwelling available for rental for at least two years. This program is how we are stimulating additional housing supply at a time when our population is growing.

In Hobart in 2021 housing values increased by over 27 per cent. In the same time period rent increased by 12.7 per cent. The fact that rent increased by less than the increase in housing values, implies downward pressure on rent. Rents are less relative to the house value -

Ms O'Connor - What?

Mr TUCKER - Yes, prices are still going up, Ms O'Connor, which is why we have a range of initiatives.

As a first step through the Hobart City Deal we have been looking at the Northern Suburbs Transit Corridor and identifying opportunities where the Government can step in and activate urban infill. The Tasmanian Government will prioritise this focus area and work with City Deal partners to provide innovative solutions and deliver to build more homes.

This Government is building the housing that Tasmania needs for the future. We are also upskilling and employing young Tasmanians to build these homes. We encourage more to come back home.

This Government's affordable housing pipeline has meant that St Joseph Affordable Homes, an organisation to build social housing for those in need, has recently employed six new apprentices, bringing a total of 17 to the organisation.

The Treasury Miscellaneous (Affordable Housing and Youth Employment Support) Bill 2022 extends the payroll tax rebate scheme for apprentices, trainees and youth employees. This will allow for more young Tasmanians to be taught the skills needed to work in our construction sector, to build the homes that we need, both social housing as well as private sector.

This is what it means to address housing affordability, not pushing for a housing tax like the Greens and the independent members are. What they are calling for, a tax on housing, will only result in a greater cost being passed to our states vulnerable in the form of higher rents.

This bill does not implement rent caps as the Greens have called for. A cap on rents is likely to have an impact on making tenancy less secure for tenants. In the event a landlord needs to increase rents to deal with the increased costs of owning and maintaining a property, they will be only be able to do this by terminating an agreement at its expiry and finding new tenants. Our Government wants markets to be competitive. At the same time we are also supporting those people in our community who may be struggling.

We have heard the Greens and the Independent member calling for further restrictions on how people use their own property by banning or restricting the use of short-stay accommodation. Banning or limiting short-stay accommodation will not resolve the current shortage of affordable rental accommodation.

The Government introduced the nation-leading Short Stay Accommodation Act 2019 to ensure that all short-stay providers are playing by the same rules and abiding to the planning rules. This legislation is working as it was intended. In reality, those sitting opposite will not admit the only way to address housing affordability in the long term is to reduce the input cost and to increase the supply of housing.

In 2019 the Select Committee on Housing Affordability of which I was a member, as was Ms O'Connor, was informed of this fact. The committee made a number of recommendations, including work to be undertaken to ensure the supply of new apprentices in the construction industry meets demand. This bill will do that.

The Government addresses the need for social housing and revised targets in the Affordable Housing Action Plan Stage 2 accordingly. This Government has just recently announced a commitment of 10 000 social homes to be built by 2032.

The committee was told that increasing taxes on housing was driving up housing and rental costs, with constrained supply increasing taxes and charges being major contributors to driving up housing prices, according to the Housing Industry Association. This Government is addressing these issues with this bill as well as with other initiatives. Only last year the Premier and minister Ferguson held a meeting with the building construction sector to work collectively in the sector to grow our sector by 6500 skilled workers between now and 2025.

Our Jobs Hubs and the High-Vis Army are among many of the new initiatives the Government is taking to build our construction sector so we can build more housing for those who need it, in the private sector as well as social housing.

I need to make it absolutely clear to the members sitting opposite that the only way to stop increasing housing prices and drive down rents is to build more houses. This is why our initiatives will encourage the private sector to build the housing that we need.

Home Builder and the First Home Owner Grant will help those looking to enter the housing market, to purchase or build their home and encourage first home owners to build, adding to the supply of housing. We are expanding the successful HomeShare program, allowing more Tasmanians to access the program, doubling the contribution to 40 per cent or a maximum of \$200 000 for purchasers of new homes and 30 per cent for a maximum of \$150 000 for eligible established homes.

Neither Labor, the Greens or the Independent member have a real solution to housing affordability. The only real solution is what this Government has committed to and which we are enacting in this bill today.

[3.23 p.m.]

Mr FERGUSON (Bass - Minister for Finance) - Mr Speaker, it has been a thorough debate and I appreciate the contributions from all sides of the Chamber.

I will begin from the outset by acknowledging that and I believe I heard correctly that every party will be supporting the legislation. I note there is a move for some amendments later but none of those are outside the spirit of the legislation so I feel really pleased and thankful for that on behalf of the Government. Thank you to the Labor Party and the Greens and my colleagues, together with Ms Johnston, who is supportive with her own qualifications added. It has been a thorough debate and what I appreciate about it is that it has taken the full spectrum of the reality of Tasmanian life in it this afternoon. We have heard the tough stories of people who cannot get housing or who are on the margins of safe housing, and their cry has been heard today because this House does occasionally need that reality check.

We are MPs and, in a sense, economically our position is quite different from that of those Tasmanians who are struggling, so it is good and I am grateful for the reality check that the House has had. I get that reality check, by the way, every single day, because being minister responsible for Housing, Tasmanians have direct access to me. I hear their stories and I speak with them as well; in fact I have been doing it for 20 years in local, federal and state representation roles so I am no stranger to it but the times that I can say are quite unusual are the strong economic circumstances this state is currently experiencing. It has consequences; the strongly growing economy has meant that house prices have risen. For most people who are in home ownership, something around 70 per cent in Tasmania, many of those people would be very glad about that. Their personal wealth has increased and the wealth of their home ownership means they are catching up to interstate people in many cases.

As I say, it has consequences, including putting pressure on rents. The land price just on its own has had a big implication of people looking to build a home, whether it be their first home or people who are just wanting to change their homes. Quite frankly, an availability issue of land as well is contributing to that. With HomeBuilder we saw a program that was specifically and deliberately targeted at supporting the residential building industry but it has

actually brought that industry roaring back to life. I can tell you I and other ministers were closely lobbied, if you like, by the industry nationally, as was the Morrison Government and other state governments. Back in May 2020, in the middle of the worst of the pandemic, that industry was facing some huge existential questions about their own viability so they came to government, begged for support and got it.

Many families have had this conversation: 'This could be our big opportunity; we should get on this now while the offer is there'. As we all know, the funding amounts varied throughout the way that the HomeBuilder experience was amended and policies needed to be adjusted depending on the circumstance, so it started out with a very strict statement saying, 'You need to sign up by this date' and 'You need to have commenced within three months of that date'. There was very little leniency given in those early days but you can understand from a public policy perspective why that was the case. It was to stimulate immediate action and immediate investment decisions taken by Tasmanian families.

Over the passage of time, I have brought different bills to this House to complement the federal government's relaxation of some those strict deadlines to provide some more flexibility. There are now longer commencement periods, longer contract periods and ultimately even longer completion dates. In one case, I believe I did that by ministerial order with the permission of the House.

We have seen that occurring and the consequence of such a large number of new building approvals and people jumping on these grants has been twofold. One has been to really help the residential building area and the sub-trades to hit their spurs and see an incredible renewal of job security in that industry, but it has also had a consequence for the availability of land. We have other measures, not addressed by this bill, to see more residential land released to the market. I think Mr Tucker and Mrs Alexander touched on those elements.

I have many questions, which I will now work through and do my best to deal with comprehensively. Dr Broad, Ms Butler, Ms O'Connor and Ms Johnston passed me those questions in the House, so let us work through them. This is not in the order they were asked but they are thematically ordered for the benefit of the debate.

I was asked about the grants. I think it was Dr Broad who asked about some economic discussion or commentary that had been offered about the grants. I believe he was referring to the First Home Owner Grant and quoting a different commentator around what impact they may have on housing prices themselves: does a grant, in itself, push up the price of housing?

I know of at least one commentator who suggested that the grants are of no value; they go straight to the builder's bottom line. That is one person's perspective and they are entitled to that perspective, but if you were to agree with that, you could not support the First Home Owners Grant. Well, we do, because we do believe it helps people get their foot in the door and so, the grants are available - and by the way, I am not suggesting Dr Broad agrees with that.

Dr Broad - We need to look at it. Is it effective?

Mr FERGUSON - I know what you said, and I believe I am not misrepresenting you, Dr Broad. I am simply saying it was brought into the debate and I welcome that, and I hope my response is helpful.

The grants are available to a small proportion of the property buyers in the market. First home buyers, I am advised, are estimated to be less than 15 per cent of all property buyers, based on the REIT's December quarterly report. My advice is that it is therefore unlikely that this assistance would influence overall price level in the market. Property prices have been increasing not just in Tasmania but across Australia. That indicates there are much stronger drivers of price than grants only made available to a fraction of the market, being first home buyers. I hope that is useful.

Dr Broad asked me to confirm the eligibility arrangements for pensioner downsizing. No-one has ever said that it needs to be a particular square meterage, or number of bedrooms or bathrooms. For the record, I am really only saying what is in the principal act. For pensioners selling their existing home to downsize to another property, the home that is being purchased - that is, the subsequent home - must be an established home, not a vacant lot. It must have a dutiable value less than their former home, and it must have a dutiable value of less than \$600 000, subject to the passage of this legislation.

The question that was posed is interesting. With the increase to the conveyance duty concession thresholds to pensioners who are downsizing, these are being provided to pensioners as an incentive, so that they make or potentially bring forward that decision to downsize their home, which may add generally larger family homes into the market. I believe this debate has been canvassed in the House. I think it was when the Premier-Treasurer originally brought in this initiative after we made the 2018 election commitment.

I would not like the House to lose sight of the fact that the concession is not just about how big their home is, or even how valuable it may be. The concession not only provides senior Tasmanians with more appropriate and affordable housing, more easily maintained with more efficient heating and improved accessibility, it also means they can save more from the sale of their home and enjoy it in their retirement.

Importantly, we come back to the original concept here, which is about releasing more family homes into the local domestic housing market, which is going to be of value to a growing family, or somebody who is ready for their next step up and may be prepared to do the elbow grease and get the work done with some renovation or tidying up.

By offering this increased concession on duty, seniors are still being incentivised to downsize their home. I know of cases where it has worked really well, and I am sure others do as well.

Ms Butler asked how many applicants are not expected to commence building within the time frame. It was Dr Broad, I am sorry. I have asked the question; I can only provide to you the advice I am given, which is that the State Revenue Office is not aware of any applicants that they do not believe will meet commencement within the time frame. The State Revenue Office is yet to receive a notice from a grant recipient advising that they no longer meet the eligibility criteria due to a builder being unable to operate.

For the benefit of the House, there has been a fair bit of movement in the life of HomeBuilder - I have already discussed why. The last date to enter into a HomeBuilder grant contract is 1 April 2021. The last date to possibly commence a build, in the most extreme cases based on those dates, subject to your contract date, is 1 October 2022 - being 18 months from the date the contract is made, at the extremity of when the contract needs to be made by. The

last day to complete a build in the most extreme circumstances will be 1 April 2024, being 18 months from the date the build commenced.

People listening to this should not take those dates to apply to them. For the law's purpose, they are the dates by which the final of the applications would need to be commenced and completed. I hope that is useful.

I was asked for a general update on HomeBuilder. I have some data to 31 January to support that. Perhaps I will not explain why the Tasmanian and Australian HomeBuilder grant data is different, but you would need to consider the First Home Owners Grants, which some people have chosen to apply for instead of Tasmanian HomeBuilder.

As at 31 January 2022, under the Tasmanian HomeBuilder, 2079 applications were conditionally approved, and under the Australian HomeBuilder, 3509 grant applications were conditionally approved.

Dr Broad asked me about the workload for the State Revenue Office. Fair question. My advice is that State Revenue Office will be able to undertake these tasks with their existing resources. I do not have the FTEs to hand, but I do know extra FTEs were employed to process the volume of applications when that really hit its straps.

Dr Broad and Ms Butler both zeroed in on circumstances that would be appropriate for the commissioner. I have been guided to answer you in this way. I cannot put on record something that would bind the commissioner, because I have no power - other than through the way in which the bill is constructed - to direct the commissioner, and I cannot be seen to do that because he is an independent statutory officer. To give members a sense of how this will work - and comfort - what I can say is that the legislation was introduced to assist grant recipients in instances where they are not able to meet the 18 months' completion time frame, such as their builder is no longer able to operate. The legislation has been deliberately worded in a broad way, in a broad manner, to allow the commissioner to consider the individual circumstances of each application on its merits. The commissioner is a statutory office holder, and as such will make decisions independent of me.

Time frames for the extension will be considered on a case-by-case basis; I think you wanted that on the record.

There is an objection opportunity and an appeal avenue. The act provides for objections and appeals. First of all, if the commissioner makes a decision that a Tasmanian taxpayer is not happy with, an applicant may lodge an objection with the commissioner, if they are dissatisfied with the commissioner's decision to vary or reverse a decision when an applicant has failed to meet the relevant eligibility requirements.

Providing objecting provisions in this manner is also consistent with other legislation, such as the provisions within the HomeBuilder Grants Act and the First Home Owner Grant Act 2000.

There is a further avenue as well. A person, if dissatisfied with the commissioner's decision in respect of an objection, may also undertake an appeal, so there is that further mechanism. I am advised that the person may apply to the Magistrates Court administrative

appeals division for a judicial review of that decision: that is, in the scenario where a commissioner has refused an objection that has come in.

Dr Broad - What legislation is that under?

Mr FERGUSON - I will check for you. I suspect it is the Judicial Review Act but it certainly is that mechanism through Magistrates Court administrative appeals division.

Dr Broad, I am informed that in fact those provisions are embedded within the principal act, the HomeBuilder Grants Act 2020 and not wishing to provide the House legal advice, often it is the case that the Judicial Review Act provides for administrative appeal mechanisms through the court where the act is silent on a matter.

I have just been advised to come back to an earlier answer in relation to commencement and completion. Wherever I stated a date, such as 1 April 2021, the last date to enter into a HomeBuilder grant, I should have said before that date. The last date to commence a build is before 1 October 2022 and the last date to complete a build is before 1 April 2024.

