



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Wednesday 3 June 2020**

**REVISED EDITION**



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

## **QUESTIONS**

### **COVID-19 - Small Business Financial Hardship Grant Program**

**Ms WHITE question to PREMIER, Mr GUTWEIN**

[10.02 a.m.]

Labor has been inundated by small businesses that have suffered the impact of coronavirus restrictions but have failed to receive support from your Government. Many of these concerns centre around the administration of the \$15 000 Small Business Financial Hardship Grant Program. When you announced the grant program in March you said -

These grants will be available to all small businesses who have suffered financial hardship as a result of COVID-19 restrictive measures imposed.

But not all businesses have been supported and not all businesses have been treated equally. Tourism and hospitality have been amongst the hardest hit industries with thousands of jobs on the line. Puddleduck Vineyard, a business in the Coal River Valley, which relies heavily on tourism, applied for the grant but received no support. Meanwhile, Huon Valley Escapes spent \$1500 preparing an application but despite demonstrating significant hardship the business was knocked back for the \$15 000 grant, instead receiving the lesser \$4000 grant.

Businesses have told us that they have not been treated fairly or equitably. What do you have to say to these businesses?

## **ANSWER**

Madam Speaker, I thank the member for her question and for her interest in this matter.

As we had quite a significant step forward yesterday, I want to acknowledge the support right around this House for the steps that we have taken over past months. I hoped that the goodwill could remain for as long as possible. I am certain that the timer might be ticking but I want to acknowledge and say thank you for the support as we got to a significant place yesterday.

Regarding small business, this side of the House fully understands just how tough this has been. I must admit as Premier, when I stood in this place and had to announce the decision that we would be shutting down a range of businesses, as I said at the time, it broke my heart.

Without knowing the circumstances of those two businesses, obviously there are criteria. Whether they were able to meet the criteria in both cases, I do not know. The point I will make is that we have provided significant support. What you did not point out is that when we announced this in March we had announced the initial package of \$20 million, with a second \$20 million package for larger grants as well. We have now extended that to \$60 million-worth of funding. Whilst there may be some disappointment with that, without understanding the exact circumstances

of those businesses, I cannot comment. We have tried to be equitable and fair. We have tried to ensure we could provide as much support as was available through that package, albeit we found at the second stage we had to increase that package by 50 per cent; an additional \$20 million on top of the original \$40 million that was announced.

With the \$60 million we have been able to provide support to over 18 200 Tasmanian small businesses across the state as part of our support program. More than \$30 million was paid out under the small business emergency grant, which provided nearly 13 300 small business grants of \$2500.

Under round 1 of the Small Business Financial Hardship Grants, a total of 1330 businesses received funding of \$15 000. Under round 2, hardship grants have seen around 1540 small businesses receive \$4000 to support them to recovery.

The programs were broadly well received. I acknowledge State Growth, which set a world record at the start of the program, for ensuring they got grants out the door as quickly as they possibly could. Small business made that point to me on many occasions.

Without understanding the circumstances of the two businesses you have mentioned, I cannot comment on those particular circumstances. But the steps we took yesterday regarding tourism and hospitality, especially in respect of the movement around the state in providing the opportunity for people to get out and to experience the very best of Tasmania, will ensure we see jobs come back. I understand from some numbers I saw last week that bringing forward Stage 2 will support around 4000 jobs in total, coming back on line as a result of the Stage 2 restrictions being lifted and the steps we took in Stage 1.

I hope revenues for business will increase. As difficult as it will be over coming weeks and months - and social distancing may go on for some time - Tasmanians will do the right thing on two fronts. One is that they will visit our Tasmanian businesses and they will partake in some of the best food and fare that is available in Tasmania and they will see some fantastic spots. The other is that whilst they are there, they will act responsibly, they will socially distance and follow the rules to ensure we can keep these businesses open and we can protect ourselves against a second wave.

### **COVID-19 - Small Business Financial Hardship Grant Program**

**Ms WHITE question to PREMIER, Mr GUTWEIN**

[10.08 a.m.]

You have led businesses to believe that if they met the eligibility criteria, they would receive support but as a result of underfunding of the Small Business Financial Hardship Grant program, businesses have been forced to compete with one another against invisible selection criteria for that support.

Can you explain why businesses that have been able to continue trading have received \$15 000 payments, while others that have been forced to shut down entirely have received nothing? That is the situation described in correspondence to you from Eight to Eight, an events business in Launceston that received no support despite being unable to trade.

Businesses like Margate Country Kennels applied for the \$15 000 grant within hours of the funding announcement. They waited weeks for a response, only to be told that they had been unsuccessful but may be eligible for the \$4000 grant instead. Other kennels, in an identical situation, received the full \$15 000 grant, which gives rise to concerns about competitive neutrality.

Businesses have already had to fight the impact of COVID-19. Why do we force them to compete with one another to access a government program you announced would be available to all eligible applicants?

## **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for her question. As I already pointed out, without understanding the circumstances of individual businesses, I cannot comment on those circumstances. I make the point that we began with a \$40 million program; we increased it by 50 per cent to \$60 million. We provided support to over 18 200 Tasmanian businesses across the state.

Without understanding the circumstances of those businesses and the impact that COVID-19 had on them, I am not in a position, nor should I be, to provide details about why those particular businesses did not receive a grant. Those decisions were made at arms' length from me. I will follow up the matters you have raised and I will look into it.

## **COVID-19 - Inquiry into Response**

### **Ms O'CONNOR question to PREMIER**

[10.10 a.m.]

We are now in the eighteenth straight day with zero new cases of coronavirus. There are now only three active cases. Thanks to the incredible efforts of public health and Tasmanians doing the right thing, the north-west outbreak has been contained, and restrictions have been eased early. You will agree that the immediate threat has passed but the danger of a devastating second and third wave is real. It is critical that we examine Tasmania's COVID-19 response to ensure that we are better than ready if that happens.

You have said there will be time for an inquiry to do this. With restrictions easing and the parliamentary break coming up, why isn't that time now? A motion to establish a joint parliamentary inquiry to examine the COVID-19 response was tabled in this place by the Greens on 30 April and another will be tabled upstairs by the member for Nelson.

Despite a solid response to the pandemic from your Government and no evidence that you have anything to hide, you are dismissive of this parliamentary process. What are you afraid of?

## **ANSWER**

Madam Speaker, I thank the Leader of the Greens for that question. In terms of scrutiny, we are not afraid of anything. We are partaking in significant scrutiny at the moment. It is a point you understand. You might have a view of a role you might play in it but it is worthwhile pointing out to the parliament -

**Ms O'Connor** - The scope of the Subordinate Legislation Committee and PAC is not to examine the COVID-19 response. It is to examine bits you put forward.

**Madam SPEAKER** - Order please.

**Mr GUTWEIN** - and to those people who are watching this morning, in terms of scrutiny, I have attended almost 70 press conferences, almost on a daily basis, explaining our response.

**Ms O'Connor** - It is not a parliamentary process.

**Mr GUTWEIN** - You do not think that journalists can ask questions?

**Ms O'Connor** - It is not a parliamentary process. You are not the fount of all knowledge about the COVID-19 response.

**Madam SPEAKER** - Order, please. Could we have a little respect. I liked the way the parliament was going in this new world.

**Mr GUTWEIN** - Madam Speaker, the point I am attempting to make, first, is that as far as scrutiny is concerned, this Government has been the most transparent government in history in the way that we have approached explaining to people on a daily basis and being prepared to answer questions on a daily basis from journalists. Many, I suspect, were fed to them by members in this place and I take the member at her word that she was not denigrating journalists who ask difficult questions. I can assure you they were asking some difficult questions and they were going to the heart of matters.

In terms of other scrutiny, both you and the Leader of the Opposition, and some in the other place, when parliament was suspended called for additional scrutiny because parliament was not sitting, so what did I do? We brought parliament back. We put in place the building block that you said was not there in terms of scrutiny, so we did that.

**Ms O'Connor** - That is terrific but it is not an inquiry with a specific reference to examine the response. It would help you -

**Madam SPEAKER** - Order, Ms O'Connor, remember the Chair, remember the manners.

**Mr GUTWEIN** - We did that. We listened and we brought back parliament so that scrutiny could occur. It is happening. Second, and without going back again through the 70-odd press conferences, on a daily basis we have been scrutinised. On top of that we have the Subordinate Legislation Committee, which has wide-ranging powers and has met very regularly. In fact, both myself and ministers have appeared in front of it and ministers are going to be appearing in front of it again this week. Third, on top of that, most jurisdictions around the country have utilised their standing public expenditure or parliamentary public accounts committees to scrutinise activities. One of those inquiries has been established as well. I am certain that the Chair of the Public Accounts Committee will not mind me saying this: I rang him and offered myself up for that Public Accounts Committee. I have briefed them already and I understand that there is now an inquiry in front of us at which I will be appearing later this month.

I have made myself available through the parliamentary recess as well if the Public Accounts Committee wants to sit. Importantly, because the Public Accounts Committee follows the

government dollar, they can inquire into just about anything, in fact, everything. The health response: they can inquire into where we have spent money in supporting the community, they can inquire into every aspect of what we have done and the decisions that we have made.

On top of that, Madam Speaker, we get calls for another inquiry and I will go back to the immediate start of my answer to the first question this morning in hoping that some goodwill could remain in this place. You are calling for an inquiry. I am suggesting from this side of the House that not only do we have an inquiry underway, we have two: the Subordinate Legislation Committee and the Public Accounts Committee. Also, through this period I made myself available on around 70 occasions to actually front the press and to answer questions on any particular matter. We have been very, very transparent.

We have already had an interim report provided from public health in relation to the north-west, and I have announced there will be an independent inquiry that will be conducted. I expect to have the terms of reference very shortly. I believe that consultation has occurred with the AMA and when I can - I think in coming weeks - I will announce the time frame for that.

We have a premier who has fronted the media on 70 occasions. We have a Subordinate Legislation Committee inquiring into matters related to our response and the premier and ministers are appearing. We have the Public Accounts Committee, which has laid out terms of reference and is able to range far and wide in our response, and that inquiry is underway. We have an independent inquiry that has been set up and the member wants another one -

**Ms O'Connor** - It is not just us: a joint select inquiry with a specific scope.

**Mr GUTWEIN** - I say again, I wish there could be some goodwill because I do not know what else -

**Ms O'Connor** - There was a lot of kindness in that question.

**Mr GUTWEIN** - I am not sensing that, Madam Speaker.

**Madam SPEAKER** - Premier, I can assure you she was smiling when she said it.

**Mr GUTWEIN** - Kindness, gratitude and respect - all of us follow that mantra.

**Ms O'Connor** - That is why I gave you credit in the question.

**Mr GUTWEIN** - I am explaining why I believe there is no need for another inquiry over the top of all the current inquiries and scrutiny that is occurring.

### **COVID-19 - Criteria for Lifting the State of Emergency**

**Ms OGILVIE question to PREMIER, Mr GUTWEIN**

[10.19 a.m.]

It has been the most surreal time to be in politics for all politicians in this House. It is true that we have pulled together as a community, as a parliament, and as a state. I congratulate every member in this place for the work everybody has done. It is wonderful to see stage 2 restrictions

easing from Friday. That is obviously a good move. We have shown that as a state that we can follow the rules and we can adapt, and we are working within this new paradigm already. We understand that many of the arrangements may well become the new normal and if we need to update legislation to support a new way of working we should be undertaking that piece of work now and I am hopeful that is happening.

Now that we have made it through what most people think has been the darkest period, what people are asking me and what they want to know is, what are the decision criteria upon which you will be able to trigger the lifting of the state of emergency? Is it numbers of cases? Is it zero cases? Is it time frame from the last case? What are those decision criteria?

## **ANSWER**

Madam Speaker, I thank Ms Ogilvie, member for Clark, for her question and her interest, as I am sure everybody in this place has an interest in these matters. As the member would be aware, the state of emergency is created under the State Emergency Management Act, and then we have a public health emergency which is declared under the Public Health Act.

The lifting of the state of emergency is something that we, certainly on this side of the House, hope can occur at an early stage. The lock on our borders is captured under the state of emergency, and the lifting of that will be dependent upon when we can lift the controls on our borders.

As to public health, we will be guided by our Public Health officials.

I imagine the process will occur at some stage in the relatively near future, depending on what is happening in other parts of the country, because Tasmanians will not want me, or this Government, to remove the restrictions on our borders if it is not safe to do so. It is not dependent upon what is happening here; it is dependent on what is happening elsewhere. It is what we could bring into the state that is the challenge. We have to be ever cognisant of that.

The current state of emergency and the public health emergency were put in place for a period of 12 weeks, so both of them effectively time out this coming week. My expectation is that they will both be extended. I cannot speak for Public Health but, in the circumstances we are in, we still have a pandemic. We still have four active cases, we are still testing, and so I expect that the public health emergency will definitely remain in place.

Regarding the state emergency, until we are in a position where we are confident of removing the border controls, my expectation is that that would stay in place as well. However, I expect I will receive advice on that from the State Controller in coming days. I do not believe that we will be in a position where we can make an informed decision about lifting our borders until we reach July. Then it will be a very, very challenging decision to make because we will need to weigh up the health of Tasmania and our more vulnerable and older population against the economic benefits of reopening the borders.

In the interim I encourage Tasmanians to take the opportunity, appropriately socially distanced, to travel around and look at this great state. Let us help those small businesses. Let us visit parts of the state we have not visited before. Let us visit parts of the state that are special to us. I must admit, last night I had a discussion with my wife and the one thing I am looking forward to this weekend is going for a drive to Bridport and having an opportunity to sit by the seafront and have a cup of coffee.



**Ms O'Connor** - Coffee? Boring.

**Mr GUTWEIN** - A cup of coffee will do me nicely. I am certain all members in this place will do the same. I encourage Tasmanians, appropriately following the rules, to visit those places that are special to them, spend some money and assist those small businesses to help them get back on their feet.

As soon as we can, as soon as we are in a position where we believe that it is safe to remove the border controls, we will do so, but it will be based on Public Health advice.

### **COVID-19 - Small Business Financial Hardship Grant Program**

**Ms WHITE question to PREMIER, Mr GUTWEIN**

[10.25 a.m.]

The handling of the Small Business Hardship Grant program has been deeply inequitable. You led businesses to believe that if they met the eligibility criteria they would receive support, but businesses have described a shambolic process that has added stress at a time when they are already facing hardship. In one case, Lift Up Coffee Bar in Scottsdale applied for a \$15 000 grant. When they contacted Business Tasmania to follow up the application they were told it had been received and they would be advised if they were successful in the following week. That same day it was announced that the grant program had closed and all successful applicants had already been advised. The business then followed up and was told that they were not on the spreadsheet of successful applicants. That same afternoon the owner then received another email saying her application had been accepted and the café received the lesser amount of \$4000.

It is clear that this program has been badly managed and as a result some businesses have missed out on support and may well go under. The list of businesses that have already contacted us raising concerns about the fairness and equity of this program is growing larger every day. To address these concerns, will you immediately commission an independent review of the Small Business Hardship Grant program?

### **ANSWER**

Madam Speaker, I thank the member for that question and her interest in an independent review of the program. In fact, I think we need to do better than that. I am pleased you have raised those matters. This side of the House is the strongest supporter of small business in this place and we have always been that way.

Regarding the grant program and some of the matters that have been raised by the member this morning, that is the first I have been aware of a number of those matters; I think Eight to Eight did write. The intention of this program was to provide support to small businesses that needed it. We have done so to over 18 200 businesses. What I am prepared to do, and what this Government will always do in terms of small business, is look to support them. We will have a look at the matters that have been raised this morning. We will take advice from Treasury and, in consultation with State Growth, if there is a need to revisit some of those applications or to extend the program I am more than happy to look at that.

## COVID-19 - Roadmap to Recovery

### Mrs RYLAH question to PREMIER, Mr GUTWEIN

[10.28 a.m.]

Can you please provide the House with an update on the Government's Roadmap to Recovery, how we are progressing through the COVID-19 emergency and what are the next steps in our strong plan to rebuild Tasmania's economy?

### ANSWER

Madam Speaker, I thank Mrs Rylah, the member for Braddon, for that question and her interest in this matter, and also for her very hard work on the north-west coast through the last number of months. It has been a very difficult and challenging time for a lot of people that we represent, and I know that members in this place, and Mrs Rylah specifically on the north-west coast, have done their very best to assist.

As I said this morning before parliament, we return to this couple of days of parliament with an eye to ensuring that we can take steps to rebuild Tasmania. The initiatives we have already put in place to support and assist business in the main have been very well received, but we need to do more to reboot our economy and get our state back to its nation-leading position in economic growth. As I have consistently said, we have been in the fight of our lives in this health crisis. We now have the second fight of our lives and that is about growing our economy and, importantly, rebuilding lives. That is exactly what we intend to do.

Regarding the announcement yesterday about lifting stage 2 restrictions, I have said my step was lighter yesterday. I am certain that most Tasmanians had a lighter step and certainly an eye to what the future might bring, both in the short term and the longer term.

I remind Tasmanians that we need to remain disciplined and it is important to continue to follow the rules. This is not over yet. Importantly, we need to ensure we remain vigilant and remain disciplined. The modelling that National Cabinet received and has been followed up by UTAS, demonstrated that if this virus had not been contained that a significant proportion of our population would have been affected. We would have seen tens of thousands of people hospitalised and there would have been hundreds of deaths.

I am very pleased that yesterday we were at the point where we could lift our stage 2 restrictions and that we could start to get back on the path to some level of normality, albeit it will be a COVID-19 normal existence that we will need to move to. Importantly, the steps we took yesterday, in the hospitality industry, the lifting of the stage 1 restrictions and now stage 2, will support around 4000 people, back into that industry, which is absolutely fantastic. Many people have been doing it very tough in that sector. I thank Steve Old for his very passionate advocacy for that sector. Love him or hate him, and -

**Ms O'Connor** - Hate is a strong word. You can hold someone in contempt without liking him.

**Mr GUTWEIN** - Love or dislike the position he holds, he has worked night and day to advocate for and to support his members. It has been a very difficult set of circumstances.

**Members** interjecting.

**Madam SPEAKER** - Order, I remind you that you are in parliament. Thank you.

**Mr GUTWEIN** - With stage 2 restrictions easing, we will continue to review on a weekly basis. As I said yesterday, in mid to late June we will have another formal review of where we are moving and concerning where we are with stage 3 restrictions, which will move Tasmanians back to a state of normal, closer to what they have been used to. Obviously, we will still have COVID-19 restrictions and that we will need to be cognisant of that.

We had a strong balance sheet coming into this. It is important that we utilise that balance sheet. I have made the point on many occasions, and it seems to be ignored by the shadow treasurer, that both federal and state governments are the only ones with balance sheets strong enough to do the heavy lifting through this. We will unashamedly take the steps we need to, to support our businesses and our economy and, importantly, to rebuild Tasmanian lives.

I said that we are going to have our biggest construction blitz. Tomorrow we will be announcing a program that will build on the next two years of investment that we have already laid out, which is around \$1.8 billion across the coming two years as a component part of our \$3.7 billion record infrastructure spend. The program will underpin and support an estimated construction value of \$3.1 billion over the next two years. The full details will be announced tomorrow. The package will deliver houses, community infrastructure, roads, irrigation and other upgrades to other essential infrastructure. It will have two major components. One is where we will bring forward those projects that we can reasonably bring forward and accelerate over the next two years. The other component will be to support the building of houses, largely in the private sector, to ensure that we can get more houses out of the ground.

We expect the total construction value of the support we will provide to be around \$3.1 billion, including the existing program, the bringing forward of projects and the support to the private sector in terms of the value of the projects that they will bring forward. We are going to need this to ensure that we can super-charge our economy, that we can back our construction sector, that we can put roofs over people's heads and, importantly, we can create jobs. I will have more to say about that tomorrow.

I want to touch on the Premier's Economic and Social Recovery Advisory Council - PESRAC. Don Challen is leading it. The work they will do will assist us with additional initiatives at the end of June and into early July. They will then provide their interim report, which will enable us to frame the Budget for later this year. I know they are working hard. I encourage members in this place to make their views known. I know the Greens have. I read them this morning.

**Ms O'Connor** - Oh, did you?

**Mr GUTWEIN** - You did not disappoint me in terms of the native forest industry. I would disappoint you if I did not make that point.

I hope Labor puts a submission in. I hope they take the time to explain to PESRAC how you would rebuild Tasmania. There are two games Labor can play moving forward. One is that they can stand outside and throw rocks, or they can become a part of the process. PESRAC provides them with the opportunity to lay down what they would do, either to support the rebuilding program we have underway or what they would do differently. This is an opportunity for Labor. Whilst I do not agree with everything that is in the Greens' submission, at least they have had the courage of their convictions to make a submission.

**Members** interjecting.

**Madam SPEAKER** - Order, please. The Premier is about to make a very bold statement.

**Mr GUTWEIN** - You have built me up there, Madam Speaker.

Tomorrow, building off the back of lifting of stage 2 restrictions, I will outline the most aggressive construction program in Tasmania's history. It will be a program that will super-charge the industry over the next two years. It will put roofs over peoples' heads, create jobs and rebuild confidence and our economy in this state.

### **COVID-19 - Return to School Update**

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

[10.37 a.m.]

Can you please provide an update on the return to school of primary and year 11 and 12 students and advise what is being done to ensure they are not disadvantaged as a result of COVID-19?

#### **ANSWER**

Madam Speaker, I thank the member for Lyons, Mr Tucker, for his question.

As everyone is aware, the Government has adopted a staged approach to returning to classrooms to ensure we can fully monitor the transition and manage the movement of people across our communities. Last week we saw around 45 000 K to 6 students from primary school and year 11 and 12 students return to school sites. The feedback we have had from schools has been positive. Parents have adapted to the new drop and collect arrangements for students. Any teething issues have been dealt with quickly at the school level.

We are working hard to understand the impact of COVID-19 on our students' learning and their wellbeing to ensure that they are not disadvantaged as a result of COVID-19. The Department of Education's response to COVID-19 is to ensure that a range of supports and resources are in place to support the wellbeing and the learning needs of our students and families now and in the longer term as part of the recovery process. This includes the development of a wellbeing check-in app to support teachers to touch base with students while learning at home and as they return to school. The wellbeing check-in focuses on sleep, mood, exercise and school work and asks whether they would like to talk to their teacher. One school provided an example where responses to the check-in showed that students in a particular year were not getting enough sleep. The school provided information to the parents and the carers to help encourage healthy sleeping habits.

A key to improving student wellbeing is listening to students and understanding their needs and hearing their voice. The annual student wellbeing survey of all students in years 4 to 12 in Tasmanian government schools will be open to schools from 24 August 2020 to 18 September 2020. This data will provide a valuable insight into the impacts of COVID-19 on students' wellbeing, including school belonging, engagement in learning, connectiveness to adults and peers, and optimism for the future. Schools work closely with the families and the broader school community to understand the wellbeing data and use it positively to impact student wellbeing and learning moving forward.

Teachers will be assessing student learning and putting measures in place for those students who need additional assistance to catch up. Planning is also underway to support learners in kindergarten and prep to bounce back to learning at school. The focus of the remainder of term 2 for our younger students will be on universal support and checking in with parents about their children's learning. Term 3 will progress to a more targeted support.

More than 1800 years 11 and 12 students have provided feedback on the impact of COVID-19 on their learning and assessment, which has formed planning work being done by the Department of Education. Adjustments have also been made to years 11 and 12 curriculum assessment and exams to ensure students are not disadvantaged due to the impacts of COVID-19. Essential funding of relief teachers has enabled schools to have the flexibility to employ additional staff to provide extra support for students.

I know our teachers and support staff are excited to see students back in the classroom. I thank all school staff and parents who have worked tirelessly to support student learning and wellbeing during learning at home. Of course, in the home learning environment, not everything went 100 per cent smoothly, as you could appreciate. But a lot did, and most did, in fact. The feedback from parents, and from one particular parent:

Can I please say that these teachers are absolute rock stars, and from what I saw of the home-school environment that was put together, seemingly overnight by you and the staff, was nothing short of incredible.

More feedback:

I hope and presume that the general public will have new-found respect and genuine appreciation for what you and your fellow educators do each and every day. I know I certainly do. I hope that once we return to whatever the new normal is, we can organise a big party to celebrate your collective awesomeness once again. Thank you.

I will leave it at that, Madam Speaker. I thank all our educators for the wonderful work they have done during a very challenging time. We welcome our students from years 7 to 10 back on Tuesday, 9 June.

**Members** - Hear, hear.

### **Infrastructure Spending**

**Dr BROAD question to PREMIER, Mr GUTWEIN**

[10.42 a.m.]

You have pledged to build the state out of the COVID-19 recession but over the last six years your Government has demonstrated a complete inability to build your promised projects. A long list of projects that have stalled under your Government include the Bridgewater bridge, the Hobart airport roundabout -

**Members** interjecting.

**Madam SPEAKER** - Order, order. I remind you that Dr Broad is on his feet.

**Dr BROAD** - the fifth lane on Hobart's Southern Outlet, the Tamar bridge and the phantom underground bus mall. On average, your Government has underspent at least 20 per cent of the infrastructure budget every year for the past six years. Master Builders Tasmania and the Civil Contractors Federation have called out you and your Government for underspending \$630 million since coming into government.

Your recent economic and fiscal update report shows that you have spent just \$300 million on infrastructure in the first nine months of this year, meaning you will have to spend an improbable \$400 million in the last three months of this year to reach your target. How do you intend to reverse your appalling record of infrastructure failures? Is it true that you have called in Treasury to do the heavy lifting on infrastructure because you have no faith in your Infrastructure minister, Michael Ferguson, to deliver?

## **ANSWER**

Madam Speaker, I thank the member for his question. When we were in opposition we used to sit around of a morning and work out which questions to ask. It always troubled me if the Leader actually provided me with a question that they might not want to ask because I always thought it might not be the one that I should be standing up and doing.

Let us start with the Bridgewater bridge. Goodness gracious me, 22 years ago Labor was given the money for the Bridgewater bridge - 22 years ago and they spent it.

**Members** interjecting.

**Madam SPEAKER** - Order.

**Mr GUTWEIN** - I was 33 years of age, 22 years ago, and you stand up and you bowl up that rubbish. I will gather myself because I simply cannot believe they have set you up to ask that question. He starts with the Bridgewater bridge: 22 years ago they had the money to start on that and they did not. It is a wonder you did not talk about the hospital - do not get me started on that. You had 10 years on that side of the House and did not lay one brick. Extraordinary. You stand in this place and bring up the Bridgewater bridge. Goodness me: 22 years; you should be ashamed of yourself.

Last year, we got out 91 per cent of our program, \$682 million, which interestingly enough is 236 per cent more, I am advised, than Labor did when David O'Byrne presided over what was then an underspend of their infrastructure budget by 34 per cent.

We will get on with delivering our record \$3.7 billion infrastructure spend. Tomorrow we will announce a program that will have construction spend of around \$3.1 billion over two years. It will do a number of things. The \$1.8 billion that is embedded in the program will ensure that we get on with the job. We will bring forward projects and on top of that we will provide stimulus to ensure that the private sector can build more homes as well with a total construction value we estimate at more than \$3.1 billion over the two years. That is what we are going to do on this side of the House.

Maybe you could make a submission to the Premier's Economic and social Recovery Advisory Council - PESRAC - and explain what you are going to do?

**Madam SPEAKER** - Can I have clarification. Was that \$3.1 billion because I think you said million.

**Mr Gutwein** - I said \$3.1 billion.

### **COVID-19 - Effect on the Racing Industry**

#### **Mr O'BYRNE question to PREMIER, Mr GUTWEIN**

[10.48 a.m.]

Yesterday you made the welcome announcement of early lifting of restrictions. This will allow pubs and restaurants to serve 40 people at a time from Friday, and museums, cinemas and gyms will be permitted to reopen.

There is no early reprieve for the racing industry. Despite having some of the most stringent social distancing requirements you are keeping the industry on ice for yet another week, the only state in the country to close down an industry. Can you explain why you continue to treat the racing industry different from every other industry in this state? Why did you shut it down here when it remained operating in every other state? Why have you shown such callous regard for the jobs that racing supports? What have you got against the racing industry?

#### **ANSWER**

Madam Speaker, I thank the member for Franklin and shadow treasurer for that question. I propose back to him: what have you got against saving lives? That was the reason the racing industry was closed: to ensure we protected our older and more vulnerable population and the regions. That was the advice. Interestingly enough, that was the conversation I had with your Leader, who backed me in.

**Mr O'Byrne** - We didn't criticise you at the time. It didn't make sense.

**Mr GUTWEIN** - Backed in by his Leader and yet he goes on like this, Madam Speaker. What was interesting was that not only was the initial decision backed in by his Leader, the time frame to reopen the industry was backed in by his Leader. You should issue an apology, because what you have done on this -

**Ms White** - You've got a glass jaw on this one.

**Mr GUTWEIN** - Glass jaw? At the end of the day you backed those decisions. That is a statement of fact and you put out press statements to that effect. Yet you have allowed the shadow treasurer to play politics with this.

**Ms O'Connor** - It's a strategy.

**Mr GUTWEIN** - I think Mr O'Byrne's strategy is to undermine his Leader, to be frank.

**Mr O'Byrne** - Oh come on, this is about you and the unity ticket with the Greens against the racing industry, isn't it? You and the Greens against the industry.

**Madam SPEAKER** - Order.

**Mr GUTWEIN** - The racing industry was closed down based on Public Health advice on the basis that we had people coming together into central locations and then dispersing back into the regions. As I have said on many occasions, the virus does not travel by itself; it travels with people. There was a concern that the virus may have permeated into regional communities. If it had, where would we be now?

With the support of the member's Leader, who supported me 100 per cent on this, we made the decision to close down the racing industry at that time, as difficult a decision as it was. I then advised his Leader that we would lay down a time frame for the sensible reopening of the racing industry - again, backed by his Leader. Then the politics started -

**Ms WHITE** - Point of order, Madam Speaker. I take offence. The Premier is verballing me about conversations we had. I ask him to withdraw that.

**Mr GUTWEIN** - I will not withdraw, Madam Speaker. In fact I believe the Leader of the Opposition put out a media release backing both the decisions we had made about the shutdown and the pathway. I will not withdraw.

**Madam SPEAKER** - I will take the heat out of the argument for a bit. No, it is not debatable. The Premier has said he is not going to withdraw. You can raise that at the end of question time if you wish. Thank you.

**Mr GUTWEIN** - It is a statement of fact that the Leader of the Opposition backed me on those decisions. To be frank, to be playing rank politics with this now is a disgrace.

Regarding the racing industry, my understanding is that the date is set for 13 July, and in terms of Sky slots and other matters, they are locked in. My understanding is that they will benefit from the increased public gathering numbers in terms of their trials on the weekend and they will reopen successfully on the 13th of this coming month.

As difficult as that has been for them, I thank them for the way they have approached this. I do not thank you on that side for the rank politics you have played on this. It is an absolute disgrace and you should hang your heads in shame.

### **Major Projects Legislation**

**Dr WOODRUFF question to MINISTER for PLANNING, Mr JAENSCH**

[10.54 a.m.]

While we have been pushing for a housing-led recovery, you have been deceiving Tasmanians about the need for your damaging and unnecessary major projects legislation. You rushed through a sham consultation process at the height of the COVID shut down. You used all your powers to quash thousands of Tasmanians from all walks of life who want fair planning laws to protect what makes this island special.



The Heritage Protection Society slammed you for using the pandemic to impose this bill on the community when people were under severe pressure. Westbury Residents Against the Prison know it demolishes normal assessment processes and hands major planning decisions to a handpicked, unaccountable panel.

