



PARLIAMENT OF TASMANIA

LEGISLATIVE COUNCIL

REPORT OF DEBATES

Wednesday 24 June 2020

REVISED EDITION

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

QUESTIONS UPON NOTICE

The following answers were given to questions upon notice:

35. PESRAC - ACCOUNTABILITY FRAMEWORK

Ms WEBB asked a question of the Leader of the Government in the Legislative Council -

- (1) Does the Government have in place a transparent accountability framework for the identification, management and public disclosure of any potential conflicts of interest issues which may arise for members of the Premier's Economic and Social Recovery Advisory Council and any advisory staff?
- (2) Are there any instances since 30 April this year where PESRAC members have -
 - (a) stepped aside from corporate or other roles due to their PESRAC membership; or
 - (b) declared any potential or perceived conflicts on interest in light of any matter arising during PESRAC-related activities?
- (3) Are mechanisms in place to protect the commercial interests and intellectual property of submissions received, recognising that PESRAC members may be connected to direct competitors of businesses and individuals making representations to PESRAC?
- (4) What are the remuneration, financial and resource package arrangements for each PESRAC member?
- (5) What are the estimates of the operating costs of the PESRAC support secretariat, including salaries of any seconded departmental or political appointment staffers to the secretariat or to PESRAC members?

Mrs HISCUTT replied -

- (1) In relation to the staff made available to form the secretariat for the council, these are public sector employees, and as such are subject to all the usual governance arrangements, including the State Service Act and the code of conduct, which provides a framework for managing conflicts of interest.

In relation to the members of PESRAC, procedures for managing conflicts of interest framework have been agreed by the council at its first meeting on 5 May 2020 and implemented with effect from that date. These include -

Declarations of interests

A register of interest has been prepared and completed by each member, which requires members to register -

- entities of which members are a director
- entities of which members are an employee
- entities of which members have a major shareholding interest
- if members operate a consulting business, the nature of the client base and work undertaken
- entities to which members owe a non-remunerated interest that may be relevant to the council's work program.

Conflicts arising from the work program

The council has agreed that prior to the circulation of papers for each meeting, the chair will communicate the agenda to council members, with a brief outline of the content of each item. Any member identifying a potential conflict with the agenda item is to raise the nature of the conflict with the chair, and consideration will then be given to the nature of any involvement of that member in that agenda item.

Depending on the nature of the matters being considered, managing that conflict might require that the member not be provided relevant papers, and will absent themselves from that agenda item during the meeting. Alternatively, the appropriate treatment might require the member to have a modified/redacted form of a relevant paper provided to the full council (e.g. if there is sensitive information contained within it).

Identified conflicts, and the strategies to deal with them, will be recorded by the secretariat and form part of the records of the council.

Given the work program of the council to date, the matters covered in agenda discussions have been very broad and have not been of a nature that conflicts will arise.

There is a standing item in the agenda of each member for management of conflicts.

- (2)
 - (a) No members have stepped aside from other roles as a result of the PESRAC membership.
 - (b) All members have completed their declarations of interest, and no conflicts have thus far arisen.
- (3) The conflict arrangements implemented by the council are considered sufficient to deal with the issue. There have been no intellectual property or similar issues arising from the consultation process to date. The identity of council members is well known and publicised, and if a participant in that process had concerns about making information available to the process, this can be dealt with by the secretariat in a way that meets the concerns of the participant or that material is simply not provided by the participant.

- (4) PESRAC members are fulfilling their role on a community service basis and are not being remunerated. Costs of meeting participation will be reimbursed at the request of the member. No such requests have been made to date.
- (5) There are no political appointments to the secretariat. The secretariat is effectively a medium-term interoperability model. The team comprises staff made available from the following departments:
 - Treasury (three staff)
 - Premier and Cabinet (two staff)
 - State Growth (two staff)
 - Department of Primary Industries, Parks, Water and Environment (one staff).

All staff have retained their pre-existing remuneration levels and arrangements.

No additional funding has been made available to any agency to support the work of the council or the secretariat - costs are met from existing agency appropriations.