Ms O'Connor foreshadowed suggested amendments to the duty concessions to increase thresholds to \$800 000 and extend until 2024. The Government would assess the benefit of the duty concessions based on evidence collected during the next 12 months, such as housing market conditions, the cost of the concessions and the number of eligible first home buyers and pensioners assisted. The Government is advised and believes that the \$600 000 threshold is appropriate for these circumstances, given the average value of an established property purchased by a first home buyer.

I would like to draw some distinction between median house prices and the average value of property purchased by first home buyers because there is a difference. According to the REIT, first home buyers represented 15 per cent of the market in the quarter ending December 2021. The median house price for first home buyers in that quarter was \$475 000 and that figure, I am advised, is based on 309 sales in that quarter.

Treasury does not attempt to independently verify this data but it is useful for the debate. As first home buyer information held by Treasury is limited to sales where a duty concession has been provided - that is for those people who were not purchasing a much more valuable home - based on the Treasury data, the median value of homes purchased by those who accessed the first home buyer duty concession is \$372 000.

Dr Broad - Sorry, that is the average?

Mr FERGUSON - The median.

Ms O'Connor - Really? Where is that data from?

Mr FERGUSON - This is from Treasury. I would like to help others to understand that this is first home buyer information held by Treasury. I referred to the REIT earlier. The data that is held by Treasury relates to sales where a duty concession has been provided, noting that previously the limit has been \$500 000. Based on that subset of data, nobody is suggesting it is the complete picture of first home buyers, but for those who have obtained a duty concession

the median value of the homes those people bought is \$372 000 in the 2021-22 financial year to point in time, February 2022.

Note that this figure is lower because duty concession until now has been capped at homes with a dutiable value below \$500 000. From a policy point of view, the Government is deliberately providing a threshold here and capping homes with a certain dutiable value because we have reflected the fact that purchases of higher value properties have a better capacity to pay their full duty liability. If you are looking to provide people with a foot-in-the-door opportunity who are perhaps not quite able to afford their first home but are so close, it is this kind of initiative which is designed to help them overcome that barrier. To put it in other words, we intend for this policy to target help to those home buyers who need it the most, and I think those numbers are quite interesting for the full colour of this debate. I am not sure we have brought that into the debate in the past but I have personally found -

Dr Broad - Just by interjection, do you have an average as well or just a median?

Mr FERGUSON - I only have median, noting again, just so we are all clear, it is limited to the subset of data of people who have obtained a duty concession through the legislation to date to February of this year in the financial year. None of that changes the fact that the Government accepts that house prices have been on the rise and that is why we wish to update the figure.

In fairness to all concerned, in particular Ms O'Connor, who has foreshadowed amendments, the Government will continue to consider the costs and benefits of the duty concession in light of housing market conditions, the fact that those conditions will continue to vary in the year and years ahead, the cost of the concession itself which has to be factored in, noting that duty is an important source of government revenue for services, but also the number of eligible first home buyers and pensioners that are assisted. The record can show we are more than prepared to discuss that and consider alternatives in the future. Without wanting to rubbish Ms O'Connor's amendments, we will not be supporting them at this time but we appreciate the broader support around it.

I would like to wrap up my contribution by picking up two things that are not identified in the legislation but which were brought into the debate. The first is around a statement that was made by Ms O'Connor. She asked what the Government is doing to help renters and she answered her own question by saying nothing. Well, that is just not true. In fact, this Government has pioneered specific initiatives around supporting more incentives to help people into private rentals as well and supporting them through an initiative we have called the Private Rental Incentives Program. That program encourages residential property owners to make their homes available for affordable rent to low- to middle-income households by offering a financial incentive. Since the release of our Affordable Housing Strategy in 2015, we have helped 382 households into affordable private rentals under this program up to 31 January this year.

I hope members appreciated in the Premier's Address of last week that we are actually doubling that program. We are taking the current program from 200 to 400 homes. We accept that it has been a successful program of particularly high value to those people in our community who have not been able to find themselves in some social public housing that has been made available to them and so we found a different way to find secure and affordable homes for them in the private rental market.

I have only heard good feedback on this from private landlords who have taken up the incentive. I believe I can say I have had no complaints, at least that I am aware of, from consumers who have taken up the opportunity. So we are doubling that under the package that was announced last week and I encourage members to get in right behind that. If you have people in your electorate office, people you know who are looking for rental support, send them to Housing Connect because they are the people best equipped to help that person with their housing outcome.

Additionally, it was brought into the debate by liberal and independent speakers, possibly the Greens, around the proposed housing tax which has been doing the rounds in the last few weeks. I do not intend to open up an argument on this other than to say it is not a good idea. On the basis of evidence right now, claims are being made on the basis of an RTI to the water utility, based on a basic question of how much water dwellings consumed or did not consume over a period of time. Now, nobody knows why the home is empty. They only know that there is a number of homes in Tasmania that are using very little amount of water, so assumptions are being made by people who just want to tax people. We do not know why the home is empty.

I would like to divide this into two categories. If it is a principal dwelling, the resident might have gone into aged care, and I can tell you that there are plenty of people who will not allow their family to sell their home if they have gone into aged care. Frankly, that is a decision that we must accept and respect.

Dr Broad - They may not have the legal avenue to sell the house.

Mr FERGUSON - Quite right, Dr Broad. They might be on an extended family holiday around Australia with the caravan. They might be renovating. They might not be able to return to the country in the period of the pandemic. They might be off grid, using their own water. I do not know. We do not pretend to know but we are not making assumptions about them, as others are.

If it is not their principal dwelling, it might be an investment property and they are already paying land-tax. You are a landlord, you have a piece of property, you may or may not have a bank loan on it, and you are paying a tax on it already and it has not made you rent it out to somebody. How is another tax going to do that? If it is in the scenario I have painted, they are missing out on rent, they are losing an income on it. Maybe they have a good reason. How is a tax going to make them change their mind?

The question only remains now for those who are pushing this housing tax, how will this new tax that the Greens want to levy on Tasmanians change into a housing outcome? It is a case that has done a lot of the rounds in the media. It has a lot of people chattering but Ms O'Connor and others have not made an argument about how that is fair and right and just, nor if you did apply the tax how it would lead to a better housing outcome.

I believe I have addressed the debate. I would not like the debate to be characterised by my last response. It has been a great debate. I respect and appreciate members of this House, Liberal, Labor, Greens and Independent, who all have a genuine sense of commitment and purpose towards the housing challenge, which is real.

I respect Mrs Alexander for her professional expertise, who arrived in this Chamber this fortnight. I am excited about that and excited to work alongside her and learn from her and others in the House.

The challenge continues. We do have challenges, we do have problems, we do have housing stress. The Government has a comprehensive plan. It is not just about building more social and public housing. It is about affordable housing. It is about the innovative financial model that supports more people getting their foot on the property ladder.

It goes back further. It begins with a piece of ground, even the ground that is not zoned yet for residential. Land that is zoned residential but is not in the market. Land that is in the backyard of a house that is being wasted that might lend itself to a granny flat or an ancillary dwelling down underneath. Meet the council requirements, get our \$10 000 grant. It is the Private Rental Incentive Scheme. There is more opportunity for people to be supportive. It is about more supply. Mr Jaensch has banged on about this, the Premier has banged on about it and, the previous minister, Mrs Petrusma, has said the same. We have to build more supply because with the population now at 540 000, people are excited about living again. They want to be here and many Tasmanians are returning home.

They pack up their kids, they pack up their husband, they get in the car, they bring the dog but they do not bring a house. We need to build more houses so that we can accommodate all these people who want to live in the most exciting state in Australia, Tasmania.

Bill read the second time.

**TREASURY MISCELLANEOUS (AFFORDABLE HOUSING AND YOUTH
EMPLOYMENT SUPPORT) BILL 2022 (No. 7)**

In Committee

[3.54 p.m.]

Clause 1 to 3 agreed to.

Clause 4 -

Section 46A amended (Interpretation of Division 2A)

Ms O'CONNOR - Mr Chair, I move the following amendment to this clause -

Leave out '2023'.

Insert instead '2025'.

We have spent all of Government business today debating legislation which will cease to have an effect in the middle of next year. Is that correct?

As everyone in this place knows, the housing and homelessness crisis will not be resolved by the middle of next year. House prices will continue to increase over the course of the next year. Young people will continue to have their hopes and dreams shattered as they keep trying to save sufficient money for a deposit on a home which is completely out of reach.

I would like people here to go through the mental exercise of being 22 or 23 years old. You have worked hard in a job, you have saved, you might have tertiary qualification, TAFE qualification and you have yourself a deposit. You have saved, say, \$40 000 in the bank. That is a lot of money. In this housing market it is nowhere near enough to buy a home.

The measures that are in this bill are good measures. I do not want anyone in the House to think that the Greens do not support what the Government is trying to do here, but we need to be realistic about the situation that Tasmanians who want to buy a home are in and the fact that house prices are continuing to rise.

There are a couple of things I want to respond to on that theme from Mr Ellis. Mr Ellis seems to think that councils should approve all housing developments, even ones that are not compliant with the planning scheme. That is an interesting take: that all developers should have all their developments approved all the time, whether they are compliant with the planning scheme or built to any sort of standard or not. I thought that was an interesting insight into Mr Ellis' standards. As I believe, Mr Ellis and his beautiful family have a home. They have bought a home. They are in the club most of us in here belong to. We are the propertied class. So many Tasmanians are shut out of that club.

Mr Ellis talks about rent controls as failed policy. They are not failed policy. They are working in the ACT. Then we had a complete misrepresentation of the way it would work from both Mr Ellis and Mr Tucker. If a landlord wants to increase the rent beyond a threshold that is set, then they need to persuade the ACT residential tenancy commissioner of the reasonableness of that proposed increase. It does not lead to leases having to be torn up and people being chucked out of their homes. You want to talk about hysterical misrepresentation of the facts? We heard it in those second reading speeches.

The vacant residents tax is only a tax on property owners and investors who have made a choice to leave their place unoccupied. I accept what the minister said that there is a range of reasons people's homes or houses might be empty. That is not what we are talking about here. We are talking about investors, many of them from the mainland or overseas, who have bought a home here and they are sitting on it as a nest egg and taking it out of the housing market. It works in Victoria. It would be a cost to investors only if they decided to leave a spare property empty.

We need to be mindful, and this goes back to the proposed amendment, of the fact that interest rates have been historically low, but they are not going to stay there. The Reserve Bank is getting twitchy about it. Should interest rates increase by only a modicum of a per cent, there will be so many Tasmanians in terrible trouble because they are leveraged up to the gunnels. You cannot set housing policy based on interest rates being low in perpetuity. It is very dangerous and we need to understand that there is a whole cohort of Tasmanians, because of high house prices, who have borrowed more than they can afford to repay should interest rates go up by even 0.25 per cent.

I would like to remind the House that the reason we have seen such significant population growth in recent years is primarily because of climate refugees. People are coming here. We have seen an increase in the number of people coming here after the 2019 bushfires on the mainland because the Bureau of Meteorology, when the east coast of Australia caught fire, had a big map of the country, the continent of Australia was purple and red and there was a little green teardrop down the bottom - our cool, temperate, safe island.

It galls me to have this Government take credit for choices that people are making to come and live in Tasmania. There are a whole lot of people who wanted to come and live here because they thought we were a COVID-safe state. We are not anymore. There are a whole lot of reasons why people are moving here. We also know that investors are speculating on Tasmania's property market. They are from the mainland and overseas and that too is pricing Tasmanians out of their own paradise.

In response to what Mr Tucker said, the laughable assertion that this Government is doing anything to put downward pressure on rents, I remind the House that CoreLogic found that rents in the south of the state have gone up 9 per cent; in the north-west 10 per cent; and in the north 15 per cent over the last year. SGS Economics says since 2016 the median rental rate has grown by 50 per cent in Tasmania, consistent across dwelling sites. It is now higher than Melbourne's median at any point in the past, despite average rental household income in Tasmania being 33 per cent lower.

We should be setting this policy for the duty concession in a more realistic way and setting it to the year 2025 because we know that it is one opportunity to assist people to get into the property market, but more importantly than getting into the property market, to buy a home that delivers them the security every human being is entitled to aspire to. I commend the amendment to the Committee.

Mr FERGUSON - I have responded already in my summing-up address as to the reason we will not be supporting the Greens' amendments, but there is no better way to say that you support the legislation than to try to push it further into the future and to increase the threshold, so I respect where it is coming from. The Government will assess the benefit of the duty concessions based on the evidence collected over the next 12 months. We may well return to this subject and it is appropriate for the House to be able to do that on an informed basis. I will not be disrespecting Ms O'Connor by not rising again during the debate and as she moves through those various amendments, but for the same reasons that I made out in my argument earlier, we will not be supporting the amendments, noting that in all cases they are supportive of the policy intent of where the Government is coming from.

Ms O'Connor - As I stated.

Mr FERGUSON - Yes, I am acknowledging that. Also, on the \$600 000 threshold, I know there are a number of amendments that pick up different dates and also different amendments that pick up the same dollar thresholds. The \$600 000 threshold is appropriate for these policy settings because the Government still accepts that duty ought to be payable for people who are able to afford the higher value houses. This is an attempt to support the people who are purchasing on the lower end of the spectrum of houses for their first home.

I remind the Committee that while the REIT reports that first home buyers represented 15 per cent of the market to the end of December 2021, and the median house price for those first home buyers was \$475 000, from Treasury's data set, a different figure for those who access the duty concession. The median value of homes purchased by those who accessed the first home buyer duty concession was \$372 000 for the 2021-22 financial year to February 2022 - noting that this figure is lower because of the duty concession having a \$500 000 threshold cap. We would lift that now to \$600 000, so it still does provide - and is intended to provide - a greater level of support to more people, noting that the concession rises with the value of the house.

I will not be argumentative, but for those reasons the Government will not be supporting the amendments at this time, but does appreciate the motivation.

Dr BROAD - Before I get to the specifics of the amendment, one thing we have heard in the debate has been the rhetoric that people want to move to Tasmania. We heard it from the member for Braddon, Mr Ellis. We heard it from the member for Lyons, Mr Tucker. We also heard it from the member for Clark, Ms O'Connor.