Your Government has been pushing these planning changes since 2014 to deliver for your big development mates. There is nothing in this legislation that we need to kickstart a successful economic recovery. It is a recipe to sow community discord, which is the last thing our state needs in a coronavirus recovery. Will you listen to the outrage that has been expressed in the submissions made to you and walk away from this very divisive legislation?

## **ANSWER**

Madam Speaker, I thank the member for her question but refute the assertion she has made; the outrageous claim that we have rushed through consultation on this bill under the cover of a pandemic. At the end of her question, she pointed out that we have been consulting on this since 2014. We have just completed another 10 weeks of community consultation, doubled during the coronavirus emergency, and including an invitation for anybody who wanted one to have a one-on-one briefing with members of my department to answer any questions they may have.

**Dr Woodruff** - One-on-one? You hate community meetings, don't you? You hate public meetings. You can't control them. People might express their feelings in a group.

**Madam SPEAKER** - Order, Dr Woodruff.

**Mr JAENSCH** - My question is, why would you not want large, complex, important projects for Tasmania to be assessed under all relevant legislation by an independent panel of experts, including -

**Members** interjecting.

**Madam SPEAKER** - Order. I remind everyone that we are in parliament. We are not in some pub where we are shouting at each other.

**Mr JAENSCH** - Thank you, Madam Speaker. Why would you not want these assessments to be conducted at arms' length from government by a panel appointed by the independent Tasmanian Planning Commission, including members of the commission, delegates of the relevant local council and appointed independent expert members of that group, all appointed by the independent Planning Commission and working under the same codes of practice that it is bound by -

**Dr Woodruff** - Why does no-one believe you?

**Mr JAENSCH** - Here is the answer. It is because the Greens will take a protest over a process any day of the week. The Greens are not interested in independent scrutiny under planning laws that have been created by elected state and local governments using consultation processes and put in place to protect the broader public's interest. What they want to protect is the opportunity to stop and frustrate to death individual projects that they have decided they do not like. They want the ability to parachute in professional protesters to bully and cajole local elected councils that are struggling to make decisions about very large complex projects that have implications beyond their boundaries.

I fully expect that when this major project legislation gets up and is available to Tasmania to use, there will be local councils that find they have a project in front of them which they know is significant and complex and they are going to have a lot of information to work through -

**Dr Woodruff** - What, like Fragrance towers and the cable car that the Hobart City Council has knocked off twice?

**Madam SPEAKER** - Order.

**Mr JAENSCH** - that there is going to be interest in from the outer council boundaries and there is going to be strong feelings about from within their council boundaries. I reckon there will be councils then that bring forward those projects and say to the Government, 'We would like this to be considered through the major projects process so that we can represent the views of our community in the process', not as a local planning authority bound only to make decisions based on the planning scheme in front of them and the planning process laid out, but to advocate for the voices in their community and ensure they are heard.

They do not want to be sitting in their local council chambers with fly-in professional protesters and police outside, raising a rabble, getting the television cameras and putting those poor local government representatives under unseemly pressure when they are only trying to do the job they were elected to do.

This major projects process allows a local council, allows a proponent of a project and allows the minister to put forward a project that is large, complex and significant to be assessed as to whether it warrants going through this major project process.

As the minister in making that decision, I must take advice from the Tasmanian Planning Commission and the local government in the relevant area. I must publish and explain my decision for allowing a project to enter that process, at which point my involvement ceases. Sometimes the Greens want me to refer stuff to the Tasmanian Planning Commission because they do not like the way council is going with it - Cambria Green - but sometimes, like now, they infer it is wrapped up in some conspiracy for the white shoe brigade. They do not trust anybody. They have no interest in proper process. All they want to do is frustrate all the good projects.

**Ms O'CONNOR** - Point of order, Madam Speaker. The minister is being hysterical and longwinded. He should remain calm. This is not about us. It is about legislation which has alienated people all over the island.

**Madam SPEAKER** - That is very kind that you recommend he stay calm. Thank you very much.

### **COVID-19 - Easing of Restrictions for Recreational Fishing**

**Mrs RYLAH question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT**

[11.01 a.m.]

Can you update the House on how the easing of restrictions will benefit Tasmania's thousands of recreational fishers in regional communities?

## ANSWER

Madam Speaker, the answer is 'yes'. I thank the member for her interest in this and recreational fishing. Our Government knows the importance of recreational fishing. We know it is an important part of the Tasmanian way of life.

The most recent IMAS survey, which I released in February, indicated almost one in four Tasmanians aged over five, and there will be many more under five, enjoy fishing. That is, 106 000 went fishing during that survey period. We know it is important to the recreational fishers, to the retail sector and to regional communities. Whether it is on the east coast, the north, Bridport where the Premier is heading this weekend, the north-west coast, west coast or down south, Tasmania is brilliantly and strategically placed for a good opportunity for a fish.

**Mr O'Byrne** - We need to be talking about the health emergency.

**Madam SPEAKER** - Mr O'Byrne, you might be ready for a coffee.

**Mr BARNETT** - Madam Speaker, we know about the health emergency. Our priority is to keep people safe. The Premier has been making that clear, uphill and down dale for many months. We are following public health advice.

With regard to recreational fishing, we have worked to protect coastal communities, particularly communities where there are a lot of retirees, an older population. We have managed the numbers of people flowing to these communities through restrictions, with things like boat launching and those types of initiatives, based on Public Health advice. Yet, Dr Shane Broad questioned the restrictions through media releases on 22 and 27 May. It is obvious that Dr Broad's PhD is not in medicine as he has questioned the Director of Public Health's advice. Dr Broad knew why we had these restrictions. He knew how these decisions were made. He knows we are trying to protect vulnerable communities, yet his contribution is to act confused on the matter. Given the global health issue we face, I find his approach disrespectful to Tasmanians, particularly those most at risk in regional communities.

As a keen fisher myself, I am very proud of Tasmanians who abided by the restrictions. They made their sacrifices. I say thank you to those fishers who obeyed the rules and for their patience during these difficult times. It has enabled the opening up of these recreational pursuits statewide from 3 p.m. on Friday afternoon, more than a week earlier than originally planned. That is good news. We have anglers, boaties, shackies. All the shack owners will be travelling safely outside their residential municipality for recreational trips.

It is welcome news ahead of the Queen's Birthday long weekend in June. You can go and catch a flattie. If you are lucky you can go and catch a tuna. What else? Get out there and have a fish. In fact, eat more seafood, buy local.

The recreational scallop season was not opened in April. To make it clear for those opposite, we restricted the flow of people to vulnerable communities in coastal communities while Tasmanians were being struck down by COVID-19. Today I am pleased to announce that the recreational scallop season will open from 3 p.m. this Friday, noting that the D'Entrecasteaux Channel will remain closed. The season will be extended until 30 November. That is good news for our scallop fishers, some 3000 Tasmanians. They love it. They will have the opportunity, particularly during the peak season, July through to September. They can really enjoy it when they

are in their peak condition. I say get out there, enjoy it, eat more seafood, buy local and have a great time.

I thank my department for the work they have done, with the feedback we have had from the Recreational Fishery Advisory Committee - RecFAC. I appreciate their work and from TARFish, the Tasmanian Association for Recreational Fishing on this matter. I thank them for their work, their collaboration and their feedback. I look forward to working with them as we continue to work with them on Tasmania's first 10-year rec-fishing strategy. That is well underway. That strategy will be developed by extensive public input process in 2020, ready for launch mid next year. While many will be keen to go fishing this long weekend and beyond, please maintain social distancing, stay safe and look after each other. We are in this together.

### **COVID-19 - Support for Temporary Visa Holders**

#### **Ms WHITE QUESTION to PREMIER**

[11.07 a.m.]

In April you announced support for visa workers. You received justifiable praise for being the only state leader to provide support to migrant workers who do not qualify for JobKeeper and other federal government support but the delivery has not matched the promise. A component of the announcement was to work with industry sectors or employers to retain employees because of their specialist skills. You promised to -

provide additional support in partnership with them so that we do not lose skilled workers that we need.

Can you confirm that to date no industry sectors or employers have received this direct support, and that these workers continue to be left without income support, reliant on charity to survive? Can you explain why this promised support has not been forthcoming?

#### **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for that question and her interest in this matter.

It was important that we put in place a package for temporary visa holders. I was disappointed that the federal government had not provided that additional support at the time. I think we were the first state to do so. A couple have to date, I think, also provided some level of support. I believe South Australia has provided something for university students. New South Wales might have also done something in that space.

**Mr O'Byrne** - Victoria has given something -

**Mr GUTWEIN** - In fact, Victoria likewise moved. It was very important we did take steps.

My understanding of the support packages is that it has been consulted widely and will be announced shortly.

## **Power Bill Relief**

### **Mr O'BYRNE question to PREMIER, Mr GUTWEIN**

[11.09 a.m.]

We are starting to feel the chill of winter. Every year at this time some families have to make difficult decisions on whether to turn on the heater or to go to bed early because they cannot afford their electricity bills. At a time when people are at home more than ever due to the impact of coronavirus, and with thousands of people losing their jobs as a result of coronavirus, power consumption will skyrocket. Many will be unable to pay their power bills. Earlier this week, you callously rejected our call for you to introduce a winter energy supplement, claiming the Government was already doing enough. Many Tasmanians would disagree. If it was good enough for you on the eve of the 2018 election, why will you not provide power bill relief to Tasmanians now, when they really need it?

**Members** interjecting.

**Madam SPEAKER** - Order, please. I am not feeling the love in the room.

### **ANSWER**

Madam Speaker, I thank the member for Franklin, Mr O'Byrne for that question. As I made the point earlier in the week, we have already taken steps in this place. In terms of the COVID-19 impacts, we have already announced significant support. We are capping electricity prices for 12 months, for all households, businesses and community sector organisations that are on regulated tariffs. That will cover the vast majority, if not every household. The estimated cost of that cap is \$7.2 million and that is unprecedented if you consider what occurred under Labor, where there were 65 per cent increases over seven years. That is a cap, not a freeze, and the Economic Regulator will make a decision and prices could still come down within that price invite. On top of that, we also provide concessions.

I made the point the other day that we provide around \$54 million worth of concessions, \$45 million of which is allocated to electricity concessions and that will continue to flow. Around \$9 million is provided for water and sewerage concessions which the Government supports as well. Furthermore, Aurora Energy has \$5 million set aside to assist customers with bill relief, waiving fees or charges, freezing debt, payment plans and a range of other support measures.

In terms of the cost - and again, the member wants to play politics with this - this particular measure has an impact between \$22 million and \$27 million across the sector in terms of small businesses that will benefit from the waiving of quarterly bills. Many of those are microbusinesses that operate from home.

I made the point earlier this week that we are doing a significant amount. I have always said in this place, if we need to do more then we will look at it. I do believe that in this case with the cap that we put in place, the small business waiver that we put in place and the significant concessions that we are already providing, that we are providing a very high level of support already.

## **COVID-19 - Red Tape Reduction for the Building and Construction Sector**

### **Mr TUCKER question to MINISTER for STATE GROWTH, Mr FERGUSON**

[11.13 a.m.]

Can you please provide the House with any new updates on what the Tasmanian Government is doing to reduce red tape and support the building and construction sector during this difficult period?

### **ANSWER**

Madam Speaker, I thank Mr Tucker for his question. It is not just about supporting the sector through this difficult period but also supporting this sector as we recover. The burden of regulation, unnecessary regulation in particular, is an impediment to the efficient and effective operation of any business. We appointed Tasmania's first ever red tape reduction coordinator, we have systematically reviewed our regulations to ensure that restrictions that are not necessary on innovation and competition are removed and our legislative frameworks are fit for purpose.

Earlier this year the Office of the Coordinator-General completed a major review of the permit and approval processes that underpin our residential and commercial developments from concept to completion. It was very timely that we did this given the circumstances we find ourselves in now and the Government's intention to proceed with the largest construction program in the state's history.

This work demonstrated that there is nothing fundamentally wrong with the overall system of approvals but there are lots of identified gaps that are letting down our business community. We need to have a more streamlined and efficient approval process to underpin the construction of affordable new housing and to also facilitate jobs and save jobs through business investment in the state. That is now more important than ever.

It is also more important than ever to reduce red tape as we look to do what we can to assist with our economic recovery post COVID-19. Removing red tape is one key way that government and this parliament can get business back into action more quickly. At this point in talking about what we are doing in this space, I acknowledge that as Minister for State Growth I am taking this work forward but doing so with the great collaboration of my colleagues in the ministry, right across the portfolios.

As the Premier has said, we will build ourselves out of the coronavirus with the largest construction program in the state's history. This is about jobs. It is about business survival and business success. We have a record here. We have already once rebuilt our economy when we first came to government in 2014 and we went from the laggard to the leader and we will need to do this again. We know that appropriate regulation is needed to protect our community and get planning outcomes that are good but the impact of outdated and unnecessary red tape is a major concern for business.

A common complaint by Tasmanians whether they are building a house, a hotel or a manufacturing plant, is in the unknown amount of time and the unknown process that is involved in gaining the necessary development approvals, in particular in regard to some of our utilities. That is why, after consulting with key stakeholders such as the Local Government Association, TasNetworks, TasWater and the Property Institute, the Government today will introduce this first

tranche of vital regulatory reforms that are aimed at improving approval times and getting more projects to the market in a quicker time frame. These changes are part of the broader range of reforms that we will be progressively implementing and bringing to this House through the year.

Today I will be tabling, and we will be proceeding with a bill, to introduce time frames for the first time for permit decisions that are currently not subject to any time frame: shortening time frames for some minor processing decisions, and allowing permit decisions to be made at the same time as electricity, water and sewerage utilities, rather than waiting for them one after another. This is about condensing those efforts without cutting corners and reducing unnecessary delays. We want to get our projects to market sooner. We want industry to get their projects to market sooner so that we can promote employment in Tasmania.

This Government recognises this and, by cutting red tape, businesses can focus on what we want them to do which is starting their business, growing their business and managing their business across the state and creating much-needed jobs for Tasmanian families.

In conclusion, by cutting red tape we are making Tasmania one of the best places in the country to do business. By cutting red tape we are rebuilding business confidence back to being the strongest in the country as we were leading the pack just before the coronavirus hit our state.

## **PERSONAL EXPLANATION**

### **Leader of the Opposition - Racing Industry Restrictions**

[11.18 a.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, under Standing Order 127 I have a personal explanation and now is the right opportunity.

I want to correct the record. I claim that I was misrepresented by the Premier in remarks that he made regarding the Labor Party and myself with respect to racing.

On 30 April we asked a question in this place about the restart date for racing. It was followed up with a media release on 30 April. I spoke with the Premier personally on the telephone. Obviously there is no record of that but I did raise racing with him and then on 12 May we came out in support of a racing restart date. It is not true to say that this was not something that was raised as a matter of concern with the Premier prior to 12 May and I believe the record needs to reflect that.

**Mr Gutwein** - That was not the issue. It was whether or not you supported our steps back.

**Madam SPEAKER** - Order. According to Standing Order 127(c) when a personal explanation is given it is confined only to the very brief response to the matters in contention and the subject may not be debated. That is the end of that.

## **TABLED PAPER**

### **Public Accounts Committee - Office of the Ombudsman and Health Complaints Commission**

**Mrs Rylah** presented a report of the Parliamentary Standing Committee of Public Accounts on the Office of the Ombudsman and Health Complaints Commission.

**Report received.**

### **BUILDING AND CONSTRUCTION (REGULATORY REFORM AMENDMENTS) BILL 2020 (No. 21)**

#### **First Reading**

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

#### **MOTION**

#### **Suspension of Standing and Sessional Orders - Second Reading Called This Day**

[11.23 a.m.]

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

That so much of Standing and Sessional Orders be suspended as would prevent the Order of the Day for the second reading of the Building and Construction (Regulatory Reform Amendments) Bill 2020 from being called at this day's sitting.

I also make the point that the condolence motion will take precedence before we move to that legislation.

[11.24 a.m.]

**Mr O'BYRNE** (Franklin) - Madam Speaker, we support the motion. We have made it very clear on this side of the House that we will support bills and the functions of this House and that powers be provided to the Government to ensure that we can appropriately respond.

This is yet another example of where we only received the final copy of the bill yesterday and were briefed yesterday. Even in the briefing it was made clear in some comments that this was not necessarily COVID-19 related; it was only another matter.

We are not going to oppose this motion that allows us to deal with the bill today but it is not a great way to do the work of this House and it is not a great way to provide scrutiny to bills and providing powers to government and communities to achieve certain things. It is a bit shambolic. We have to be better. We have had weeks between now and the last sitting of parliament. We urge the Government to improve the processes and get the bills to us earlier so we can consult and we can talk. We are not the only ones concerned about this. Stakeholders are now worrying about the



lack of consultation around key and important bills. Yesterday in the briefing it was noted that this is not necessarily COVID-related -

**Mr Ferguson** - It is COVID-related, absolutely. I will correct that record for sure. It is about recovery.

**Mr O'BYRNE** - You can do that because that is not what we were told yesterday. We make that point. We want to make sure that this House deals with these matters appropriately. To get this bill in its final documentation and get a briefing only yesterday, we can do better, and we call on the Government to do so.

[11.25 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, we do not like it either but we will live with it because we are in an emergency and we understand everything is changing quickly. I encourage the Government, though, not to try this same manoeuvre where bills are being brought in and debated on the same day as urgent bills with contentious legislation like major projects, for example, which you have been pretending is key to the recovery. With those few comments, we will be in here doing our work.

[11.26 a.m.]

**Ms OGILVIE** (Clark) - Madam Speaker, I had the benefit of a briefing as well and understand it is a fairly uncontentious bill. However, I want to again reflect my concern that I would like to see this parliament back in its prime position as the democratic decision-making House for this state. I too have some concerns about what legislation we bring in and how, given that we are in an unusual state. I know we are due to come back in August. I am not aware that we have a date for the major projects legislation to be tabled yet but I also hope that would come after parliament is back in its full capacity.

I am also concerned about people who have legitimately put forward their concerns that consultation during a major pandemic is a difficult thing to achieve and this is something I have spoken about with the relevant minister. I understand we want to be at work. We want parliament to be working. It is important to have legislation tabled and it is good for the debate. Tasmanians want to see us doing this work. Whilst this does not seem to be contentious legislation, there is a balance to be struck.

[11.27 a.m.]

**Mr FERGUSON** (Bass - Leader of Government Business) - Madam Speaker, I will respond very briefly. I apologise if anything that was said in the briefings might have led the member opposite to think or believe it is not COVID related. The legislation that has been tabled and read the first time that we seek to debate this afternoon is absolutely COVID related. As I said to the Opposition on Sunday evening in my email, I made it very clear that the amendments are specifically part of our COVID-19 economic recovery efforts, so I do apologise if anything that was said by a departmental person or a member of my staff would have given the member to believe otherwise, because I have been clear on that. It is exactly why the Premier and I have been working so hard with OPC to bring this legislation forward.

I also appreciate your point that in an ideal world you would have the normal forms of the House with a two-day maturing of legislation. I respect those points of view. I hope it clarifies that matter. We are determined to get the regulatory environment as fit for purpose as we can for

recovery, and the other comments I have made to colleagues outside this Chamber also stand. I commend the motion and appreciate the debate we anticipate later today.

**Motion agreed to.**

## **MOTION**

### **Sitting Times**

[11.29 a.m.]

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

That for this day's sitting the House not stand adjourned at 2.30 p.m. and that the House continue to sit past 2.30 p.m.

**Ms White** - I seek clarification - 2.30 p.m.?

**Mr FERGUSON** - I will speak briefly to my motion. Under the revised temporary sessional orders that we have agreed to, we would ordinarily have adjourned the House at 2.30 p.m. today and moved to the COVID-19 MPI. To ensure that the legislation can be debated this afternoon this motion is necessary, but I do not anticipate a late sitting.

**Motion agreed to.**

## **CONDOLENCE MOTION**

### **John Maxwell Beattie - Former Member for Franklin**

[11.30 a.m.]

**Mr GUTWEIN** (Bass - Premier - Motion) - Madam Speaker, I move -

That this House expresses its deep regret at the death on 12 May 2020 of John Maxwell Beattie, a former Chairman of Committees of this House from 1982 to 1989, and a Member for the Electorate of Franklin from 22 April 1972 until 13 May 1989; and further that this House respectfully tenders to his family its sincere sympathy in their bereavement.

I further move that a copy of the foregoing resolution be forwarded to the family of the late John Beattie.

I rise to pay tribute to former state Liberal member for Franklin, John Maxwell Beattie, who passed on 12 May 2020. Born in Victoria in 1932 before moving with his family to Tasmania at age six, John was first elected to the Tasmanian Parliament as Liberal member for Franklin in 1972. In the strongest Liberal tradition, John had a long and successful career in the private sector before politics, working first as a banker with the Commonwealth Bank from 1951 to 1960 and then as an insurance salesman with AMP from 1960 to 1972, where he was dubbed the '\$10 million Man' due to the amount of insurance he sold, noting that adjusted for inflation this would be worth over

\$128 million worth of insurance today. Such was his success he would later return to this role at a time after his political retirement.

John was a diligent and hardworking representative for the people of Franklin and in turn, they entrusted him with their votes for five consecutive terms before his retirement at the 1989 state election. During his time in office John served as Chair of Committees, member of the Standing Orders Committee and member of the Commonwealth Parliamentary Association. He entered politics during a tumultuous period for conservative politics, both in Tasmania with the collapse of the Bethune Liberal government after just one term, and within months federally with the fall of the McMahon government to Whitlam, marking the end of 23 consecutive years of conservative government by the Liberal and Country Party coalition.

There is no doubt, in part due to the controversy over Lake Pedder, that it was considered an occupational hazard to be a politician by the time of his parliamentary debut, with Labor Premier Eric Reece receiving letters laced with poison ink and missiles thrown at this home, and in the next decade serious threats which required around-the-clock protection for Liberal Premier Robin Gray and his family.

A carefully guarded secret at the time, Beattie would later recount a time when a passer-by in the gardens fired a gun into the Parliament House window, with the bullet narrowly missing him and lodging itself into a wall of the Parliamentary Lounge and now Long Room. The bullet hole remains there to this day, and I can provide testimony to that because I have actually seen the bullet hole.

John had a strong interest in sailing and fishing which led to a three decade-long association with the Bellerive Rotary Club, including a term as president from 1973 to 1974, and whose contribution saw him recognised as a Paul Harris Fellow in 1996. He was also an active member of the Royal Yacht Club of Tasmania and the Motor Yacht Club of Tasmania, as well as the New Town Bay Golf Club and the Athenaeum Club. He also served as president of the Friends Old Scholars Association and Tasmanian chair of the Australian Kidney Foundation, and was also well known for his deep association with numerous community organisations.

It was in the parliament that John was perhaps most passionate and knowledgeable, demonstrated through his membership of the highly regarded Commonwealth Parliamentary Association, whose remit to promoting the enduring values of the Commonwealth and the principles of western democracies extends to this day, as well as through personally running a free Adult Education course on the subject.

Throughout his career, John was relatively sanguine about his failure to have secured a ministry in Robin Gray's government. Some have suggested he may have been a casualty of the imbalance of senior government representation from the south of the state. He perhaps might have been comforted by the fact that due to his untiring work in Franklin he managed to not just once but twice top the poll for the Liberals in the electorate.

All members of this place offer their sympathies to John Beattie's family and friends, his wife Melinda, his four children Gillian, Susan, David, Catherine and their families, and his former partner Barbara.

John Beattie was a proud Tasmanian, a proud ex-member of this House and a proud member of the Liberal Party, and we offer our respects to him and his family.

[11.35 a.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, I rise on behalf of the Labor Party to pay my respects to the late John Maxwell Beattie. I had the pleasure of meeting John on a number of occasions in his role with Business East and would like to recognise how warmly he welcomed me as a Labor member of parliament to engage with Business East and particularly the occasions where they held their presentation awards.

He certainly took much delight in helping to celebrate and showcase the success of small business on the eastern shore and did an enormous amount to promote, lift and highlight the endeavours and achievements of small business operators. He was particularly passionate about the role of small business in our economy. I want to recognise the effort and dedication he showed to that in a volunteer capacity for a very long time with Business East.

To have had such a long career in politics is a demonstration of the goodwill and high esteem he was held in by his electorate. All of us can aspire to having the same type of achievement, to be held in such high regard by our electorates and to be returned on multiple occasions. It is testament to the manner in which he engaged with his electorate, his community, that they felt such respect for him to see him returned as their representative, term after term. That will be an enduring legacy of John's.

Recognising what the Premier mentioned about whether his omission from the Cabinet was due to the south-north rivalry, I am not sure whether that was the case, but nonetheless, I am sure that his contribution to public life was very worthwhile and meaningful. It would have taken him away from his family throughout that time and I acknowledge the impact that would have had on his loved ones and recognise them too at this very sad time.

On behalf of the Labor Party I pay our deep respects to his children, Gillian, Susan, David, Catherine and their families, his former wife, Barbara, and current loving wife, Melinda. He was also stepfather to Matthew, James, Shanna and their families. It is an incredibly sad time and no doubt even sadder at this time when there are restrictions on the number of people who can gather for funerals. I pay my deep respects to them and hope they are able to support one another in their grief as best they can, given some of the other challenges our community is facing at this time.

[11.38a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, I rise on behalf of the Greens to make a brief contribution on the passing of John Maxwell Beattie. It is very clear that in his 88 years, John Beattie lived a very full life and had a commitment to community life as well as political life. When you examine the number of organisations he gave his volunteer time to, it is very clear he had a diverse range of interests, from being a Fellow of the Life Underwriters Association - I hear he is the \$10 million man, that is quite something - president of the Friends Old Scholars Association, the Tasmanian chair of the Australian Kidney Foundation, Bellerive Rotary Club president for 31 years, Paul Harris Fellow of 1996, plus membership of the New Town Bay Golf Club, Athenaeum Club, Royal Yacht Club of Tasmania and Motor Yacht Club of Tasmania.

That is all the life he had beyond his political life where, as the Premier said, he was a very popular member for Franklin for 17 years. He held the position of Chair of Committees for a total of seven years. There is no question that Mr Beattie was what can be coined a Liberal Party stalwart.

I realised when I was looking into John Beattie's background before this speech that he and I have something in common: we were both fans of the late Vanessa Goodwin. Mr Beattie was at

Vanessa Goodwin's inaugural speech on 3 September 2009. He was there to be part of welcoming Dr Goodwin to parliament.

I note in passing that Mr Beattie was elected to the Tasmanian Parliament in 1972 following the fall of the Bethune minority government under something of a cloud that was later subject to a Tasmania Police investigation, which in some people's minds is not entirely resolved. It was the sudden resignation of then deputy premier Kevin Lyons that sent the Bethune Liberal government to an early election. There were allegations made that Mr Lyons was approached or bribed by Labor members, the Federal Group and/or the Tasmanian Bookmakers' Association. I simply mention that because it is an interesting political climate in which to start a political career.

On behalf of the Greens, I acknowledge that to have someone you love so dearly pass away in the middle of a pandemic emergency must be doubly hard for John Beattie's family. On behalf of the Greens, I pay our deepest and sincere condolences to Mr John Beattie's family, his children, Gillian, Susan, David and Catherine and their families, and his stepchildren, Matthew, James and Shanna and their families, and to Mr Beattie's beloved wife, Melinda. With those few words, I wish Mr Beattie's family well and just pass on our love.

[11.42 a.m.]

**Ms OGILVIE** (Clark) - Madam Speaker, I also rise to say a few words about a person who was a much-loved member of The Friends' School community, a school which has produced many members who have come through this House. Currently there are two alumni from that school in the House, me and Mrs Rylah.

We know that people who choose to go into public life are brave souls. To have such a substantive and stellar career, both in public and private life, from the private sector, but also to be in this place, to provide that leadership that he did across those years is a very important thing.

A connection with the school, its alumni, its current students, and past students as well is something that, I believe, John kept up. He was well regarded by everybody who is in part of that group. The school would be having its own condolences today. No doubt we will see some messages come out from the school about that.

As somebody who feels a connection to that particular group of people, my heartfelt commiserations to the family, children, grandchildren and to everybody connected with Mr Beattie. I, too, think it is a very difficult thing when somebody dies in what has been a once-in-a-generation event. It makes it difficult to celebrate the life of people due to the numbers who can come. I know that people who reflect on these things, particularly in those circles in which he moved with the school and the alumni community, will be doing what they can do. They will be pausing for reflections, a minute's silence, lighting candles, all those nice things that the Quaker community does so well.

I wanted to add my voice to those in the Chamber today, perhaps from a slightly different perspective, and say thank you to the family for lending our parliament somebody who had values and provided some intelligent insight and leadership across the years. I note also, he made a big contribution to his political party.

[11.45 a.m.]

**Mr STREET** (Franklin) - Mr Deputy Speaker, I briefly join with the other members who have spoken in offering my sincerest condolences to Melinda and the extended Beattie family. The

Leader of the Opposition mentioned Business East and smiled when she did so. I automatically smiled when she mentioned Business East as well. Anybody who has been to one of their interview functions would know that as much as John enjoyed sharing Business East, his real passion was in seeing their end of year awards ceremony. The seven-hour extravaganzas that we used to go to at the end of each year will never be the same without John being there to MC them.

John was a servant of the Tasmanian people for 17 years in this place. The thing that I will remember most about John is that he was a servant of the Liberal Party for far longer than that. Everybody in this place knows that whilst we are servants of the people who vote for us, we are also representatives of the grassroots members of our political parties.

With John, the thing that will remain with me is that some 31 years after he left parliament he was still a regular contributor each month at the Lindisfarne branch. He always attended state council each year, he always attended the Franklin AGM.

It is a lesson for all of us that even after we leave this place, we still owe something to the political parties that have helped us get here. John never forgot that. He made sure that the Liberal representatives of Franklin never forgot that either.

I offer my sincerest condolences to Melinda and the extended family. May he rest in peace.

[11.46 a.m.]

**Mrs PETRUSMA** (Franklin) - Mr Deputy Speaker, I too rise to express my condolences and deep sense of sadness on the loss of John Beattie.

John Maxwell Beattie, 1932 to 2020, will long be remembered for being a passionate, committed, generous and loyal husband, father, friend and parliamentarian. He was a great advocate and champion for Tasmania, and, in particular, for the electorate of Franklin, which he dearly loved and represented with dedication and distinction from the 22 April 1972 to 13 May 1989. John retired after serving over 17 years as a member of this House of Assembly.

I, together with many because of COVID-19, watched John's funeral service online. When I clicked on the link I had to smile as the first image that came up was a picture of John with a glass of red in his hand, beaming very happily because he had just celebrated a birthday. It was such a picture of the quintessential John, the John that we all knew and loved so well.

Today, on behalf of my family and myself, as well as members of the Liberal Party, especially in the electorate of Franklin who have provided me with some comments that they would like me to share today, I want to express condolences to John's wife Melinda, John's children, Gillian, Susan, David, Catherine and their families, as well as to his step children Matthew, James, Shanna and their families, and his grandchildren Kate and Robert.

John, above all else, passionately loved his family. John and Melinda, for their 18 years together, were certainly a strong and united team whether attending Liberal Party events or simply enjoying life, their families and many travels together.

John was born on 4 October 1932 in Melbourne, the son of Max and Ethel. Along with his sister, Dorothy, the family moved to Tasmania when John was five, living in Sandy Bay, then New Norfolk. John was educated at The Friends' School and was later president of The Friends' Old School Association.

John inherited his father's strong work ethic and worked in the newsprint mills at Boyer in the technical laboratories, then in Huonville at his uncle's accounting practice while studying accounting by correspondence. In 1952 John sat his entrance examination for the Commonwealth Bank in Hobart, then transferred to Devonport. Here, John's ability to work exceptionally hard both day and night was very evident. At night he would make carpet and the next morning, at 5.30 a.m., he would be opening up a newsagency and supervising around 20 newspaper delivery boys all before going to work for the day.