36. PESRAC - MEMBERS - CONFLICTS OF INTEREST

Ms WEBB asked a question of the Leader of the Government in the Legislative Council -

Recognising the need to maintain public confidence in Tasmanian's transparency and accountability mechanisms during the unprecedented COVID-19 crisis, will the Government please confirm whether any member of the Premier's Economic and Social Recovery Advisory Council, as announced on 30 April 2020 has -

- (1) Made a personal financial or in-kind donation to a registered political party and/or candidate for each financial year from 2016-17 to 2019-20?
- (2) Represented, or held membership of, or was an employee of, any organisation or entity which made a financial or in-kind donation to a registered political party and/or candidate for the financial years from 2016-17 to 2019-20?
- (3) Ever been a registered lobbyist, member and/or employee of a registered lobbyist organisation, on either the Australian Government Register of Lobbyists or the Tasmanian Register of Lobbyists?
- (4) Been involved in any business and/or corporate interests which have successfully tendered for any Tasmanian state tenders, grants or commissions, and/or received any other public funding for each financial year from 2016-17 to 2019-20?

Mrs HISCUTT replied -

There were four questions there. The member for Nelson had questions around the personal finances or donations of the recovery team.

(1) to (4)

The personal affairs of the council members in relation to their support or otherwise for registered political parties or candidates is not known to the Government, and is a private matter for the members.

Council members were invited by the Premier to participate in the council as a community service, and they are not being remunerated for their service. There is no context of any of the members being appointed as a reward for supporting the Government.

The members were approached because of their highly appropriate and wideranging backgrounds in business and in the social sectors. They are prominent and well-known Tasmanians. They have been appointed in their personal capacity, not in any representative capacity, because of the experiences and networks they bring to the challenge of identifying potential recovery mechanisms.

In the context of Tasmania and the reach of government, most, if not all, members of the council will have had some form of financial linkage with government over the period nominated - either directly through salary, through the organisations that they have worked for having financial relationships with the Government, other remunerated positions linked to government, their business having contracts with government agencies, or entities with which they are otherwise associated having financial linkages to the Government.

The council is providing recommendations to the Premier for his and Cabinet's consideration. They are not making any decisions in relation to recovery mechanisms or initiatives - the council's task is purely advisory.

Finally, the council has implemented measures to deal with conflicts that are fit for purpose in the context of the council's advisory role.

37. PESRAC - COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE TASMANIA

Ms WEBB asked a question of the Leader of the Government in the Legislative Council -

With regard to the Commissioner for Children and Young People Tasmania serving on the Premier's Economic and Social Recovery Advisory Council as announced on 30 April 2020 -

- (1) (a) Has the Government received advice regarding the capacity for the Tasmanian children's commissioner to meet all responsibilities, obligations and terms of appointment as an independent statutory officer under the Commissioner for Children and Young People Act 2016 while also serving as a PESRAC member?
- (b) If so, what are the details?
- (2) What are the details of the intended full-time equivalent - FTE - schedule the children's commissioner will be expected to fulfil as a PESRAC member?
- (3) (a) Have amendments been made to the children's commissioner's contractual arrangements in light of additional membership on PESRAC?

- (b) If so, what are the details?

Mrs HISCUTT replied -

- (1) (a) Yes.
- (b) Leanne McLean is appointed in her personal capacity to the Premier's Economic and Social Recovery Advisory Council. There are no legal concerns identified regarding her capacity to meet her responsibilities as the children's commissioner or her term of appointment as an independent statutory officer under the Commissioner for Children and Young People Act 2016 while also serving as a PESRAC member, noting that no member on the PESRAC receives payment for their role on PESRAC.
- (2) It is not possible to identify the time commitment in the context of a full-time equivalent schedule; however, the current commitment is as follows -

For the first phase of the council's work (leading up to the end of June), the council is meeting weekly, typically for two-hour blocks during business hours. The current arrangement will see PESRAC considering meeting papers over weekends, rather than in 'business hours'.

The meeting schedule post the first report has yet to be agreed, but it is expected to be weekly through July and August, leading to the interim report at the end of August.

Arrangements in September and through to the final report (the date to be determined) have not been contemplated yet.