I had a look at the publication from the Parliamentary Library, which gives a statistical summary of Tasmania, the last update coming out in February. I was quite surprised to see the data on the components of Tasmanian population change. If you look at this data, the net interstate migration peaked in the March quarter of 2018, and has been trending downwards since. I was very surprised to see that in the last quarter that they have data for - the June quarter of 2021 - there was actually a net interstate migration of minus 327 people -

Ms Finlay - That is interesting.

Dr BROAD - Yes, very interesting. I was surprised to see this. It has been trending down since the peak, which was a net interstate migration increase of 750, and it has been trending down to be minus 327 this last quarter. I just hope that is an aberration. We want to see our people stay, rather than having to go. I was also interested to see the net overseas migration. There is a lot more variation in the data, but again, it was minus 167. Whereas the natural increase - births minus deaths - has been fairly static for a long time.

To put that into the debate, that is something for all of us to keep an eye on. It begs the question, too, about what is actually driving the increase in house prices if, in at least the last quarter, where we have data, we actually have a number of people leaving the state: 327 people left the state, rather than migrated in.

I am not sure whether to address the amendments all in one hit as the minister has done, or deal with them one by one.

A question to the minister. He more than likely does not have an answer for this, but is there an estimate of the budgetary impact of the extension of time to 2025? I do not imagine there would be. Shakes of the head. Yes, and I think that because we did not see these amendments until today, it would be hard. That also goes to the budgetary impact of increasing the threshold from \$600 000 to \$800 000 for not only the first home buyers' duty concession, but also the pensioner downsizing.

I am not sure of the budgetary impacts. I really want to see some modelling to assess the budgetary impacts. Also, with this particular clause and subsequent clauses that extend the date, what you are actually doing is binding this Government for the rest of the term to carry these concessions forward to 2025.

If you reflect on the debate, and issues that I raised in good faith from people like Saul Eslake suggesting that perhaps - how effective are these grants? Rather than bind the parliament for the remainder of the term, it would be preferable if, in the intervening period between now and 2023 when it finishes, the Government comes back and suggests an extension, we actually have an assessment during that period that can demonstrate the effectiveness of these grants.

I am also interested to know how many of the pensioner downsizing duties concessions have been asked for so that we can get an idea of the quantum. We know they are politically popular. They are popular with first home buyers but the question for first home buyers - and for any government - is, is this effective compared to any other policy? Is there another policy that may be more effective for the same quantum of money?

Rather than binding this Government for the rest of the term, I would be happier if the Government, if proposed to extend this first home buyers duty concession further, that they could provide some evidence of the effectiveness. I am more than happy to support an extension some time down the track.

Amendment negatived.

Clause 4 agreed to.

Clause 5 -

Section 46D amended (Eligible transaction)

Ms O'CONNOR - I made the argument for this amendment in my second reading contribution. I hear what the minister says about how the purpose of this is to target people who are only able to enter the market at a certain property value. The difficulty we have is that, notwithstanding the data that you put forward, minister - and I was particularly interested in the Treasury data on the \$372 000 median house price. I have not seen a \$372 000 house on a real estate website for maybe -

Mr Ellis - That is the median price.

Ms O'CONNOR - Yes, I understand that, Mr Ellis, but you really struggle to find any places that are under \$400 000 at the moment.

Ms Finlay - In the northern suburbs of Launceston there are units and properties on the market for under \$400 000.

Ms O'CONNOR - Okay, that is interesting. It is actually reassuring that there is some capacity. I look at that real estate website just to see what is happening, and it is very disheartening for any of us who have young children, young constituents, about what it means for their prospects. I do not like to think that some of our children will be wishing we popped off a bit early so they could buy a home, but we are not in a good place for their prospects.

Other states have permanency around these provisions. Victoria and New South Wales have set that threshold at \$750 000, and it is a permanent threshold. I am almost certain we will be back here having this discussion again next year, because if you have house prices that are going up on average 27 per cent in a year, there is no sign that any of us could see that house prices are going off the boil much at all. Another 25 per cent to 27 per cent on top of house prices means people who have property can sit in their homes and make money for doing nothing. If you have a house in Hobart that is not a bad house, and house prices are going up by that much in a year, you can sit on your tot for a year and make \$100 000.

Dr Broad - Only if you sell, and then where do you buy?

Ms O'CONNOR - Yes, I hear that too, but there is a certain sort of obscenity about making money without human effort. It is a bit like trading shares, the making of money without work attached to it. There is just something that I find quite off in the making of money without work. Anyway, that is probably why I am a radical Green.

We commend this amendment and trust that the minister has heard our arguments and note that we will be back.

I move the following amendment:

Leave out '\$600,000'.

Insert instead '\$800,000'.

Dr BROAD - I will address this specifically. I think the minister has already made his statement. I was quite surprised when the minister gave the figures - the median being so low for the SRO, much lower than the Real Estate Institute's data. That maybe because there is a bunch of people who did know it was available but did not apply. That might be the reason, I do not know.

Mr Ferguson - It is behind the spectrum of house values as well.

Dr BROAD - That is a very good point. Remember with the median, you take the midpoint; half are going to be less than that and half are going to be more. That may also be a consideration. The figure from the State Revenue Office does seem surprisingly low.

This is a 50 per cent duty concession. They do not get the whole lot off, they get half off. I went to the calculator that is on the SRO website. For a property of \$800 000, it is roughly \$31 000 in duty. If that were the case, according to the Greens' amendment, if you bought a property worth \$1 less than \$800 000, you would be saving around \$15 500, so, somebody with an \$800 000 property would be saving \$15 000. Whereas, if it is \$600 000 property, they would be saving around \$11 000 by my calculations, based on the SRO calculator. That is the amount of money that we are actually speaking about.

Ms O'Connor - I appreciate your data updates in this debate. Thank you.

Dr BROAD - You are welcome.

What is the actual impact of the duty concession? Maybe there are people who did not know it was available. I think about the times when we bought a block of land and built a house. We have done that twice. We bought a block of land, built a house, sold it. Then we bought a block of land, built a house, in which we are still living. We have not gone to buy a house.

You talk about the incentives. I am speculating a little bit, but the thing about the First Home Builders Grant is you see the amount of money upfront. In your head, I can buy a property worth an extra \$30 000 now because I have that money in my hand. Whereas, what actually happens when you get a duties refund, you go to the conveyance officer and you say 'I am going to buy this property'. Then they say, 'This is how much you will have to pay in duties'. Then you get a bit of a shock, especially the first time round and you say, 'That seems

like a bit of money. I might have to go back to the bank', rather than think 'If I buy this property I will have to pay \$30 000 in duty, I will get half that back; therefore I can afford a house that is \$15 000 more'. I do not think it works that way in people's heads. This duty is more a surprise to people than an incentive to drive lower prices. I could be completely off the mark.

I do not have any modelling of the budget impact of this change, and I am sure that the Government does not have it, but given both the REIT data and the State Revenue Office data that the minister has quoted, then it seems like the threshold of \$600 000 is one that would be reasonable. If we just take the REIT as the base, \$475 000 is the median. The previous level for \$500 000 is right about at that level. So, it is getting tight. Extending it to \$600 000 as the Government has proposed is a reasonable opposition. Extending it to \$800 000, as the Greens amendment proposes, on the balance of evidence, I do not think that is appropriate based on the amount of money that people are spending on their first homes.

While I understand the rationale behind this and Ms O'Connor quoted a number of median house prices around the state, given the minister's response, leaving it at \$600 000 at this stage is more appropriate. We will not be supporting the amendment.

Amendment negatived.

Clause 5 agreed to.

Clause 6 -

Section 46J amended (Interpretation of Division 2B)

Ms O'CONNOR - Mr Chairman, I move the following amendment -

Leave out '2023'.

Instead instead '2025'.

The clause would now read:

Section 46J of the Principal Act is amended by omitting "30 June 2022" from the definition of *eligible period* and substituting "30 June 2025".

I will simply say that we will see each other all in here next year as we extend these concessions out to potentially 2024, which is a bit unfortunate. I commend the amendment to the House.

Amendment negatived.

Clause 6 agreed to.

Clause 7 -

Section 46M amended (Eligible transaction)

Ms O'CONNOR - Mr Chairman, I move the following amendment -

Leave out '\$600,000'.

Insert instead '\$800,000'.

The clause now reads:

Section 46M(c) of the Principal Act is amended by omitting "\$500,000" and substituting "\$800,000".

I commend the amendment to the House.

Dr BROAD - This is the pensioner downsizing duties concession. Am I right there, minister? There is a nod from the adviser's box. I posed this question earlier. How many people have applied successfully for the downsizer grant at \$500 000? I am interested in that number, if you have it at hand.

Mr FERGUSON - Thank you, Dr Broad. This is not specifically to the amendment but to the clause I am happy to address, so I am speaking over Ms O'Connor's amendment. Your question is on the clause, if the House is happy with that?

The number I have here is to February 2022 so it is pretty current. We have seen 147 successful applications, couples who have accessed pensioners' downsizing concession. I hope I was clear that that is the financial year.

Ms O'Connor - Sorry, last thing you said?

Mr FERGUSON - That is for the financial year to February 2022.

Amendment negatived.

Clause 7 agreed to.

Clauses 8 and 9 agreed to.

Clause 10 -
Section 18J inserted

Ms O'CONNOR - Mr Chair, I move the following amendment to this clause -

Leave out '2023'.

Insert instead '2025'.

This will ensure that the support provisions under the First Home Owner Grant Act are extended for a realistic period.

Mr FERGUSON - Mr Chair, it is the final of Ms O'Connor's amendments. I repeat what I said earlier. These are well-spirited amendments. We do not support them at this time. We may well be back here debating the very same matter, we may find ourselves agreeing with you, Ms O'Connor -

Ms O'Connor - I will bet you 50 cents we are back here in a year.

Mr FERGUSON - I do not take the bet. Although I am the minister responsible for Gambling, I do not encourage it. Put your money into houses instead.

It will not be a bad thing if we are. It is appropriate that for these times these settings are locked in. We may well find ourselves canvassing this matter again.

To Dr Broad's earlier point, although I am not foreshadowing a dramatic departure in policy, we do intend to monitor the success of this program. If a grant that is intended to incentivise an investment decision in the near future has a tail date set right out into the future, it is no longer an incentive. It is not trickery to say we will just keep extending it, but if it does not have a sense of locking it in in the next 12 months, which is what we are doing, then you are not bringing forward those investment decisions and perhaps not having an impact in the market.

Thank you, Ms O'Connor, in particular; they are constructive amendments. We do not support them today, but appreciate the debate.

Ms O'CONNOR - Mr Chair, it will be one of those occasions where I take great pleasure in saying, 'I told you so' next year when we come back in here, because it will mean that we have accepted the reality of the need to extend these incentives and supports for people who are either buying or building their first home or downsizing. I dispute the minister's assertion, with respect, that by having a short time frame you incentivise people to make those investments. There is such a desperate scramble in the real estate market now that people are already incentivised to get in before the house that they were looking at last week goes up another \$10 000 or \$20 000 in the asking price. What was that, sorry?

Mr Ferguson - But this is the builders grant.

Ms O'CONNOR - Yes, I understand. As I said, first home buyers or builders or downsizers. I understand that. This would have been a realistic provision. There is already a sense of urgency across the housing market in Tasmania. I thank the minister and Dr Broad and Ms Butler and -

Mr Ferguson - Mr Ellis.

Ms O'CONNOR - No, that would be disingenuous and insincere of me to say it, so I am not going to say it. I thought the debate and contributions - and Mrs Alexander - on this bill have been quite good. We are all coming from a good place because we want to see more Tasmanians own their home, or build their own home, and older Tasmanians to be able to downsize with support from the Government where appropriate, so that the home they lived in can become someone else's forever home.

Mr Ferguson - Agreed, thank you.

Amendment negatived.

Clause 10 agreed to.

Clauses 11 to 16 agreed to.

Title agreed to.

Bill reported without amendment.

Bill read the third time.

WASTE AND RESOURCE RECOVERY BILL 2021 (No. 55)

In Committee - Consideration of Legislative Council Amendments

Council amendments to clauses 3, 29 and New Clause A

Mr JAENSCH - Mr Deputy Chair, I move -

That the Council amendment to clause 3 be agreed to.

The amendment to clause 3 relates to the definition of appeal tribunal. To explain, due to a coincidence of timing the new Civil and Administrative Tribunal commenced just prior to the debating of this bill, which references the former Resource Management and Planning Appeal Tribunal.

On Thursday 4 November 2021 the bill was tabled in this House. The following day, Friday 5 November, the Tasmanian Civil and Administrative Tribunal Act 2020 commenced, replacing the former RMPAT Act. The timing has required an amendment to the Waste and Resource Recovery Bill 2021, which references the repealed legislation. I am advised that section 17 of the Acts Interpretation Act cannot be relied on to interpret RMPAT to mean TASCAT.

Mr JAENSCH - I move that the amendment from the Legislative Council be agreed to.

Ms WHITE - Thank you, minister, for the explanation for the reason for the amendment. I did read the transcript from the upper House to understand why the Government was amending its own bill. It is an unusual practice, particularly given that all the amendments are actually Government amendments.

Minister, I have a question: had the timing of the bill been different, and had the previous appeal tribunal as defined remained in the bill, how would the Government have dealt with that? Obviously, you are dealing with it now, and the timing allows you to do this, but given it was drafted previously for RMPAT to be the appeal tribunal, could you explain what process would need to be followed to update this? Would it have required another amendment to come back to the House so soon after the bill passing, or is there a different administrative way you can deal with such matters?

Mr JAENSCH - The advice before me is that this has required an amendment as there was not - of the alternative mechanism which we may have considered might have been the Acts Interpretation Act, which would have possibly allowed one to be replaced by the other, TASCAT for RMPAT, in this case, but that that was not appropriate for use. That was from OPC: I expect is where that advice came from. What we have needed to do is just make sure that we have this up to date now, by way of amendment.

Dr WOODRUFF - These are very small amendments that make no substantial difference at all to the bill. They just make it work for the purposes of reflecting the changes in the change in name to the Tasmanian Civil and Administrative Tribunal.