In 1960 John joined AMP in Hobart as an insurance agent and enjoyed great success. He was awarded the top agent in the state many times, including having the record for writing the fastest \$1 million and later, as we have already heard this morning, the fastest \$10 million. He was a fellow of the Life Underwriters of Australia.

John then lived in Rose Bay, Lindisfarne and Geilston Bay. He was a very competent home handyman, loved wood-turning and constructed a holiday home on Bruny Island where the family enjoyed many holidays filled with fishing, water skiing and sailing. John especially loved sailing. He was a member of both the Royal Yacht Club and the Motor Yacht Club of Tasmania. At John's funeral service it was lovely to hear the very poignant song, *I am Sailing*, being played because John had a great love of the sea, as did his children who sailed boats that were handmade by John.

As Christine Howard, a dear family friend, said at John's service, John would have a go at anything and everything and many organisations benefited immensely from John's enthusiastic support. John loved amateur radio, was a lay preacher in the Methodist Church, was greatly involved in the Cerebral Palsy Association, chair of the Australian Kidney Foundation and since 1989 was a foundation member of the Variety Club of Tasmania and TasBash which is now Variety - The Children's Charity (Tasmania).

John was also a member of the Bellerive Rotary Club for 31 years, including as president. He was recognised in 1996 as a Paul Harris Fellow for his substantial contributions to the Rotary Foundation, thereby joining other notable Paul Harris Fellows, including United States president, Jimmy Carter; Russian president, Boris Yeltsin; US astronaut, James Lovell; UN Secretary-General, Javier Perez de Cuellar; and polio vaccine developer, Jonas Salk.

John was a long-term chairman of Business East from 2009 to 2019 and along with Ms White and Mr Street, as well as Mr O'Byrne, and others over the years in this House, I have seen John in action as the chair of Business East, especially at the network meetings, the Enterprising Women's Forum dinners and the annual Business East and City of Clarence Business Excellence and Service Awards. Last year was certainly not quite the same as in previous years when John was unable to MC. We missed the flamboyance that he used to bring to the event.

John Beard, the manager of Business East said to me that he had known John for over 50 years and that John would be sadly missed by him and the Board of Management of Business East as John was fully dedicated to the Business East mission of encouraging economic growth and job creation in the City of Clarence and beyond. John Beard also said that John was very entertaining and never lost for words. He also remembers John for his great love of playing golf and his great pride in his beautiful garden.

John was certainly entertaining and the light in the room. He was always dapper and well-groomed and good at making friends and connections which is why, at the age of 39 years, John was asked by the then minister for education in the Bethune government, Robert Mather, if he

would stand for the upcoming 1972 election, especially as John had been a long time and dedicated member of the Liberal Party. John took the plunge and life for him changed dramatically when on 22 April 1972, after a short campaign, John became the member for Franklin. John was re-elected five times before his retirement on 13 May 1989.

Like me, John was Chair of Committees, a role he held from 1982 to 1989. During this time some of his greatest memories were being elected as the Australasian representative for the Commonwealth Parliamentary Association, thereby representing the parliaments of 23 different nations. During his tenure John had the opportunity to visit a CPA conference in the Isle of Man where the Queen Mother was deputising for the Queen. When John was introduced the Queen Mother stated, 'Mr Beattie, if there is anywhere in the world I would rather live than in England, it would certainly be in Tasmania'. The Queen Mother said to John that she had visited Tasmania in 1937 and remembered her visit to Tasmania with great affection.

During his tenure, John was also presented to the Queen, Princess Anne, Prince Charles and Princess Diana, the King of Tonga, as well as meeting with many prime ministers and their cabinets, including Margaret Thatcher, and Sir Keith Holyoake from New Zealand. At his funeral it was lovely to see pictures of John with all these notables.

When researching this speech, I looked at many newspaper articles on John, including one in the *Mercury* 30 April 1976, in which John denied any speculation that he was going to challenge the then opposition leader of the Liberal Party, Mr Max Bingham. Also in 1976, as the opposition shadow minister for tourism, John commenced a campaign to get TAA and Ansett Airlines to provide discounted fares. The *Mercury* reported that in September 1977 John could mark the success of this campaign when a 25 per cent discount was finally announced with the manager of the Tasmanian Tourism Council, Mr Middleton, describing the decision as the most significant move by domestic airlines in all time as it would bring holiday prices within the reach of many people.

In September 1977, John asked a question in the House of the then minister for tourism, Mr Michael Barnard, about whether he was aware of a comment on a New Zealand radio program that Air New Zealand was prepared to inaugurate a direct weekly service to Tasmania providing the passenger traffic was sufficient. Mr Barnard said that he was not and that he would take the matter up with Air New Zealand. This exchange followed on from May 1977, when John advocated for a service to start. If John was still with us today he would find it highly amusing and ironic that, 37 years later, we are now talking about a COVID-19 tourism bubble being put in place between Tasmania and New Zealand.

Other articles in both *The Australian* and the *Mercury* in March 1989 commented on how John as acting Speaker had thrown out 50 people from the House of Assembly Strangers Gallery for unruly behaviour after they were warned twice to be silent and then had proceeded to applaud Dr Bob Brown for his speech at 11.30 p.m. that night. Some of those who were thrown out then returned to the reserved seating area. As a result, the Speaker Tony Rundle stated that in the future all official guests would need tickets to sit in the reserved seating area and that no bags would be allowed into the gallery.

Another article in the *Mercury* on 12 April 1980 starts off:

In the "amazing scenes" category ...



Imagine, for a moment, the image of Scot Bill McKinnon, MHA, swimming backstroke across Clarence pool, with a balloon protruding from his mouth ...

Or Liberal John Cleary duck-diving to find an egg which should have been perched on the spoon clenched between his teeth ...

Or Dick Adams being swamped at the deep end, after finishing second in the bath tub derby ...

Or team captain John Beattie false-starting in the relay, and swimming a lap before he realised he had nobody to race ...

And all of them in neck-to-knee bathers.

The event was a Rosny Children's Choir fund-raising function, in which five MHAs from Franklin (Labor and Liberal) teamed against all-comers from TV, the Police Academy, the Scouts, and the choir parents.

The politicians, Messrs Beattie, Michael Aird, Cleary, McKinnon and Adams, won the shield, which Mr Beattie says will be hung in some prominent place in Parliament House to remind all of their prowess.

Prompted partly by their win (and subsequent boasting) speaker Glen Davies has since distributed a memo to all MHAs announcing the inauguration of a "Speaker's inter-electorate pentathlon."

He says he has "long been concerned" about the boasting by MHAs that one electorate is superior to another, and has initiated the event to decide the matter.

Events - which will be held in July - will include a swimming relay, snooker tournament, running relay, darts tournament and a "boat race – sculling (sic)."

The sculling, I understand, will involve the "downing" of four 10-ounce drinks, not necessarily beer.

We hope for the good old days, but unfortunately, I have not been able to track down the shield and was unable to find out which electorate did win the inaugural Speaker's Inter-electorate Pentathlon.

What that article showed is John's great sense of humour and the great camaraderie he shared with members in both the Liberal Party and the opposition.

Over the years, John was certainly a great friend, colleague and mentor to many in the Liberal Party. In 2009, during the 2010 state election campaign, I first had the privilege of getting to know John personally and to experience firsthand John's passion for the great electorate of Franklin, his dedication and loyalty to the Liberal Party, and his great love of Business East, family and the community. These were all passions and traits that John's family and friends already knew so well but ones I too was to greatly value and admire over the next 10 years.

Upon my preselection in 2009, John spent a lot of time out and about with me, introducing me to many constituents and businesses he had come to know very well over many years of community life. John taught me a lot about campaigning. One of my most favourite memories is spending time with John and Melinda in their home at Lindisfarne where John had boxes of memorabilia and campaign material from his five different elections out for me.

John was very instrumental in my election. My family and I will always remember with great fondness and appreciation, John's support and faith in me, for the three times I have been elected.

During his time in the Liberal Party, John was a long-term member of the Lindisfarne branch, serving as president, vice president and Senate selector. The current president of the Lindisfarne branch, James Walker, has asked me to pass on that John, because of his election campaigning, made an impression on James very early on in life. As a young child John won James's attention with what was at the time an ingenious election advertisement where a voiceover stated that John Beattie was running for Franklin while a cartoon character of John ran across the screen. While it would be a couple of decades later that James had the opportunity to first meet John face to face, they say first impressions count. James was struck by John's indefatigable energy as John ran tirelessly around helping out Dr Vanessa Goodwin in any way he could during her initial attempt to win the federal seat of Franklin in 2007. James also said that John continuously gave back to the local community, his local Liberal Party branch and prospective candidates. As his health deteriorated, James said that John would still be the first to call up and ask for a bunch of pamphlets so that he could go out letterboxing or help to arrange events. James also stated that John's warmth, wit and generosity of spirit will be sorely missed.

Franklin electorate chair, Michael McKenna, has asked me to pass on that John will be remembered as a committed Liberal, dedicated community member and perhaps most affectionately as a fine raconteur. Michael said that you could not help but be drawn to John when he was sharing anecdotes, either from his own past or, cheekily, from the past of others. His warmth and mirth came in equal measure to his positive regard for others and his frequently sage counsel, measured out with an uncanny capacity to bring an insightful clarity to almost any given situation.

John may have left the parliament but he never left the Liberal Party, as he was very active in both branch and electorate committees. Therefore in 2018 it was Michael's privilege, as electorate chair, to present John with the Bruce Reid memorial prize, which recognises outstanding service to liberalism by a party member in the electorate of Franklin. Michael also stated that not unlike Bruce Reid, after whom the award was named, working for the Liberal Party was one of John's great interests, which never wavered during his lifetime. John supported endorsed Liberal candidates at every election. Well into his 80s John was still out doorknocking, letterboxing and doing anything and everything within his power to help Liberal candidates in Franklin to be elected. John's contribution will be sorely missed.

Liberal Party state president, Rod Scurrah, said that for him it was a privilege to be able to provide comments in celebration of the life of John Beattie and his great contribution to the Tasmanian community. Rod, over the years, has known John as a business acquaintance, a friend and neighbour, and as a fellow Franklin Liberal. He said that prior to John's election to the House of Assembly, John was a very successful and much-respected representative for the AMP Society. His friendly manner and the skills he learnt at the AMP equipped him well for a political career.

Rod also said that John made a great contribution to the eastern shore community following his political career, especially as an active contributor to the eastern shore business community, the

Lindisfarne branch of the Liberal Party and the Franklin electorate. His support for the Liberal Party never waned. He was very much valued, and John will be sadly missed by all.

The honourable Will Hodgman, was not only a Liberal Premier of Tasmania, but also served the great electorate of Franklin for over 17 years as John did. He said to me that John had an infectious personality and lit up the room. He was very entertaining, engaging and sometimes a little irreverent, but it all came from a very positive outlook, a love for the community and a great passion to be involved in making Tasmania a better place. John was very serious about his views and his values but taught us not to take life too seriously. We will certainly miss him not being around, but will toast him for that.

Mr Deputy Speaker, I find it very poignant that the date John was elected was on 22 April, which was also Dr Vanessa Goodwin's birthday, the daughter of John's great friend, Liberal Party stalwart, Edith Langham OAM. Both Edith and Vanessa's untimely deaths had a great impact on John. John loved Vanessa like a daughter. He played a very instrumental role in all of Vanessa's election campaigns, helping Vanessa to be elected and to serve with passion and distinction as the member for Pembroke in 2009, as well as her re-election success in 2013.

John's wife, Melinda, said to me that working hard for candidates and for the Liberal Party was a significant part of John's life, as John joined and was letterboxing at the age of 16. For over 71 years John was a member for the Liberal Party who worked tirelessly to ensure that Liberal Party candidates like Vanessa and I had electoral success. Melinda also asked me to pass on her grateful thanks and appreciation to everyone for their kind wishes and condolences on the passing of John. It brought her great comfort to hear how well everyone thought of him.

As John's health declined, he faced his final challenging months with realism and courage. As was confirmed at John's funeral service, he was always a hard worker, never a passenger; a doer who was full of enthusiasm, stayed young at heart, had great generosity, irrepressible energy, boundless enthusiasm, immense loyalty, was genuinely kind, was held in the highest regard and had an infectious smile that made you feel that your day was going to be so much better just for seeing him.

All who met John had their lives enriched as men like him do not come along every day. The electorate of Franklin and the people of Tasmania are fortunate and blessed to have had a champion like John. Tasmania is a much better place because of him.

I pass on again my deepest condolences to Melinda and the family on the loss of a truly great man. Vale. Rest in peace, John. You will certainly be missed by all.

[12.05 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, I would like to associate myself with the Premier, the Opposition Leader and all those who have just spoken, particularly the acknowledgment by Jacquie Petrusma, member for Franklin, for her most comprehensive and thoughtful remarks, which I acknowledge as well.

Condolences to Melinda and the family. I first met John Beattie in 1980 when I became a member of the Liberal Party at the University of Tasmania. Since that time, I got to know John in different roles, including as senior adviser to the Premier, Robin Gray, when he was in the final years as a member for Franklin. He served from 1972 to 1989. I worked with him briefly, closely in 1988 and 1989. He was always bright-eyed and bushy-tailed, keen to represent his constituents

in Franklin, and then to advance the cause across Tasmania, and more recently as Parliamentary Secretary to the former Premier, Will Hodgman, dealing directly with John Beattie and knowing of his enthusiasm for business and small business and Business East, more specifically, when I had some responsibility for the business enterprise program across the state.

John was a fierce advocate for small and micro business. He loved his community. He admired the hard work and reward for effort which is a key ingredient to the Liberal philosophy. Others in this place, particularly Jacquie Petrusma, reflected on his long service to the Liberal Party. He was a long-term Liberal Party member. That is something I really admired about John Beattie. I acknowledge that. I acknowledge the mentoring, the role he has played in showing leadership to others. He has done that in a fantastic way. I first met him in 1980 at State Council and then pretty much at every State Council since then. He did win the Bruce Reid memorial prize as Mrs Petrusma indicated. He was a longstanding, highly regarded member for Franklin, and then a longstanding Liberal Party member.

I put on the record my deepest condolences to John's family and acknowledge his long-term, true-blue dedication and service to the Liberal Party, to the people of Franklin and the people of Tasmania. I express my sincere sympathies. I know he will be greatly missed.

**Motion agreed to *nemine contradicente*.**

## **BUILDING AND CONSTRUCTION (REGULATORY REFORM AMENDMENTS) BILL 2020 (No. 21)**

### **Second Reading**

[12.09 p.m.]

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

That the bill now be read a second time.

Today I am pleased to introduce the Building and Construction (Regulatory Reform Amendments) Bill 2020. This bill is a key part of our Government's response and recovery to the COVID-19 emergency. It will help manage and mitigate the significant impact this pandemic has, and is having on our businesses, our community and our economy.

One of the key drivers of our economy prior to COVID-19 was the building and construction industry, which was operating at record levels across the state. The Tasmanian building and construction industry employs over 20 000 people and the multiplier effect is even greater when you take into account its impact on associated employers such as hardware stores, whitegoods retailers and even local coffee shops, which are all dependent on a robust construction industry. COVID-19 has the potential to decimate the industry moving forward unless we take appropriate actions to support the industry and all those it employs and the families it supports.

The Australian Institute of Architects, who are in effect the canary in the coalmine as to the future pipeline of construction work, have also voiced their concerns. A recently conducted survey of members reported over 30 per cent of their members had been significantly affected by COVID-19 and another 60 per cent had been somewhat affected.

These construction predictors cannot be ignored and we are ready to act, but it is not enough to simply throw money at the problem and hope we get a result. It is not enough for the Government alone to do the heavy lifting. We need to work together to rebuild our state. We need support at all levels of government - federal, state and local. Importantly, we need to foster an environment that encourages private investment in the state and creates more jobs. We all need to do more, work harder and make changes.

Madam Deputy Speaker, this bill is the start of regulatory refinements that will assist a construction-led recovery in this state. We need to have a permit and approval process that is fit for purpose.

The Premier has made it clear that Tasmania will build our way out from the coronavirus and the economic crisis it has caused and has flagged the biggest infrastructure spend in the state's history. By working together, we will rebuild what has been lost, we will strengthen our community and we will recover our economic prosperity.

Projects like affordable housing, maintenance on schools, new buildings, regional roads, bridges and dams will be the focus of the Government's plans. In our infrastructure budget last year our Government had already invested a record \$3.7 billion in infrastructure over the next four years. This year we are looking to accelerate a number of projects as part of the Government's already large infrastructure spend. In fact, as a proportion of total expenditure, infrastructure spending has almost doubled from around 7 per cent in 2014 to almost 12 per cent in the 2018-19 financial year.

We know that we need to increase spending on public projects to compensate for the inevitable downturn that the private sector is facing, which is why we are doing more. We need to ensure there is confidence of investment in building and constructing infrastructure without unnecessary delays in assessment and approvals processes. We need to remove burdens on small building businesses around new housing projects and ensure that applications no longer take months to pass through an antiquated or uncertain assessment and approvals processes.

In the past, anomalies and delays have arisen from a poor coordination of processes across various regulatory bodies and have for some reason remained in place. The additional costs they create are equivalent to an unnecessary impost on development and the uncertainty around the processes unnecessarily jeopardises investment confidence.

Let me be clear, this bill does not remove either a single permit or layer of regulatory scrutiny from the process. What this bill seeks to do is to:

- introduce time frames for permit decisions that are currently not subject to any statutory time frame;
- shorten time frames for some minor processing decisions; and
- allow permit decisions to be made concurrently with electricity and water and sewerage utilities, rather than sequentially, which again reduces unnecessary delays.

If we collectively are going spend billions of dollars building houses, schools, factories, offices, bridges and roads, then we need a permit and approval system that is fit for purpose. The current system permit and approval system is in some areas patchy, with many stages of the approval

process lacking any time frames or coordination with other authorities, such as electricity and water and sewerage utilities.

The delays and frustrations associated with the current system are well known to all of us in this House and they are well known by any mum and dad who has tried to build a home or even a carport or shed. Any number of small businesses wanting to undertake a development will vouch for how hard it can be. In its 2018 report titled Removing the Regulatory Handbrake, the Property Council cited several steps as being needed in Tasmania to increase housing supply.

The Government is addressing those steps along with others suggested by other industry bodies such as the Housing Industry Association, Master Builders Tasmania and the Tasmanian Chamber of Commerce and Industry.

In progressing on this regulatory reform, the Office of the Coordinator General has overseen extensive stakeholder engagement, inviting 65 stakeholders from building firms; local councils, LGAT, industry associations, regulators and utility providers to participate in this process. A total of 22 written submissions were received and 40 one-on-one meetings were conducted. More recently, my office has also been in detailed discussions with key stakeholders such as LGAT, TasNetworks and TasWater about this particular bill.

Moving forward, the Government has established an interdepartmental committee overseen by the Department of Premier and Cabinet to work through additional reforms that we have planned and that will ensure we have a regulatory framework that is fit for purpose in supporting the COVID-19 economic recovery.

I will now turn to the bill in more detail.

Minor amendments to planning permits are relatively common. The need for such an application often arises when the proponent moves from concept to detailed design. While there is no statistical data available to quantify assessments, as there are no regulated time frames, evidence from stakeholders points to lengthy time frames of up to three months.

There have been instances where proponents have chosen to resubmit a new planning application, as it has a time frame affixed to it, rather than submit a minor amendment where no time frame exists, and presents significant uncertainty on when the project can commence.

It is our view planning authorities should be able to process a minor amendment in a lesser time period than it took to consider the original planning permit as whole. To this end, we recommend amending the Land Use Planning and Approvals Act 1993 (LUPAA) to provide for a 28-day period to assess and determine minor amendment applications. This is consistent with the timeframe applied to permitted applications.

One of the most significant delays in the assessment and determination of planning applications is the requests for further information process. Local government data shows the total number planning applications for which there were further information requests is between a quarter and a third of all applications across the state.

Currently under LUPAA permit authorities have up to 14 days to consider whether information that has been provided in relation to a request for further information satisfies that request. We

propose to amend LUPAA to reduce the time frame for advising whether a further information request has been satisfied from 14 days to 5 working days.

This reduction in time frame will provide the proponents with an earlier indication as to whether the request by the permit authority has been satisfied and allow them to get on with the next stages of their development.

Additionally, in specifying business days rather than calendar days, we are excluding public holidays and weekends from this period, which had not been previously excluded.

Industry stakeholders have raised concerns that delays in issuing an invoice can hold up the assessment of an otherwise valid application. To address this issue and allow certainty around when the clock starts on assessing a planning application, we propose to amend LUPAA to stipulate a four-day period in which the planning authority must advise the applicant of the fee payable.

If the Council fails to meet this time frame, the application becomes valid and the assessments period is deemed to commence on the fifth day following lodgement. Importantly, a council will still be able to invoice the proponent after the four-day period.

The Government has been working with TasNetworks and TasWater to embed their service standards in regulations. This is probably one of the most important provisions of this bill and one we know has been welcomed with open arms by the building and construction industry.

By regulating time frames for the entire design approval and post-approval process, it means that clear and measurable standards can be established for the industry and the regulators alike. This will provide transparency and accountability for all involved and most importantly it will provide certainty in the time it takes for new connections.

This bill will also provide for TasNetworks to be incorporated into the planning permit process, allowing them to engage with proponents much earlier in the approval framework. This will provide them with the opportunity to work through the complex process of electrical approvals at the same time as working through their planning, building and plumbing approvals, not afterwards, as has commonly been the case. Providing for a concurrent approval process will provide immediate benefits to a range of projects where additional electrical loads are proposed for the network and it can take a long time to provide the necessary infrastructure upgrades.

This bill is the first tranche of an overall package that will transform the current approval process. There is nothing fundamentally wrong with our approval system, but there are lots of identified gaps that are letting it down. By incrementally improving the system in a very targeted way we can maintain the robust checks and balances that we already have but, importantly, improve upon its efficacy and timeliness. We can achieve the best of both worlds, which is what I believe Tasmanians deserve.

I commend the bill to the House.

[12.21 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, I rise today to speak on the Building and Construction (Regulatory Reform Amendments) Bill 2020. This bill will give effect to a range of regulatory reforms to the Electricity Supply Act 1995, the Land Use Planning Approvals Act 1993 and Water and Sewerage Act Industry Act 2008. Labor will be supporting this bill. My colleague,

Anita Dow MP, the shadow minister for local government planning will also be making a contribution as will David O'Byrne, shadow treasurer.

For the record, as it is important for the *Hansard* to reflect not just the debate but also serve as an oracle of history, a commentary on political thought and the status quo, we were given this bill on Monday afternoon and received everything yesterday. This is not normally how the Chamber conducts business. I have been here for nearly 14 years and I have seen lots of different premiers, lots of different ministers, lots of opposition members, lots of different backbenchers and many different Speakers. The one thing that stays throughout is process and protocol, the manners, the respect, the professionalism and respect for those rules.

The second reading speech was only provided to us just on an hour ago. It is rude, it is disrespectful. One thing that I am learning is what not to do when we return to government. I really hope that we never treat the House with as much disdain as we are seeing at the moment.

COVID-19 is a legitimate reason to move an emergency bill. However, I do not consider that this bill is an emergency bill. The Premier mentioned making these changes in his address in March, alongside the release of the red tape audit 2019-20 in February. It is a great document and was also a great document in 2018-19, with 97 pages of the new report either identical, or near identical, in content. According to the *Mercury* at the time, large slabs - up to 15 consecutive pages in some cases - were also replicated word for word in the two reports except for updated page numbers. I digress.

What this really indicates is that these regulatory changes have been in the pipeline, in some cases for years, and COVID-19 has very little to do with pushing these changes. There are very limited opportunities for us to consult with relevant stakeholders prior to this being tabled in parliament. The argument by the Government that this bill was progressed quickly due to COVID-19 is at best disingenuous.

We have a cultural problem in our state around change and progress. We know that. It affects our industries and government agencies and has a negative impact on Tasmania's efficiency and productivity. We all know this. We all have our own war stories of overly bureaucratic and sometimes illogical ways of doing things. These war stories are referred to in the Releasing the Brakes Report, which I will come to soon.

How do we go about making cultural change in Tasmania? How do we lead change which will benefit the building and construction sector? The pandemic has shown an amazing shift in acceptance of the outside thinker as opposed to the usual risk-averse naysayer.

I remember walking into meetings over the years where you often have your head of an agency or advisers and someone flashes out a great idea. The first go-to, because of our culture - and I do not know how and when this happened - is 'maybe, but'. What we need to be coming to as lawmakers and also decisionmakers, is embracing the people who will listen to a new idea, a new way of doing things and saying, okay how do we make that happen?

People who think like that have been absolutely amazing during this COVID-19 situation because we have had to develop policy on the run. We have had to develop fresh ideas and ways of doing things. Those people know how to make things happen and there has not been much room for the 'yeah but' decisionmakers.



We do need cultural change but we also need to make sure that everybody is involved and that important regulatory reform, such as this, is not thrust upon the House of Assembly as a second reading speech, given half an hour ago. It is really completely inappropriate, minister, and I do not think you would appreciate it if it was done to you.

The Building and Construction (Regulatory Reform Amendments) Bill 2020 is not the silver bullet but it is the start of re-examining processes which unnecessarily hold up development and time frames, especially in building and construction. Already, I can see a problem with applying statutory time frames around one utility but not another utility supporting that particular utility, if that makes sense.

There are limitations to services. For instance, you have TasNetworks and it is relying on another organisation to install, say, meters. What happens if the subcontractor is not actually under the same statutory time frames as TasNetworks? There are no penalties and no obligations for the subcontractor to meet those deadlines. I will be seeking some clarification from the minister around that: if the subcontractor is the same subcontractor under the same statutory time frames as, say, TasNetworks, the utility.

Also, will the bill make that actually easier to navigate and will that bill bring new costs to business because of the implementation of those statutory time frames? The flow-on effect from one utility under new statutory time frames, having to work in conjunction with another utility which is not subject to the same time frames; these details need to be ironed out and practically applied.

The industry forums and development of the Releasing the Brakes Report February 2020 was coordinated by the not-for-profit Northern Midlands Business Association. They are referred to as the NMBA, which represents approximately 1000 businesses in the region.

The association has received ongoing feedback from the local building and construction sector that its growth would be measurably enhanced by streamlining interactions with utilities and local and state government. This feedback was very clear that any initiatives to remove these bottlenecks would have direct positive impacts on building activity, home affordability and the potential to open up new construction projects and developments, particularly for new homeowners and for low income housing.

The NMBA received strong involvement and participation from the building industry, including developers of all sizes: builders, designers, subcontractors, suppliers and real estate companies, as well as encouragement from Northern Midlands Council, Tasmanian Department of State Growth and the Office of the Coordinator-General via its small business advocate.

In distilling the many hours of input from industry, the following key findings on the viewpoint put forward are apparent. I will read them. Unpredictable delays in processing create a dramatic cascade effect that negatively impact every area of industry, from skills and resources to supply, to controlling costs, cash flow crises, customer satisfaction and the willingness of the industry to embark on new projects.

In a small review of five local government projects, it is estimated that unexpected government and utility delays and bottlenecks added from \$8000 to \$22 000 to the direct costs of a typical low to medium cost home construction project. This does not include the cascading impact of delays on suppliers, subcontractors and customers. Because of the inherent unpredictability of government

and agency processes, it is impossible to project plan or build in practical contingencies for the processing and approvals required for building projects. This is particularly so for marginal or low-margin projects, like first homeowner dwellings and low-cost housing.

Opinions on the culture, effectiveness and responsiveness of government and agencies in working with the building industry range from tolerable to appalling. These strongly held opinions create a perception that construction and development are high-risk endeavours. Therefore, the reality is that a large number of projects are currently being put on hold for extended periods.

Various departments, agencies and tiers of government operate on an impenetrable silo culture, with dramatically different levels of information provided; methods of contact, forms, processes, escalation and issue resolution. Projects proceed on an extended series of stop-start delays from one agency to another. There is also no perception of prioritisation or a triage of processes. The result is that every application falls into a single queue where a two-hour task or an extremely complex project will be both given the same processing estimates of 10 weeks, for example.

Each step in the process is an often surprise discovery, rather than a clear road map from which developers can check off and be aware of the path for their construction project. Each entity has more or less information available online, but there is no cross-entity guide or checklist that effectively provides developers with a road map of the tasks, agencies and processes for which they would need to interact. There is much work to be done.

There is a complete absence of building life cycle or guide to your building project information to guide developers that cuts across and includes all agencies with whom the developer needs to interact. Seasoned developers stated they would welcome such information, let alone various small businesses or individuals embarking on projects for the first time.

The report also stated that there is a strong perception of zero accountability, and therefore zero cultural guide to work with and assist developers in their projects. The benefits of regulatory requirements from local councils to respond within specified time frames is clear. The absence of these statutory requirements or even safe KPIs within other agencies is a recipe for the current perception of unpredictability, unresponsiveness and inconsistency, so it is pretty clear where the problems are.

It has been nearly four months since the release of this report. It is well informed and straight to the point. It also provides solutions, which is something that a lot of reports do not do. I am pleased that the Government is beginning to make the necessary changes to provide more accountability and streamline the processes which waste time and cause those problems. I am interested in the other red-tape reduction areas the minister was alluding to for the next tranche of regulatory reform amendments. I am also curious as to why these reforms - and there are quite a few of them - were put on the back burner, and instead these reforms are presented to the parliament first in such a rushed manner. These changes are legitimate but they do not, I think, constitute an emergency and I would like some insight into the background of why they were pushed as an emergency in such a haphazard fashion because really it is not professional.

Minister, why were these chosen first off the rank and will these changes cost business? How much money in the long run will these changes cost? Has there been any modelling undertaken? Because we only just received this bill we have really very little understanding of where TasNetworks are at with this, where TasWater is at with this, where even local government is at with this. We have not had time to call the 29 different councils in Tasmania and have a chat to

them about how they will implement these processes, whether they can afford to implement these processes and what it would mean to their bottom line. I assume that you would not be putting these into a bill unless you had done that modelling. It would have been advantageous and helpful if that modelling had been provided to other members of the House during this debate, not just as a matter of respect but also to inform debate.

We probably should also discuss the lacklustre rollout of infrastructure projects as well, minister, and also whether agencies such as Crown Land, State Growth and even Health will be targeted next to enhance building and construction efficiency and productivity. We know there are massive delays in the Infrastructure department with projects such as the airport roundabout, the Sorell traffic problems, the Bridgewater bridge. Minister, are there parameters around time frames, penalties for dragging out tendering processes within those departments, penalties for your department not meeting their deadlines? I am sure this would assist Tasmanian businesses and workers that are held up by the extraordinarily long tender process turnaround in your department. One often wonders if things just get stuck in people's in-trays.

Minister, you are actually quite famous in regard to this; I am not sure if you are aware. I am often hearing, 'Why can't they roll out infrastructure projects efficiently? Why do our tenders sit in in-trays for months and months?' That is coming from the movers and shakers in the business community and if I am hearing it, you must be too.

I suggest it might be prudent to look in your own backyard in relation to the next round of regulation reform and make your department more efficient and productive. The building and construction industry really needs this. Also, maybe there should be a change to the awarding of the under \$50 000 contracts to the same organisations. Would it not be prudent and better for the economy to share the work around the various Tasmanian organisations that can undertake the work? There are many Tasmanian companies keen to win major Government tenders to ensure their workforce can be maintained and keep their businesses viable.

When the hold-up is not TasWater, TasNetworks or the local council, it is just the Department of Infrastructure, minister, one begins to think that maybe you should be looking in your own backyard and improving the efficiencies of your own department before you throw local government under the bus. I would like to also ask if the Red Tape Reduction Coordinator advised you to look at your own department first? Has that work been done? It is a bit cheeky, I understand, but I think it is a very relevant question.