This bill has been a long time coming. We outlined that very comprehensively in the second reading response that I gave. It has been sitting here supported by almost unanimous support from all local government councils since the Blue Economy Report, which was prepared in 2012-13. It sat on the Liberal Government Environment minister's desk in 2014, and it has taken another eight years to get to this stage.

It is a matter of record and shame that the Tasmanian Labor Party did not support this bill. It is not a bin tax. It is a bill that will enable us to do what we need to do to protect the environment, and to create new industries for Tasmania. It is absolutely the case that the community is brimming with ideas for how to reuse, recycle, reduce, and make industries out of the waste that we currently dig a big hole and throw away and make no value of the components that go into it.

We have so many opportunities in Tasmania, and I certainly hope that the minister in his role will do everything in his power to speed along the process of establishing the resource recovery board, enabling people who are working on good ideas, people who come to us talking about different ways they can reuse plastics, make objects of use out of hospital rubbish, so many ways that people are talking about needing some seed funding and some structure in place to get started.

FOGO in every council area needs to have support and structure. We really hope that the Government will put a lot of effort into speeding up this board and the funding streams that need to flow from it so that community and businesses can do the work that we need to do to protect the environment and to create industries to do that.

Ms WHITE - Mr Chair, I have some further points I want to make.

Mr Jaensch - On the appeal tribunal?

Ms WHITE - I noticed the contribution from the member who resumed her seat and did not hear her being so direct, so given there is such leniency granted, I thought I would take the opportunity to speak a bit more broadly about the bill too in our position which is to oppose it.

As you rightly know and for good reason, given it is a new tax after the Premier went to the last election promising that he would not introduce any new taxes, he is now putting on every household a new bin tax. In fact, it is just six months ago, a little longer now, they went to the election promising that they would not introduce any new taxes and repeated again throughout last year.

This is a massive new tax. It will raise tens of millions of dollars over the coming years, raised from families who right now are struggling with the cost of living. It is a massive broken promise. There is nothing about this bill that rewards people if they reduce their waste. There is nothing in this bill that rewards people if they reduce their waste. There is nothing in this bill that incentivises people to produce less waste. They all pay the same. It is a flat tax, a flat bin tax on every household. It will increase rents, rates, and it will increase the price pressures on families. That is why we have opposed it.

We have now seen councillors from across the state also speaking out publicly opposing it because of the cost of living pressures their ratepayers are facing, and calling on the Government to scrap the bin tax or at least delay it so that it can be much better targeted to those people who can afford to pay as opposed to a lump sum directed to be paid by every single person who pays rates.

I want to pick up on some of the comments that were made in the upper House throughout the debate by the leader of Government business in the upper House, Mrs Hiscutt. She was asked specifically about the cost burden that would be felt by ratepayers by the member for Rumney, who did raise concerns on the behalf of the Labor Party about the impacts that would be felt by people who are struggling in our community. The leader of Government business in the other place, Mrs Hiscutt, said: 'This will create jobs thereby reducing unemployment which is a cause of disadvantage'. The argument being, that would somehow ease the cost pressure felt by families.

I would argue that my 94-year-old grandfather is not about to jump out and get a job helping to ease the cost pressure. He is about to start to phase because he is about to be slugged with a bin tax. Neither are any pensioners or people on a disability support payment or single parents in the privileged position to be able to go and do that. They will be slugged with this tax, this new bin tax. I will pick up again on a comment made by the leader of House in the other place who said, and I quote:

It is recognised that there is a cost being imposed here. Some of the most disadvantaged people in our society are those living in public housing. I can confirm that public housing tenants do not pay council rates so councils will not be able to pass their levy costs onto such tenants.

That is great, Chair, but they are not the only people in our community who are struggling with the cost of living. I actually found that comment incredibly insulting to all those members of our community who are the working poor, who are not in public housing, who might be on a public housing waiting list but under this Government have not been able to access affordable public housing because the list is so long and people are waiting on average over a year.

I would love if more people could access public housing and therefore be exempt from paying this tax. The remarks by the leader in the other place are completely tone deaf and out of touch with the reality facing many Tasmanian families who are struggling with the cost of living, who are working, who are going to be slugged with this tax, who are not in public housing. I find the remarks of this Government in relation to this new bin tax and the remarks of the leader of the Government business in the other place out of touch with the realities facing many Tasmanians.

When we ask questions about, 'Are there any ways for households to reduce the cost burden they may face?', the leader of Government business in the other place said, 'Householders can reduce the impact of the levy by sorting their waste, ensuring that recyclables and organic waste are taken to a collection point or recovery facility instead of to landfill'. They still have to pay the same. This is not weighed by the council when they pick up the bin, as they are dumping it in the truck. If they have a bin, if they pay rates, they pay the bin tax. It does not matter if they sort their garbage until the cows come home. They still have to pay, and they get slugged if they go to the tip as well. That is also if they can afford to drive there given that petrol prices are increasing at the rate they are.

This tax is going to be an impost on those who can least afford it. It will increase the cases of illegal dumping. Indeed, the leader of Government business in the other place admitted that and said:

Other Australian states have found there can be an increase in illegal dumping when a levy is first introduced.

And:

We acknowledge there may be an increase in the illegal dumping of rubbish such as in bushland areas. The reasons why some people dump their rubbish is not clear.

I reckon one of the reasons is they cannot afford to pay for going to the tip, and they are certainly not going to be able to pay the additional charges that are going to be levied against them by this Government when they charge a bin tax in their rates.

Of course, the Government's response, if people do not pay their way, or if they are caught illegally dumping, is to, and I quote: '... discourage illegal dumping, the Government has recently increased fines for littering and illegally dumping waste'. So people who cannot afford to go to the tip who might be illegally dumping their rubbish are going to get fined. So that is going to stop them. As if that is going to discourage people from dumping their waste. If they are already doing it because they cannot afford to go to the tip, do you honestly think they will consider the fact that they might be fined? I reckon they will probably risk it, just like they currently are. Fining people who cannot afford to legally dispose of their waste ignores the reality of the problem here, which is that cost-of-living pressures are biting families.

This is a regressive tax that is a flat tax on every household that pay rates. This Government is completely out of touch with how Tasmanian families are faring right now and the cost-of-living pressures they are facing.

I will have more to say as we progress through this bill, particularly when we get to the next two amendments, which go specifically to the levy.

I make it very clear that we still remain opposed to this bill. It is ill-considered in its design. It does not incentivise reduction in waste because even if people do so, they still pay the same. This is poor policy. We support encouraging recycling and a reduction in waste. Of course we do but this is poor policy and there are other models the Government could have considered. I outlined those when I spoke on this in my response to the second reading speech in this House last year. Unfortunately, the Government did not take any time to think about that between now and then.

Council amendment to clause 3 agreed to.

Council amendment to clause 29:

Mr JAENSCH - Mr Deputy Chairman, I move -

That the Council amendment to clause 29 be agreed to.

The next two amendments inform each other. The first one is to leave out clause 29 on page 37, which refers to the prescribed levy amount, and explains that the levy amount would be set in regulations for the purposes of this section. We consider this very important to provide clarity and certainty to local government and businesses in this state about the proposed levy and the level that it will be set at when it commences.

The original intention in the drafting of the bill was for the starting rate and the date of the waste levy to be set out in regulations subordinate to the bill. We need those regulations to be developed subsequent to this bill passing, to go through their proper process and analysis. We want to be able to provide certainty about what the levy rate will be as early as possible now, rather than have it come at the end of the regulation development process.

What we are intending to do is to amend clause 29 - the purpose of the amendment is to state in the bill that the levy will commence at 12 fee units, which is the nearest whole fee unit equivalent to the starting rate of \$20 per tonne that we have announced is our intention at the commencement of the scheme.

As flagged in the second reading, once the bill has formally passed through parliament, we will then move to finalise the implementation process and set through proclamation the commencement dates for parts 3 and 4 of the bill, the components that are about the levy.

Further changes to the levy rate in the future, and we foreshadowed it rising into further increments, will be done through the regulations. It remains our intention, as I have said, that once the starting levy rate has been in place for two years it should then increase to the equivalent of \$40 per tonne of waste landfill and then to \$60 two years after that.

Just for the record, our 12 fee units at the current fee unit rate of \$1.65, 12 fee units gives a starting rate of \$19.80. The closest whole fee unit of equivalent to the \$20 that we have advertised.

That is the purpose of this change. It is not a material change of how the levy will work but it will provide certainty for those anticipating and planning to be working with the levy when it commences later this year.

I move that the amendment of the Legislative Council be agreed to.

Ms WHITE - I have some questions for the minister about this amendment. In the upper House when this was discussed, not this specific amendment but debate in the upper House, the leader of Government business gave an explanation when it was asked again how households could reduce their costs, how could they ease the burden they might face as a consequence of this new bin tax being introduced? The leader of Government business said:

There are two instances which householders may bear increased charges to account for the levy in their rates for kerb-side rubbish collection and secondly through landfill gate fees. In regard to both, there are opportunities for householders to reduce or even eliminate levy costs.

Minister, I am keen to understand how they might or reduce or eliminate their levy costs because, in the upper House, the leader of Government business suggested they could put their organic waste into a compost bin or a worm farm at home. Put the right stuff into the yellow

bin or green bin and, where available, they could separate other materials for recycling and send reusable items to the charity shop or the tip shop.

My question to the minister is: how will that help them reduce or even eliminate their levy cost as the leader of Government business told members in the upper House? It is my understanding that it will not change a thing, because they are charged at a per tonne rate, as you just outlined in describing how the levy will be arrived at in terms of the fee. I believe this is a misleading statement. Can you clarify how reducing the amount of waste that goes into the bin will reduce the levy that they pay or even eliminate the levy cost?

Mr JAENSCH - I thank the member for her question. The leader of Government business in the upper House is right. There are many ways to reduce the amount of waste that we send off to landfill, at business level and at household level as well. There are many different ways that a council may choose to pass on the costs of municipal waste going to landfill to its rate payers and residents. We want to encourage councils to adopt policies that support waste minimisation and hence the reduction of a contribution to the landfill levy for their residents.

In some municipalities, councils offer different sized bins or different frequencies of collection. As councils adopt more sorting opportunities, adopt more recycling opportunities in their municipalities and provide ways to divert waste from landfill and support the households to do that - much of it already supported by existing waste levies and I will come back to that in just a moment - we believe that there is a lot of room for innovation.

Councils can offer residents options for their waste collection in the future which splits their waste into more streams, only the landfill component of which attracts this levy. Within communities there are a lot of options to do that. In certain communities there has been demand for things such as the introduction of food organics and garden organics collections which have reduced the volume and also the organic and putrescible content of waste that would otherwise have gone into landfill.

There are ways that people can reduce the amount of waste that they produce. There is a range of ways in which councils can apply those costs through to their residents and their choices about future waste collection services.

The Rethink Waste initiative has been supported by all three regional waste management groups, which have been working together on reducing waste, increasing recycling, composting and educating people about reducing waste into the environment.

Many of those activities have been supported by waste levies that already apply in the north-west and the north of the state and by direct contributions from local government councils in the south of the state which have, instead of having a levy, used their normal rates-based revenue to fund these activities. These are in response to things that communities have asked for, Ms White. They want more recycling. They want more sophisticated approaches to dealing with waste. They want the education opportunities for their kids to be involved with clean-up activities and recycling and composting and other things in their communities and most local governments around the state have supported that.

Two Labor members of two councils have made statements in the media over the last couple of days. That is their prerogative. Burnie City Council, which has been in the paper,

has had a waste levy in place for more than 10 years. It is called a 'voluntary' levy because Burnie City Council and all the other councils in the north west volunteered to have it to fund these sorts of activities. It is passed on to their rate payers, who pay for it per tonne of landfill. It is built into the cost of disposing waste.

We have undertaken, and you will recall from the debate on the bill when it came through, that this state-wide waste levy will not add to those levies, it will replace them. We will acknowledge the work that has been done there but where people are already paying \$5 or \$10 a tonne levy, the state-wide waste levy will not be on top of that but it will replace that component and introduce the charge of the balance. Waste levies are not new. In areas that have not had waste levies in Tasmania so far, councils have been investing heavily from their other rate revenue sources. The net result is the same. The communities as a whole are demanding more and better services and better management of waste in their communities and better options for them as consumers and residents. Councils have been delivering. They have been paying for them from revenue from their communities.

The waste levy is going to provide a central pool of funds, much of which will end up back in communities with regional waste bodies and with individual councils, supporting them to provide their citizens with more ways to reduce their waste and to keep their waste from landfill. That is what everybody has been talking about.

Ms WHITE - Mr Chair, I would like to understand what evidence the minister is relying on that says there would not be an increase in a tax on households, particularly those who you mention might see a decrease over time if they reduce their waste? The evidence from other jurisdictions demonstrates that taxes like this only increase. Look at the waste tax that was introduced in South Australia, which was a rate of \$5 a tonne in 2003. With inflation that should be about \$8 a tonne today, but is \$146 a tonne. It is a story that is repeated across the country by governments of all colours.

You state that you expect that over time this tax will decrease as a burden on households. What evidence do you have to support that claim? There is no evidence that I can see from across Australia that supports that claim.

Further to that, minister, the leader in the upper House said that communities or households might see a decrease in their tax burden over time by collaborating and talking to their council about opportunities to reduce the rubbish component of their rates. Do you have an example in your history of being involved with local government in Tasmania where communities and rate payers have been successful in lobbying to have their rates reduced? I am unaware of such a thing occurring. What evidence is your Government relying on when you make statements in this place - and the leader of Government business in the other place makes statements - claiming that, at some point in the future, the tax burden you are now choosing to impose on families at a time when cost of living pressures are really biting will somehow ease in this mystical land? History, and evidence from across jurisdictions, shows that these tax burdens only increase. Can you please provide for my benefit and those on this side of the House, the evidence you have relied upon or any research you can point to that backs up your very lofty claims?

Mr JAENSCH - Mr Chair, the Leader of the Opposition is on the record as opposing this bill. As she is entitled, she uses every opportunity she has to speak against the principle of it, the intent of it and our motivations for putting it out there. We have been through a very

lengthy debate in this place on the design of the levy, the way it will work and the design of the legislation to deliver it. Many of these questions have been previously thrashed out thoroughly here. In this place we are now considering a pair of amendments that have been returned to us from the Legislative Council. We need to return to that business.

The references to this as a tax are wrong. This is a hypothecated levy, quarantined for use on projects and activities, initiatives, strategies and policies, the vast majority of which are solely for the purpose of reducing waste to landfill and therefore the number of tonnes of waste delivered to landfill and the revenue generated from doing that. It is a user-pays model. I have, in my previous comments, referred to mechanisms by which households and businesses and municipalities can make available more opportunities for people to reduce the amount of waste that they produce that is destined for landfill. We need to encourage and support our councils and regional waste bodies, as we have been through co-funding with them the Rethink Waste initiative, to continue doing that. We all know people who are working in our local communities who have been leaders of that. There are opportunities to reduce the waste we send to landfill. That is the whole purpose of this legislation. I believe there are ways that individuals within communities can reduce the amount of waste that they generate.

I do note that we have previously, through the whole introduction and consultation and debate on this bill, foreshadowed that we intend to introduce it at a low level, and then for it to increase in increments to a level which is, I am advised, based on an average of the waste levies operating in other states and territories around Australia.

What it also points out is that we are actually probably going to be the last jurisdiction to have a mechanism like this for funding the waste management initiatives and the waste reduction initiatives that people in Tasmania want, as they have in all the other states and territories. We are confident that this is the right way to go.

We do acknowledge that it does involve there being a cost to the people who produce waste, including individual households, but that it is also for the purpose, solely, of creating more alternatives to landfill and reducing landfill overall.

Ms WHITE - The minister provided no evidence then that the cost burden on individual households will reduce over time, tabled no research that he relied on to arrive at the way he could make such statements, either here or his colleague in the other place.

The reality is, and the facts are, that even if households reduce their waste, they will still pay the same as their neighbour next door, who might produce more waste. This is poor policy. It is why we do not support it. It is an unfair new tax that has been introduced, despite the Premier saying he would not introduce any new taxes. It is regressive because it taxes people who are frugal about how much waste they produce exactly the same as somebody who produces a lot of waste. A pensioner in the northern suburbs will pay exactly the same as Tasmania's richest person under the Government's model. Families struggling to make ends meet will pay the same amount as somebody who owns a yacht. It is bad policy.

We support fairness when it comes to taxes. We do not support taxes that have a disproportionate burden on those who can least afford it. I am disappointed that the Government and the Greens have teamed up to support this bill because it will impact on those who can least afford to pay.

The bin tax, as the minister said, will increase to become an average cost of other jurisdictions. They are proposing with this bill that it might get to \$60 but I do remind the minister that in South Australia it is currently \$146 a tonne. There is very little chance that this tax is going to decrease, either in the charges that are levied per tonne, or on individual households over time. The minister should listen to some feedback from the community because we have been raising this with the community and we have been listening to what they have been saying.

For your benefit, given your consultation obviously ignored ordinary Tasmanians, you should listen to these voices:

Mark - More rental price pressure. I am already at 62.6 per cent of DSP, with all living costs increasing for everyone. The bin tax is irresponsible mismanagement, but I guess some egos need feeding to fund a stadium rather than address basic issues in our society, never mind climate change. This bin tax is an insult to our friends suffering from floods interstate and shows a Government blind to world events that affect us all.

Gail - Just keep taking from people and soon our money will be directly deposited to the Government's coffers because after rent rises, food rises, petrol rises, now bin tax, we will have nothing left. Greedy government.

Anne - This government is getting out of hand. It wants to spend all of its money on a sports arena but cannot fix our hospitals and doctor problems. Tassie will never get a team in the AFL, no matter what. Fix all the finance problems first. Families are going to find it hard enough. Beyond a joke.

Andrew - I guess we won't be too far away from having an oxygen tax just for breathing.

Amy - Let's see how much Glenorchy Council chuck onto their rates. Super expensive and get nothing. Have to travel to other council areas for a decent playing ground, and all Glenorchy council can do is put a survey out and then cut the play equipment out of the design and then never build the park. Money wasters.

Lynden - More illegal dumping. Bring back backyard incinerators.

I wonder if that will happen, minister.

Andrea - How is this going to help already struggling families? We will see a lot more illegal dumping.

Belinda - Which means rents will go up again too.

Tarina - What else? Petrol, insurance up heaps, food etc. Does our money go up? No.

Hundy - Bin tax on top of the rates.

Randal - Money-grabbing grubby corrupt government.

Janine - Great, struggling enough as it is.

Julie - We already pay to have our bins emptied. Enough is enough already.

Emily - Gutwein does not care at all, he's like Morrison. They do what they like. That is not good.

Christine - We keep our peelings, eggshells, coffee grounds and other compostable things in a bin and they are actually buried in our vegetable garden to attract worms, which it does. When our rubbish bin goes out there is barely anything in it, and we are going to be stuck paying extra in rates and taxes.

Ange - It costs us \$40 to take one trailer to the tip once a fortnight, with household rubbish now, as our wheelie bin is not big enough. Isn't it bad enough that we now have to have pay for a wheelie bin that we do not even use?

Michael - Imbecile. How does this government expect people to survive with the ever-escalating costs of living now, and wages stagnating year on year. He does not care, it's all about his sports fantasy. Sport, sport, sport. Don't worry about the community.

Troy - Raising the price on these is going to cause more illegal dumping.

Kay - We pay for the collection of rubbish, green waste and recycling through our rates. To take one bag of rubbish to the Clarence tip is \$11 dollars. How much more blood do they want?

Phil - Costs \$20 minimum to go to the Cygnet tip; \$550 a fortnight pension.

Diane - The Gutwein Government just does not care, something the Liberals have in common.

Mel - Peter Gutwein just is not getting the basics right anymore.

This is the Tasmanian community's response to a bin tax that they did not know was coming, because when Peter Gutwein went to the last election, he promised no more taxes. This is a stealth move by this Government to introduce a new tax that will hit every single ratepayer in this state exactly the same, irrespective of whether they are proactively reducing their waste or not.

It is a regressive tax. It is going to continue to increase, and put more burden on households at a time when many of them are already struggling to make ends meet. The statements made by the minister and the Leader of the Government in the other place, are completely out of touch with the realities of many families in Tasmania.

The Government and the minister today have given no evidence for how the cost burden on individual households will reduce over time. I do not believe they can provide such evidence. It is wishful thinking.

I am of a mind to amend clause (a) to remove the word 'levy', and replace it with 'bin tax', because this Government should be truthful about what they are doing. It is a new tax on Tasmanian families, something they promised they would not do. It will not achieve the aim of helping to reduce the amount of rubbish that households produce but it could see an increase in illegal dumping.

In fact, that is what the leader of Government business in the other place said that the Government expected to see occur, because that is what has happened across the country when these levies and taxes have been introduced, in the first instance. That is a poor environmental outcome - and is that not what that bill is supposed to be about improving?

This is poor policy, Mr Chair, and we do not support it.

Dr WOODRUFF - Mr Chair, I do not really know where to start. I have been sitting here gagging in my mask listening to that contribution from the Leader of the Opposition. The rank hypocrisy of a person who stood in this place when we debated the gambling bill for days and nights, after not just years, but decades of research that has shown how appalling the Federal Hotels and pokies legislation that went through this House has been, and will be in perpetuity in Tasmania.

Because of you, because your party's vote, because of your support, because of the Labor Party's - how dare you? How dare you talk about the impacts on every day Tasmanians? Not having the evidence in front of you, you stand in the way of a sensible piece of legislation. You were the one who facilitated the support of the gambling bill that went through this House, in perpetuity.

Ms White, Leader of the Opposition, in case you have forgotten, every single year \$200 000 will be lost from the poorest Tasmanians pockets. We know that for a cast-iron fact; that it is the poorest Tasmanians, the most disadvantaged, the ones who go to the Salvos, the ones who get the support from all the charities around Tasmania, all the Neighbourhood Houses, through the evidence they provided to us, that we read through - and cried through - listening to the stories of people. Children were turning up at Neighbourhood Houses to get food because it was another five days or a week until pension day and there was no food on the table. You read those stories and you chose - like the Liberals - both of you chose to ignore them. You chose to put the interests of the Farrell family and Federal Hotels above the poorest Tasmanians. You both did that.

For you, Ms White, to come in here and talk with a bleeding heart, like you care? Your party cares about the poorest Tasmanians, for a levy that is going to generate fantastic outcomes for the environment and do something to deal with the mess that we create. The reality is that we have to do something about waste. We cannot shut our eyes to it any longer; we cannot continue to use, use, use.

Both of your parties: it is just take it out, throw it away, do not worry about the pollution. We have three crises on this planet on top of the COVID-19 epidemic: climate heating; we have a biodiversity crisis; and pollution. We have a finite amount of resources on this planet

and so we have to deal with the reality of where we live. But the reality of where we live in Tasmania is because of the endemic corruption, the addiction to money from both of these parties, from places like Federal Hotels, from their pet lobby groups, THA - all the money that flows before elections - you both waved through the worst piece of legislation that has ever been through this parliament.

That was bad enough, but what is worse is for you to continue to pretend to Tasmanians that you actually care about the most disadvantaged people. The evidence is that you do not. Do not come in here with hypocritical statements about listening to feedback from the community. Do not come in here about listening to these voices. You only listen to the selective ones you want to hear. You purposefully tune out everybody else when it gets in the way of your political interest.

That is exactly what happened, then on the gambling bill and on this waste levy, and also on the container refund scheme because you have decided to back in the beverage industry. Amazement. You are going to send it off and try to stall it.

Just do something right for Tasmanians and actually listen to the people who are most affected. You know who they are. You will do you hand wringing. When they turn up and want something, you will hand wring and say you will do something about it. It is disgusting.

Minister, I had a question. It is about the reality of the fact that there is not a FOGO opportunity and I do not believe that all councils have green waste bins. I do not know if you have the numbers but it would be handy to understand because you mentioned FOGO and you mentioned green waste bins.

I know from Greens' councillor, Bill Harvey, on the Hobart City Council, that the work of the Hobart City Council has been nation leading and state leading in developing a proper green waste composting facility at the tip but that is not a facility that all councils have. Most councils, especially regional councils, do not have that facility. It costs money. It is something which will need to be funded as part of the work of the Resource Recovery Board. There is a gap where lots of regional councils do not have green waste bins. For people living in country areas, perhaps that is not a problem; they can find other meaningful ways to compost things on their property but for anyone living in a residential setting, that is difficult. This is why we need to have green waste bins.

Is there any opportunity for councils to negotiate in that space while the levy is ramping up over the next six years? If they are in the process of trying to get green waste facilities and composting facilities, that costs money and they are waiting for that money to flow. Is it possible to provide some negotiated arrangement where there can be a reduction in the levy that would be commensurate with the proportion of waste that comes from green waste in their area? Is there any opportunity to have that conversation because it seems that it is one of the potential unfairnesses in the levy when there is a disadvantage between city and regional councils because of the straight costs of each of these facilities?

Mr JAENSCH - Mr Chair, I thank Dr Woodruff for her question. I note that in recognition of the demand for FOGO collections, you have to do something with it. Collecting it is not enough; it is the taking it away and processing it. That is why in the north-west at Railton, Dulverton Waste Management has been developing an industrial composting windrow composting operation over the last decade or so, which is now probably class-leading in

Tasmania. It is taking not only municipal organic waste but also organic waste streams from a range of other industries, including the fish processing industries. Various other agricultural and food processing industries now move their waste through Dulverton's composting facility.

Recently we committed \$3 million and partnered with the Commonwealth, which has committed a further \$6 million, to assist Dulverton to take that operation to the next level and to install a large-scale in-vessel organic processing facility, which will enable them to better control leachate and atmospheric emissions from that process and better manage temperature and the efficiency of producing compost product that can be on sold and used. It also gives them the capacity to receive a greater flow of food and organic waste.

We recently ran an expression of interest process in the south of the state, offering \$3 million to co-invest with a partner to establish a similar facility servicing the southern regions. Dulverton services the entire north of the state and the southern facility we are hoping to drive investment in will service the south of the state.

Dr Woodruff - All southern councils?

Mr JAENSCH - Yes. We are also about to go to market-seeking co-investment in development of an end-of-life tyre-crumbing plant to process that into a form that can be used in our road-resurfacing programs in the state. These are the types of things the levy funds in the future. In the past 12 months, our Government has invested around \$15 million in these types of initiatives, including the expansion of three large commercial-scale plastics recycling businesses, to start pulling this material through the chain and doing something useful with it. These are the initiatives that will make it easier for councils to have options to present their residents to put their waste into, not landfill options, reducing the overall levy liability for those councils and their municipal collections.

I really want to support our councils being flexible and innovative and supporting the intent of our overall waste action plan to divert waste from landfill, reduce the organics going to landfill and increase the amount of product directed into reuse and recycling. I believe they can be doing that within their communities by doing things like offering a range of different bin sizes or frequencies of collections for waste-to-landfill, and therefore different price points for their residents. Also, being able to facilitate things like more FOGO, and people not even putting organic waste out for collection, but composting it in their own premises. Even a very small back yard has room for a worm farm or one of the composters you can buy from Bunnings or elsewhere. I think that is the way to go.

We are investing heavily in the capacity to process FOGO at regional scale. We are really pleased by the interest there has been from Dulverton and we are looking forward to seeing what the results are of the expression of interest process we have run for the south, to see what that brings in. Again, there is another solution to divert waste from landfill, and organic waste in particular from landfill and prevent it from contributing to greenhouse gas emissions from those facilities.

Ms WHITE - A quick question on that one, minister. Do you know what the average cost for FOGO is per household? For example, in Glenorchy, it is \$78.

Mr JAENSCH - I do not know if that is a question that I -

Ms White - Well, it is relevant.

Mr JAENSCH - I do not have any advice with me on those matters, Mr Deputy Chair.

Council amendment to clause 29 agreed to.

Council new clause A

Mr JAENSCH - Mr Deputy Chairman, I move the following amendment -

Insert new clause A.

This is the second part of the amendment, the purpose for which I explained when I stood last. This is what replaces clause 29. I think I have explained the premise of it.

Council new clause A agreed to.

Reported that the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

CRIMINAL CODE AMENDMENT BILL 2022 (No. 4)

Second Reading

[5.31 p.m.]