On page 8 of 'Rebuilding Tasmania', a document by Master Builders Tasmania and Civil Contractors Federation Tasmania, on how the building and civil construction sector can drive Tasmania's recovery, poor government infrastructure spending is highlighted. I will read this section to you, minister, just in case you have not read it -

Compounding these issues in the civil and commercial sectors is the Government's capacity to deliver on its proposed infrastructure budget. Between 2013-14 and 2018-19, the Government has spent \$630 million less than budgeted on the purchase of non-financial assets, which includes roads and other engineering infrastructure.

We support these amendments. We also ask you to consider assessing your own department. What is the holdup, minister? Are there any statutory time frames and contractual penalties that your department is now liable for because of the massive hold up in infrastructure?

It is in this context that the Land Use and Planning Approvals Act 1993 valid permit for planning application amendment should take effect. This measure is to ensure that planning permits have a clear date of activation. The act has been amended to provide for the timeframes in which a planning authority must issue a fee following the lodgement of a planning application and amendment to an existing application. A default commencement date of five days applies to the application if an invoice has not been issued within four days of the planning authority information request by the planning authority. Amendments to the Land Use and Planning Approvals Act 1993 should reduce the timeframe planning authorities response to the applicant in relation to the receipt of further information request by the planning authority.

The anticipated changes sound plausible and reasonable in theory. However, we are left without a proper voice by the 29 local councils in Tasmania that would be left to implement these changes. I am concerned that the Government has not provided the House with the opportunity, as I said previously, to talk to each individual council in Tasmania to ascertain how these changes will affect their operations and their bottom line. They are also going to be without their TasWater dividends. There have also been rate remissions provided by most councils. There will be hardships in a lot of councils. Many councils I have spoken to are already seeing at least a \$1 million decline in the next financial year. It is important the consideration of how these councils will implement these changes be discussed here and some information provided to us.

I note there is scant information provided on resourcing local government or councils to streamline the services. Minister, will directives as to how these amendments are to be implemented into each council be provided? Yes, LGAT has indicated that they are aware of these proposed changes, but there is no indication that your amendments are the best way to address these issues. We have no idea whether local government has a better or more efficient way to implement these processes than those you are proposing. That is why I implore you to provide some proper scrutiny in the future. Please do not treat the House of Assembly and the Legislative Council like we are red tape.

I have 10 years' experience in a previous role and a Master's Degree in Human Resource Management where I specialised in change management and manufacturing. Change management is quite complex. It requires good resourcing and it requires good communication. One of the things we learnt in the briefing yesterday is that there has been no money allocated by the Government to help resource these changes in local government or in the utilities. I would appreciate it if you could provide some extra information on that.

The Government should be making resources available to local government to ensure all systems are compliant, understood and that they are unified. Otherwise you are going to have 29 different councils implementing these things differently all over the place. All we know is that LGAT has the information. They acknowledge the fact that you are making these changes. We still do not know whether they agree that it will be beneficial for local government and whether or not it will be helpful or a hindrance overall to the building and construction sector. We do not have that information.

I hope this is not going to end up in the hands of local government employees as well. They are given the task to implement new systems without any oversight and without any of those additional resources. I note from our briefing that your team did not consult the unions that represent local government employees. It is funny how Liberals always seem to forget that very important step of consulting with workers and people who represent them.

According to the Northern Midlands Business Association, communication is the key ingredient for any regulatory change to reduce red tape and enhance a business environment. Utilities and government agencies must introduce clear, upfront communications of their entire application process, with practical information on potential bottlenecks and delays, requirements of applicants, time frames, progress notification commitments and inquiry contacts.

I hope that communication guidelines will be within the regulations, but after the performance of late with missing regulations to accompany the emergency commercial tenancy bill to give effect to the mandatory principles around commercial tenancies, I am finding goodwill towards the Government in relation to regulations somewhat problematic.

Although Ms Archer has stated on two occasions that the bill is in effect without the regulations, it is the opinion of the Property Council, that the bill is not in effect at all. So, I am seeking assurance from the minister that there will not be a month plus wait on the regulations. It is where the details sit and the process and the language to be implemented is very important.

The building and construction sector requires certainty now. I hope you do not treat these regulations with the same disdain as Ms Archer has shown the commercial tenancy regulations and the commercial lessors and lessees who are waiting for them.

The Better Regulatory Reform Amendment Bill 2020 contains amendments to the Electricity Supply Industry Act 1995. We support a linear approval processes for planning applications, permits and approvals and agree that there is no need to have the approval process stagnated. This change is clever and will, if developed and implemented, properly assist the building and construction industry greater movement and efficiency. We support this.

I refer to proposed section 44L - planning authorities to notify relevant entities of planning authorities. Minister, how are these notifications to be made? Will there be a department or body formed to manage permits and other development applications through a one-stop shop? What will this look like? Will this cost business more? Will the cost of setting up of a department or an area to make sure all those permits are streamlined, end up going back to the consumer? It is a really good idea. We support the notion, as long as the proper foundation and process is in place to support it. Will you invest, train and develop this area? Or will you leave it to each of the 29 different councils or even ask LGAT to manage this for you? CBOS is currently not resourced to manage that process. How will you make this happen? The concept is good. If you can resource and manage it properly, it could be very beneficial to the building and construction sector.

Master Builders applaud this and the Northern Midlands Business Council does as well. It needs some thought and investment. It is hoped that these amendments will provide for sequential planning to take place. Once more minister, could you provide some insight into that for me? I need a more detailed answer than 'the process will be in the regulations'. As I said previously, we have a problem at the moment with regulations coming out in a timely fashion, providing the industry with the certainty and assurances that it needs.

In relation to commercial tenancies, I cannot believe how far we are behind all the other jurisdictions. Victoria, New South Wales and Western Australia are completely organised. There are processes up and in place. There is no uncertainty around what the mediation process is, or who pays for what. At the moment it looks like ours will not even be compliant with the federal principles, which is a real problem. If you cannot get that right I am concerned you are not going to be able to get this right. It is really important that we need to provide the building and

construction sector but also small business overall with some certainty, and if you cannot even get commercial tenancies right, I am concerned you are not going to be able to get this right.

I was also seeking advice around TasNetworks and whether they are okay with this. What has been the feedback from TasNetworks around this? We really have not had time to consult appropriately with TasNetworks. Will this end up putting more strain on their processes and will the extra strain get passed onto consumers, because that is usually where it happens? I cannot see how they would have been happy to agree to these principles of incorporating time frames without some carrot or incentive or resourcing for them to properly do this. They are a well-run organisation and I would like a bit of detail about what their reaction has been towards this because it is a large change for them.

These regulations are also not mandated and no penalties apply, so how would the Government ensure these guidelines are implemented and what repercussions will there be if the guidelines are not met? Could you provide us with some detail around that?

Overall, we support the streamlining of time frames to create a more productive and efficient system and all organisations and probably people here today have war stories about when they have tried to negotiate these things themselves.

There are other areas which need to be given consideration. Housing supply is important. Building of affordable integrated quality housing is also important. We need to make sure that we have all the proper systems in place, they are properly resourced and there is agreement from those agencies and local government that they would like to move forward with this.

[12.52 a.m.]

**Ms OGILVIE** (Clark) - Madam Speaker, I know we only have a short time before the break but I will commence. First, I thank Messrs Clues and Kerschbaum for the briefing and also note that this has been brought on quickly in the interests of process renewal and reinvigoration. I like a bit of process reengineering and I thought I would speak briefly about what I see as the trajectory of these reforms which appear to be the first of a number of process issues with the planning process that are going to be identified and brought forth in this place.

I have said previously that I think it is really quite a non-contentious bill and that is helpful for the current state we are in at the moment, where I believe there is a bit of confusion about whether we are in a state of emergency in this place or a state of moving forward. Perhaps we are really in that transitional phase and it is quite difficult but timely to be able to work on things that will see us move up and forward out of the last couple of months which obviously have been very difficult.

We have before us the Building and Construction (Regulatory Reform Amendments) Bill 2020 which seeks to amend the Electricity Supply Industry Act 1995, the Land Use Planning and Approvals Act 1993 and the Water and Sewerage Act 2008. As I understand it, what we are seeking to do is for the first time perhaps to put some timelines on work that these industry bodies do where they connect into an overarching planning process. What we are talking about are the points at which a person or a company is moving through the planning process and there is a decision point where a permit needs to be sought from a third-party organisation, which in this case are Tasmanian Government-owned utilities and therefore within the control of government to somewhat dictate terms.

Those process points, those decision points, have been a little bit of grist to the mill for those who wish to get their planning processes through in a timely manner because there seems to be a sense, and I think this is probably accurate, that without regulated timelines it is difficult to either plan your process through the planning system or identify when you can move to the next stage of that process. I believe that the resourcing issue is one that will have to be turned to at some point. I also think that these utilities, which I suspect operate on a spectrum of culture when it comes to customer service and customer management, will be able to do that work internally if they get it right. Using tools around productivity improvement and process re-engineering, if they do that work properly and have any number of engineers at their disposal to help them do that, hopefully that will put them in a good position to meet these time frames.

It is helpful that the approach being taken to implement time frames and to effectively ask the utilities to get on board with the new program before it may not even be necessary to put penalties into place is a good first step because it sets a marker for the expectation of the turnaround time frames, which is a positive thing.

We are dealing with a complex area. There is an overarching process that a member of our community would go through in trying to get a shack built or whatever it happens to be, but underneath that there are a number of sub-processes and it is partly some of these sub-processes that we are looking at the moment. The point at which process hand-offs happen, where documents go from one set of hands to another, either from the applicant to an organisation or between organisations, is generally where things can slow down or get lost or stall. Large organisations know this. They are very good at mapping their own processes, but what I have asked and what I hopefully will see at some point from the minister - I would love to have it shared with me - is the map of the overarching process and what the strategic end game for what I believe is true red tape reduction. What does that look like? If we can go on that strategic journey it would be helpful and my constituents would love that too.

My business community, my constructors and engineers, the people I speak to, are very keen to do whatever we can do to accelerate getting planning permits through appropriately and of course it is in the interests of our state that we do that properly, that appropriate attention is able to be placed on assessing each stage of this process, but without unnecessary delay. If we can smooth this process, if we can create some parallel processing in that overarching system, that would be very good news and welcomed.

I had the great benefit of working for many years in the telecommunications sector, not directly connected to this bill but certainly some analogous experience on major projects. I spent 25 years hanging around major projects as a lawyer working with engineers and the people who chart and plot out and do the scheduling and planning for these major projects. I have worked on some defence projects as well. To see the sophistication with which once of those projects is scheduled and managed and deployed and done well is a good lesson for us in this place. The learnings we have from what the customer or the developer or the family trying to get that shack up is thinking is how we want to see our utilities and organisations, from a government perspective, responding.

I am all about the voice of the customer; this is my old Telstra training. They quite strangely put me through a process for engineering training as a lawyer. I remember that day. I said, 'I am a lawyer, we don't have processes, we have brains and think things through', and I remember a serious character in the company, quite a senior fellow, said to me, 'Madeleine, everything has a process'.

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

**BUILDING AND CONSTRUCTION (REGULATORY REFORM AMENDMENTS)  
BILL 2020 (No. 21)**

**Second Reading**

**Resumed from above.**

[2.30 p.m.]

**Ms OGILVIE** (Clark) - Madam Speaker, I was commenting on some of the experiences I have had on major projects and I was conveying an anecdote when we broke for lunch. It was pointed out to me as a young commercial lawyer by a very senior and seasoned project engineer that everything has a process. I had never thought about the law in that way before but it is instructive for us to do that, particularly in this place where we have departments that can sometimes operate in silos. We have GBEs, the process hands-off happens, particularly around permit processes between organisations and also down into local government level. Having a good oversight of what the overarching process is for a customer seeking to get the appropriate building and planning permits, taking that customer perspective and hearing the voice of the customer, what that experience has been like, is really important.

Some organisations do this work better than others. Some are modern and have adopted all the latest tools that are out there in management land to do this. I happen to know the Six Sigma toolset myself - the voice of the customer is a very good one - so you find out what your customers are thinking, what their problems are, rather than assuming that we know best when we are designing processes or trying to fix processes externally.

This is more of a comment around what 'new normal' might look like as we have all had to be quite agile, and inventive and adaptive, during the last couple of months. Not everything would have run perfectly. When you do things quickly, under pressure, in the heat of the moment, it is difficult to make sure that all the rules and regulations that are required are built into that. Some of this work we are doing here today will help that going forward.

I would like to see a little energy, particularly with our GBEs, going into looking at how we can deliver more refined customer service but also in relation to government departments as well. I am certain there are some learnings that we have had that could be applied and I am keen to capture that knowledge of how we have operated in the environment over the last couple of months. Generally, people have said, and the feedback has been, that they have been able to get what they need from government quickly and it has been all hands on deck. Many of us have had to put down daily business to scramble and help constituents. There is an innovation that sits under that and an ability to act quickly and responsively and to work out how to do things in novel ways and some of that we can be applying as we go forward.

One of the big elements to make this process re-alignment work where you are dealing with connecting in multiple processes from different organisations is to make sure that your digital processes sit alongside that and support that as well. I did not get the chance to ask that in the briefing but, minister, it might be something you take on board or perhaps respond in writing. I am interested to know from the customer's perspective if there is a connected process that digitally can track these sorts of permit processes right across multiple organisations. Maybe that is a place we get to. It might be too hard a task to implement when we are just starting this journey: part of going on that strategic journey and the vision, having the digital side and digital government 2.0. What does that look like? How do we do these things better from a technology perspective as well?



Over the course of my career which started here in Hobart and then travelled to Canberra working with the superannuation commission when it was first formed, I have had the great benefit of understanding the government processes and how things operate there in government departments. That was in Paul Keating's superannuation department originally. Then CSIRO, again a different set of processes particularly around scientific development.

I became an intellectual property lawyer, which is all very much process driven, and had the great benefit then of working in Indonesia - well, living in Indonesia at least, I know the work side was very difficult - on major telecommunications infrastructure projects and rolling those out. Working in Central Java, the Telstra team was installing the first telecommunications network for Indonesia at that time in a consortium or joint approach with the Americans. One of the things that really struck me about that time was not just the planning that needed to be done which in Indonesian times back in the early 1990s was all done in paper copy. Trying to transition paper to CAD engineering, the retraining, reskilling and rethinking in a strategic vision for where their own industry could go, that work really needed to be landed well and it was the engineers on the ground who did that.

I remember specifically one day watching a group of Indonesian workers digging a trench across or underneath a road. At that time, with the extremist Suharto regime, they were not allowed to import major earthmoving equipment so everything was done by hand. We watched them as Australians who are very used to a much more sophisticated way of doing construction and builds. Even back then, processes were better here and they were digging it by hand with little trowels, a lot of people employed on these projects so it was all about the jobs and employment. It was one way that country was trying to grow its middle class and to share the wealth of these sorts of projects. There were terrible accidents and awful things happened to people and life was a lot cheaper so certainly some important learnings came out of that.

Later on in my career I was very fortunate to work in Silicon Valley. I was employed with Ernst & Young and I had a number of interesting roles but with my husband Telstra was actually going into America and setting up its organisation to head into the states. From a telco perspective, making sure everything connected and the global telecommunications network connected and people would be charged and billed for the right things at the right time was a major project. I worked on defence projects including the Jindalee Operational Radar Network (JORN) project, Jindalee over the horizon radar. That was a joint venture between GEC Marconi and Australian Defence Force Industries. It was there I first learned about local procurement processes and the ability to buy local and how you manage all of that.

By the time the Telstra engineer got to me and said, 'Madeleine, everything has a process', by that stage I had to agree with him and then rethink about how we do law and legal processes and those sorts of things as a commercial lawyer, always with businesses always at the table with the people who are delivering projects, always thinking about what the customer is paying you to do. It is a different way of thinking. It is actually to get things done, to deliver outcomes and work within the system that we have agreed but to try to improve things along the way.

I was talking to the subcommittee of TasICT on digital communications and their procurement people and thinking about using systems and ways of thinking, like being agile, to be much more effective, to engage in parallel processing of making decisions, of disseminating power down organisations into the place where those decisions ought to be made: trying to eradicate layers of decision making that might not be assisting with productivity. There is certainly a lot of work to be done there.

I can speak as somebody who has been trying to get a shack built and has some personal experience of all those elements. One of the things that stuck with me after the briefing was this question about having to make minor changes to planning and designs and how you go about that. Certainly as much we love the council and they have been really superb at stepping up - and I think that is because they are smaller and more agile and able to make decisions - it is certainly something that I know our draftsman, architect and builder have been up against many times.

In a sense, construction, building, renovations and all of those things are a 'time is money' scenario. You have to get everything aligned as quickly as you can and appropriately. You need the crane there at the right time, you need the permit, you need everything to fall into place. I guess when people who are just average punters turn into project managers and perhaps they have not done it before, that can be a complex process to go through.

Obviously I support reforms in this area. This stuff is actually more truly red tape reform than some other areas. It is measurable reform. That is very helpful. I would like to think about how we move forward with what I call government 2.0 digital technology - how we marshal that capacity across all our departments and utilities and hopefully by using technology in a better way by using process re-engineering, by talking to the people on the ground in those organisations who are dealing with the problem every day and know what the challenges are, but also importantly, and I am not sure this is something we as government are expert at doing, asking the people, asking customers, asking consumers, for their feedback about what they think the problems are as well. I would love to see that kind of innovation coming out of the last couple of months of thinking that we have done, to take the know-how of people at the coalface of decision making and implement more improvements.

I said in the briefing that I am very happy to support good reform. I am interested to know what more is coming in the pipeline. My team and I are quite keen to help in this area and we have a background that might be of use and are very happy to do that and be on that strategic journey to see what the end vision looks like.

The challenge is when we come up to a point where the need to keep processes rolling and to smooth processes and improve the way we do things bump into people's property rights and their capacity and ability to respond to proposals. That is another element to the planning scheme. I am certain we will have very robust conversations on that when it comes to major projects legislation at such time as we see that. In relation to this legislation I believe it is a very prudent, reasonable and practical approach at this time and I am sure there is more we can do.

I note also that the bill itself only looks at state-based GBEs and of course there are other providers, organisations and utilities. I am thinking about the telecommunications sector again because it happens to be my background so I understand where things can go right and wrong, and looking at how we can perhaps even better connect with NBN and Telstra work. That is particularly when it comes to building apartments or multi-unit dwellings. That kind of connection is smart. There is also another piece of work we could look at which is around using a major asset that we never talk about, our pit and pipe network, in a more effective way. There are many things now that we can do to improve the transmission of information, electric works, et cetera, because they are all running pipes underground, and how we can better facilitate that. There is an informal network where people in utilities can pick up the phone to each other to do things, and perhaps we can improve that.

There is some work we can do around fire, fire permits and those sorts of areas. It is a more specialised area, but the feedback I have had from that area is that perhaps there is too few a number of people who can actually do the assessment work. The minister may have some thoughts on the fire safety side of things.

I am interested in the resilience of industries. This bill goes somewhat towards that, particularly about our professional services firms that have been very hard hit. It has been difficult to get things built at the moment. My sister was in the middle of a house renovation when the pandemic hit and it was a very difficult time with multiple moves, but it has impacted businesses and families and every trade, architects and all the other services that connect into those businesses - commercial lawyers in particular, property law, builders, truck drivers, you name it, everybody is connected to the sector, which is why it is right to do everything we can to get the construction industry rolling. I am cautious about this with the balance that we are not only doing developments that roll over people's property rights. People have a right to be heard about these things as well.

There are some concerns people have around the culture of organisations and their ability to rethink and reimagine themselves. My personal experience through my career of about 25 years doing this stuff, is that the ability for organisations to do that connects somewhat to their capacity to resource the change and to think that through. It is something I raised in the briefing and we had a good discussion on that and whether that is something we keep an eye on over the next few months as these changes come into place so that we can make sure that not only the changes are able to be implemented but there might be good learnings that come from the implementation process that are helpful for other elements.

When it comes to the digital technology sector, leaping forward a bit to the new paradigm we now find ourselves in Tasmania, I give a big call-out to our tech sector and say how helpful it was that they kept everything going. If we think about the last couple of months, the one thing we would all say is thank God we have the internet. From everything from what is going on to our news, to Netflix, or however you are streaming things. It has become such a central and core piece of who we are as a community, a state and a nation that it is now almost as important as water or electricity to us. I am keen to hear of engagement, which I am sure there will be, with that strategic overlay of the big-picture process that touches on the digital as well. I would love to see Tasmania become a fantastically amped up digital and technology island. We have an opportunity to do this.

Some of the things we need to do will be around infrastructure, building more towers for mobile networks and looking at what we can do with satellite. The area where we could do extremely well going forward is in space technology, leveraging off what we do at our university and with our astrophysicists. I say that by way of saying everything is connected and even to engage in the building of a new construction or a house or a shack, you still need telcos and that coverage to work. I have had some imploring emails and phone calls from people in other areas of this state asking for black spots to be addressed. I do not know if that is in the infrastructure plan that we are hearing about tomorrow but I am certain that the Premier's advisory council will be keen to hear from people on that. My team and I are pulling together our submission for the Premier's advisory council. We are very excited about that. We have new and fresh ideas for some of the things we think we can do better in Tasmania plus some things we liked the way they were, or the way they are.

You hear a lot of conversation about we are moving into the 'new normal', meaning things will always change but some of the great conversations I had with people around the traps during the dark lockdown times were around them expressing a desire to have their lives back, to be able to go to the shack, to be able to go to the pub, those sorts of things.

I note that the federal government is toying with, I do not think a decision has been made yet, making a grant available for house renovations - \$25 000 has been mooted - matched up. Please do not do the matching piece - \$25 000 would do it. If we could get that going it would be a great start. Not everybody has a lazy \$25 000 to match up a government grant but if we can get that going then we are all going to need these permits for the new deck or for whatever it is, particularly around shacks and other more structural works.

I see how this can all dovetail together. I can see how it would work for residential people and for families and then how the ecosystem of our small business community - a friend in the office calls it an iso-static rebound. I hope I have that right. It basically means we are going to bring it all up and we get that ecosystem back in place and get the money flowing around, we compress our processes and get things moving. That is a good piece of work to do.

Once we see how this beds down and no doubt the Government will be keeping a close watch on how things go and doing that customer feedback and hearing what people think and what their experiences have been, if things go well, that is fantastic and all well and good. Perhaps more of these sorts of approaches can be brought through and into the parliament. If it is not working that is where we will need to step back in and ask, why is it not working? There is nothing too prescriptive about this. Why is it not working? Is there more we can do? It might be a response that we need more resources.

[2.53 p.m.]

**Ms DOW** (Braddon) - Madam Speaker, I am pleased to speak on the Building and Construction (Regulatory Reform Amendments) Bill 2020 and follow on from the excellent contribution of my colleague, Jen Butler.

I am interested to understand how the changes that are outlined in this bill today will be communicated - how that will occur between government departments, how that will occur with consumers and how that will occur with the local government sector. That will be critical in ensuring that people understand and are aware of these changes, if and when they are enforced. The other question I want to ask from the outset is, when will we expect this legislation to be enacted? If it is presented as being critical to post-COVID-19 recovery then time is of the essence.

I want to go back to the history of some of these recommendations. I will go back to this document, 'it is a fairer, faster, cheaper, simpler planning system for Tasmania' and I take it this was developed prior to the 2014 state election. There are number of initiatives that are outlined within this document that have been the mantra of the Liberal Government, particularly around making the planning system faster and simpler. We are yet to see the outcome of that or how that is actually constituted as we are still undergoing the development of the statewide planning scheme.

The other important thing I wanted to take from this document is around state policies because it is important that a focus not just be on regulation. There are a number of components of good planning legislation within a state and planning policies are an important component. It is about setting the strategy and objectives that the community can come together to set for their state about where they want to see their state go and to plan for future growth.

To date that work has not been done in this state. Quite often conflict arises because of that. That is really important preparatory work that needs to be done alongside the regulatory work and reviewing of the scheme. The case is every time that you review a regulation it becomes quite

complex or complicated and perhaps unnecessarily so. There is one example of that in this draft bill before us today that I will go on to speak about when I speak about the contents of the bill.

The State Liberals made it a priority at the 2014 election, which is six years ago now, to implement state planning policies, and we are still yet to see those. I would like to have an update on that because it is an important part of this discussion. It all forms part of our comprehensive planning system and the approvals and assessment processes that accompany that.

I will make note that this policy document, or election commitment document, also outlines reductions in red tape of 20 per cent.

The next most important thing that I would like to speak about is this audit report, which is the 2019-20 one. As Ms Butler articulated, it is largely a copy and paste exercise from the previous report. I wanted to draw the House's attention in the first instance to page 55, which talks about the Tasmanian development regulatory reform. I will read from this report, which gives a concise overview of that:

### **Red tape burden.**

Development in Tasmania requires approval from an array of regulators from local councils to environmental; technical and safety authorities. Navigating these regulatory requirements is often confusing, time consuming and expensive for both small and large developments.

It goes on to say that the responsibility is the Office of the Coordinator-General. There is some background here as well, which says that feedback from industry associations and individual representations to both the Office of the Coordinator-General and the Minister for State Growth contends the current regulatory model for development in Tasmania can be confusing, inconsistent and cause significant delays. It goes on to say:

### **Red tape reforms.**

The Office of the Coordinator-General is overseeing a regulatory reform review of the development process in Tasmania for residential, small business and commercial projects.

The purpose of the project is to map and make recommendations for the reform of the regulatory steps the typical development will encounter. The project will examine the regulatory processes from the outset of the project and planning stage through to building and other regulatory approvals such as bushfire planning or EPA conditions on permits to reach occupancy or completion.

It goes on to talk about the status of the red tape reform project or report. It notes that the project was assigned to a Tasmanian consulting firm with expertise in planning and development approvals to undertake wide stakeholder engagement. The report and its findings are currently being considered by Cabinet. That is important because this report, I believe, was released publicly in February of this year, but other documents which talk about government time frames indicate that 30 June of last year was actually when that report was completed.

My question to the minister is that it would seem to me that the legislation before us today has seen the cherrypicking of a couple of items from that report. I think you said these were around 22 submissions to that. Many people put good time and effort into making a submission to that process and would appreciate understanding what the report found, the details of that and the recommendations. It would have been very useful to understand what was in that report as an evidence base to then make a judgment against this legislation.

Obviously, it covered a raft of issues around subdivision and other things. There are particularly important issues that have been raised now over a number of years. I guess that is why I am questioning the urgency of this today. Perhaps to do this more fully we should really have understood those recommendations. I have no doubt that you have had roundtable discussions with stakeholders about that particular report and the recommendations. You said that yourself during the second reading speech.

My concern lies with the consultation which was around this particular bill and those parts of that report which are included in this bill because feedback that we have is that it was not well consulted on. I believe there is evidence of that when late last night we saw a change about a five-day working period around the issuing of invoices around a permit. That morning it was an ordinary day, calendar days. I know that that was raised during the briefing that we had about the ability of councils to work within that time frame. I know that the Local Government Association raised that as well but there is a general feeling from those we have spoken to that the consultation on this particular legislation was rushed. Ms Butler alluded to that earlier, particularly from the point of view of when we received information about it, and a briefing, and the opportunity for us then to do the good work of working with key stakeholders as we understand what the implications of this legislation will be for them and the work that they do.

I would like to understand what was in the report, minister, and when that will be made available. There have been a number of time frames outlined in your key agenda items that state that this would be made available and there would be recommendations available. If this is what we are to do from here on in, and introduce cherrypicking pieces where we think there might some easy wins out of that report, then it would be good to understand when we are making decisions about it, what the full evidence base was, and what within those submissions was adopted by government. I would like to have an answer to that in your response later.

The other significant stakeholder that was not consulted is the unions. I have spoken with the ASU in particular about local government. My colleagues have spoken to other union members.

As I progress in my contribution today, I want to talk about some of the complicating language and the practicalities that I think is highlighted by the five-day clause that I already highlighted - about the practicality for those who have to now implement this and whether it is possible for them to do that.

One of our issues is that we have a shortage of planners right across Tasmania. We have planners who work part-time across different councils. There will be varying abilities of councils to adhere to these changes when and if they take effect. There is a real need for more collegial support for planners in Tasmania. That may indeed strengthen our planning system. Also, if we are able to employ and attract more people to work in planning that can only be a better thing for our state.

In the current situation we find that we need to be nimble when it comes to planning regulation and planning for future developments. Everyone has said it, and I will say it again, this is an unprecedented time where planning will be absolutely essential. It is an opportunity to put right what we have not done in the past, as my colleague, Jen Butler, said. It will be critical and it is absolutely critical that we have the resources to do it.

We asked about resources during our briefing yesterday. We were told clearly that there would be no need for additional resources, but you would have to speak to every individual council, and GBEs, that now have to implement these changes to understand what the implications will be for their resources.

Quite frankly, two days does not give the best opportunity to do that. I make the point that this legislation is not going to the upper House as part of our sitting for this week so there is the opportunity to do that thorough consultation now. Of course, there will be regulations that will be developed post this legislation. It is very important that stakeholders are consulted on them when the details of what will happen will be documented in the regulations. It is very important that they are given the opportunity to provide feedback.

Turning to the Social and Economic Recovery Council that the Government has convened, it is important that there be a local government representative on that committee but also a union representative as well. This bill today highlights that. As we work towards our recovery and we plan for our recovery, everybody needs to understand what their role is. We need to have insight into the practicalities of ensuring what needs to happen, can happen and happen in a timely manner.

I wanted to take some time to talk about local government and some of the pressures that have been on the sector during COVID-19. Councils are doing their best on rates remission and hardship policies to support their communities. Some of them have experienced significant downturns in revenue. They have not been eligible for the JobKeeper payment. Many in local government have lost their jobs. They already had compromised issues around planning and planning staff and the availability of planning staff. This has been a difficult time. They will be working through a number of things. This will be just something else that they have to work through. I encourage the Government to work with the local government sector and support them through this process. The provision of information will be very important to that.

There may be the opportunity to provide additional resourcing in whatever mechanism that might be, but we need to be mindful of the pressures on other levels of government as well at this time and their ability to adapt to changes in their own businesses.

This brings me to the contents of the bill. I have some questions relating to clause 6 to insert proposed section 51A about fees payable for application. The drafting of this is quite confusing. My understanding is the problem that you are trying to fix are councils holding off on an assessment period by not issuing an invoice. There have been a couple examples of that happening which has drawn out the assessment process and that is what you are trying to avoid. Correct me if I am wrong, but I think that is the problem that you are trying to fix.

I seek clarification on when does the clock start in instances when a council issues an invoice with the four business days? Is it when the fees are paid, or is it immediately? For many councils, this is linked to when fees are paid. There is a cost involved in working through the application as well as some of the advertising costs associated with it.

If you read proposed section 51A(2) in isolation, it implies that a council cannot refuse to take action until 21 days after the demand and a fee has not been paid, but proposed section 51A(3) indicates that it is considered a valid application from the day on which the fee was paid. The clause notes put it very simply but the actual legislation is quite complicated in the way it has been presented and perhaps does not need to be. I would appreciate some clarification on that.

The last point I wish to make is: if a council does not invoice within four business days and there is a non-payment within that 21 days, is the clock stopped at 21 days? Or is it no longer a valid application? What would happen if the applicant paid their fee on day 23? If the council does invoice within the four business days, the clock should only start when the fees are paid. Is that right? Or does the clock start at the lodgement? Some clarity on that would be good.

Clause 7 - the feedback I have received is that some smaller councils still might find that difficult because of a shortage of planners and only having planners part-time. This is only in the instance of more complex applications. It may take more time to assess them if other parties are involved. It may lead to an extended period where they would need to ask for more time or more information. That may be something else you would like to talk about: the intricacies of the sector and how that might work across individual councils, given their capacity.

The only other point I will make is clause 8 amending section 56, the minor amendments of permits. There seems to be general consensus around that being okay and we support that. But there needs to be greater clarity on what constitutes a minor amendment. This quite often is where there is conflict between a proponent, the community and the council. It is open to interpretation. It would be good to have some greater clarity on that which might assist the process rather than change to regulatory time frames.

Madam Speaker, that concludes my contribution and I thank you. I thank the minister's office and staff for their briefing yesterday. I finish by making the points again that the consultation was very limited and I am interested to understand what the recommendations are from that regulatory reform report. I also want to note that a number of other states have introduced fast-track planning legislation or policies and I want to understand what the intention of the Government was and what format that would come to the House in, whether that is an intention of the Government in line with their fast-tracking infrastructure programs that they intend to outline tomorrow? Is this what we can expect turnaround and consultation to be on bills as they come to the parliament, or will there be a genuine commitment to enable more time and consultation to take place on what are very important changes?

[3.11 p.m.]

**Dr WOODRUFF** (Franklin) - Madam Speaker, I rise to give the Greens' comments to the bill and in so doing I recognise the extensive conversations we had with the Planning staff yesterday who were responsible for taking carriage of this bill; it was a very fruitful conversation. It was a long and helpful conversation and I feel I have the measure of the contents of this bill, albeit at a very late stage, but we understand that legislation coming before us in this COVID parliament constrained period is to be of a certain type.

I am grateful for that consultation but I am aware that from the conversations I have been able to have in a short time period with some other stakeholders in the sector that they do not feel they had the sort of consultation they would have liked on the changes in this bill. It is my understanding that LGAT had nothing like strong consultation on this bill. I understand from the information I was provided that the changes to these various acts that are seeking to be changed in the bill have



been a matter of discussion for about 12 to 18 months within the department. Whilst it seems probable that there have been conversations with different local government councils or LGAT itself across that period - and I understand there has been conversations with TasNetworks and TasWater - it is not clear to me and I would like to have some more information from the minister what consultation was done for this bill in particular.

Minister, you mentioned that 22 submissions were made and 41 stakeholders were spoken to. When you respond can you give us some more information about what those submissions were to? Was it to this actual draft bill that we have before us? Frankly, I find that implausible, given that it has possibly only been written, maybe the ink is barely dry on the printer, for members of parliament to have a look at, so it is fairly implausible that 22 submissions could have been made and 41 stakeholders spoken to on this draft bill. What exactly are the consultations that the minister referred to and who was spoken to about these particular changes that are before us? As a legislator and as stakeholders who were concerned with planning issues will understand, the devil is in the detail. You can talk about things and generalities and whilst you might have general agreement, it all comes down to us in black and white at the end of the day.

For council planning processes and an assurance of fair dealings for both the proponent and for the council when they acting as the planning authority who takes the responsibility of making decisions on behalf of their local community and indeed in the best interests of the state, it is very important that we get the details right to make sure the balance is fairly struck between the planning authority and their responsibilities, between the rights of the developer for a fair and reasonable process, but most importantly that we are able as a state to fulfil the agreement and the legislative commitment to uphold the principles enshrined in schedule 1 of the Land Use Planning and Approvals Act, which are the principles surrounding resource management and planning for the state. It is those principles that are the basis of all planning decisions. They ought to be the foundational document that all Planning staff use to make an assessment through those statements of principle and statements of agreement. Everything else falls from that because that is what we are trying to achieve.

At the end of the day, if we do not get the details right we will wittingly or unwittingly erode over time the very principles we have legislated in this state that have kept us having a beautiful state where people have been able to have a say over what developments happen in their local area and where communities have been able to protect parts of the natural environment. Impoverished as our laws are, they nonetheless have given us the ability to hold back the tide of some of the most outrageous, egregious, massive, destructive developments that have happened across countries around the world and in other parts of Australia. Long may that last, Madam Speaker.

As a member of the Greens I speak for all the communities that are deeply concerned about the direction this Government is travelling, which it set up in 2014 with some of the commitments that were made to the Property Council and other big developers. We are deeply concerned to make sure that in the frantic rush to fulfil some of the commitments that have been made, they do not use the economic recovery from this devastation of the coronavirus pandemic as a veil for them to usher through the sorts of changes they have always sought to make to the planning scheme which would impoverish this state on so many levels.

What we want to do is keep strong and look to the future and understand what good planning has to be. Good planning has to put the promotion of sustainable development for the natural and physical resources and the maintenance of ecological processes and genetic diversity at the top of the tree for all of our planning decisions. That is what our schedule 1 of LUPAA says. We have to

have a fair, orderly and sustainable use and development of our land, air and water. The word 'fair' is written in there and also the other principle is that there must be public involvement in resource management and planning decisions.

All these things regularly come under attack by this Government and it is not unreasonable for the Greens to look with scrutiny at every single bit of planning legislation that comes before this parliament. I would like the minister to outline the consultation process for this bill because, whilst many of the amendments in this bill are reasonable, I would like to understand on what basis they are considered to be essential for the COVID-19 economic recovery. I would also like to understand why sunset clauses were not considered for some of them. If they are so necessary for a COVID-19 recovery, then it could be entirely reasonable to put sunset clauses on a number of the clauses in the bill so we could have a reset and a reconsider at a period of three months, six months or 12 months to make sure that these changes, which are ostensibly being rushed through because of the coronavirus pandemic and our need to recover from it, have not gone too far and caused unintended consequences.

What we have been through are two iterations of changes to the Planning Scheme that have been overseen first by the Labor Party, and then by the Liberal Party with the Tasmanian Planning Scheme, which is still at the interim stage. The Tasmania Planning Scheme will be coming into force in different local government areas in the near future.

These have dramatically shifted the way that planners and local councils assess development applications. There is such a fundamental risk aversion, understandably, of planning staff. Because of the way approvals must be assessed against performance measures, there is no capacity for qualified, expert planning staff to make sensible decisions on a case-by-case basis, based on principles and which look at each instance on its own merits.

What the Government has valiantly striven to do, and has succeeded to do in some measure, is to try to make every single assessment in the state be a cookie-cutter of every other one. That does force a blunt instrument onto every development application. It removes detail; it removes local situation. It removes the specifics of the environment. Everything becomes normalised and ultimately, as we have seen in other parts of Australia and the world, bland: blander, greyer and harder to maintain local character, harder to maintain local biodiversity and most of all, harder - impossible - to ultimately maintain a space for the community to have a real say about what happens in their local area.

Some of these amendments go a little way towards increasing the inexorable move which removes the ability of local councils to make specific planning decisions that are relevant to their area and relevant to the development application that they see in front of them.

Speeding up the process? Sounds good. We agree with many of the clauses in here, and that processes need to have a time frame. That is entirely reasonable, but reducing the assessment period from 14 days to seven days - five business days and seven effective days - will put more pressure on staff to make an assessment of what could be large volumes of technical information in a very short amount of time. That five-day process is a problem when there is substantially complex material that staff are working on.

Although in theory it sounds fine, with an assessment to be made in that time period, what are we trying to achieve here? We are trying to get a good planning outcome. Is that not what we are

trying to achieve? Should not that be what we are trying to achieve? If we are not trying to achieve that, then what are we asking for? We have to be careful what we ask for.

If you force time frames to be shorter and shorter, ultimately councils will have to respond by employing more staff. That is the only response they can have. Employing more staff directly increases the cost to developers. It has to, because they have to pass on their costs and they will.

Whilst it sounds as though it might be possible to achieve a faster and cheaper system, you are not going to produce a cheaper system by pushing time frames down and down and down. You will just force a more cookie-cutter approach, a more risk-averse approach that will, understandably, often produce an outcome where planning staff will say, 'We will just ask for everything. We will ask for every possible report we could possibly need to make sure that we do not find ourselves short, and we do not get caught out not being able to tick all the boxes that we have to tick'.

The councils are required to tick boxes. If they are required to jump through performance measure hoops when making assessments, then that forces a particular approach from them to cover themselves. Ultimately, who gets rich out of this? It is the consultants who do the independent consultant reports. It is also lawyers.

**Ms Ogilvie** - Nothing wrong with lawyers.

**Dr WOODRUFF** - We are not here to create a planning system that makes lawyers rich. That is my point.

**Ms Ogilvie** - They are not rich at the moment; I think they have been suffering in the pandemic.

**Dr WOODRUFF** - On the matter of lawyers, I was solicited by a lawyer who heard that this bill was on, and he made a point to me. He said, 'This is a bit of a sideways comment'. He said that he, in his firm and in conversations that he has with other lawyers, has a wave of legal claims against builders and building surveyors. That has occurred because of regulatory failure in the planning system. This person says subdivisions are approved, for example, and built at such a pace that work is often shoddy and building surveyors are failing to keep up with standards. This is great for lawyers but is awful for home builders and buyers. It is terrible for the community who also have to suffer with poor planning decisions. This bill, in some areas, speeds up processes, but in so doing risks making more problems in that area, not less.

Minister, would you be able to provide us with some information about how many complaints have been made to the Consumer, Building and Occupational Services area? Is it true that a large number of complaints have been made? Has there been a change over the last couple of years? It would be interesting to know in relation to this bill whether there are more complaints to the CBOS than there has been.

Finishing up my comments about the consultation process, my understanding is that the Local Government Association met with Planning staff and had a conversation about this but from what I have been able to glean, it was not extensive, detailed or specific. It seems that councils individually, from the ones that I have been able to speak to, feel they do not have time to develop an informed response to this bill. Given it makes substantial changes to councils' operation I find that inexcusable on the Government's part if there has been a 12- to 18-month process for bringing these changes on. Councils should have been able to formally respond to this process and I am sure would like to be able to do so.

Minister, you or maybe your staff mentioned this was the first tranche of a number of bills that were coming through to make amendments to our planning laws. I am interested to hear what the other tranches are, what areas of planning they relate to, and what time frame you have for those other tranches if you are aware of that at the moment.

I want to move to some specific comments about clauses in the bill. It may be that we need to move into Committee for me to have a conversation about these, but I will see if we can get through them before then. Depending on your answers we may not need to do that.

Clause 4 provides that the councils must let TasNetworks know that they have to be ready to identify a person and requires TasNetworks to be aware that they will have to engage with the proponent. This sounds like a very sensible change because rather than processes happening sequentially where all of the development application must be completed before TasNetworks will start to look at electricity connections. Having those things happening concurrently so that a person does not waste their money and their time is a very good amendment and we support it.

In relation to councils invoicing proponents when they put a development application in, given at the moment that the assessment process does not start until an invoice has been raised, this amendment requires that that process will commence within a certain time. It gives councils four days to raise an invoice. If they do not do so, on the fifth business day the process is deemed to have commenced and the clock will start for the 42-day permit period.

I have a number of comments about this. Regarding the question of whether it is deemed to be a valid application, the concern that has been raised with me is that if there is no invoice or demand for payment of the application fee made within four business days after the lodgement of the valid application, there may be little incentive for some developers or applicants to pay the fee because the planning authority on the fifth day will be required to process the application or the application will be in train. If the council operates in good faith and makes an assessment of the application within four days but for some reason there is a problem in the system and an invoice is not raised until the fifth or sixth day, then as I understand the way this is written, they have not raised the invoice and therefore they are into the permit application starting on the fifth day and there is no requirement for that invoice to be paid before council is required to complete its service. In fact, it may never be paid.

As I understand it, although a developer may choose not to pay the application fee, the council is still required to finish its service, even if after 21 days the developer has not paid the fee. Council could be more than halfway through the development process, the applicant is not paying the fee, and they have no way to force that to happen. I would appreciate your view on whether that is the case or not. We could suggest a simple amendment to that in clause 6, proposed new section 51A(2), which at the moment says -

- (c) the planning authority has, before, or within 4 business days after, the day on which a person lodges, or attempts to lodge, with the planning authority, the application for the permit, demanded the payment of the fee; and
- (d) the fee has not been paid within the 21-day period after the day on which the demand is made.

We foreshadow, depending on what the minister says, the possibility of changing that to 'unless the planning authority has demanded the payment of the fee'. It just removes all the four-day

business. It does not stop it all going ahead on the fifth day if the council does not act but it relates to the fact that the planning authority can demand the payment of a fee without this four-day business getting in the way. I believe it would still achieve the result that is trying to be achieved here but it would not leave councils with the possibility of having applicants not paying fees. We can discuss that in Committee if we need to.

In relation to clause 7, there is the difficulty with a reduction of this time frame to five business days. For some councils, like the Hobart City Council, who would find it, in some situations, a risk that they would not be able to comply with the scheme and would be compromised, particularly when they have to coordinate between different units in council to make sure that the information that has been provided is adequate and has been done appropriately.

In a large size council, like the Hobart City Council - and it may relate to other councils too - there is coordination between different areas and five business days sounds reasonable. However, for bigger projects, again this is a scale issue, there is the likelihood that it would not be possible to do due diligence on that work within five business days.

Before I go, I note my support for the changes that were made from the draft we saw yesterday.

**Time expired.**

[3.41 p.m.]

**Ms ARCHER** (Clark - Minister for Building and Construction) - Madam Deputy Speaker, I rise to make a contribution on this important bill today as the Minister for Building and Construction. Its title defies who has carriage of it as it deals with a lot of areas that do not necessarily fall within my administrative arrangements. Hence that is the reason why I am not taking the bill through, but am very happy to support it.

The initiatives contained in this bill as part of the first tranche of regulatory reform have been issues that have been raised with me personally with the Minister for Infrastructure and Transport, Mr Ferguson, and many of my other colleagues in this Chamber, specifically government and local members as well.

This has been an issue, and particularly planning reform has been an issue that I recall right from my time when I was first elected in 2010 and I was shadow minister for planning. Going into that next election in 2014, when we were then elected to government, we were able to implement the policy that I was largely responsible for but with all of my colleagues, the one planning scheme for Tasmania, which has largely been implemented.

**Mr O'Byrne** - When is that going to be implemented? You have not even got there yet. How can you claim that?

**Ms ARCHER** - I did not mean to invite interjection from Mr O'Byrne but he does find it very difficult not to interject on me, as do many other members on the other side of the Chamber.

**Members** interjecting.

**Madam DEPUTY SPEAKER** - Order, can we let the minister speak in silence, please.

**Ms ARCHER** - We are very proud of that reform because as we know, planning is such a vital part or cog of the wheel to any sort of development in this state and, of course, to building and construction.

As various ministers have held meetings and forums with their stakeholders, many of whom I share with the minister for Infrastructure, we have had joint civil building and construction meetings and forums with our stakeholders. Many of the ideas and concerns that have come out of those meetings have centred around planning. They have centred around difficulties that people have in relation to all sorts of connections that are required for building and construction and also in dealing with TasWater and other agencies and bodies.

There is strong support for this bill from stakeholders. Incidentally, while I am on my feet, I will address the fact that a lot of members are complaining about the lack of time. We are in extraordinary times. The usual courtesies have not been able to be extended. I will note my recollection of when I was in opposition and members on that side of the House, specifically Mr O'Byrne, who was a minister at the time, we would often receive bills the week of or not see them until they were tabled in this House. They would then be debated two days later. So much so, that I rarely ever got a briefing because there was never enough time to have a briefing from departments, and that was on a normal bill during normal times, no COVID-19 pandemic. I just wanted to say what my recollection was and that they have very short memories on the other side of the House. My recollection is very clear on that point, so much so we would often have a daily discussion about it.

**Mr O'Byrne** - You are the dream team leadership team.

**Madam DEPUTY SPEAKER** - Order, let us listen to the minister in silence, please.

**Ms ARCHER** - But guess what? We never whinged about it. We just got on with the job because that was part of being in opposition. If you are across your shadow portfolios you would be able to run with doing a speech on a bill. If you were consulting with your stakeholders on a regular basis and knew what was happening in the community and amongst your stakeholders you could make a contribution. You would have their contact details and you could find out very quickly what their views were on a particular bill that they had been consulted on by the government. It is not that hard.

I have not looked at my notes yet and I really do want to get to the Building and Construction (Regulatory Reform Amendments) Bill 2020 because as the minister for Building and Construction I strongly support the bill.

It is vital to recognise that leading into these very difficult times of recent months, Tasmania had the fastest-growing economy in Australia and the state's building and construction sector has been a vital part of this economic expansion. As the Minister for Building and Construction, I am strongly committed - as are my colleagues - to ensuring that the building and construction sectors are supported in continuing to be a driving force behind our Government's focus on delivering a strong economy and supporting the ongoing creation of jobs for Tasmanians.

Our Government is committed to assisting the state's key sectors, including the civil, commercial and residential building sectors through the challenges faced by the COVID-19 pandemic. That has been evident by the bills that I have taken through the House and the initial bill taken through the House by the Premier and the enormous amount of work that went into those bills

in such a short space of time. I will get to that later on in addressing some comments that were made by Ms Butler in her contribution.

With more than 20 000 direct employees the industry has been one of the state's great success stories in recent years. In fact, on many levels Tasmania's building and construction sector has been a nation leader. This has been supported by record private sector investment together with a record level of Tasmanian Government infrastructure funding for schools, the hospital, roads and other key assets. While the challenges of coronavirus present uncertainty it is also an opportunity not to lose sight of the positive outlook for Tasmania with the state's building and construction sector a vital part of our ongoing growth and recovery.

Month after month the Australian Bureau of Statistics reports that Tasmania is leading the way on many key indicators across the building and construction sector. I will get into these figures but that is the reason why I was really quite perplexed by an odd media release, to say the least, from the shadow minister for building and construction, Ms Butler, a member for Lyons, who tried to say that the industry was in decline pre-COVID-19. I want to dispel that. I do not know where you get your facts from. I do not know whether you have even looked at the Australian Bureau of Statistics reports, but I want to state on the record for *Hansard* some very critical statistics and I would like Ms Butler to pay attention to it.

Building work in the year to March 2020 was 1.4 per cent higher than the previous year. Tasmania was the only jurisdiction to see annual growth in annual original terms. This shows that we entered the pandemic with a strong sector. Throughout 2019 there were 3093 housing approvals in Tasmania, an increase on 2018. Tasmania was the only jurisdiction to see growth compared to the year before, bucking the trend nationally with all other jurisdictions recording a decline. In addition, building work done in Tasmania in 2019 was 5.7 per cent higher than in 2018, again the highest growth rate in the country.

These figures are strong. They are not the entirety of the figures that I regularly release by media release showing the growth in the sector. Ms Butler is over there saying I am cherry-picking. It is good news.

**Mr O'Byrne** - Refer to her by her proper name.

**Madam DEPUTY SPEAKER** - It is the honourable member.

**Ms ARCHER** - Madam Deputy Speaker, it just perplexes me when I read incorrect things on the public record and it is a continual trait of that member of late.

**Ms Butler** - I'm sorry but that's pretty funny. I'm allowed to have a sense of humour, minister.

**Ms ARCHER** - I have to have a sense of humour when I read some of the things you come out with; personal attacks and political pot-shots that are constantly being had by the member. I really do not know what she hopes to achieve by denigrating a sector that has a really good story in this state. People talk about it, the industry talks about it. Enough said about that, but I urge the member not to denigrate the industry.

We have certainly never taken this growth for granted. That is why now, more than ever before, we must focus on attracting public and private funding to reduce red tape across the Tasmanian economy and to further enhance Tasmania's reputation as a great place in which to invest. The

minister for Infrastructure and I have undertaken very close engagement with Tasmania's building construction and civil construction sector during these very challenging times. That included multiple industry forums involving many Tasmanian peak bodies from across the state and major contractors, businesses and individuals. From the Master Builders Association of Tasmania to the Housing Industry Association of Tasmania, civil contractors, painters, plumbers, electricians, the Institute of Architects, the Institute of Landscape Architects, surveyors, the Cement, Concrete and Aggregates Association and many more, many of those organisations have done an enormous amount of work for their memberships, including those in their sector who are not members of their organisations. That is the importance of the industry and how importantly they regard this situation to ensure that these industries thrive and recover.

I will get to my thank yous in case I run out of time. I really want to thank those peak bodies for the work they have done and the immediate communication that whenever we provide some information they get it out to their membership. There truly has been cooperation between these peak bodies and our Government and we thank them for that. The feedback from individual members and those participating in the industry has been very strong indeed. Even just walking down the street you get a builder stopping you and they are really appreciative for the information they have received to assist them to carry on their business and remain open for business.

We have obviously been listening to their concerns about the social and economic impact of COVID-19, how they have put in place workplace health and safety measures to work through the pandemic. It has been critical that the building and construction industry has been allowed to stay open, obviously with these measures in place, and throughout this process we have been working on recovery with their ideas on how the economy can bounce back.

While many industry representatives have indicated that work is continuing across their sectors, there has been the general observation in a number of medium- to long-term private sector projects have been delayed or even cancelled. We are working through that with them and any assistance we can provide in that regard with the private sector. Of course, over recent months the Government has already announced a number of stimulus measures in response to this feedback from industries, including the \$50 million public building maintenance fund announced in March. There has been a number of things in my portfolio that have benefited from that, not least of all the Botanical Gardens, TMAG and my cultural and creative arts sector and other projects within Justice and so on. It truly has provided that injection for local contractors and businesses and they are truly thankful for that work.

We have always understood and continue to understand that more will need to be done and that is why the Premier has indicated we will shortly announce the most aggressive construction program in the state's history.

I want to say something about unnecessary red tape and over-regulation. It can cause difficulties and significantly increase costs for the building and construction sector and we are committed to removing these barriers and growing our economy and increasing or creating jobs. This is particularly important as we head into post-COVID recovery with investment and job creation now more important than ever. The building and construction industry has communicated this to us and that has resulted in this first tranche of reforms included in this bill which will introduce legislative time frames for the permit process for energy, water and sewage services, as well as apply time frames to some planning processes that are not currently subject to any legislative time frame.



With the impact of COVID-19 and the challenges arising in Tasmania as a result, the need for clear, timely and efficient planning approval pathways has become a matter of increasing urgency and priority. The Government expects to introduce further legislative reforms later in the year to further cut red tape and streamline regulatory processes, helping to deliver even more efficiencies to businesses so they have confidence to invest in Tasmania and do business in our state. Clearly some level of regulation is always required. Obviously part of my Building and Construction portfolio has workplace health and safety and it is critical that we have protections for Tasmanians, Tasmanian businesses and their staff and their patrons and visitors to their premises, but the unnecessary and outdated red tape only stymies businesses and the delivery of infrastructure and that is what we want to cut. The Tasmanian Government has a target to fix 85 per cent of reported red tape issues by 2022 and we are well on the way to achieving this. I note this desire for removing red tape was echoed in the Premier's 2020 Address as well.

I was going to go through the elements of the bill. I think they are clearly known and have been run through by other members so I will not dwell on the specifics of this bill per se. I wanted to make my comments around building and construction and the feedback and what we have done in response to working in close partnership with these stakeholders. We are confident that this bill will help to decrease the time it takes and the complexity of building houses and public infrastructure for Tasmanians. It will also provide greater confidence for investment in commercial infrastructure, which is again vital as we recover from COVID-19.

I also want to add that our Government, as is well known now, is progressing the major projects bill which will work to simplify processes for larger and more complex projects. I need not go into that because I know the Minister for Planning will be addressing the House on numerous occasions in relation to that.

There were a few things I wanted to say about commercial leases because it was touched on by the member for Lyons, Ms Butler, regarding the protections the Government has put in place for commercial tenancies. I do not want to reflect on the debate that we had in this place in relation to the bill but it is not correct to say that Tasmania has been slow to implement the COVID code of conduct for commercial tenancies. I want to run through that process to clearly state on the record the facts in this regard. The code was announced by Prime Minister on 9 April 2020 and just two days later on 9 April -

**Ms Butler** - I know this, minister.

**Ms ARCHER** - I am placing it on the record because what you do not realise, Ms Butler, is when you say the things you say when you come into this House, you are denigrating people who are working on this.

**Ms Butler** - Minister, you just do not like it when I call you out.

**Madam DEPUTY SPEAKER** - Order, the member has made her contribution. I ask that the minister be heard in silence, please.

**Ms ARCHER** - Some of these people were working 20-hour days, seven days a week. The enormity of the work that has gone into bringing these bills before this House and then to be criticised - there was even one occasion when Mr O'Byrne criticised a briefing he was given by department staff, who took it pretty personally.

**Mr O'Byrne** - I did not criticise. When did I criticise?

**Ms ARCHER** - I am mentioning this because I would urge members to reflect -

**Mr O'BYRNE** - Point of order, Madam Deputy Speaker, this is misleading the House. At no stage have I denigrated any officer, or any bureaucrat, who has provided a briefing to us. I seek a withdrawal.

**Ms ARCHER** - I am not going to withdraw, Madam Deputy Speaker. I do not have the *Hansard* but I can point to it. He said that his briefing on something was woeful. It was raised with me. I am mentioning it because it is something that members - you can criticise me all you like but do not criticise those who are working really hard on time frames and things that are important during this time more than ever before.

As I was saying, it was just two days later that the Premier issued a notice under section 22 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 to implement the key principles in the code, which were preventing termination of the leases for rent arrears and preventing rent increases from taking effect. In taking these steps, Tasmania was the first state to put in place protections for commercial tenants. These were in place from that date, 9 April.

I will explain the difference between the measures and the regulations in a moment. This is why I am going through this exercise. These measures, along with a commitment by the Government to introduce legislation to implement the remainder of the code, provided vital and timely support to Tasmanian commercial tenants. In fact, at this time many tenants and landlords started negotiating changes to their contractual arrangements because they could see what the code of conduct required and they were dealing with the impacts of COVID-19.

Unlike many other jurisdictions, Tasmania does not have an existing legislative framework which could be used to implement the code. This is because instead of a stand-alone act to deal with commercial tenancies, we have a Fair Trading (Code of Practice for Retail Tenancies) under the Australian Consumer Law Tasmania 2010. Tasmania, of course, is a signatory to the national consumer law. This code, however, is narrow in its application. It was not able to be amended for the purposes of the code of conduct. That is why we had to progress the way we did with the COVID-19 bill. Also, our Government released a discussion paper in late 2019 to replace the Fair Trading (Code of Practice for Retail Tenancies) with stand-alone legislation and that has received strong support from stakeholders.

**Ms Butler** - How does that explain why it has been a month for the regulations to be put out?

**Ms ARCHER** - I am getting to that. I do not think Ms Butler understands the complexity of this and the fact that stakeholders are being consulted.

As a result, the bill was passed by parliament on 7 May, which was only a month later. Considering the enormous amount of work achieved in that time, I am extremely proud of the team who worked on that. I said that at the time.

The act included provisions for the making of regulations, which are currently being thoroughly prepared. They have to be prepared thoroughly. It is important to note - and this is the critical point here - that these regulations are not required for the act to be in effect. The act is in effect. They simply supplement its operation by providing further technical detail. For example, the regulations

will provide further detail in the application for rent-freeze provisions to different types of lease arrangements.

The regulations are currently being drafted. I am advised they are expected to be circulated -

**Ms Butler** - But it's the Property Council -

**Ms ARCHER** - I am going to repeat that. This is what Ms Butler fails to understand. You do not listen to the facts, therefore you go out there and make things up.

**Ms Butler** - It is the Property Council that has stated this, minister. Maybe you need to patronise them with your knowledge, like you are doing in the House.

**Ms ARCHER** - It is interesting you should cite the Property Council. I know they were very disappointed in the lack of scrutiny by the Opposition at some things going through the House.

As I said, the regulations are currently being drafted and expected to be circulated to stakeholders for comment later this week. This follows initial consultation undertaken by the Department of Justice on the scope of the regulations in late May 2020. Stakeholders have had that. They are due to get the actual regulations this week. This was to ensure that at that point in time, regulations covered any urgent issues. So, the urgent issues identified by stakeholders were dealt with first. That resulted in responses from the Local Government Association of Tasmania and guess who, the Property Council of Australia, Tasmania and also the Law Society of Tasmania.

At the same time, the Tasmanian Government has moved to implement mediation arrangements to support mediation provisions in the act. We did not have a small business commissioner to do the mediation so we have dealt with that. By 22 May, the Director of Consumer Affairs and Fair Trading is the mediation provider for the purposes of the act. He released requests for expressions of interest to provide mediation processes. We have received a total of 15 applications, which are currently being assessed with the expectation that mediators will be appointed in coming days. That does not prevent the director from using mediators in the meantime.

An application form to apply for mediation has also been included on the Consumer, Building and Occupational Services (CBOS) website. To date, there has been one application which is currently being considered.

As mentioned earlier, across this period, landlords and tenants have been negotiating to put arrangements in place to reduce rents and enable businesses to survive the economic effects of COVID-19. I applaud them for doing so. The act is in place and is enforcing the code of conduct. Nobody is disadvantaged by that. The work that has been achieved on the regulations in the last month is outstanding. It is significant. Please trust me when I say nobody is laying idle on this, hence the reason I got quite heated. Staff do take it pretty seriously. They are working hard on this.

**Ms Butler** - It was not directed at your staff, minister. It was directed at you, as the minister. I look after staff.

**Ms ARCHER** - I do not sit down and personally write it, you know that. We have experts in this area working on it. I take ultimate responsibility.

**Ms Butler** - Minister, this is about you as a minister. It is not about your staff.

**Madam DEPUTY SPEAKER** - Order. The member has made her contribution. The minister only has a couple of minutes to go. I ask for her to be heard in silence, please.

**Ms ARCHER** - Ms Butler knows this. In effect, you are attacking people who are working on it. Do not play semantics on this.

I applaud landlords and tenants for working on this together. There are some difficult circumstances and lease arrangements as well, but that is the reason for having the code of conduct and the mediation. I thank the federal government and the heads of each state and territory, our premiers and our first ministers, because it required a national approach. It was not easy to come to any sort of consensus.

I will close by saying in addition to this, CBOS has provided advice and support to 67 commercial tenants and landlords. This has included explaining to each party their rights and obligations under the code as well as advice on how to go about negotiating a rent reduction. I thank CBOS, particularly Peter Graham, for his hard work. It has been tremendous. Those of us on this side of the House appreciate his efforts, and the efforts of OPC and the efforts of all our other agencies, the second law officer and others who have worked on this diligently for several weeks, indeed months.

I conclude by paying tribute also to Tasmania's building construction sector and its many hardworking employees. It has been refreshing this week to see more on site across the road from my other office, attending the bakery and utilising the businesses in the area as well. It is a nice sight to see people starting to get back to their daily lives in some form.

From my perspective, the building and construction sector has been good to deal with during these challenging times: those who are on sites and the peak bodies, as I have mentioned before. The building and construction industry generally should also be proud of their industry bodies because the way they have conducted themselves and been so willing to have meetings at short notice and provide their feedback has been useful.

**Time expired.**

[4.11 p.m.]

**Mr O'BYRNE** (Franklin) - Madam Deputy Speaker, I had intended to be brief and to touch on just one matter related to this bill but there are a couple of things that do need to be said. The verballing of me by the member who just resumed her seat -

**Ms Archer** - I will get you the *Hansard*.

**Mr O'BYRNE** - My comments, and I am assuming she is talking about the comment I made this morning?

**Ms Archer** - No, it was during one of my bills I had carriage of. You are welcome to that.

**Mr O'BYRNE** - You did not choose to challenge at the time, but let us be clear: when I am critical about a process a government undertakes it is criticism of the government making decisions which put people, opposition members, government members and bureaucrats in awkward situations in terms of time frames and the ability to fulfil their functions, not only under the act but the functions they are asked to do within their departments and within their roles. It is not a

reflection on the bureaucracy. It is not a reflection on the individuals and their commitment to the work they are doing.