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

That the bill now be read a second time.

The Criminal Code Amendment Bill 2022 delivers on the Government's clear commitment to strengthen non-fatal strangulation laws by introducing a new standalone criminal offence for strangulation under the Criminal Code Act 1924, which I will refer to as the Criminal Code. I have prioritised the development of this important reform in recognition that non-fatal strangulation, choking or suffocation is a significant form of violence which can unfortunately be a precursor for escalation in the severity of family and domestic violence.

This is in response to community calls for the strengthening of our laws since the coroner's 2019 recommendation that the Government consider creating a strangulation offence. In that case, the coroner was responding to the tragic homicide of a Tasmanian woman where it was noted that non-fatal strangulation was a risk factor for homicide and that increased awareness and a targeted response to the issue are necessary from the medical, policing, counselling and law reform sectors.

The coroner was concerned that an existing criminal offence involving choking was limited to circumstances where the choking is done with intent to facilitate other offences and would likely not apply to a variety of situations, including family violence. In addition, the extensive work of the Sentencing Advisory Council regarding the various laws that operate in other states and territories has informed the development of the amendments. Accordingly,

I am pleased to be progressing this bill which amends the Criminal Code to introduce a standalone criminal offence of non-fatal strangulation, choking and suffocation in Tasmania, which recognises the seriousness of this behaviour by allowing it to be charged and prosecuted as a specific crime.

The second key amendment in the bill relates to the definition of consent, to expressly address conduct that is colloquially known as stealthing. Stealthing is form of rape, as the victim has not given free agreement to sexual intercourse without a condom, such as circumstances where a person deliberately removes or damages a condom during sexual intercourse without the knowledge and consent of the other party.

While the criminal behaviour which these amendments address can be prosecuted under existing laws, our Government is mindful of the significant value that specific targeted offences can have in terms of increasing community education and awareness of criminal behaviour.

This in turn, leads to positive flow-on effects regarding reporting and prosecuting offences and providing further support to victims and survivors. I will now discuss the amendments in more detail.

The bill inserts a new section into the Criminal Code stating that a person who intentionally and unlawfully chokes, suffocates or strangles another person is guilty of a crime. Strangulation, choking or suffocation is an abhorrent form of violence. It carries risk of serious physical injury and/or death and can often lead to further family violence behaviour. This bill appropriately recognises the seriousness of this conduct so that it can be charged and prosecuted as a specific indictable offence. Until now assault has been the main offence charge for non-fatal strangulation.

The development of the bill took into account the advice on sentencing matters in Sentencing Advisory Council's 2021 research paper on sentencing for non-fatal strangulation. This work examines Supreme Court data for the period 2010 to November 2020. In that time 77 cases were identified where acts of non-fatal strangulation were sentenced and 54 of them, or 70 per cent, involved family violence.

As the Sentencing Advisory Council notes in its advice, its role is to provide me as Attorney-General policy advice in sentencing matters rather than on the merits of stand-alone offences. As such, its commentary on sentencing outcomes was useful to reinforce the gravity of this conduct and has informed the development of the amendments in the bill.

In deciding to introduce a standalone offence consistent with the coronial recommendations of 2019 and the laws of other jurisdictions, I am pleased to say that strangulation charges will now clearly be on an offender's criminal record. In consideration of the council's report I am also satisfied that strangulation can already be treated as an aggravating factor but a standalone offence goes even further and delivers on the important objective of identifying this conduct as a serious crime in its own right.

The council found that sentencing for assault involving non-fatal strangulation has resulted in heavier sentences being imposed compared to sentencing for assaults generally. That is, there were more sentences of imprisonment imposed for assault involving strangulation. The median sentence of imprisonment imposed was also more than double,

namely 24 months compared to 10 months. Accordingly, the new offence gives strangulation clear recognition as serious criminal behaviour, supporting these sentencing trends.

It is important to clarify that the new offence does not stop prosecutors charging even more serious offences, such as attempted murder, in appropriate cases. This approach ensures prosecutorial discretion is not disturbed. The crime will be dealt with on indictment in the Supreme Court with a maximum penalty for Criminal Code offences being 21 years imprisonment. Importantly, the new offence will apply whether family violence is involved or not.

The crime is also one of specific intent, meaning that the Crown must show that the accused intended to cause the act of choking, suffocation or strangulation. Those acts are not defined in the legislation so that the words will have their ordinary meanings that change and evolve over time in line with community expectations. This is intended to capture an appropriate range of conduct without imposing arbitrary requirements, such as the conduct causing a person to stop breathing all together. It is considered that the inclusion of legislatively defined terms would inappropriately narrow the offence.

The bill also provides for alternative conviction provisions relevant to other Criminal Code offences; that is, the Criminal Code provides that a person charged with specific offences may be convicted of an alternative offence instead of the one charged, provided that the evidence establishes that the alternative offence has been committed. The trial judge must be satisfied that there was sufficient evidence presented at the trial to try or convict the person of the alternative crime or offence.

The bill inserts a new provision for alternative convictions regarding the crime of attempted murder. The new section 333A provides that upon an indictment for attempting to commit murder, the accused person may be convicted of an unlawful act intended to cause bodily harm, or strangulation.

This addresses a current issue where no alternative conviction provision exists for attempted murder.

Under the bill, if a judge is not satisfied particular conduct amounted to attempted murder, the judge may consider the person should be convicted of strangulation, or an unlawful act intended to cause bodily harm. Similar provisions make strangulation an available alternative conviction on charges of unlawful act intended to cause bodily harm, wounding or causing grievous bodily harm and persistent family violence.

The bill also provides for an alternative offence of assault where a person is charged with strangulation. This will ensure that, in appropriate cases, if a jury was to find a person not guilty of strangulation, a finding of guilt for assault could be made.

The strangulation offence has also been added to Appendix A of the Criminal Code, which lists crimes for which an offender may be arrested without warrant. This broadens the arrest power for police regarding the strangulation offence.

The bill also amends the definition of consent in section 2A of the Criminal Code to expressly recognise 'stealthings'. Tasmania has an expansive and progressive definition of consent. We led the country in introducing strong reforms to define 'consent', by reference to

‘free agreement’. Section 2A incorporates a non-exhaustive list of scenarios in which there can be no free agreement. For example, a person does not freely agree if the person does not say or do anything to communicate consent.

The inclusion of a specific provision for ‘stealthing’ into this section will provide even further clarity on free agreement to sexual intercourse, building on the existing strengths around our consent laws. Express recognition of the abhorrent nature of stealthing may assist with education, discourage would-be offenders, and support the making of complaints and prosecutions for sexual offences in appropriate circumstances.

To look at the detail of the provision, a person does not freely agree to an act of sexual intercourse in the specified circumstances. That is, where the person says or does anything to communicate to the other person that a condom must be used for that sexual intercourse, and the other person intentionally does not use a condom, or tampers with, or removes the condom, before or during intercourse.

Sexual intercourse without consent is rape. Consent requires free agreement. By clarifying ‘stealthing’ as set out in the bill, meaning free agreement has not been given, we are ensuring there is clarity, that stealthing is criminal and it can go to proving a charge of rape. Like strangulation, rape has a maximum penalty of 21 years’ imprisonment in the Criminal Code and is sentenced in the Supreme Court.

The new subsection expressly states that it does not limit the application of the existing law of free agreement in section 2A(2) to an act of sexual intercourse. That is, the section also contains other non-exhaustive provisions for where a person does not freely agree to an act. For example, a person does not freely agree to sexual intercourse if the person submits because of fraud, or is asleep or unconscious, or submits because of force or threats.

In closing, broad public and stakeholder consultation was undertaken to inform the development of the bill and I thank those who made comments in response to the draft legislation. In addition, my department has worked closely with the Office of the Director of Public Prosecutions in the finalisation of this bill and the elements of the offence.

We have listened to our stakeholders and the community in introducing these amendments, which further ensure our laws are strong and robust to protect victim/survivors of family violence, and ensure perpetrators are appropriately held to account for any criminal conduct or behaviour.

Mr Speaker, I commend the bill to the House.

[5.43 p.m.]

Ms HADDAD (Clark) - Mr Speaker, I indicate at the outset that the Opposition will be supporting this bill, as I have already made that clear on the public record when the Attorney-General announced that these changes would be coming before the parliament.

In doing so, I recognise, as I believe all the parliament does, that domestic and family violence is an absolute scourge in our society. It is a widespread societal problem that affects all Tasmanians in one way or another. Thanks to the groundbreaking work of former Attorney-General, Judy Jackson, Tasmania does in fact have some of the best and strongest laws in the country to deal with family violence. In many instances other jurisdictions are now looking to

our laws as a model for their own changes and have been since those laws were introduced in 2004.

However, despite our laws already being very good, it is imperative that they continue to evolve and change and remain contemporary, particularly as our understanding of family violence and our responses to family violence evolve and expand. It is vital that our laws keep pace and modernise and evolve along with that understanding of family violence.

The fact is, strangulation is a known predictor of future instances of family violence, including family violence that results in death. A victim of non-fatal strangulation in a family violence situation is, horrifyingly, seven times more likely to later be murdered by that partner, or ex-partner.

I found that figure utterly shocking when I read it. Indeed, many of the community organisations that contributed to the community consultation on this bill made that very clear. A person is not seven times more likely to be murdered by their partner or ex-partner than a non-victim survivor of family violence. They are seven times more likely than someone who has experienced family violence, including possibly physical forms of family violence, but has not suffered non-fatal strangulation. It is absolutely clear that non-fatal strangulation is a particularly dangerous indicator of what is to come - and that in seven out of ten cases, what is to come is murder.

I said 'victim' there. I usually use the terminology 'victim/survivor', and in most instances I will do that as we debate this bill, but when I am talking about the fact that non-fatal strangulation is a predictor of future homicidal acts of family violence, we are actually talking about the death of family violence sufferers - predominantly women being killed by their domestic or intimate partner, or an ex-partner. That is incredibly serious. Those statistics in and of themselves justify the need for a standalone offence, and that is why we will be supporting this bill.

Mr Speaker, I recognise that some people in the legal community do not see the need for a standalone offence. I respectfully disagree with their view. There are some who practise in the criminal law area who feel that because the charges of assault already exist, that is sufficient. It is true that assault laws do exist, both in the Police Offences Act and the Code, and they are currently used to charge people for violent acts, including acts of family violence, and acts of non-fatal strangulation. However, continuing to use those charges of assault does not allow the law to adequately recognise the very nature of family violence and the fact that non-fatal strangulation - which can happen inside or outside an intimate partnership - takes on a different meaning and a different effect altogether when it is inflicted within the context of an intimate relationship, and in any other context.

The Attorney-General went to this in her second reading contribution, that the Sentencing Advisory Council found 70 per cent of the charges for non-fatal strangulation were in fact family violence cases. At the moment it can be looked at as an aggravating factor, but having a standalone offence allows the law to adequately recognise that particular kind of offending in the context of a family violence relationship.

As I said, this charge will also be able to be used in instances of non-fatal strangulation that occur generally in the community, outside of an intimate partner relationship. This distinction, the Opposition believes, is an important one.

It is also important to note that the intent that will need to be made out in this charge will be the intent to strangle, or cause choking, rather than a higher bar of having to prove an intent to stop breath or further. I think the way it has been drafted is appropriate.

Some of the community consultation contributions also talked about the fact that assault laws are not sufficient, and that a standalone office is required. One of those was the joint submission from the Sexual Assault Support Service (SASS) and Women's Legal Service Tasmania, who explained that sentencing is only one aspect of criminal law and that in fact, in such a setting, community standards should not be discounted, and current Tasmanian legislation does not adequately capture the seriousness and risk of non-fatal strangulation. They believe that the introduction of a new, specific offence would, when coupled with education and training, highlight the dangers of non-fatal strangulation to police and to first responders, to those working within our court systems, and to members of the public more generally. I will go some of those comments about the education angle later in my contribution.

Similarly, SASS addressed the fact that assault laws, while currently used, are insufficient in terms of their support for a standalone offence. In doing so, they quoted from the Sentencing Advisory Council, who said:

In sentencing cases, clear statements have been made in Tasmanian courts in relation to the heightened risk of future and escalated violence, and its prevalence in family violence. It has been recognised by sentencing courts as a serious form of violence. However, conduct involving non-fatal strangulation is a particular of a general offence, such as assault, and so the prevalence of non-fatal strangulation is not readily captured in the statistical data, or recorded on an offender's criminal record. There is no 'red flag' created to allow for better risk assessment and increased protection for family violence and other victims.

This legislative change will address that concern raised by the Sentencing Advisory Council, and in the contribution to this bill made by the SASS.

It is also important to note that assault can also be charged, and likely would be charged, alongside this new offence of non-fatal strangulation in the context of a family violence episode or incidence of family violence, particularly if there are allegations of non-fatal strangulation, along with other violent acts that might also attract an assault charge.

I also wanted to address something that has been raised in a number of the community consultation submissions; the Attorney-General also spoke about this in her second reading contribution. Changing the law is only one part of the reform that is needed, and while changing legislation is very important, it does not change culture in of it itself. For people's attitudes to family violence to change, there needs to be a societal shift in the public understanding, and the understanding of professionals working in the field, who deal with people who have suffered family violence.

People need to be equipped with the skills to recognise the signs of family violence, and how to recognise that their client or friend or patient or family member or a person they work with or somebody they know might actually be in a dangerous relationship, might be suffering from a family violence relationship - and how to deal with that when they do come across it, and how to recognise red flags.

As I said at the beginning of my contribution, our understanding and our response to family violence is constantly changing and evolving. With that, there needs to be constantly changing and evolving understanding within professions, and within the community more generally, about how to recognise the red flags of family violence.

I will read some contributions from some of the people who made submissions. Advocates for Change and Gender Equality said:

It's vital that healthcare professionals receive education about non-fatal strangulation in relationship violence, so that they are resourced to respond to and support people who suffer acquired brain injury from strangulation.

The Community Legal Centre for Tasmania submission said:

Most acts of non-fatal strangulation occur behind closed doors and are not reported because the victim is frightened about the consequences of reporting and does not believe that the conduct is serious enough.

Even when the conduct is reported, recognition by Tasmania Police personnel continues to be uneven.

Prosecution may not take place where the complainant wishes to withdraw the complaint, or where prospects of a successful prosecution are low.

That is from the submission from Community Legal Centres Tasmania. This shows the need for the requirement for robust training and education for professionals across a range of industries so they can understand the signs of all kinds of family violence, including non-fatal strangulation, coercive control.

It is important that those who deal with people who are suffering family violence relationships, like Tasmania Police, lawyers, social workers, doctors and police prosecutions, for example, know how to recognise red flags and know how to respond to those things in a way that supports those people.

In the submission from the Women's Legal Service Tasmania, they recognised that if there was any failing of the 2004 family violence laws introduced by attorney-general Judy Jackson, it was that there was not that sufficient training at the time.

It has been my experience in speaking to people who have suffered family violence that they experience different responses, particularly around the state. Sometimes people can visit a police station having suffered family violence and have an amazing experience with officers who are very well educated in recognising the red flags of family violence. In other cases, their experience cannot be a positive one, and they are not taken seriously.

That is not intended to be a criticism of Tasmania Police because I know that the messaging from the commissioner and people at the top take family violence very seriously. There is training for new recruits at the police academy in recognising signs of family violence and that that training can be added to when somebody is promoted. It can also be taken on voluntarily if people want a refresher. We have been asking for a few years in Estimates for that to be reversed, so that there is compulsory and ongoing - hopefully annual - training for

police and a consistent understanding of family violence across Tasmania Police. No matter what part of the state you live in, no matter what kind of family violence you may have experienced, you should be able to walk into any police station, to be taken seriously and to have your family violence matter dealt with in a consistent way.

Mrs Petrusma has listened to that at Estimates. I look forward - together with my colleague, Ms O'Byrne, the shadow minister for police - to continuing asking those questions and asking for updates on the training that is provided and is available, particularly to Tasmania Police, in recognising family violence, including non-physical forms. That is an evolving area of understanding for many, particularly people working in professions such as police, lawyers, social workers, doctors, and nurses. People in a range of settings are still coming to terms with understanding and recognising the signs of non-physical forms of family violence. It is really important that the Government prioritises providing ongoing and updated training.

Debate adjourned.

ADJOURNMENT

Victim/Survivor - Apology

[6.00 p.m.]

Mr GUTWEIN (Bass - Premier) - Mr Speaker, it has come to my attention that there was some interjection earlier today in question time that has caused offence to a victim/survivor. On behalf of the Government and without explanation or excuse I wish to unreservedly apologise for the offence that caused. As I said earlier today, the Government is sorry for the circumstances of that victim/survivor and we acknowledge the bravery that all victim/survivors have demonstrated in bringing these matters forward.

Through you, Mr Speaker, I ask the Leader of the Opposition with the permission of the victim/survivor to provide me with her contact details so that I can make contact to apologise personally.

Victim/Survivor - Attitude of Government Members

James Griffin - Commission of Inquiry - Release of Information by Department of Health

[6.01 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I say to the Premier, thank you, and I will provide those details so that you can make contact.

Ms O'Connor - I think you should ask.

Ms WHITE - Yes. Mr Speaker, I would like to make some further remarks and you may or may not wish to stay, Premier.

Today I was trusted by a victim/survivor to ask questions on their behalf in this parliament. I thank them for entrusting me with this responsibility. I thank them for having the courage and the determination to continue to fight for transparency and for justice. I marvel

at their strength, their integrity and their unwavering commitment to see changes that protect children from abuse and to keep them safe. They act in the service of others. They share their stories and their trauma to improve the community's understanding, to educate and to sound as a warning that we have more work to do.

There is more work to do to make sure that all children are safe from abuse. There is more work to do to change structural problems in our society that allow and perpetuate abuse.

What I was not expecting today when I shared the statement from a victim/survivor was for Government ministers in the Premier's Cabinet to audibly groan. This response absolutely gutted the victim/survivor who was watching proceedings. In their own words they have since said:

I felt there was a complete disregard and an attempt to minimise it, like an, 'Oh, here we go again'. It was treated like it was annoying and exasperating.

I note that the Premier has offered an unreserved apology on behalf of his Government. However, the person who has been most profoundly impacted by today's events has said:

I expect a meaningful apology from each individual that responded in a way that the Premier did.

The person has acknowledged your apology, Premier, but they would like the individuals who groaned to make personal apologies. From where I was standing when I asked that question, I saw who groaned. They know who they are. I point out that *Hansard* records that Mr Jaensch said, 'Oh, come on'. But I know that he was not the only one. There were groans from across the Premier's front bench, groans that have deeply hurt and offended the victim/survivor and each one of them should publicly apologise, just as the Premier has done.

It has been an incredibly tough day for that extraordinary person who has dared to share part of their story. I am sorry that they were not treated with respect and compassion. To them, I say again that you are one of the bravest people that I have met and I am sorry that this is how this parliament has reacted today.

There was a further matter that was raised during question time today in a question to the Premier, where I asked him to confirm that, despite damning findings, the department is still fighting the release of some of the information that the Ombudsman found should be released. This is in relation to the RTI in the Griffin matter. The Premier said in answer to my question that:

I do not have any advice before me on that matter you just raised. I am happy to seek some further advice.

To my knowledge, the Premier has not provided any further advice to the parliament today. I know he has already spoken on the adjournment, so it makes it difficult for him to provide further advice himself now, but perhaps the Leader of the House might be able to do that on his behalf. I would be grateful if he could keep his word and make sure he provides that further advice he said was happy to seek before parliament ends.

Victim/Survivor - Attitude of Government Members
Integrity Commission - Investigations into Government Members

[6.05 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, before I make my substantive contribution on the adjournment, I too want to acknowledge the courage and extraordinary bravery of the victim/survivor who is the subject of questions today. I know that the response of some government members to the question that was asked today has caused that wonderful person deep trauma. I acknowledge that the Premier has come here and done the right thing and there are a number of other government members who need to do the same. We need to, at every step of the way, respect victim/survivors. We did not see that in here this morning.

Today the Australia Institute released its damning report on the Tasmanian Integrity Commission. What we know is that only six of 55 recommendations from the Cox Review have been implemented over the past six years. We also know that the Integrity Commission has lost public trust because it has never held public hearings because it has only made two referrals on further investigation.

One of the concerns we have in respect to the Integrity Commission is the soft touch the Integrity Commission often takes in respect to allegations against members of government. The first report I want to discuss is the report of an investigation into allegations of misconduct by the then minister for Human Services and her chief of staff. In a nutshell, the allegations were that the then minister for Human Services' chief of staff attempted to stop the then commissioner for children, Mr Mark Morrissey, from corresponding and writing with the minister to prevent this correspondence from being captured by right to information requests.

Throughout the report, the commission consistently accepts the chief of staff's version of events without much justification. This is despite the fact that the former commissioner for children had no motivation to lie and made contemporaneous notes of the meeting.

In their findings against multiple allegations, the Integrity Commission cites the 'Commissioner's tendency at times to perceive a slight when none was intended' as a reason for the 'misunderstanding'. No evidence is proffered for this character assessment of the former children's commissioner. It is not a character trait the Greens believe Mr Morrissey possesses. He is a deeply thoughtful, honest, and reasonable man of great integrity.

The chief of staff in question claimed that the motivation for the request to Mr Morrissey to cease putting matters in writing was effectively to avoid unnecessary work. This alleged motivation was not critically examined at all by the Integrity Commission. It seems unlikely the chief of staff would risk breaching the independence of a commissioner for children solely to save a little time. Furthermore, the chief of staff claimed she had no recollection of referencing the RTI Act, but observed if she had, it was likely as a means to persuade the commissioner on the basis that would put the personal details of the children at risk. Frankly, it is hard to swallow that Mr Morrissey was not aware of the need to protect the privacy of children and young people.

This was also accepted by the Integrity Commission, despite the fact that it was a very detailed hypothetical proposition. It seems unlikely that the commissioner who made the contemporaneous notes, Mr Morrissey, would not have heard this context. It is also worth

noting that both the Right to Information Act and the Children, Young Persons and Their Families Act would prevent this information from being released anyway. Both the chief of staff for the then minister of Human Services and the commissioner for children and young people at the time would have known this very well.

When reading this report, it looks very much like conjecture - bold claims, that seemingly come from nowhere and the benefit of the doubt is extended at every turn to support the claims of a ministerial staffer. Yet there is absolutely no critical analysis of the credibility of the staff person's claims. The lack of the use of integrity tribunals means a reader of this report, the one I refer to, is left with no evidence to support some of the claims made by the report.

The other report I want to discuss is the summary of an investigation into allegations of misconduct by the Work Health and Safety regulator, government ministers and ministerial staff. Again, in this report the commission comes down firmly on the side of the minister and their staff at every turn. The report claims:

No government member or ministerial staff will pressure the regulator to serve the notice.

It does not preface this claim with observations of insufficient evidence to conclusively determine this. It just says it did not happen.

This is despite the fact that the then WorkSafe regulator, Mr Cocker, claims that he was pressured by both the Attorney-General and a staff member of the Attorney-General. In support of their finding, the Integrity Commission cites the denial from the Attorney-General, the AG staff and claims from two agency staff that they did not recall this. Again, critical analysis is lacking when it comes to any support for Mr Cocker's claims but plenty of supposition is used to support the Attorney-General. The report claims that:

If such questions had been asked, one would expect such experienced and senior public officers to recognise them as improper and have some recollection even several months later.

The report, however, does not mention this query being put to the agency staff. Rather than simply making this claim, why not put it to the officers and see what they have to say? Indeed, you would expect that agency staff would say some words to this effect if they were confident that these events did not occur. They did not.

Nor does the report acknowledge the reality that agency staff might be hesitant to throw their minister under the bus. Despite this supposition in respect of what senior staff would likely be able to recall, they do not go anywhere near the more obvious question - this is the Integrity Commission - why on earth would Mr Cocker lie? Mr Cocker maintained that although the Government pressured him to serve a notice on the BBF, an act which he eventually did, this pressure did not influence his decision.

If Mr Cocker fabricated the government pressure in his testimony, he would have fabricated evidence that worked against his claims that he did not act under pressure. He would also have fabricated evidence that would make it difficult for him to find future employment in the State Service. What would he have to gain from such fabrication? Nothing. On the other hand, he had plenty to lose.

Again, if this matter had gone to a tribunal as the seriousness of the allegations would warrant, the full context of testimonies would be public. Instead, all we have is this analysis/hypothesis and supposition of the Commission outside of their proper context, an assessment that any objective observer would know, consistently comes down on the side of ministers and ministerial staff and rarely applies the same degree of analysis of evidence against the interests of a minister or their staff.

**James Griffin - Commission of Inquiry -
Release of Information by Department of Health**

Mr GUTWEIN (Bass - Premier) - Mr Speaker, on indulgence, may I deal with that matter that Ms White just raised?

Mr SPEAKER - On indulgence, Premier.

Mr GUTWEIN - I have preliminary advice. I will provide more if there is more to provide but the Department of Health released information in the RTI in accordance with the Ombudsman's decision. The department is not resisting the release of the information but we are required to apply the law as it relates to right to information.

That is the advice that I have at this stage.

Integrity Commission - Australia Institute Report

[6.13 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I also rise to say some words about the very important report that was released by the Australia Institute today - the report into the functioning and the independence of the Integrity Commission. Their findings were scathing.

It is very clear compared to other jurisdictions that we perform badly, not just in the amount of money that is available for the Integrity Commission to do its work, but also in the outcomes when there have been no public hearings that have ever been held in this state and where there are no tribunals where we can, as Ms O'Connor said, get to the bottom of the evidence that the Integrity Commission uses in coming to its judgments on investigations that are referred to it, where this can be publicly seen.

We cannot have confidence that the Integrity Commission is doing the work that we need it to do to look after the fair use of resources in this state and to have the assurance that ministers of the Crown are working with good conduct in public office instead of many instances where there is obvious misconduct in public office.

The Premier said this morning, and further words were reported in *The Examiner* newspaper, that he did not see any evidence of corruption in Tasmania. It was reported that neither did Lara Giddings, previous premier of the Labor Party, see any corruption.

What a surprise - not - that both the Labor and the Liberal Party would not see any corruption in Tasmania. Why would they talk about corruption when they have been overseeing over four decades of rampant public subsidies that have been provided to Forestry

Tasmania to enable over \$1.3 billion - the estimate the last time I heard in 2012 - of public monies that had been funnelled into Forestry Tasmania, to further the private company of Gunns and the Tamar Valley Pulp Mill; an incredible exercise which involved parliament coming in over the top of the independent planning process, writing legislation to get something through that was in the political and invested interests that donate to the Labor and Liberal parties in Tasmania.

We see the same thing: Federal Hotels obviously have their grip on the Liberal Party and clearly on the Labor Party. This opposition leader went to the 2018 election promising Tasmanians that the Labor Party would stand with them and ban pokies in Tasmania. She backflipped, her party backflipped. They let down Tasmanians. Our people, the poorest people in Tasmania, have now got that horrific company funnelling money, \$200 million a year, out of Tasmania into their pockets, their wealth, in Sydney - none of it in Tasmania, none of it going to communities, none of it going to start the new industries that we need, none of it going to the social services and support that families need.

That is the sort of graft and corruption and misconduct that happens in Tasmania. What a surprise that the previous Labor premier could not find any evidence while they were in office.

In his parting shot to the government in 2015, the honourable Murray Kellam pointed out the problem is that we do not have a crime of misconduct in public office. We cannot investigate the misuse of ministerial powers. We cannot investigate the misuse of public resources. That is exactly the place where most of the small seed corruption happens in Tasmania. Whether it goes to line the pockets of a minister or a public servant is not always the most important thing.

Graft, fraud, bribery, and misuse of power can be not just for personal gain, but for the gain of the political party that you are a member of because ultimately, that goes to shoring up your best interests, whether it means that you get more people elected to parliament.