I will go back to the *Hansard* and check the exact words, but the referral at the time and the reflection at the time, was the way you and your office conducted that consultation and that process. My discussions about this bill earlier in the day were not a reflection on the hard work of the department and the people who are working on this, working very hard in the most extraordinary of times. It is not a reflection on them. It is a reflection on the decisions you make as a government, as ministers, as the executive arm and putting people into circumstances that were no doubt not the ideal circumstances or outcomes or where things may get missed. It is not a reflection on them at all. It is a reflection on the actions of Government. We did not oppose the introduction of this bill.

Your reflection on your time in opposition: my memory was we always offered briefings in a decent time. My relationship with my shadow, particularly Rene Hidding at the time, always offered briefings in good time. The reflections that we are making today about the bills that you introduced on the day to be debated, on the day that we were briefed the day before. That is an entirely different set of circumstances.

For you to twist your experience in opposition and to verbal us and to profile or frame that kind of behaviour as acceptable, we absolutely reject. It is not our experience. You preach to us and you patronise us in some of your contributions about doing your job. Goodness me, how are you going at Westbury? What a ham-fisted approach to a development that you have overseen as minister; the way you have treated that community, the lack of consultation, the mis-steps. Do not come in hear lecturing us about this sort of stuff. It is offensive.

**Dr Woodruff** - Why do you want to be able to be called in for a special decision by the minister on a major project?

**Mr O'BYRNE** - Focus on the issue -

**Dr Woodruff** - That is exactly what you are prepared to do.

**Ms Archer** - They are all over the place, Rosalie.

**Madam DEPUTY SPEAKER** - Order.

**Mr O'BYRNE** - There is no doubt there are sections of the economy that are doing well, that have done well and are providing lots of economic activity.

**Members** interjecting.

**Madam DEPUTY SPEAKER** - Order, I cannot hear the member make his contribution. I ask that the member be allowed to speak in silence, please.

**Mr O'BYRNE** - Ultimately the measure of economic activity is state final demand. We know in the December quarter, in trend terms, we were in negative state final demand, the first time in three years. Now, we do not celebrate that fact. We are calling it out for what it is, that the economy, whilst there are areas that are doing well and have done well, is in a tough period at the moment. But let us not pretend that the state economy was all beer and skittles and roses according to the

Government. State final demand, which the Premier himself has indicated is the key indicator of the state's economy and how it is faring, was negative in trend terms for the December quarter.

In terms of the bill itself, and again the motivation to assist the building industry and to assist with appropriate time lines to allow building and construction to occur, to allow all the works of the utilities to occur in a decent amount of time, this has been a frustration for industry for many years. The thoughts behind, and the values, and I suppose the motivations around this kind of legislation is supported by this side of the House. We want to ensure that we can have a good, efficient approval system so the economy and the productivity in being able to get approvals through the various tiers of government, through the various utilities and the work that they are required to do can be conducted in a good, decent amount of time, allowing them to do the work properly, but also making sure that our industry can get on with the job, keeping momentum and the economy going, keeping a whole range of people employed and families with food on the table. We support those values.

This Government, particularly the member who has just resumed her seat, opened her contribution by saying how good it is to have a statewide planning scheme. That was her policy in opposition. Well, when we get that we will celebrate it, but we do not have it yet. It is pretty clear, after six years of government -

**Ms Archer** - Moan, moan, moan.

**Mr O'BYRNE** - Well, you opened up with it. I am saying that when we get there we will celebrate with you, if you think that is a crowning achievement. The setting of time lines, the 14 days and seven days, is an issue I raised and it is more in my shadow energy portfolio. It is an issue we raised at GBE estimates last year. That is the issue with the electrical industry and the 'sparkies' and the builders getting access to energy on building sites. We know getting meters and getting the power turned on at building sites is a major issue.

Now we are hearing stories through TasNetworks and Aurora, historically within two weeks, usually the connections would be made and power would be facilitated to the site. But we are also hearing - and it has been acknowledged - that those time lines have blown out. This has blown out because it is a decision made by Government and made by the Government Business Enterprises at the end of 2016 and 2017. The function is now being performed by Metering Dynamics which is a Queensland government-based and owned company. There is a real confusion now between TasNetworks, Metering Dynamics and Aurora around the responsibility and time lines.

At the time, now we know, with the disaggregation of the energy businesses and national competition policy there were clear roles allocated to different players within our energy businesses. The decision made by Aurora at the time, the GBE, with the full knowledge of the minister, that instead of maintaining that role of putting the metering boxes in public hands, in the hands of either TasNetworks, or ultimately it should be now, given the national competition policy, in the hands of Aurora, they chose to privatise and contract that service out, ironically, to a Queensland GBE in Metering Dynamics. They use Lendlease down here to do their work, so it is a bit convoluted.

The time frames that were being met by GBE employees was within two weeks. Orders filled, orders put in, contracts in and the meter box and the power turned on at the site; on average it would take a two-week period. That has now blown out to over a month. We are hearing of some pretty horrible stories about confusion between Aurora, TasNetworks and Metering Dynamics about who is responsible for what at what point. It is adding a significant layer of complexity to the businesses.

Matters have been referred to the Ombudsman but not much has come back out of there because it is ultimately an issue between a private company, Metering Dynamics, and the contract they have with Aurora. We raised this at the GBEs last year. It was acknowledged that it was a problem but precious little has been done.

It is easy for us in this place to set these regulatory time frames. It is altogether another thing as a government to act where you can to bring these times down. The issue we have and the issue we are confronting in this, particularly with TasNetworks - and the motivation and the goals are laudable and we support them - is that there is an opportunity to intervene and there may necessarily be a review of the installation of meter boxes to ensure that kind of time frame and that kind of delay does not happen on building sites. No-one would think that is acceptable. If they do, they should not, and we think that is a challenge as well.

The other one is in relation to TasNetworks. We can set as many regulatory time frames as we want but there is no doubt that TasWater and the capital delivery office has been mired in a lack of ability to get contracts out the door to the contractors in the building and construction industry. There is an increasing level of frustration. This was after the then Treasurer and now Treasurer and Premier commenced a two-year war trying to take over TasWater. It spectacularly failed and they essentially had two years of war with a utility that effectively took their eye off the ball and was basically responding to a hostile takeover from the state government. It was two years of wasted resources, wasted focus, wasted effort and then, on the first day of the opening of parliament after the 2018 election, all of a sudden there was peace in our time, a capital injection, a price freeze and then a cap.

Effectively, the motivation for the takeover was to bring forward the infrastructure program and we know now that that is mired in mud. We have serious concerns around the role of the capital delivery office. They privatised it and got a mainland company in to manage it and work is grinding to a halt. The building and construction industry is very frustrated and concerned about the pipeline of work, if you will excuse the pun.

It is very easy to come in here and dictate to the utilities about time frames and approvals, et cetera, but there is a whole range of things we can do in a fuller and more practical sense that could assist the building and construction industry, particularly as we are heading into what seems to be, and what is predicted to be, a very tough time for that industry with a number of contracts now either paused or cancelled, and the pipeline of work that had been identified really starting to thin down and tighten up.

There are other things that can be done. If this Government is keen on ensuring that not only do we lift productivity in that industry, but using the government business enterprise of Aurora and their ability to get meters installed in homes, to allow the rest of the work to be done and allow people to move in, but also as they are a new shareholder of TasWater, they have an ability to influence their capital program because there are significant concerns coming from the industry.

I will not repeat the contributions of our shadow spokespeople who raised a number of good issues and questions to be answered, hopefully respectfully by the minister without lecturing or patronising us.

**Mr Ferguson** - I'll just take it, absorb it?

**Mr O'BYRNE** - No, if you could take it on board and respond that would be great.

**Mr Ferguson** - I can absorb it.

**Mr O'BYRNE** - You have absorbed a fair bit recently. We obviously support the bill. There are some questions that need to be clarified. We hope they can be, but there are a number of things you can do that can assist the building and construction industry that are not necessarily just setting deadlines and then set and forget and walk away. It is very much within your hands to assist in those two matters that I have raised. No doubt the Premier tomorrow will raise a number of other issues in the building and construction industry.

[4.25 p.m.]

**Mr FERGUSON** (Bass - Minister for State Growth) - Madam Deputy Speaker, I appreciate the contributions that have been made around the Chamber. I have lots of notes that I have taken and will endeavour to respond to the issues raised.

From the outset it is very clear that members of this House support this legislation. I am particularly grateful for that. I am going to sidestep a lot of the inflammatory comments that were made, which were not particularly constructive if we are all very honest with each other. I will attempt to directly deal with the real issues of substance, particularly as they relate to this bill, even if they are areas where members were quite challenged about them.

I have a bit to work through here so would ask for a little bit of forbearance as I work through a number of different speakers' contributions, noting that there were some overlaps and commonality. What I have attempted to do is arrange my responses approximately in a themed order so I will not be responding speaker by speaker.

First of all the red tape audit report that was referred to in the debate does not and has not ever attempted to capture the regulatory reforms outlined in this bill. That is a different reporting mechanism. They have been developed and approved more recently than the last report. It is important to note as well that references made in the red tape audit report are intended to be a cumulative reporting-back mechanism to the Tasmanian community about the red tape reforms that have already been tackled and addressed.

The Premier announced in his state of the state address in March that this Government is looking at a regulatory reform agenda and specifically named TasWater and TasNetworks at that time. Immediately after that announcement my office commenced discussions with the utilities concerned as well as the Local Government Association of Tasmania on what eventually became the bill before us today. Due to COVID-19 the responses from those organisations were legitimately delayed and we only received feedback from those organisations in recent weeks. Based on that feedback we have prioritised these measures that we believed were achievable in the time and have the greatest ability to provide real assistance to industry in particular, with a keen eye on the COVID-19 recovery.

I would like to be really clear with members, particularly members opposite, that these reforms were intended for later in the year. I am very open about this. We have specifically brought forward this first tranche as a recognition that we needed to do something here and now because of the economic circumstances we are facing. There should not be any quizzical concern about it. We have specifically pulled out those areas by working with our departments, the Office of the Coordinator-General and OPC in terms of the drafting task about what we would be able to achieve and what we believe would be of the most uppermost interest and benefit.



In fact if I can represent a few comments that have been made to me or have been passed on to me from industries and the stakeholder organisations, some have said just dealing with TasNetworks on its own would have been enough to keep us happy for this first tranche. Another said just dealing and inserting some statutory time frames in relation to minor DA amendments would have been enough to justify this legislation. That is quite satisfying because it tells us that we have been able to select the initiatives that are of the most interest, or if I can put it this way, the most annoyance to people, because we have had plenty of instances where local government have said to an applicant, 'Rather than putting in an amended DA, you are possibly better off putting in a new DA'. You have probably heard the same.

**Ms Ogilvie** - I was told to do it for my project.

**Mr FERGUSON** - You mentioned that in your contribution, Ms Ogilvie. That is a perverse circumstance, is it not for a planning adviser to suggest to you, 'We are probably better off putting in a new DA, at least we know it is going to be 42 days'? Minor DA amendments have taken months and that is not right. I make those comments.

I agree with Mr O'Byrne's comment that this is never 'a set and forget exercise'. No government will ever be able to claim, nor should they, that any particular bill represents an act of parliament that should now serve us for many years in the future. No doubt there will need to be a keen eye on future initiatives. That is certainly how I represent this project.

There is much more work to be done. The whole point here is to continue to work with great organisations like the Northern Midlands Business Association and someone like Gordon Williams, who I would have to say is one of the finest executive officers of any chamber in the state, a fantastic local resource and very productive as well, and to that point we have been engaging with stakeholders over this journey. The role of the Property Council has been referred to - its own prompt back in 2018 to take a headlong look into these issues. The work that was published by the NNBA earlier this year is hand-in-glove with these initiatives. Without diminishing from their work, it was in part informed by ours. I can say it has been a collaboration, a good one, and long may it continue. I suppose the standard has been demonstrated for other chambers and business associations to feel as free as NNBA did in giving us good advice about what to tackle next. All for it.

Ms Butler raised the issue of subcontractors. I will answer the question this way: the bill only attempts to address TasNetwork's role. If TasNetworks holding the responsibility to deal with the design and connection process choose to engage a subcontractor, the responsibility still sits squarely with TasNetworks to manage the subcontract and be responsible for meeting time frames.

There have been questions asked about future proposals. I am not in a position to describe them in any form of detail but I will attempt to do so in a descriptive way. I am not in a position, nor will I attempt to discuss matters that are before Cabinet, but Cabinet is in receipt of advice. Cabinet has sought the assistance of an interdepartmental committee. When that interdepartmental committee comes forward with further proposals and timing for this to be implemented, we will continue to consult. That is the best way I can express it and try to show respect to members of this House.

I can be descriptive about some of the subject areas for which we want to see the same kind of efficient time frame management in government agencies as we are seeking to have better alignment with time frames for local government and TasNetworks and TasWater. It is that kind of approach.

So I commit that when firm proposals are ready for consultation, we will endeavour always to consult. In the case of this bill I feel that it is right to say that we needed to accelerate our efforts and to compress some of the consultation. We do not apologise for that. In fact, those whom we consulted recognised the importance of doing this work during the month of June -

**Dr Woodruff** - Does that include LGAT?

**Mr FERGUSON** - Yes it did.

**Dr Woodruff** - They accepted it? That is not what I have heard.

**Mr FERGUSON** - I am representing it as I understand it. Our stakeholders have understood that we did need to compress our time frames for consultation because of the times that we are in. I have already referred to the COVID-19 wave that affected consultation. I think it is the case that, officially, in a perfect world, local government gets something like five weeks to be consulted on a proposal - time we just do not have.

I was asked by a number of speakers about the time frames expected for these regulations in relation to TasNetworks. The regulations underpin one particular section of the bill. It is my intention for those regulations to be brought back to this place as soon as possible. I can make a commitment that we will bring the regulations in this calendar year and much sooner than the end of the year. To achieve that we will be working with TasWater and TasNetworks to develop those regulations as we will need the input and support of these organisations in order to ensure that there are no unintended consequences.

There was a further question in relation to when the bill itself will take effect. It will take effect on proclamation, which is in a short space of time once it has been considered by both Houses and achieves royal assent. We intend that it be implemented very soon, probably the month of July, noting that there are some savings and transitional arrangements at the back end of the bill.

Ms Ogilvie asked me about fire permits and whether that can be considered. I do not have advice on that but I am more than happy to take it on notice. As well, I would make the same comment to Dr Woodruff in relation to her question about CBOS and the increase in complaints to that entity in relation to builders. I do not have that advice. I will pass on the question to Ms Archer, the minister for consumer protection.

Going back to consultation, LGAT was specifically consulted. It was given a copy of the draft bill. Some members may be aware that the bill I presented to the parliament today has an amendment that reflects the feedback that I received from LGAT in relation to seven calendar days. It would be better to reflect that it is five business days which we have taken on board, noting that at Easter and Christmas that might be a particular problem.

I was asked about resourcing by Ms Butler. It is not expected that there should be a need for resourcing here. There is no change to the planning laws in this bill. What is changing is an expectation and accountability process for sharing information, particularly with local government being the recipient of a planning application. There are some process improvements that need to be incorporated by local government. There is no expectation that this will be onerous or difficult to implement.

My advice is that the process will be administrative and electronic, using template documents which are easily achieved, noting that some of this work triggers a responsibility not on local government, but on TasNetworks to provide a range of information that can be used for the applicant, that is the DA application. The whole intention is that we can have two processes running in parallel rather than two processes happening, one after the other.

I was asked about penalties for non-compliance. These reforms are intended to be based on goodwill and the expectation that the law will be followed. The reforms will require councils, regulators and utilities to make some process changes, including a more customer-accountable cultural shift. We do not intend to implement penalties or deemed complied provisions as a part of these regulations for this bill. If we do find in the coming months that there are real and significant non-compliance issues, we may revisit the need for penalties. In my mind that is undesirable and probably unlikely as well. We do not need penalties. What we need is to provide for the process - I like the way Ms Ogilvie put it; process redesign so we can make it more contemporary, more accountable but most importantly, more customer focused on the individual family or the business making a planning application.

There was a question about TasNetworks and their preparedness to implement these changes. As previously stated, TasNetworks has been aware of these potential changes for a long time now, and has been actively consulted since early March. TasNetworks requested the planning referral component of this bill, which we have included. They will be working closely with the Government as we develop, and have drafted the regulations, and at a later time, introducing those.

I will make a point: one speaker conflated regulations with the overall bill. The regulations only relate to one part of the bill in relation to the Electricity Supply Industry Act, Part 2 of this bill. The rest of this bill does not need to wait for those regulations.

Dr Woodruff asked some questions about the process involved with the councils' intended obligations to issue an invoice. I am going to choose to put this very delicately. There are 29 councils in Tasmania, 29 different ways potentially that things have operated. I am not going to name any councils today, but I am aware of circumstances where it has certainly been said by the applicant that it rather looked like a deliberate attempt to delay a planning application being considered because the invoice was not being issued. The applicant was unaware of the need to pay a particular sum of money, then when they have inquired, maybe months later, they found out that the clock has not even started.

Now, I make no accusation other than we need to tidy this up. In relation to this, I have some advice here that I will seek to step through with the House. I was asked about when the clock starts and stops and I was specifically asked about how it works in terms of payment of that invoice, regardless of whether it is on time or late. I have a range of scenarios that I will share. First of all, if an invoice is issued on time, that is within the four days, and if it is paid on time, obviously the clock starts on the date that the invoice is paid. If the invoice is issued on time, that is if the invoice is issued within the four days, but it is not paid within the 21 days, then it is not a valid application and it could be refused. The burden then is on the applicant. If they have not paid an invoice that was issued on time, then they have fallen foul of not paying. If the invoice is not issued in time, that is in the four days, then the clock is automatically commenced at the day five mark. The local government cannot refuse that application except on planning grounds. It cannot refuse simply because it has not been paid. After all, they did not issue the invoice on time.

I want to make an important point at this moment. Dr Woodruff, you were asking specifically about a circumstance of the council being able to recover what it is entitled, that is the prescribed fee which you usually set out in by-laws, an invoice, for example. I have made up a scenario to assist this point. An invoice issued two days late, for example, and it may be paid within the 21 days of the invoice date, then it is due and payable within that time. Now, if it is the case that a planning approval has been issued in the meantime because the invoice was issued very, very late, or not at all, when the invoice is issued it is still due and payable, just as a rates notice would be. It is still legally obliged to be paid, even if it is at a later time.

**Dr Woodruff** - Thank you for that explanation. It does not answer the point. The question which I asked, through you, Mr Deputy Speaker, if that is acceptable, or we could go into Committee to discuss this.

**Mr DEPUTY SPEAKER** - That is okay.

**Dr Woodruff** - It does not address the issue of the council acting in good faith and being required to continue a process if an applicant refuses to pay after 21 days. I would see this as different from a rates notice or something else. It is a service which the council could stop, as a person could stop doing another service until the payable fee was paid. Otherwise you are asking a council to go on and do a whole lot of work that it is not being paid for.

**Mr FERGUSON** - There is a duty that was to be shared here. There is a duty by the council to issue the invoice in a timely fashion. By the way, it is not like there is a lot of work in issuing an invoice, because they are set out in the council by-laws. They can be identified quickly and they should be identified quickly. We do not want development applications to be held up because the council failed to issue the invoice. That has occurred and has been very unfortunate.

There is an incentive, therefore, on the council to make sure that it is process ensures that when a development application is received, maybe by a person at the front desk, that it is not just put into a pigeonhole and forgotten. The process improvement ensures that it is seen by somebody who can issue the invoice within four days and that is an important accountability measure that we want here. Equally, there is a responsibility on the applicant. If council has done the right thing, then the applicant is expected also to do the right thing and to pay within 21 days.

We need to incentivise best practice here and that is what the Government seeks to do, but I remind the House that there is no avoiding the fee.

**Ms Dow** - Does the clock start then once the invoice is paid?

**Mr FERGUSON** - If the invoice is issued within four days and the payment is received, let us say, two weeks later, the clock starts when the fee is paid. The council has done the right thing, the applicant for whatever reason good or bad, has delayed their payment for good intention or they did not have the cash at the time, the clock does not start until that on-time invoice is paid.

**Ms Dow** - If that is the fact, then they will not commence work until the clock starts.

**Mr FERGUSON** - The council may well have commenced work but may do so voluntarily but the statutory time of 28 days or 42 days does not commence on an invoice until it is paid, if the invoice was issued within four days.

**Dr Woodruff** - If it was raised within four days?

**Mr FERGUSON** - Correct. That is right.

**Dr Woodruff** - There is a way forward and we will need to discuss this in Committee, but thank you for that explanation.

**Mr FERGUSON** - I might curtail my remarks now then, because what we are demonstrating here is that this has been thought through by our draftspeople. It is fair and it is reasonable if an invoice is issued within the four days, which a council should and with good contemporary practice do, then the clock does not commence until the fee is paid.

If the council had been tardy, or the process has let them down and they have not issued an invoice, the clock starts on day five. That does not mean that you already have five days up your sleeve. It simply means the clock then commences on the fifth day. Day zero in terms of the clock, the statutory time frame of 28 days or 42 days, commences on the day after the invoice should have been issued. Okay?

**Dr Woodruff** - Through you, Mr Deputy Speaker, since the minister is prepared to use some of his second reading response time to have this conversation, if you would prefer not to have it in Committee, I think you are misunderstanding me, possibly wilfully now or maybe it is a true misunderstanding. I do not dispute that the planning staff have worked through this. What I am saying is that what has been drafted is unnecessarily punitive. You have already drafted something which does require councils to be incentivised. They will be incentivised by what has been established. The process will go forward. Under this, there is now no opportunity for councils to delay starting an assessment process.

All I am trying to achieve is, if a council has acted in good faith and it does raise the invoice on the fifth or the sixth day, potentially because of an internal problem or something - you can point the finger at councils being slow but the smaller councils around the state do not always have perfect processes. Things happen. It seems unreasonable for them not to be able to require a person, a developer, to pay within 21 days and if they do not do that, then the process should be stopped at that point; not beforehand, but at that point. That is all it is.

**Mr FERGUSON** - Okay. I do think there is a misunderstanding. If the council, let us say, was one, two or three days late on issuing the invoice, it is still payable within 21 days.

**Dr Woodruff** - Yes, but if it is not paid, or a developer sees it as an opportunity to not pay which they might, why not tidy it up? That is all I am saying. Good legislation is about not being unreasonably punitive but still getting the result that you want.

**Mr FERGUSON** - We should not have a quarrel on this. I do not see the need to quarrel because the problem we are seeking to address, which was asked of me by Ms Dow, is specifically that applications have been held up because of the failure to issue an invoice. That is not fair on the applicant and any council worth its salt will be wanting to be increasingly customer focused. Our councils are but there is always room for improvement. We are aware of the circumstance and that is what we are seeking to address. There is no avoiding the fee but there needs to be the process improvement and that is what we are seeking to do.

**Dr Woodruff** - We are in furious agreement on that once again.

**Mr FERGUSON** - Maybe, but we are needing to be pro-development here without cutting corners on planning and that is what this bill does. I have done my best to address the argument and the point and I feel that is a very fair outcome. There is an incentive on both sides of the equation - one for council, one for the proponent.

There was a question about the definition of 'minor amendment'. The bill does not delve into the issue of minor amendments. We do not seek to change what a minor amendment is. What we are doing is noting that currently, unbelievably, there is no time limit for the consideration of a minor amendment to a DA. I suspect it is an unintended omission from previous legislature meetings of this House. I am sure that that would be the case, because it seems very odd indeed that the great body of work in assessing the DA itself has statutory time frames of 28 days or 42 days but when that is issued and approved to a proponent, if they need to make a minor change - I was given an example of a staircase that leads to a doorway that they might have later wished to add a landing to before going to the doorway - that is a minor amendment and there is no time limit. It is unjust. It is unfair on the consumer and we want to tidy that up and ensure that there a more professional way forward on that.

Ms Ogilvie asked about digital tracking of permits. I need to take that on board. We do not have any need for that in terms of the process changes that are implemented by the bill.

**Ms Ogilvie** - I understand that. It is more of a sort of blue-sky thing.

**Mr FERGUSON** - But there is no reason why councils could not collaborate on such a project if they so wished and certainly the smaller councils perhaps do not receive as many DAs in a week as a large council such as Launceston or Hobart. However, the larger councils naturally have better IT systems as a result of needing to manage their customer management software. I am aware of what they operate. They are proprietary-type software systems and my advice is that the process change here, which is more or less being a post box for TasNetworks in some cases, is very easy to implement with existing software.

Mr Deputy Speaker, I again thank Ms Butler, Dr Woodruff, my colleague Ms Archer, Mr O'Byrne, Ms Dow and Ms Ogilvie for their contributions. It has been a pretty thorough debate on important legislation. The legislation does not try to rewrite the world. It does not try to rewrite the planning system, but it does target the areas that we know are of most annoyance to particularly the building and construction sector. I look forward to providing more information to the House in future in relation to the regulations that are proposed to the Electricity Supply Industry Act. I am very grateful for what has been a really interesting debate. I further indicate that I will read the *Hansard* again, discuss it with my department, take on board any good ideas that have been put forward for future tranches of reform and offer the invitation that if members' thoughts occur as to other proposals that they have not articulated today I would be very keen to hear from them and allow any good ideas to be considered, examined and provide feedback. Who knows, maybe something that you have indicated could find its way into tranche two legislation.

With that I commend the bill as it is to the House.

**Bill read the second time.**

**BUILDING AND CONSTRUCTION (REGULATORY REFORM AMENDMENTS)  
BILL 2020 (No. 21)**

**In Committee**

**Clauses 1 to 5 agreed to.**

**Clause 6**

Section 51A inserted - Fees payable for application.

**Dr WOODRUFF** - Minister, I heard your comments and despite what you said earlier, we are in furious agreement that the clause is a reasonable change and will provide an incentive for councils to speed up the process. We have no problems with that. What we are concerned about is an unintended injustice. Without limiting or changing the effect of the purpose of this clause, which is to require councils to get started in a timely fashion either within four days when they have raised an invoice in that period or on the fifth business day if they have not done that, if for some reason they have not been able to raise an invoice by the fifth day and are processing the application, we see no reason why this should not be amended so that if the applicant refuses to pay the fee after 21 days, at that point the council can in good faith stop the process and wait for the applicant to pay the fee.

This is simply all it enables it to do. It does not in any way change the intent and function of the clause. This will not slow down or provide a cooling-off tendency for councils to act in a timely fashion which is what the clause seeks to do.

I have not circulated these amendments because I was waiting to hear your response but I will do so now. Chair, I move that -

Clause 6 be amended in proposed new section 51A(2) to omit paragraph (c) and insert the following paragraph -

'(c) the planning authority has demanded the payment of the fee; and'

The paragraph as it stands reads that the planning authority has before, or within four business days after the day on which a person lodges or attempts to lodge with the planning authority the application for the permit, demanded the payment of the fee, and paragraph (d) says the fee has not been paid within the 21 days after the day on which the demand is made. What this will do is remove the possibility that the planning authority, if by mischance or happenstance for whatever reason, is working on a planning process and the applicant after 21 days has not paid the fee, the planning authority will not be obliged to continue working, providing a service to process the application if the developer has no intention or does not, for whatever reason, pay the fee at that point.

This builds the incentive into every side so it is not just the incentive for the council; it is also the incentive for the developer to make sure that they pay their fair part. All we are seeking is fair dealings for a council. If they are doing work, as they are required to do, and for three weeks they have been working processing an application and undertaking the assessment, yet a developer does not pay for whatever reason, there should be an incentive built into this to require the developer to pay. Otherwise, what we are doing is putting in a system which has the incentives all on a council and none on developers.

It is a fair change that, as I read it, will not in any way change the effect of the clause. It simply makes sure that all parties will play their part and be fair in the process.

[5.01 p.m.]

**Mr FERGUSON** - The Government understands the point being made by the member but does not agree with taking out those words. These words are important because people will be actually reading it and following it. There needs to be a specific and explicit expectation set out here that if a fee is to be paid then the council should tell the proponent how much they should pay and by when. Four days is entirely reasonable for that if the council, noting that the fees are prescribed in advance anyway, it is a simple case of advising the proponent what the fee payable is. On the part of the proponent, it does not avoid their obligation to pay the invoice. If an invoice is issued on time but not paid then the developer cannot expect to get a planning outcome under this bill.

There is a shared balance of responsibility here. The proponent must pay the invoice regardless of anything in this bill. The proponent must pay the invoice and also must pay it within 21 days. The intention here, which is widely supported by industry and the Property Council and a recognition by the construction sector, that the councils need to ensure that in providing a business service to the community, the timely issuing of the invoice is essential. We would not be having this conversation were it not for the fact that under existing legislation failure to issue an invoice can hold up a planning assessment and a planning decision. That is not acceptable. We are looking to close this loophole. The loophole is that failure to issue an invoice delays planning outcomes and that is not fair on the Tasmanian community.

As a level of government, we are looking to planning authorities to improve business practices where they need improving because there is not an attached accusation that all councils are failing. We are aware of some that can improve. If there is an example, and I would not rule it out, where a council in the future fails to issue an invoice for \$300 or \$400 for a DA on a property development, like a carport or a small dwelling development, then fair enough they should accept they need to improve their business practice in future. It should not hold up the planning assessment and the planning outcome.

That is what the bill seeks to do. To take out those words undermines the full intent of this clause, which is to provide a shared balance of responsibility: on the one part for the council to offer a contemporary timely business service and equally the fact that the proponent should also pay their bill within the 21 days, that is, on time.

Dr Woodruff, I want to pick up the point that I know you have sought to make that is that even if an invoice is issued late, even if the clock has started on day five, regardless of whether it is approved or declined, the applicant must still pay the fee. I support that. I think that members of this House would support that and it would be pursued in the ordinary way that any fee charges by a local council can be done. So, yes, there is an incentive here to do it in a timely way, but dealing with the problem that the current law is holding up planning outcomes and in certain circumstances, even perversely delaying an application being considered and the clock starting. For those reasons, today, I am not able to support your amendment, Dr Woodruff.

**Ms DOW** - I have a question regarding clarification, and in fact, subclause (d) is just that, isn't it, around making sure that the invoice is paid, and at that point, if it is not, then the council can determine not to make the assessment? Having said that, they have already put -



**Mr Ferguson** - It is an 'and'. Both conditions have to be met in order for the council to be able to refuse to take an action.

**Ms DOW** - In paragraph (3) of this clause, I want to seek clarification on that because that is very similar to paragraph (4). I wonder if you might provide a bit more explanation around those two. The only difference, I think, is that 21-day period in subclause (d). It just feels like there is a bit of duplication in the way that it is written.

**Mr FERGUSON** - We have discussed subclause (2) in some detail now. Turning to subclause (4), that section, which using some similar construction of language, the important distinction is that it is intended to deal with a setting of the clock. When the clock would start. We have talked a lot about the clock, whether it is a 28-day clock or a 42-day clock. Subclause (4) deals specifically with setting that the application is taken to have been received on the fifth day if an invoice has not been issued within four days.

**Dr WOODRUFF** - Thank you for those comments, minister. It is difficult to accept that councils will be required to continue to provide a service, that they would have been providing a service for three weeks at this point. We have no truck with that. We think that is entirely reasonable. The process should start. There needs to be a three-week period after an invoice time, but it seems unreasonable not to put some safeguards into the system other than the usual debt recovery processes that a council would have to go through for an unpaid invoice, when the council is still being obligated to carry out work. Often, as businesses across the state do, councils have to use debt recovery services when customers do not pay their bills. But in that situation it is pretty unusual for a business or a council to continue to be forced to provide the service for a customer who refuses to pay their bill.

My point is, I do not understand why we would not want to incentivise all parties in this arrangement to do the right thing in a timely fashion. We have heard your position and you seem to be disinclined to add that safeguard to this bill, which is unfortunate.

**Amendment negatived.**

**Clause 6 agreed to.**

## **Clause 7**

Section 54 amended (Additional information)

**Dr WOODRUFF** - Clause 7 reduces the amount of time that council has to decide whether the additional information that has been requested for a development application is sufficient and it reduces that from 14 days to five business days. Some of the concerns that have been raised about this is that while many councils may often meet a five-day period, it appears to be the case that there are plenty of instances where that is not the case. So, it is appropriate to make sure that this is done in a timely fashion.

However, reducing it from 14 days to five business days means that there is a risk that the council's ability to properly understand what is being provided will be jeopardised, particularly on larger projects. I am concerned about the issue with larger projects and also concerned that sometimes development applications for larger projects that may be hundreds or thousands of pages long do involve highly technical information, all of which has to be assessed and then re-assessed in that five-business day period. Assessed for the first time when council makes the request to the

applicant to provide more information and then that new information that is provided has to be re-assessed within a five-business day period to understand whether the developer has provided what has been asked for.

This can involve highly technical information. It is possible that this amendment might have two effects. The first is that fewer information requests means less adequate information for planning authorities and the public in commenting on planning applications. The second is that planning authorities may issue more and broader information requests in the first place as there will be insufficient time for them to thoroughly vet information and seek specialist advice when they have the five-day period to review what has been provided to them. There is the possibility that reducing this process and speeding it up from 14 days to five days could result in more appeals for information requests and whether it has been properly provided or not. It could also result in delays to the development process and potential costs to the developers.

Both of those would seem to be counter to the intention of the amendment. Whilst on the face of it, it sounds reasonable, given the possibilities of its resulting in greater appeals and increased delays with the development and assessment process and cost to developers, in light of my comments earlier about lawyers mentioning this big rise in litigation in the building and the building surveyors' area it would be helpful for the Government to consider some sort of review of this process and assessment.

You were talking about towards the end of the year in relation to the regulations for TasNetworks and TasWater. In conversations with planning staff, it is clear that there is not a lot of hard data in this area. I am concerned that some of the decisions behind this bill rest on comments made and drawn together on the basis of assumptions without hard data. That is not meant to be disrespectful of the background work that has been done to prepare the amendments in this bill. I am simply stating a fact.

We do not have evidence that has been collected about the actual real time some of these processes have taken. Whether there is an increased cost to developers or councils, it is difficult to make amendments to legislation understanding that it is truly reflecting the way things are in the world and not just the way we would like them to be.

I ask the minister whether he will consider undertaking a review within a year's time of the impact of this clause, through LGAT, on council processes and on developers as well.

**Mr FERGUSON** - Thank you, Dr Woodruff. I can give a general answer of yes. It is reasonable that the Government be prepared to listen to feedback from LGAT, not only on this initiative but on a range of initiatives as we continue what has been described variously as the journey we are on in relation to red-tape reduction, but as much as anything, process improvement.

I am more than comfortable without committing to a formal review or a statutory review. I am not into that. If there is feedback that emerges that indicates that we could cut the time even shorter from five days to a smaller number, I would be up for that. I am being a little lighthearted.

If it could be demonstrated that five presents a challenge, of course we would be prepared to listen to that feedback. This is case of how long is a piece of string? At the moment a piece of string is 14 calendar days. We feel that is too long and we are seeking to shorten that to half of that time, effectively a week, allowing for the fact that there may be seasonal periods where there are

lots of public holidays and interruptions, therefore preserving the working week and five working days.

It is the planning authority in question which has posed the questions to the proponent. It is the council and the planning staff themselves who have taken a look at the application and within the necessary time period have sought to have some areas of claimed weakness in the application, requiring some further information. That is reasonable and that is provided for in the act.

Given that it is the planning authority themselves that have asked the questions, they ought to know very accurately whether those questions have been answered. It does not mean that within the five working days they accept that the answers are acceptable, or that they deem that the answers satisfy their concerns. It is a question of whether the extra information provided meets the request, the request being, 'Please answer these questions; please provide this extra information'.

I suspect we may be able to agree. The piece of string argument, the length of time argument, is a reasonable one but there is no black and white answer here. I am more than comfortable, while stating that the Government believes that one working week, five working days, should be ample time for council planning staff to be able to look at the response from the proponent and agree or disagree that it answers the questions adequately. Nonetheless a working week is enough time, given that they should know exactly what they are looking for because they asked the question. But in good faith because you have asked me if the Government would review it, we would like to work with local government in general on process improvement and if it emerges in the fullness of time that that time could be considered, we would be more than happy to have that conversation. I say that without agreeing that five working days is too short.

This is an opportunity for me to say that this Government and ministers across all portfolio areas are working together on a range of process improvements. We think we all need to work harder in our departments to help make things happen in Tasmania. We are not asking people to do more work. We are asking them in this bill to do the same amount of work but with greater adherence to some time frames. It might be that you get four additional information requests in a month, approximately four weeks. You might have approximately four in a period of four weeks, for example. Rather than doing four over a month or two over a fortnight, we are asking them to do one over a week and we feel that on the advice, particularly given that planning officers were the ones that posed the questions, they are well equipped to quickly determine if the information satisfies the information request.

I hope that addresses the generality of the question. Specifically on a review, I think we will be asking to work with local government on a lot more than just this. In good faith we enjoy working with LGAT and member councils and no doubt there may be areas where LGAT says to us, 'We would like your Land Titles Office to do something a bit better', for example. They might ask us to do something a bit nimbler in the area of State Growth or land consent, or for the EPA to be looking at some of its process. It does need to be a genuine conversation.

**Clause 7 agreed to.**

**Clause 8 -**

Section 56 amended (Minor amendments of permits issued by a planning authority)

**Dr WOODRUFF** - This clause seeks to put a time requirement to a process which, as has been discussed, has no time frame, and we support that. What I am concerned about is the potential for

opportunities that are provided for under LUPAA for planning authorities within the first stage of the planning application, within a development application, to request more information and extend the time frame by agreement. Both of those are not stipulated in this clause and this is a tight time frame that has no more information; it has bare bones around it. I had a conversation with the Planning staff about that and I accept that there was an intention to keep this fairly loose, but maybe the minister could explain a bit more and remind me and the House what the reasons were for keeping this amendment as short as it is. As I read it there is no ability for the planning authority to request further information from the applicant about the proposed amendment.

This is currently done informally when a minor amendment is submitted. The whole process is informal, which is a problem, but at the moment Planning staff can request more information. Let us be frank, that has been a problem for many developers where this can be a process which appears to go on for a very long time. I think we are all singing from the same hymn book about wanting to have some constraints here. What this seems to be missing is an ability to request information such as you would under section 54 for the development application. Without the stipulated opportunity for council staff to do that, I am concerned that some councils will end up refusing more applications than they normally would just so they comply with the statutory time frame. There is also no ability to extend the time frame beyond 28 days by mutual agreement. There is the ability under section 57(6)(a) of LUPAA to extend the time frame for determining a development application and also for extending the time frame by mutual agreement for discretionary applications and also under section 58(2)(a) for permitted applications.

Given that those opportunities are provided for development applications, we are now putting in place a situation where it is an inflexible arrangement. Whilst it is good to have a time frame, it is going to add problems which could lead to councils being forced to refuse more section 56 amendments than it currently does, which is not the desirable outcome. What are your views on that, minister?

**Mr FERGUSON** - Thank you, Dr Woodruff, for those thoughtful comments. I concede that that is a reasonable argument to put in relation to something that might be characterised as a major change to a DA but this is dealing with minor amendments to an existing DA which is issued, which has been approved. Whether it was a permitted use or a discretionary use, the permit has been issued. It has gone through its process and may even have gone to the council table for a decision, perhaps even with some conditions.

Section 56 of the principal act and what this amendment seeks to deal with is the untenable circumstance that at the moment an application for a minor amendment could have an indefinite period of time, with no closure, and the perverse circumstance that we currently have that planning advisers, and I mean consultants to proponents, have in some cases said to their contractor, 'You should just apply for a new DA because you actually have more certainty of time frame. Just put in a fresh DA, pay all the fees again, start again, and we will change your original application'.

That is not what the planning system is intended to do. It is certainly not in my reading of what LUPAA seeks to have done. With the way it is worked out in practice, not having the defined time frame around a minor amendment and when we have defined time frames around discretionary and permitted use developments, it is obviously an accident of this House, in my opinion. It should have been put in in the first place. It was not and perhaps at the time, if somebody had been scrutinising the government of that time - whoever it was, not important - it was perhaps assumed that good people would sort out these minor amendments in a very short space of time.

We are aware of minor amendment applications being frustrated and delayed. It also could be the case that because there are statutory time frames imposed on permitted and discretionary uses of a DA, councils may well be able to brag in their annual reports that they have 100 per cent compliance in meeting their timeframes but take a lazy eye in relation to minor amendments because there is no statutory time frame, and that is not just nor fair to applicants.

My suggestion in terms of agreeing with you that there is an interesting discussion there. I put it back into the category of preparedness to listen to local government in the future. We are not seeking to change what the current section 56 comprises but I will conclude on my opening point. We are dealing with a minor amendment to an existing approved development application, to an existing permit. The point here is that if it is not minor, then it will be thrown out. Council staff will do that. If there is an application that is claimed to be minor but it is actually not a minor amendment, if it goes beyond the definition of minor, it will not be agreed to.

I do not see a risk in that area but it is right and proper that contemporary governance at planning authority need to be customer focused, they need to be consumer-oriented and providing a professional business service. I maintain, as I am sure as others do as well, that in nearly all cases that is happening but there are outlier cases where unjust, perverse outcomes have occurred. This is about dealing with that and taking away any potential for a slow approach or a go-slow approach on a minor amendment to an existing permit, which has already gone through its process. It has already been scrutinised, approved and issued. The development should go ahead but in good faith the holder of that permit has said, 'I want to change the roof line to be six degrees not 10 degrees or whatever. I want the downpipe to go here, not there. I want the landing at the top of the stairs'. I am trying to give you some scenarios, but the substance of the DA has been approved, it is a minor amendment, it should be dealt with within 28 days just as a permitted use is for a DA.

**Dr WOODRUFF** - Maybe it is because we are meant to be sitting in a COVID-19-constrained parliament where we are focused on getting this legislation through as quickly as possible but, minister, I did feel a sense of frustration as I was listening to you that you did not understand that we, the Greens, are in agreement with this clause. We have no problem with it. You do not need to restate the argument for why we need to put a time frame on it.

It is simply why, for the 28-day period a minor amendment is still a process in law between a planning authority and the applicant to try to achieve a good planning outcome. I do not understand why there would be a resistance to making a commitment in the next tranche that comes in here to look at addressing the fact that this is missing the opportunity for council and the applicant to make an agreement to extend the time frame.

The definition of minor amendment is not crystal clear in the Land Use Planning and Approvals Act. If only it were. That matter was confirmed for me. It depends on the planning application. It depends on lots of factors. I agree a minor amendment is easy to talk about as though it is just changing the paint or changing the colour but it can be a lot more than that. I do not see any problem with making a commitment to investigate giving this decision-making process for a minor amendment the same flexibility, that is simply all it is, as exists under LUPAA for a development application proper. It gives a better planning outcome rather than a worse one.

[5.34 p.m.]

**Mr FERGUSON** - I thank you for your comments. I understand perfectly the point that you have made so I will not again traverse my answer but make the point that this is about a balance of power; making sure that the consumer is getting fair treatment and the council is not having any of

its powers diminished in this particular case. Others may well make a case around this. I am not. We are simply seeking to put some discipline into the process because some DAs have taken far too long.

At the risk of annoying you further I have to restate we are talking about a minor amendment. A minor amendment should be considered in an appropriate period of time. That is all we are seeking to do. I comprehend what you have argued for but I think this is ensuring that people get fair treatment and professional services in exchange for the role of the planning authority.

**Ms Dow** - My original question was whether you intend to clarify what constitutes a 'minor amendment' because that is currently not clear. It is more than just the colour of the paint sometimes; quite a lot of the time it is a lot more than the colour of the paint. The more complicated the project, the bigger the minor amendment will be.

**Mr FERGUSON** - Thank you, Ms Dow, for the question. It is acknowledged that there is conjecture around the definition of minor amendment. There is plenty of case law that can be decided judicially where required but it is an area where there is an interest from local government and as well as the Government to explore whether some further clarity is desirable. It is part of our conversation. We intend to follow that up with local government to see if there is any constructive outcome that may emerge on that.

We are not seeking to change any definition, as I know you have acknowledged, only that putting in the time. But given that there is an interest both on the part of local government and on the development community the Government will have another look at it. It will be part of our conversations and may be considered for tranche 2. Thank you.

**Clause 8 agreed to.**

**Clauses 9 to 12 agreed to.**

**Clause 13 -**

Part 4, Division 5A inserted

**Dr WOODRUFF** - I did not get time to address this in my second reading contribution. I want to make a few points about this clause now. We strongly support establishing service standards for TasWater and, in the previous part of the bill, for TasNetworks. It is incredibly important that these large bodies develop standards and time frames. We really look forward to that. The minister mentioned the end of the calendar year as his hopeful time period for when regulations would be prepared.

The only concerns that we flag at this point is that it would be very useful as part of that process of developing the regulations to speak with consumer advocacy groups, if you are not intending to do so. I think the personal individual experiences of people who have suffered by not being able to have electricity connections made or by misunderstanding what is available to them are very important when you are making regulations about what reasonable processes are.

An important part of this amendment bill was the early part of clause 4 which requires councils to engage early in the process with TasNetworks, so that they are on notice that there is a customer and to avoid a situation which has happened, sadly, where developers, small and large, start a process, get development approval and then find that it will take a financially or physically

unsupportable amount of time for TasNetworks to come to the party and provide connections or even that connections are not possible. This has to be avoided and I suggest that you look at the experiences of people who have been at the hard end of these processes.

The final comment I want to make is we have to turn the blowtorch on the Government; it is entirely appropriate. Government for decades in this state has pointed the finger at local councils, assumed the worst of council staff and assumed that if things are not happening it is because councils are lazy. There is no laziness in councils that I see. There are no padded planning officer positions that I have ever come across around the state. There is no slackness. Instead, there are processes that need to be tidied up and those processes have to be tidied up in the state Government. We have to be having that same level of accountability across all of our government services so people know when they make an application there will be a time frame and there is a commitment of service from public servants as well as local government. I look forward to hearing your comments about when you are expecting to apply the blowtorch to government processes. Will it also be around the end of the calendar year? Is that process starting now? It would be great to hear that it was.

**Mr FERGUSON** - I would like to correct something I said earlier. I was focusing on the Electricity Supply Industry Act when I said regulations are being made under that Part. They are also being made under Part 4 with the same sense of timeliness. I wish to correct the record. I agree with Dr Woodruff, particularly in relation to what she has suggested in terms of speaking to consumers before those regulations are finalised. I will do that. That is a terrific contribution.

I can readily agree, as I said earlier in the second reading debate, that we intend to continue the same kind of effort in relation to Tasmanian government agencies and GBEs. After all, I think self-evidently we are making TasNetworks, which is owned by the Tasmanian community via shareholder ministers, work harder as well. It is a team effort and there is going to be reform and improvement to process required in lots of different areas.

I make the observation that this is uncomfortable for many people. We are not here to make people's lives in the bureaucracy comfortable. We are here to provide a contemporary, professional, timely and reliable service to the Tasmanian community, in this case particularly focused on the building and construction sector. TasNetworks is up for that, TasWater is up for that and our Government is equally up to that. I have given an insight into some of the kinds of business processes that the Tasmanian Government and its bureaucracy are responsible for and we intend to challenge ourselves as we continue to work through the work of the interdepartmental committee.

I will conclude by saying, Dr Woodruff, that your wish for me and the Government to take some targeted feedback from consumer groups is very worthwhile and I will do that.

**Dr WOODRUFF** - I did not hear you give a time frame for putting the blowtorch on yourself, minister, and the Government's processes. It would be good to have that assurance that it is not just talk but there is an intention and commitment to establishing these regulatory processes for the Government as well. That would be good to hear. I also want to thank Mr Clues and Mr Kirschbaum for their excellent feedback yesterday on this bill. It was helpful and I appreciate that.

**Mr FERGUSON** - I do not think I have used the word 'blowtorch' in relation to local government, TasNetworks or TasWater. I have talked predominantly about process improvement and even my new term 'process re-engineering'. As I said in my summing up on the second reading

debate, the Government is reflecting on its own business processes that sit within Tasmanian Government legislation which is administered by government agencies. A range of ministers is working on that. Their officers are working on that. The interdepartmental committee is telling us how we can make it happen, how I can bring more work to this House, or potentially other ministers bring work to this House, as we seek to provide a better service for the Tasmanian community.

Blowtorch or no blowtorch, we are looking for better, more timely contemporary professional services to the Tasmanian community and our agencies are up for it. We really have brought forward today some of the achievables and most important process improvements we were able to bring forward in the time, noting that our original intention was for something more likely in the spring session.

We will continue our work. I really appreciate everyone's feedback today. It has been a terrific discussion and debate. I also acknowledge the great people in the Office of Coordinator-General, in particular Mr Clues, who has done a terrific job in advising the Government and my office on ways in which we can take some concrete steps that are supported by industry. He has had some challenging conversations with a range of parties, and they will continue and so they should. This House looks to Mr Clues to continue doing that, because in so doing he is not just challenging people or making them uncomfortable, we are doing that in the interest of our Tasmanian community and the economy.

I also acknowledge Michael Kirschbaum, my adviser, who will be annoyed that I have acknowledged him, such is his modesty. Those briefings that occurred yesterday I can tell members that what you experienced was something that has been in the making for a lot of time. It has been something that Michael, in particular, has been very committed to. I appreciate the discussion. I look forward to being able to report back at some future time if the Legislative Council has considered it and agreed with it as well later on this month. I appreciate the debate we have had today.

**Clause 13 agreed to and bill taken through the remaining stages.**

**Bill read the third time.**

## **ADJOURNMENT**

[5.48 p.m.]

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

That the House do now adjourn.

In accordance with the sessional order we will now move to note the COVID-19 emergency.



## MATTER OF PUBLIC IMPORTANCE

### COVID-19 Emergency

[5.49 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries and Water) - Madam Speaker, on the matter of public importance, the COVID-19 Emergency, I would like to share a few remarks about the Tasmanian Liberal Government's efforts to get on with the job of delivering a very aggressive construction program, in fact the most aggressive construction program in Tasmania's history.

We want to rebuild a stronger Tasmania. As the Premier has indicated, we are bringing forward a \$3.7 billion infrastructure program that is going to create jobs, particularly in the construction projects, affordable housing, maintenance, schools, government buildings, regional roads, bridges, indeed water infrastructure, which is very pleasing to me. They are all prioritised and we will hear more from the Premier about this tomorrow. The strategy will provide an immediate injection into the economy in support to help create jobs, including across the forest industry sector through the supply chain demand.

I would like to share a few remarks about that. I recognise PESRAC, the Premier's Economic and Social Recovery Advisory Council, and I take a moment to thank the Greens for their submission. In the spirit of cooperation, they have made a submission and they have rightly pointed to some true economic stimulators that have provided social benefits such as housing investment, first home buyer grants, and vocational training. On the other hand, Labor has not made a submission. They have not bothered to step up to the plate -

**Ms O'Connor** - You are shocked by that, minister, aren't you? Shocked.

**Mr BARNETT** - It is disappointing. It is deeply disappointing that they have not taken that opportunity as the Greens have. Of course, I could not let the moment pass because the Greens never miss the opportunity with their socialist left agenda to promote, at the expense of business and hardworking Tasmanians, particularly in those rural and regional areas, the impact on forestry.

Frankly, there is an overwhelming need to get the economy moving again and the Greens have come up with a plan which is an old plan but they have now restated their plan to throw thousands of Tasmanians out of work by banning all native forest harvesting in Tasmania. This will be a return to the Labor-Greens' days where two out of three jobs were lost in the timber industry and we do not want that.

Let us be clear about native forest harvesting. What does it deliver? Eucalypt sawlogs, veneer logs, provide hard, durable appearance grade timber suitable for flooring, for stair treads, construction and architectural uses. I also note beautiful Tasmanian timber in this very Chamber. We have special species timber, important in woodcraft, timber craft, boat building, furniture making and we are so proud of it in Tasmania. It is part of the Tassie brand. Clean, fresh, pure, natural, that Tassie brand and Tasmanian timber. We have backed that of course. We know that the industry, in fact native forestry directly is investing \$150 million annually in sales. It is about 20 per cent of the value of the state's forests and 40 per cent of Tasmanian forestry jobs rely on the native forest sector. That is the impact.

I am very proud to say it is from responsibly-sourced wood. It is renewable, it is sustainable. It supports thousands of jobs, directly and indirectly, across our rural and regional communities.

Of course, we should remember that in Victoria they have made a decision to close down native forest harvesting by 2030 and Labor in Tasmania has to answer that question: are they going to follow suit? That is a real concern.

We are concerned about that but as a Government the only viable plan to turbo charge and get behind to grow the Tasmania economy is the Gutwein Liberal Government. Let us make it very clear. We are doing that and you will hear more about that tomorrow. We are back in business. We recognise the forest sector as a leader in our state's recovery from COVID-19. They play an essential part. They are a cornerstone of our economy. I am proud of what they are doing and have achieved during these difficult times, in terms of our infrastructure and construction package. Flowing from that you will have the forestry supply chain from harvesters, from processing mills, the landscape regeneration, transport, haulage contractors, through to the industry support services: local shops, cafes, businesses all around Tasmania; all of those nooks and crannies, the rural and regional areas where they are jobs rich and we are so thankful for that.

As Resources minister, I put on the record how proud I am, particularly during these COVID-19 pandemic days that we have endured. They have proactively adapted. They have worked in unprecedented circumstances. They have adopted social distancing and good hygiene practices. It has been difficult and it has been challenging but we have worked shoulder to shoulder with them and I put that on the record.

We have had the regular roundtables. I have met with them, both through the department and directly, and I thank them for their feedback as we work together shoulder to shoulder on our future. Those roundtables have been valuable. We have the ultimate renewable, that is the forest industry in Tasmania and the Premier's statement has been supported by the Australian Forest Products Association - AFPA - when that construction program was announced a short time ago. What did they say? They said:

The Tasmanian Premier, Peter Gutwein's announcement that this state will build its way out of recession through an aggressive new construction stimulus package and bringing forward of building projects, demonstrates great leadership.

This is another quote:

The Tasmanian Government has ... led the nation by announcing significant stimulus measures for large construction projects as well as new house construction, including affordable and social housing. AFPA calls on the other states and the federal government to follow its lead.

We are leading the nation here in Tasmania, thanks to the leadership of the Premier, Mr Gutwein, and backed by the forest industry, that is the national association of forest products, and I am proud of that. The forest industry is a cornerstone of the Tasmanian economy. It is employing thousands of locals in jobs, injecting \$1.2 billion into our economy. I am proud of it and proud of all those involved in it and particularly note the Tasmanian forest and forest industry network, their support and the private forest Tasmania and many others. I am proud to be the Minister for Resources.

**Time expired.**

[5.56 p.m.]

**Dr BROAD** (Braddon) - Madam Speaker, I will put our case for a tailored package of support for the north-west coast. Nowhere in Tasmania has the impact of COVID-19 been felt more severely than the north-west. Not only was our home hit by the most cases and the most deaths, but the outbreak also led to the extended lockdown only for the north-west and it has left many businesses and their employees reeling.

Now the outbreak appears to be contained and the lockdown has been lifted, it is fitting we turn our attention to how best to pull the region out of the economic shock that we have seen and experienced.

As a born and bred north-west coaster, this is not the first time I have lived through tough times. In the past we have had the APPM job cuts in 1992 and then we had the Tioxide plant shut in 1996 and the final paper mill shutdowns which happened in 2011 after the global financial crisis, the Caterpillar shutdowns in 2013 and now we have had COVID-19. I personally saw the impact of the downturn in the 1990s with the loss of Tioxide and the pulp mill jobs. Many young people my age left the region at that time and at that time it seemed like every other person I went to school with took off to Western Australia or Queensland, and my three siblings were amongst them. Many of those people have not come back. During this period in the 1990s there was a huge drop-off in apprentice numbers and without the targeted intervention, it took years for the region to recover.

If we contrast that with the post global financial crisis period when the Wesley Vale and Burnie paper mills shut down and then later Caterpillar moved its production to Thailand, significant rescue packages helped to reduce the pain.

More recently, the massive restructure package introduced after the collapse of Gunns was painful but resulted in new investments and job creation. We have seen those roll out, especially in our manufacturing businesses but it also paid for things like the Dial Blythe Irrigation Scheme.

**Ms O'Connor** - And the Derby cycle trail.

**Dr BROAD** - Yes, but we are talking specifically north-west here. A targeted recovery package also boosts business confidence. If businesses know government help is on the way, they will hold onto staff and quickly ramp up investment when the stimulus money comes through, but if confidence is lost, any downturn is bound to be long and painful. That is why a targeted package is so important for the north-west COVID-19 recovery.

With the region missing out on the same level of economic growth as other parts of the state in recent years, we need targeted investment and important regional infrastructure projects that would stimulate the regional economy, providing local businesses with the confidence to reopen and re-employ people. We need to buy local, build local and employ local as we navigate the difficult pathway to recovery.

It would be remiss of me to not to talk about recreational fishing. I have been part of a very big campaign in the recreational fishing space trying to get the boat launching restrictions removed. We have seen those have been removed as at 3 p.m. on Friday and there will be lots of recreational fishers heading to their favourite spots. Hopefully, the weather will be good and the fishing will be great. There have been some tuna running on the east coast, so people have missed out on that but hopefully they can make up for it.

To reflect on issues that were raised with me, there was one constituent who lives in Somerset and the rules were such that you are not allowed to launch your boat outside of your municipality, outside your council area. This gentleman lived in Somerset which meant that he could not drive five minutes to the Burnie boat ramp to launch his boat to go fishing, yet it was perfectly fine to drive all the way out to Sisters Beach or Boat Harbour, a small community, to go fishing there. The whole idea of it was you were not allowed to launch outside your municipal area, so going to Burnie was out of the question. If you lived in Devonport, for example, you could not go fishing at Port Sorell. There was all this inequity. We still do not have an explanation as to why recreational fishers were treated so differently when the first lot of restrictions were lifted. But it is a good move. The recreational fishers -

**Members** interjecting.

**Madam SPEAKER** - Order. I wish this was a Zoom meeting, I could just mic you out.

**Dr BROAD** - I would also like to talk about another matter in the time I have left. It is an issue that I have raised in this place before about a constituent of mine, Amanda, who lives in a housing property and is shackled with a gas-fired heater. We heard Mr Jaensch in parliament talking about a program to replace things like inefficient heaters with heat pumps. The gas heater in this particular property can be classified as an industrial heater in terms of how much gas it actually uses. I have raised this before. I just hope that the minister - and I have written to him but have not received a reply apart from an acknowledgement - as part of this program, can fix Amanda's problem. The gas heater is costing her an absolute fortune. She is a single mother who is doing the best she can, trying to raise her son on a very limited income. At times her health is not the best, and this gas heater is driving her into absolute poverty and making her feel terrified to turn on the heater.

If the minister can use this funding that he has announced, the \$8 million maintenance works program, please consider replacing Amanda's gas heater with a heat pump because it will make a huge difference to her life. I know that this is just one person, but if we can all attempt to try to make the world a better place one constituent at a time, that would be a great thing.

Minister, I implore you to fix Amanda's heater, otherwise I will just have to keep bringing it up and bringing it up. It really needs to be done. These gas heaters should be replaced in all housing properties because they cost far too much to run. It is driving people on limited incomes into poverty and stress and impacting their health, not only the stress from bill shock, but also stress because they cannot afford the heating, and then they get coughs and colds and so on. Please, Mr Jaensch, I implore you to replace Amanda's gas heater.

[6.03 p.m.]

**Dr WOODRUFF** (Franklin) - Madam Speaker, I am happy and proud to be able to speak today about the Greens' interim submission to the Economic Recovery Advisory Council because it builds on the work we have brought to this place for decades and provides a real opportunity for this state to pick up and run with the priority, our focus, and what we need for the next 50 to 100 years. We have an amazing opportunity now on the back of a tragic and incredibly hard period for Tasmania. We have an opening in front of us and we have to walk through that door to the future, understanding that as we move into this economic recovery phase we can also deal with legacy issues we have continued to dismiss and ignore for decades. They have left us as a state, as a country and as a whole planet in a very hard place, but there are things that we can do in Tasmania.

Our preliminary submission to the Economic Recovery Advisory Council points to those which would deliver maximum public health benefit. It is our view that all decisions should be looked at by the recovery council in that light. The question they should ask is what delivers the maximum public health benefit? That is entirely appropriate as we move from the coronavirus pandemic. It actually should be the most important question at every point because what is good for our mental health, our physical and spiritual wellbeing is to look after communities and look after the nature that surrounds us, that supports us, this beautiful island lutruwita/Tasmania. This is our future, this is the ship we are on sailing into the future and we can direct the passage of that ship.

What we have proposed are things the Greens have talked about for decades and increasingly and loudly in the last few years. We will make every effort to focus the economy towards the socially and environmentally as well as the economically pressing issues to make sure that Tasmanians no longer live in fear of losing a house or not being able to get one in the first place. We must have a housing-led recovery. Our plan is for 2000 social and affordable houses to be built that are energy efficient, houses that provide rent to buy opportunities and that we build facilities that are purpose built for young people. They are so desperately in need and there are brilliant models available, models that we can pick up and work with.

This would be \$600 million incredibly well invested with direct benefit to some of the poorest and most vulnerable people in the state. A housing-led recovery is an incredibly important part of it. The other part is green skills development with measures to rewild and restore the degraded Tasmanian landscape. Greening the economy is what we must be doing as we move into a future which is dominated by the twin crises of climate heating and species extinction.

As Professor Boyer said so eloquently and concerningly in the *Mercury* this week when he wrote his column, he made the incredibly, I felt tragic, comment at the end of his piece which was about the grave threat of species extinction and the loss of species every day. He said we are seeing the evidence of the climate heating, we are seeing it every day across the world in our news feeds. We experienced it in the horrific bushfires last summer in Australia and in Tasmania the summer before, but what we do not see is the loss of species every day because they do not speak, they do sing, they do not bleep, they do not move, they do not flap their feathers and they do not swim past us. We just stop hearing about them, they are just not there anymore. It is because they are dead and they are not speaking any longer but we have to speak for the animals, the plants and the insects which we need to be with us because of their intrinsic beauty but essentially because they form part of a web and ecosystem that we depend on.

Of course the minister has jumped at the important and central pillar of this which is to end the native logging industry. He sees it as a loss of jobs but we see it as sustainable jobs for those workers who are doomed to an impoverished future at the moment because this Government and the Labor Party do not support them into the long term, because if they were they would be understanding that to secure their jobs, to use their skills, to give their communities meaningful work, is to redirect those people into protecting those forests, locking up the carbon and keeping it there, building the carbon.

These people have the skills we need to be using for our future and for the future of our children. When those forests are logged and burned, we are seeing more and more evidence coming out in scientific papers from Australia and other countries about how this increases the risk of wildfires and the health effects of that. All the doctors in the north-west who wrote to the Premier can attest that we have to end native forest logging because it is bad for the environment, it is bad financially for the state, and it is devastating to human health. We can 're-wild' our landscapes. We can fix

degraded landscapes. They can become functioning ecosystems that will support us. We can help primary producers by providing grants for on-farm renewables and to allow energy sharing and trading between individual projects. This is such an important activity. Electrifying our transport.