Adam Brooks was a serial liar to parliament. He had to leave parliament and resign because he was a serial liar. That man was charged by Tasmanian Police during the state election campaign last year in 2021. That came to public attention early in the campaign. Then later on he was charged by the Queensland Police with category H firearms, handguns with multiple fake identities. He should have been charged, and he has not been, for the catfishing that he employed to entrap at least two, maybe six, women into having relationships with him when he had fake names, fake lives, fake identities. This is the sort of person that the Liberal Party kept as a candidate until the very last day, the hour before the polls were declared. Two weeks after the election, the Premier comes out and says, 'Adam Brooks is resigning.' They had his money, they had his profile, they got the seat, you can go now.

What is there to see? We referred that to the Integrity Commission. Nah, nothing to see here. Actually, there is nothing we can do about it because there is a loophole in the legislation. The Greens have tried to fix that legislation; the Government voted it down. We have no confidence in an Integrity Commission when the Attorney-General gets to pick who the chair is.

Time expired.

Rowing Boats - Requirement for Life Jackets

[6.20 p.m.]

Dr BROAD (Braddon) - Mr Speaker, I rise on the adjournment to talk about one of my pet peeves, which is life jackets in rowing boats. What we saw today was the minister drop an updated regulation to try to cover up mistakes of the past. I argue that he is having to try to fix on the run a problem that does not exist. It is a bit of a quandary because if we struck these regulations out then the previous ones would apply, which are even worse.

What the minister has tried to fix is the previous regulation which stated that you had to wear a life jacket in a rowing boat if you were more than 200 metres from a coaching float. Instead of just realising that this whole thing was stupid and repealing the whole thing, he has decided to shift from 200 metres to 500 metres.

I highlighted the absolute stupidity of the original regulations. They have tried to fix the number of life jackets that have to be carried in a coach's boat. They have limited that to four now. Say, for example, if a coach's boat was following an eight, you had to carry nine life jackets, for the rowers and the cox, or if you were out coaching more than one vessel, you had to carry way more life jackets than it was possible to carry in the boat. They tried to fix that one by limiting the number of life jackets to four. The previous regulations were so daft that in order to try to comply, schools and clubs had to try to pack life jackets into containers and cryovac them to reduce the physical space that they took up. That is how ill-considered these original regulations were.

Also, they were trying to cover the other instances which was absolute stupidity. It was a blanket everybody-had-to-wear life jackets in rowing vessels. There were no exemptions for regattas. At Lake Barrington there is the possibility of eight eights competing at once, which meant that the umpire's vessel would have to have carried to be in accordance with the law, 72 life jackets to cover all the people in that race - unless there were multiple umpires following that race.

Imagine a nationals where you had an umpire's boat having to tow a trailer with enough life jackets to cover the people who were under their control. They decided to go for an exemption that if there is a regatta promoted, controlled, managed or conducted by Rowing Tasmania Incorporated, Rowing Tasmania Incorporated has prepared and approved safety management plan. So, they have managed to try to solve that problem.

Alas, there is the original issue. They are trying to solve a problem that does not exist. I am not aware of any rower in Australia who has drowned falling out of a rowing vessel in as long as I look back, especially in Tasmania. I am not aware of any instances in the last 50 years. What is the problem here?

We have the farcical situation where everybody rowing in an eight who is unaccompanied by a speed boat has to wear a life jacket. I am not aware of any instance anywhere in the world where somebody has fallen out of an eight, a four or a double and drowned. They are trying to solve a problem that simply does not exist.

I have RTIs so I know exactly why this has happened. There was a problem with Derwent skiffs on the Derwent in what is a dinghy. They are not a rowing vessel by any definition. The

Derwent skiffs were rowing out in the Derwent. They got busted by MAST and they said, 'Rowers do not have wear life jackets. We are a rowing boat, so we are not going to comply'. To try to fix that problem they have loaded up all the rowers around the state that if they are not accompanied by a speed boat they have to wear a lifejacket. Not only is this trying to solve a problem that does not exist, wearing a life jacket actually makes it difficult to rescue yourself.

There was an incident where a member of the public fell out of his single skiff and he struggled to get back into the boat. You train to get back into a single skiff. His lifejacket was catching and preventing him from getting back into his vessel. Then he had to be rescued.

I have spoken to many people about this. It was concocted by the CEO of Rowing Tasmania and the CEO of MAST. They had a meeting. I have the RTIs. I can show you the time line of how this happened. The only concession I offer is that maybe if you are in a single skiff, you are unaccompanied, then maybe you should have to carry a lifejacket in your boat. That is the only concession I would make on this.

I am not aware of anybody in the world who has fallen out of a double and got into trouble, a four, a quad or an eight, yet there is a blanket requirement across the whole sport that if you are unaccompanied by a speed boat you have to wear a lifejacket. It is impractical and it is just stupidity.

Like I said when debating the Commonwealth Games, when the Premier made the mistake of thinking that rowing could have happened in the Commonwealth Games, which I highlighted could not have happened because it is not even on the optional list, imagine if athletes from all over the world rocked up at Lake Barrington and wanted to go on a training row unaccompanied by a coach, because it is very difficult for coaches at international competitions to arrange a speed boat, the best rowers in the world would have to wear life jackets. It would be a social media sensation. It would go viral around the rowing world. That is how stupid this is.

Time expired.

Building and Construction Sector - Call for an Inquiry

[6.27 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I rise tonight to speak about the Tasmanian building and construction sector and some more reasons why we need to have a parliamentary inquiry into the sector.

An underlying theme in the bulk of consumers we have met with in relation to building issues is the inadequacy of CBOS to assist them. In the majority of cases, CBOS has advised the consumer that they need to seek legal advice and pursue justice and rectification, especially for defects, through legal channels.

I will read into the *Hansard* some of the testimonials that have been provided by consumers. There are three here that sum it up quite nicely. We have more than 100 cases. They are not just cases of people's names and addresses and emails, these are people who sometimes we have met with. We have their legal documents which they have shared with us. We have photographs. We have survey reports. We have architectural designs. We have

correspondence between them and CBOS. We have been very meticulous in keeping our case notes. We are taking this extremely seriously.

This consumer stated:

All in all, I was out of pocket only around \$6000 and a build that should have taken three weeks took 16 months. Still, it was stressful and a somewhat fearful time of my life. Luckily I found a lawyer and a builder who rectified the job. I also had to engage an independent building surveyor. I agree 100 per cent the Government agencies, as well as HIA whom the builder was a member, offer no real support to the consumer, which I tried to engage with as a first step. The last bit of advice from my lawyer was, and I quote, 'Pursuing a claim against X is likely throwing good money after bad. It also gives him incentive to pursue his perceived claim against you, which will surely ramp-up costs and angst'.

This is from a solicitor. This is legal advice:

'The costs involved in pursuing your losses will fairly quickly outweigh the amount you are after, so for that reason alone, it is difficult to rationalise the chase. My view is the same as I perceive yours to be, let it lie unless X wants to pursue you, in which your claim will still be there. The six-year limitation issue isn't affected by whatever prior notice he or she has, it's only a measure created by statute. There is nothing which can be done about it. Yes, we maintain our files for in excess of six years. I would recommend you do the same just in case. I don't think sending a letter/email is worthwhile it will only remind him and/or annoy him. If you're not going to pursue him then leave it alone.

That is legal advice. The consumer then states to me:

The time between six-year limitation issues ends at the end of 2022 and I know the builder who rectified my deck told me at the time how many jobs he had that were rectifying builds that were defective and undertaken by 'cowboy builders.' Most were in the 10 to hundreds of thousands of dollars worth.

This quote is from another Tasmania home builder who is also being forced to take legal action. The homebuilder has advised that he and his wife - it is really heartbreaking - have had to draw from their superannuation to be able to fund the rectification of defects in their property. That is another 10 years they are going to have to work to rectify defects because there is nothing for them offered regulation-wise, or legislation-wise from the Tasmanian Government that provided them with any protection against a defective builder. He says:

We made an offer for the builder to pay us \$150 000 for the cost of rectification of our building defects. The builder has rejected our offer.

They have engaged a new builder, but they are still seeking costs from their previous builder. He states:

It will now go to court. Our new builder is very good and after two years our house is nearly finished. We now have paid \$238 000 to rectify defects. This is without legal costs.

That gives you an idea of what kind of money we are talking about and what kind of lack of support there is for consumers here in Tasmania. This is one of the reasons we need a building inquiry.

Another one which is quite sad is from a gentleman who stated:

My mother is 68-year-old pensioner and purchased a brand-new home. Ever since then she has been attempting to get building defects rectified in her property in St Leonards, which includes a significant movement of the house that has led to damage to the external cladding, most plaster joints cracking, particularly around window frames, a flooded floor due to broken piping installed in the kitchen and a defective garage wall, among other issues.

Mum has been fighting for rectifications as well as finding the cause of such issues since they became apparent. Engaging with the builder has proved unfruitful, as well as the surveyors and engineering. Former MLC Ivan Dean did visit and wanted to raise this issue in the Legislative Council, depending on the legal proceedings. However, he retired before Mum was able to get a conclusive understanding from her lawyer.

Mum commenced legal proceedings some years ago; however, this has stalled as a surveyor commissioned to produce an independent report and provide advice to her lawyer has also ceased communicating with Mum. This now leaves the potential for having to pay costs of the other parties, as well as still not having her house rectified.

It is my understanding from our research that the majority of people, when they enter into legal arrangements around rectifying defects and seeking costs, because often that is the only course of action, would be lucky to get 60 cents in the dollar from those proceedings. It is usually years in legal proceedings for them to get that. That is why it is important that we have some considerations for those people whose whole build has been obstructed by defective builds. We need to make sure there is a free advocacy and legal support service for people who undergo residential building in Tasmania. It is out of control. I think a parliamentary inquiry would help.

**James Griffin - Commission of Inquiry -
Release of Information by Department of Health**

[6.34 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, on indulgence very briefly, in response to the Premier's response to Ms White's question earlier, he said that the Government is working through all the Right to Information processes, in relation to the victim/survivor.

I would like to remind the Premier that under section 12 of the Right to Information Act, there is nothing stopping the government from providing that information willingly and freely.

Small Businesses - Pressures

[6.35 p.m.]

Ms FINLAY (Bass) - Mr Speaker, I rise this evening to speak on behalf of many small businesses across Tasmania, in both the capital and in regional cities, who have been struggling, and for many, continue to struggle.

I acknowledge that the Tasmanian Government, under the direction of a new minister, has today announced round three of the COVID-19 Business Impact Support Program. With the installing of a new minister, I felt hopeful, I expected change. I thought now there would be a moment that this Government would reflect on the feedback that they had been provided so clearly from small businesses, and do something different. We know that this out-of-touch Government, which has lost connection, particularly to small businesses in regional and rural Tasmania, is just not getting it right.

What we have seen today is pretty much more of the same. What we have seen today is round three - which means, they had a go first, then they follow it with a bit more, and now it is a bit more. It is drip-feeding: drip-feeding to small businesses owners and the workers in those small businesses that needed support when the borders opened. We asked so many questions prior to the borders opening. Was the Government ready?

We know the 39 000 small businesses across Tasmania, which employ 100 000 Tasmanians, expected and needed - their livelihoods depended on - the Government being ready, and they assured every Tasmanian that they were.

If they were, they would have predicted the impact on small businesses, and they would have been ready to provide the support that would actually make a difference. But no. Only acting under pressure, which is a hallmark of this Government, did they provide an insulting amount of money that was too complicated and overwhelming for our small businesses, who have been fatigued by the challenges of the last two years, to actually even apply for.

People were providing feedback to say that for the small amount of money, it just was not worth the effort, and we have so much to focus on right now, to trade through this really tricky time. We have heard directly, we have heard the impact. Tasmanian Labor have done the work, led by Rebecca White. Labor's economic team and every member of every electorate across Tasmania have been united and committed to hearing from, understanding and supporting small businesses.

Some small businesses, in a week, lost \$150 000; some losing continuously over weeks \$2000, \$5000, \$10 000 for a period of time, over December and January in particular. What does \$1000 do? I know personally, from my own experiences in small business, that when times are tough, you receive any amount of money gratefully.

But when the magnitude of the impact that you have been burdened by the government to carry, on behalf of all Tasmanians, to continue to trade and provide often really essential services in regional Tasmania, when the government does not get it right, it is an insult. We

heard that people were disappointed, saddened, hurt and angry by the lack of preparedness. So then, under pressure, they put out a round two, and they doubled the number, but made no changes, really, that you could count on structurally.

I hesitate to say this, because I want to encourage the new minister - and I have heard her say it, and I trust she follows through - to commit to engaging with and hearing from small businesses and do things differently, because we know it is needed. It is pretty much round three, the same type of support is offered.

The work Tasmanian Labor did responded particularly to the needs of small businesses across Tasmania. We know payroll support was really important to maintain that support for the business, for them to continue to deliver their services and for workers to maintain their hours, their jobs and their shifts. We know that cashflow is king. Cashflow support was really important. Support with overheads is something the Government can really influence by rebating fixed costs. We know - and we actually heard it just this week - that in some areas it is okay to extend support for payroll tax relief.

If you have been in small business you know that if you are struggling week by week, if it is hard to make ends meet at the end of the week, then you get a big bill that comes perhaps quarterly through the year, and you have not been able to squirrel away your funds to be able to pay that. We have had businesses in tears with us, about the worry that they carry - not just for themselves and their families and their livelihoods. When you employ people, they become your family. Their families become your family, and the burden of that responsibility keeps you awake at night, so when that payroll tax bill comes through where the business is so substantial that it pays payroll tax, it is making that contribution to the community. We have had people in tears, worrying how they were going to meet that commitment.

We made recommendations, not only for the businesses but also for workers. We also made recommendations about supporting confidence and stimulus in the community.

We call on the Government to look at the work that we have done. Implement support that actually makes a difference for small business because if you actually respect them as you say you do, you will do the work. You will get back in touch. You will show leadership. You will get the basics right because we all know that small business is the engine room of the economy but it can only start and kick and thrive if it is supported and respected.

Today has been a disappointment. It is more of the same. I was hopeful, I expected more and I expected better. The small businesses of Tasmania needed better.

It is time now that this business gets back in touch, gets out of the bubble of the capital city, back out into the regions, back out into rural Tasmania, and connects with the needs of small business.

The House adjourned at 6.41 p.m.