This is a huge cost to Tasmanians, paying liquid fuels. We have to be supporting people to transfer to electronic public and private transport as soon as possible. We have to be doing this within a decade. Other countries have plans for this. Other states have plans for this. Where are we in Tasmania? Nothing clear about ending the use of liquid fuels in this state. They produce about 50 per cent of our carbon emissions for the minister's interest. He must be concerned at reducing the carbon emissions, not only from other areas but from liquid fuels. There is no strategy that he has delivered on this. I put it to you minister, that would a good use of your time to do that.

### **Time expired.**

[6.11 p.m.]

**Mr STREET** (Franklin) - Madam Speaker, I have the pleasure to rise tonight to talk on the MPI on COVID-19 and to see the situation that Tasmania now finds itself in; 18 days without a new case. I believe it was six or seven days before that without a new case, so one or two new cases in the last 25 days, only three live cases remaining. As the Premier has been at pains to say, we are not done yet. I think he used a football analogy. We are in the last quarter but the game is not over. It is certainly not.

I want to reflect on leadership and how important it has been, both in the response to COVID-19 and also now that we have entered the recovery phase. We have been extremely fortunate to have our Premier and Minister for Health, along with their Cabinet colleagues. I also want to highlight the work of Public Health and how important they have been in leading the decisions that have been taken by this Government to get us to the situation that we are in now.

Leadership comes in many different forms. Sometimes it is aspirational leadership, in terms of we talk to our constituents about how we can make things better. Sometimes there is model leadership. The obvious example is Martin Luther King. Couldn't that country do with that right about now?

There is a time to be consultative and there is a time to be decisive. The Premier took decisive action nearly three months ago at the start of this crisis. We are in genuinely consultative phase, which is why he established the recovery council and asked for submissions. At no stage did we expect that we would agree with every submission that we received but we were genuine in our desire to see what people's ideas were for rebooting the economy, and getting people back to work and back to where we were before the start, which was an economy that was the envy of the nation.

One of the most important elements of leadership is that sometimes unpopular decisions have to be made for the greater good. There have been a number of these that have been made. Nobody wanted to put the restrictions in place that have been in place. As much as we want the restrictions to end, they have to be done on a consistent and sensible basis. They have to be done with the advice of Public Health.

The last time I spoke in this place on COVID-19, I talked about the fact that there was tripartite support at the start of this response to COVID-19 and that we would need a collaborative approach to coming out of it. I did that to foreshadow what is happening now. You can see Labor's approach to coming out of this crisis like a train approaching in the night. You could see it a mile away.

What is happening now is that we have a Labor Party that is cherry-picking public health advice to suit whatever narrative they are trying to run in the media each day. They are playing off disgruntled stakeholder groups for political advantage -

**Ms O'Connor** - This is true. It has been awful to watch.

**Mr STREET** - It has been awful to watch. It has been disgraceful. The situation we are now in with three active cases, no new cases for 18 days, is the result of the leadership the Public Health and the Premier have shown. The decisions that the Premier has taken have been consistent with his saying that he will be led by Public Health and the advice that they give. As I said, we are now in a really good situation, notwithstanding the fact that 13 Tasmanians have lost their lives, which is a tragedy and something that those families might never get over. We need to accept that. I am always careful not to use the word 'successful' or what have you in terms of the way we have approached this, but we can all agree that we are in a better situation than most right now.

That is because the Premier has taken the advice of Public Health in the decisions that he has made. For the Labor Party to now use the situation that we find ourselves in to hypocritically cherry-pick Public Health advice, to take advantage of what recreational fishers and the racing industry is saying is deceitful. It is appalling and it is terrible politics. I can only hope that Tasmanians see through what they are doing and call them out for it. They ought to be ashamed of the approach they are taking at the minute.

Their daily media releases will be judged harshly by history. They are preying on people who are disgruntled, and they have every reason to be disgruntled. Nobody likes the restrictions that have been imposed. I am a recreational fisher; I have not been able to go out with my father for 12 weeks. I am looking forward to the fact that I will be able to after 3 p.m. on Friday. But I also understand why these restrictions have been in place.

The Economic Recovery Council is in place. The Greens have made a submission on how they want to see the recovery happen. As a Government we have ideas on what we want to see take place. The Premier will expand on them. To the Labor Party: tell us what you see Tasmania's future as. How do you see us coming out of this crisis? How are we going to rebuild the Tasmanian economy? Enough of the Monday morning quarterbacking, as Americans put it. Enough of the media releases that question decisions 24 hours after they have been made. They say, 'We asked for that, we would have done that, or we would not do this'. It is time for Labor to put a stake in the ground, tell the Tasmanian people how they see the economic recovery happening coming out of this crisis and make a submission to the Economic Recovery Council.

[6.17 p.m.]

**Ms DOW** (Braddon) - Madam Speaker, I rise this evening to speak on the MPI on COVID-19. I begin my contribution this afternoon by reflecting on the hardships of many small businesses across our local communities. During the last couple of weeks I have been contacted by numerous businesses who have been extremely disappointed about the nature of the grants program that was rolled out by the state Government. I acknowledge that many received the \$2500 grant relatively quickly and were very appreciative of that. I thank the Government for that.

But there have been ongoing issues around the \$15 000 grant and the criteria for it. Some businesses have been considered to be able to be paid that grant and others not. Some have missed out altogether, others have received the \$4000. It is an issue. There are some businesses that really are suffering at the moment. There should not be inequities in the funding and the grants program.

It was put as a non-competitive grants program. It should not have been treated as such. We have written to the Premier on behalf of the businesses we have been contacted by. During this morning's question time we took the opportunity to put a number of those cases on the record. It is pleasing to see that the Government and the Premier have acknowledged that and agreed to review the administration of the program, and perhaps look at extending the availability of more grants to those businesses. I think that will be very well received by the business community. I strongly encourage him to make that happen.

I want to also mention the good work of our local Chambers of Commerce and Industry around the state in working with local businesses, providing them with information and acting as a conduit between a number of the initiatives being promoted by government, and also around the regulations around safe reopening and public health restrictions, the things that they need to have in place to reopen their businesses safely. I thank our local chambers for that. I believe that our business enterprise centres have been doing some of that work as well, and I thank them for that.

There is a real need for us to support our local businesses, to buy local. It is essential. Local businesses will need our ongoing support. Businesses in the hospitality and tourism industries are going to be feeling things for a lot longer than other small businesses will and they will need extended support also. That may be through the provision of a transitional package and we have certainly talked about the importance of the JobKeeper payment being extended across those industry sectors.

I will turn now to the call from my colleague Shane Broad and me for a north-west recovery package which is essential. There is a need for a dedicated recovery package for the north-west and west coasts of Tasmania. We were hit harder than other regions of the state and as has been said, perhaps communities along the north-west coast and west coast have not benefited as much as some communities from the economic prosperity that has been experienced in other parts of the state in recent times.

We also have a reliance on exports and many of our traditional industries will be impacted around changes in global trade. There is a need for that. We have identified a number of key projects that we have supported. A number of those were supported by both state and federal Labor in the lead-up to recent elections. They include the Cradle Mountain redevelopment, coastal pathway, investment in the Burnie port and we also support investment in the next iconic walk on the west coast and the tremendous benefit that will bring to that region in growing tourism on the west coast.

These are projects that could be brought forward. They have stalled under the Government. They have been talked about for a long while. There is the example of the coastal pathway between Burnie and Wynyard that has been talked about for 10 years. Feedback we have had from people in recent weeks is that they want to see this project happen. It is a project that could be brought forward. It could bring great community benefit, not only through stimulating economic development and activities but also through improving recreational activities and the health and wellbeing of our communities and the development of another tremendous tourism asset for our region.

Alongside investment in infrastructure, we also want to see investment in local key industries such as advanced manufacturing, forestry, horticulture, tourism and the list goes on. These are all key sectors of our economy in the north-west and it is absolutely critical that the Government supports and works with those industries. There are a number of opportunities that will be presented



to those industries. No doubt they will face challenges but there will also be opportunities we need to embrace and the Government needs to be standing by and supporting those industries as we transition.

Manufacturing is a wonderful example of that. We have world-class manufacturers right across our region. In fact, our region was built on the back of manufacturing. We all know the stories of how those businesses have adapted, the products that they make following economic shocks in the past. I am sure that they are up to the challenge of adapting to what needs to happen now and they should be encouraged and supported to do so, whether that means they are supported through investment, co-investment grants, updating the technologies that they use which will support R&D and product development and accessing new markets. It is absolutely essential that each of these opportunities are identified and that the Government works side by side with those industries to ensure that they continue to prosper and grow and that they leverage private investment, which is so important.

I finish my contribution by reiterating the importance of a dedicated recovery package for the north-west. We are working a lot harder. We were in an extended period of lockdown and it has been a dreadfully difficult time for all members of our community, having lost loved and respected members of our communities, having our small businesses suffer tremendously and for our health professionals.

As a priority coming out of this, I want to see investment in regional health services and a value of regional healthcare professionals.

**Madam SPEAKER** - We are now on to the adjournment debate.

### **Firewood Theft in State Forests**

[6.24 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, tonight I want to talk about the criminal activity that is taking place in state forests and future reserve forests that are administered by the Parks and Wildlife Service and that is illegal wood hooking.

As members of this House will know, on 8 May this year there were media reports of police laying charges against 19 people for \$1 million in firewood theft, large-scale wood theft, after a surveillance operation undertaken by the Parks and Wildlife Service, Tasmania Police and in part, I gather, Sustainable Timber Tasmania. This was at Tin Pot Marsh Creek Reserve at Woodsdale.

The wood hooking was taking place on future reserve land, on land that this Government calls future potential production forest and it impacted on 1295 hectares. That is an industrial scale illegal action.

We are dealing with a much bigger problem than this one event and the arrests. Wood hooking in Tasmania is rampant and it is largely unchecked. On 6 March this year, Tim Morris, former member for Lyons took us to a Sustainable Timber Tasmania logged coup at Plenty and we have photographic evidence of industrial scale illegal wood theft on Sustainable Timber Tasmania land. Last year, we also went with Tim Morris up to the back of Maydena, at National Park, and again on permanent timber production zone land, we saw extensive illegal wood clearing. This is going

on at an extraordinary rate and as far as we can tell the agency which should be responsible for administering and managing timber production lands, Sustainable Timber Tasmania, is largely turning the other cheek. Tim Morris has spoken to them about the industrial wood stealing at Plenty, also at National Park, with no action. In fact, the STT office is just over the hill from where we went up near National Park late last year to see clear evidence of wood being stolen from that area on Cassons Road.

We have also been contacted by a person who lives in the Derwent Valley and has sent us pictures, again, in the Wentworth Creek Forest Reserve. These pictures were taken on 30 May this year. Three hundred live trees were felled; three hundred live trees on future reserve land, public Crown land. There are people going in there now felling trees, stealing wood unlawfully and apparently there is no action and there is no sanction. The pictures that I have here which I am not using as a prop, I will share them with anyone, show utter devastation of the bush environment. Large living trees felled so that some group of people can make a profit illegally and at public expense.

We see though here on this future reserve land, truck tyre marks, four-wheel drive tyre marks and tree debris everywhere. That is one example, just north of Tarraleah. Over the road from the Wentworth Creek Forest Reserve, about 15 kilometres west of Derwent Bridge, we see clear photographic evidence of unlawful wood stealing on permanent timber production zone land. Parks and Wildlife Service has been alerted about the wood theft up near Wentworth Creek Forest Reserve. We hope there is an investigation underway and that there will be arrests because someone felled 300 living trees on public land but the illegal logging and wood taking near Derwent Bridge is on Forestry Tasmania land and nothing has happened.

This is an issue that we think Mr Barnett, particularly, needs to get on top of. It has been going on for decades, we believe, because of the lack of action by Sustainable Timber Tasmania. It is basically giving the green light to criminal activity in state forests and stealing wood from state forests without any sanction. This is a very serious matter. It is destroying habitat, it is theft, it is damaging natural values, tearing up the forest floor and these people are taking these trees and they are selling that wood which has no certification.

We hope that when people buy firewood in Tasmania they ask some pointed questions about the source of that wood, whether it has been sustainably harvested, whether they have a permit, for example, because something is going wrong where you have an industrial theft operation that last month led to 19 people being arrested, having stolen an estimated \$1 million worth of wood from public forest, where you have evidence of rampant wood hooking, both on future reserve land and production forest land and inaction from Sustainable Timber Tasmania so-called.

They had been alerted to the situation in Plenty and National Park a number of times and still the wood hooking continues. When we went up to the back of Plenty we saw large vehicle tracks and plastic bottles that had been dropped by people who were stealing wood from public land, with debris everywhere. They have come in in the night, knowing they are not being monitored and that Sustainable Timber Tasmania so-called pays very little attention to illegal wood hooking in Tasmania's forests. This is another of Mr Barnett's portfolio responsibilities, like deer and the logging of leatherwood, where he needs to get on top of his portfolio.

## **Reconciliation Week and Racism**

### **Economic Downturn and Effect on Youth and Women**

[6.31 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Madam Speaker, I rise tonight to speak about the events in America and how I believe it holds a mirror up to the racism that exists here in Australia. If you are like me and are watching what is occurring in America at the moment and feeling the anxiety build in the pit of your stomach as the growing tension over race spills into the streets, maybe you are ready to help shine a spotlight on inequality and racism here at home before more time is lost.

It may be a coincidence that events in America are occurring during Reconciliation Week here in Australia but it is a jarring reminder that we have similar problems with inequality, racism and discrimination that must be addressed. The stories of racism and prejudice in Australia may not make mainstream media as frequently as they do in America but the stories exist and are equally as shocking. Racist lies are told in the name of political expedience, fear of the other is used to whip up sentiments against anyone who looks different, is not like us, or is not the right colour. I think of things such as Tampa, refugees, Manus, Chinese students, Indian students, African gangs, Adam Goodes. There are countless examples of how people of colour in Australia are made to feel like they are lesser.

Sadly, there have been countless cases of COVID-related racism over the past few months. There are contemporary examples of racism in our own country that perpetuate the fear and misunderstandings which can give rise to violence and hate speech and reflecting on Australia's past we can see racism woven into the fabric of who we are as a society. In the genocide of our first nation's people that occurred here in Australia, they were rounded up, hunted, chained up, kept as slaves, denigrated, treated like animals, had their children stolen from them and their babies torn away from them. Can you imagine what all that does to a person? Can you imagine what that does to all Aboriginal people? The intergenerational impacts are profound, the violence and actions of white people towards black people are shameful and the trauma is enduring.

The ongoing impacts on Aboriginal people are understandable, given the injustice, persecution and racism. The rates of incarceration of Aboriginal people are much greater than for non-Aboriginal people here in Australia. In Tasmania's youth justice system 30 per cent of those in detention are Aboriginal. In Australia we incarcerate children as young as 10 years old. Australian Aboriginal people have had their land stolen, their language suppressed, their identity and culture denied and their families torn apart. They were denied recognition as a people and they continue to live with that impact. It is time to set things right. Without treaty, without justice and without reparation, we as a nation will continue to deny equality to Aboriginal Australians.

The systemic racism in America which contributed to the death of George Floyd has been a catalyst for action across that country that has seen people stand together and stand up against racism. We need to have the courage and honesty to acknowledge all is not well here at home. During Reconciliation Week I encourage everybody to embrace the theme 'In this Together'. We can be a proud and peaceful nation that is inclusive and tolerant and celebrates the diversity of all people who call Australia home. We cannot pretend that racism is a problem elsewhere and not here and the time to make things right is now.

I wanted to speak as well about the economic downturn and some of its consequences for Tasmanians and particularly note the impact that has been felt by young people and women. I was

fortunate to be present for a presentation from economist Saul Eslake to the Youth Network of Tasmania where he shared some data which I would like to share with the House because it reflects on the fact that job losses have been relatively greater for women and young people, largely reflecting their representation in the hardest hit sectors. Those changes particularly have been felt in the retail trade, accommodation and food services, information, media and telecommunications, rental hiring, real estate and art and recreation. I also acknowledge the fact that in those workforces women and young people are more likely to be in casual jobs, ineligible for JobKeeper payment and for young people under age of 22, many of them have been ineligible for the JobSeeker payment and have felt extraordinary economic impacts as a consequence of the virus.

I recognise the extraordinary contribution that women have made on the front line during this pandemic. In Australia it is reported, and this was reported in the *Mercury* on 17 April, that women have been the majority of the frontline health response, making up 80 per cent of the country's health professionals. There are more than 265 000 female nurses compared to 32 000 male nurses, with more than 21 200 female critical care and emergency nurses working at the frontline of the pandemic compared to 3486 men. There are more than 36 000 female medical nurses compared to 3756 men. Women also outnumber men in pharmacies, while almost half of all GPs are women. Of course women are also at the front line in providing childcare, cleaning and teaching. They have done an extraordinary job and it is a concern to see how they have been disproportionately impacted and worse as a consequence of the way our economy is structured.

We need to make sure that we support women and young people as much as the rest of our community throughout this recovery. This requires us to have an eye to how we can support those industries. It is important to note that there are strong arguments to provide targeted and short-term stimulus to labour-intensive sectors of the economy like building and construction, but also as important to note that 88 per cent of all jobs in that industry are held by men. We need to ensure that we provide job security for all employees and particularly targeted to those sectors of the economy that have been hit the hardest. We need to build a fairer society that recognises that job security builds consumer confidence, which builds a stronger economy, and that is what we need to aim to build as we all recover from the impact of this virus.

### **COVID-19 - Community Initiatives**

[6.38 p.m.]

**Ms HADDAD** (Clark) - Madam Speaker, I rise tonight to reflect on the current global health pandemic that we find ourselves in, COVID-19. Many have already reflected on it during the debate tonight and over recent weeks and months. As we know a pandemic of this size is the kind of thing the planet only deals with around once in a generation. It has been incredibly stressful, unsettling and traumatic. People have lost work. People have been terribly unwell and tragically even lost lives, thousands around the globe, with 13 right here in Tasmania.

However, through the darkness and the uncertainty that COVID-19 has wrought upon the globe, there have also been a lot of positive things emerge as a result of going through something as traumatic and as life-changing as COVID-19 has been. That is what I want to reflect on tonight and to highlight a few of the community initiatives that have emerged and some of the new ways of working that we have all found through the period of lockdown and social distancing, some of which have been refreshing and some of which would be nice to retain once the pandemic is at an end.

As a parliament we have worked together - as parliaments have around the country and the world - to support the people of Tasmania and make sure the people have the support that they need and to be able to raise issues around government support when they are not working well, and to see those issues dealt with by government and how it works collaboratively as a parliament in this place. Communities too have found all sorts of new ways of working.

I will highlight tonight a couple of organisations. One of them is the West Moonah Community House, along with all of the other neighbourhood and community houses around Tasmania that work day in, day out, night in, night out in supporting local communities at a grassroots level in a way that lots of other organisations could not. They are a very well integrated network of supports for our communities.

Like many neighbourhood houses, West Moonah Community House usually hosts regular classes, events and lunches for community members, which of course have all had to go on hold as a result of the pandemic. But they have found new ways of working. They have ramped up supplies through their food co-op and support to people through home visits, delivering food packages to people who need them, as well as activity packages for children. I have been happy to be working with the community house on some of those things.

Another organisation, the Glenorchy District Football Club, has found new ways to use their time. With matches and training cancelled due to social distancing requirements, they were looking for other things to do and other ways to keep the spirit of their club alive. They have turned their hand to volunteering. Players and club members, the coach, parents, volunteers who usually volunteer their time with the club are now instead delivering many of the food boxes for the West Moonah Community House, also from Migrant Resource Centre Tasmania, and also volunteering their time at Foodbank Tasmania, which is finding itself busier than ever. I spent a few days with their coach, Paul Kennedy, and a couple of their players, Bree and Jordan, volunteering at Foodbank, then later on the following week, volunteering to deliver some of the food boxes for West Moonah Community House.

The value of volunteering is huge in Tasmania. Volunteering Tasmania's The State of Volunteering Report showed us earlier this year that if we were to try to replace the labour that volunteers do in our community, it would cost Tasmania \$2.9 billion. In fact, the total value and the total benefit to the state of volunteering across the state each year in Tasmania is \$4 billion. That is a huge contribution that volunteers make across all sorts of sectors in Tasmania. I know it is one that other members of this House appreciate and acknowledge.

Many of those volunteers, people who give up their own time to volunteer in organisations across Tasmania and contribute to that \$4 billion of significant value to the state are in older age groups. For various reasons they have not been able to continue volunteering during COVID-19, if they are in a vulnerable health category or if they have other reasons that meant that they needed to stay home and keep themselves safe. To see organisations like Glenorchy District Football Club rising to the challenge of providing some of that volunteer labour at a time when they could not do their usual activities has been really heart-warming.

Migrant Resource Centre in Tasmania has continued to support their client base, migrants and refugees in Tasmania. They have provided free food boxes to visa workers who have lost work and missed out on government support. They have provided wellbeing packs and activity information in different, relevant languages for their clients with diverse abilities. They have also been busily

translating and providing vital COVID-19 information to people in their own language, both in written form, and in handy audio advice on their website.

Women's Health Tasmania, which usually provides a series of classes each week and support to their members and their local community, is providing health and fitness classes via online Facebook live streaming, which I am told is going really well.

The Law Faculty at University of Tasmania has facilitated a number of panels of legal experts via Zoom, where people could register and attend online panel discussions to hear about specific aspects of the law relating to COVID-19, such as family law, housing and homelessness and migration laws.

There have been countless examples of businesses finding new and innovative ways of working. Lots of grassroots community groups have formed in a way to support either large groups of people or small patches of our neighbourhoods around Hobart and Tasmania. Alexis Wildsmith, who is a community member, started a new Facebook group, went through a few name changes landing on Southern Tasmania Community Network. They now have over 10 000 members in Southern Tasmania alone, just in a short few months. It is a warm and welcoming online environment for people to go, not just for vital information about restrictions and regular announcements made by government on COVID-19, but also offers practical information such as where to find food and support if you need it as well as heart-warming posts about online live-stream concerts by artists and musicians. It has been a really warm and welcoming support space for many people to find information they need.

On a much smaller scale, even in my own street in Lenah Valley, one of my neighbour's letterboxed the whole street and was able to start a small Facebook group, just for our street where people are sharing produce and goods from their gardens at our front gate.

I wanted to reflect on those positives, notwithstanding how traumatic and unsettling COVID-19 has been. There are some positives that need to be acknowledged which have come out of this pandemic. Many of those will hopefully endure once the pandemic is at an end.

### **Labor Party Election Commitments**

[6.46 p.m.]

**Dr WOODRUFF** (Franklin) - Madam Speaker, I want talk about the issue of the day for so many Tasmanians who care very deeply about this island and who put their heart and soul into working with their community to protect the places that they hold most valuable.

I am sorry Ms White is leaving because I want to speak about her party's backflip and the commitment she has made today sadly, it appears, but unsurprisingly, to walk away from the commitments the Labor Party made to all the people they met before the 2018 election and all the promises they made to support the community, to make sure that they would always be there, defending the right to appeal, defending the right for a community to have a say about their local development and standing up for Tasmanians on planning laws.

Today, Ms White has made it clear that she is prepared and is going to accept the major projects legislation -

**Ms Butler** - In principle. We have not even seen the last draft.

**Dr WOODRUFF** - Yes, I know. The principle is disgusting. It is absolutely offensive because it does every single thing that the Labor Party committed themselves not to doing in their 2018 planning policy, which mind you, is no longer available on the Labor Party's website. If you want to have a look at the Labor Party's planning policy, you cannot find the page. What a surprise, because it has some uncomfortable truths in it. It has a commitment that the Labor Party will not support giving calling powers to a single minister for projects such as high-rise developments; and the Labor Party will always protect third party rights of appeal for development applications.

**Ms Butler** - You do not even know what this bill looks like.

**Dr WOODRUFF** - The Labor Party has, they say, a proud history -

**Members** interjecting.

**Madam SPEAKER** - Order, please.

**Dr WOODRUFF** - of working with local government to deliver positive outcomes for communities and that the people of Tasmania have every right to expect to be consulted and engaged on local issues.

Excuse me for feeling sick to the gut. Excuse me for feeling sorry for every single voter who met with a member of the Labor Party.

**Ms Butler** - We have not even read the last stage of the bill. It is not even available.

**Dr WOODRUFF** - The member for Lyons, Ms Butler, the member for Lyons, Ms White, the member for Franklin, Ms Standen, the member for Franklin, Mr O'Byrne - these are the people I was personally involved with, watching them speak to members of the public, wringing their hands with concern. So concerned, and 'Labor is listening'. I heard that day after day. These are the same people. This is the party that is the snake in the grass. This is the deceitful, treacherous, duplicitous party that is prepared to sell down every single conviction they ever once may have had and not even to have the guts to stand by something they said only two years ago.

**Members** interjecting.

**Madam SPEAKER** - Order, please. Can I just hear the member?

**Dr WOODRUFF** - This is the same member sitting over here guffawing. Ms Butler today put out a media release to Westbury residents signalling her continued concern about the prison when she knows full well that the Westbury prison is exactly the project that can get called in under the major projects legislation. How disgusting, Ms Butler, that you will sit there and say that while Labor supports development of a northern prison, it is not appropriate to force a decision on a community.

Today, Madam Speaker, on the same day that the Leader of her party commits to backing in the major projects legislation which will take away-

**Ms Butler** - In principle.

**Dr WOODRUFF** - Principle ends up being voting yes or no, Ms Butler. You are a parliamentarian. You do not get to sit on the fence any longer when it comes to this bill and the disgusting thing about this is Labor can do something about this. You can do something about this. You could grow a spine. Instead of being 'backflip' White she could actually be a leader of the opposition who stands for something, who is prepared to back the rights of the community to appeal, who is prepared to listen to all those groups. The Heritage Protection Society of Tasmania, all the fly fishermen in their hundreds and thousands, the Westbury community, East Coast Alliance and Cambria Green: everyone in Lyons who is concerned about not having a say about developments.

What about the Hobart Not High Rise. What about the Launceston No High Rise groups? These are bodies who have had commitments made to them not only by this Premier. We expect them to sell the community down the river on this because they committed to the Property Council that they would do whatever they were asked when they came to government in 2014 and they have been pushing for that ever since. We expect the Government to do that and we in the community will resist that.

It is only the Greens who are consistent on this. The Labor Party just use. Time after time, they handpick a policy, they walk around the electorate, just like Mr Street said before, they find the issue that they can play the political game on. Well, this is not a game. This is really not a game, this is serious, it is a transformative change and the Labor Party stands between the people of Tasmania and this Government from selling away our land to foreign investors which they have been doing as fast as possible for the past six years and for selling away people's right to have a say about Rosny Hill developments, about the cable car, let us forget the fact it has been to -

**Ms O'Connor** - They are so concerned about the cable car and they vote for it every time.

**Dr WOODRUFF** - Yes, they are so concerned. There are so many developments that I have not had time to talk about on this because all of them will be captured. Lake Malbena, every single sodding one. Every single one. The criteria will be written by a hand-picked panel that the minister will make the decision about. The criteria will be written for each process, particular to each process, and there will be no right to appeal. No right to challenge the decision. Shame on you, Labor.

If only, Ms Butler, you actually cared enough about the Westbury community to go and challenge and just while I finish the scorecard that the Planning Matters Alliance gave to the three parties at the last election. Well, Madam Speaker, it needs to be rewritten because every one of these questions marks or ticks for Labor should be a cross.

### **Sharon Webb - Tribute**

[6.53 p.m.]

**Ms BUTLER** (Lyons) - Madam Speaker, this evening I would like to draw attention to Ms Sharon Webb from the *Meander Valley Gazette* who was awarded Best News Story category of the 2020 Tasmania Media Awards for a series of stories titled 'How Westbury Became a Site for a New Prison'.

**Members** interjecting.

**Ms BUTLER** - You are not meant to talk unless you have the call.



The judges' comments on the three *Gazette* front page stories submitted said the series of stories demonstrated the best in local reporting, understanding what is important to the community, political and community contacts, an ability to dig beneath the surface, persistence and relevance to a wider population. The story telling is crisp and concise. As local news outlets disappear this winner demonstrates what Tasmanian communities stand to lose.

Ms Webb worked as a teacher early in her career switching to journalism at *The Examiner* newspaper where she later became News Editor then Chief of Staff. In case it does not make the *Mercury* and *Examiner* I would like to read out an article released by Sharon Webb -

**Members** interjecting.

**Ms BUTLER** - You should read it. It is very good quality journalism. For some reason the major newspapers did not pick it up. It is called 'Reset for a failure to communicate'. It is being released today. It is a fabulous article:

Tasmania's most prominent business leader has advised the State Government to axe the Westbury location for a proposed northern prison, find a new location and 'get on with it' to support COVID-19 business recovery in Tasmania.

Anti-prison group Westbury Region Against the Prison (WRAP) lauded the comment by Tasmanian Chamber of Commerce CEO, Michael Bailey. 'Even if there are funds left in the kitty for this project and it remains on the government's agenda, they really need to go back to the drawing board with their site selection process and get it right next time,' said WRAP president Linda Poulton. Mr Bailey's comment comes as Corrections Minister Elise Archer has announced that the socio-economic report on the prison completed by consultants SGS Economics and Planning finally has been delivered to the government.

Mr Bailey said of the proposed prison site on Birralee Road, 'If I were the government I'd press "reset". I'd focus on moving it to a viable location and get on with it. I think the prison has been an absolute failure as far as communication goes. I can understand the Westbury community being really worried about it. The government needs to change tack and do it quickly.'

Corrections Minister Elise Archer asked to see a detailed statement of Mr Bailey's comments but refused to respond on changing the prison site.

While saying she did not agree her department's communications on the issue had been a failure, Ms Archer hinted at the still-secret Meander Valley municipality response to the mail-out prison site survey. 'There has been extensive consultation over the preferred site with the community since September 2019 including public meetings, one-on-one meetings with myself, numerous mail-outs, a Westbury phone survey as well as a mail survey to residents,' she said. 'This consultation demonstrated that some in the community oppose the prison at the preferred site while others welcome such an investment in the local area. To suggest the entire community does not want the Northern Regional Prison is not correct.'

Mr Bailey said that following the Covid-19 lock-down, large projects like building a prison could provide economic benefits for Tasmanian businesses and workers. 'I'd consider a northern prison to be very useful in kick-starting our economy. In its construction phase it would be the State's biggest project since the Royal Hobart Hospital redevelopment. But I'm not sure the Westbury site is viable as far as the community is concerned. Clearly the community needs to want the prison. Meander Valley is a logical place but if Westbury doesn't want it, don't put it there. Other sites may be more appropriate from the community's perspective. I know the government is looking at other sites.'

Ms Archer responded, 'I welcome the fact that the TCCI recognises the economic benefits a new Northern Regional Prison will bring to Northern Tasmania.'

WRAP president Linda Poulton said the group was 'extremely pleased to learn that Mr Bailey now shares our view that Westbury is not the right place for the Northern Regional Prison because it needs to go where a community wants it. WRAP naturally supports the TCCI's call for the Government to press "the reset button" on this project. We trust Mr Bailey has conveyed this position to the Government to assist them in the critical decisions they will need to make for Tasmania moving forward.'

This has been eight, nearly nine months of absolute enthralling miscommunication, an absolute comedy of errors from day dot. As a party, all we have done is represent that community. They have been called NIMBYs, they have been thrown under the bus, they have been victimised. There have been attempts to turn the community on one another. They have been forced to make amazing commitments around meetings and fundraising and so much just to protect this tiny, lovely township because this has been completely inappropriate from day dot.

When you have the CEO of the Tasmanian Chamber of Commerce stating this is silly, hit the reset button, clearly the community do not want it here. If you are not prepared to listen to the people, please have some consideration for once, as a Government, and hit the reset button. Go back to the drawing board. We do need a northern prison, it is good for regional development -

**Time expired.**

**The House adjourned at 7 p.m.**