- (3) (a) No.
- (b) Not applicable.

40. COVID-19 - WELLBEING OF PATIENTS - MENTAL HEALTH FACILITIES

Ms WEBB asked a question of the Leader of the Government in the Legislative Council -

- (1) What additional or adapted measures have been implemented for providing health care to, and ensuring the physical and mental wellbeing of, voluntary and involuntary patients in Tasmania's mental health facilities?
- (2) What special measures have been implemented in Tasmania's mental health facilities to protect vulnerable patients, such as elderly individuals and those with existing health conditions?
- (3) What measures have been taken in relation to the administration of Treatment Orders under the Mental Health Act 2013 to -
- (a) reduce crowding in Tasmania's mental health facilities

- (b) ensure physical distancing can be maintained in those facilities
- (c) safeguard health and wellbeing more generally?
- (4) To what extent are the rights of mental health patients under the Corrections Act 1997 and the Mental Health Act 2013 restricted as a result of COVID-19?
- (5) What processes and arrangements have been put in place to ensure people with mental illness have a direct voice to decision-makers about the impact of COVID-19 on -
 - (a) their mental and physical health and wellbeing; and
 - (b) the measures being adopted in relation to their treatment and care during the pandemic emergency?
- (6) What impact has COVID-19 had on staff-escorted leave and access to allied health services provided by psychologists and diversional therapists?
- (7) (a) How many COVID-19 tests have been carried out in Tasmania's mental health facilities?
- (b) What have been the results for staff and patients?
- (8) (a) What sanitation and social distancing measures have been implemented in Tasmania's mental health facilities?
- (b) To which facilities do these measures apply?
- (9) (a) What measures have been taken to minimise the impact of restrictions on visits to Tasmania's mental health facilities?
- (b) Have opportunities for video communication between patients and their families and friends been provided?
- (10) What measures are in place to minimise the physical and psychological harm of any COVID-19-related isolation measures that have been put in place?
- (11) What has been the impact of the COVID-19 emergency period on the Mental Health Official Visitors Program's ability to -
 - (a) check on the treatment of patients in mental health facilities; and
 - (b) receive complaints from patients?

Mrs HISCUTT replied -

Mr President, this question is also from the member Nelson and it is about voluntary and involuntary patients in the Tasmanian mental health facilities. This question comprises 20-odd

parts. I have previously been asked to read the answers to all questions, but given the length of this question and its answers, I seek the leave of the Council to table and incorporate this document.

Leave granted; document incorporated as follows -

- (1) All services within the Statewide Mental Health Services developed COVID-19 management plans that detailed strategies to avoid or reduce the risks to patients, staff, family members, carers, visitors and the broader community. Strategies were tailored to individual service types and included measures like -
 - Implementing infection control measures; complying with public health recommendations around social distancing, isolation and quarantine where required; and the provision of appropriate personal protective equipment - PPE - based on clinical need to protect both patients and staff.
 - Identifying options to manage patients who show symptoms of COVID-19 or contract COVID-19.
 - Identifying options for managing vulnerable patients and staff.
 - Supporting staff to work from home where possible to minimise potential spread.
 - Supporting staff to work from home who identified as vulnerable.
 - Reduced face-to-face contact with patients and increased contact via telephone or telehealth.
 - Screening of patients and staff.
 - Reduced access to services, such as visitors.
- (2) As part of the COVID-19 plans that were developed, services undertook a review of each site and the patients to determine those who had additional vulnerabilities which placed them at greater risk. Measures were implemented that helped manage the risks specific to individual needs.

Plans were developed on how to provide care to a COVID-19 positive patient.

Inpatient units reviewed their patients with a view of discharging patients where appropriate to support them within the community, which would enable the creation of hot and cold zones in the inpatient units in preparation for any patients who tested positive to COVID-19.

The Roy Fagan Centre is a specialised centre to assess and treat older persons with mental illness and dementia. The management plan for the RFC recognises the extreme vulnerabilities of its older patients and the anticipated complexities of medical and

nursing care. The RFC implemented visitor restrictions very early on to protect its patients from the risk of COVID-19.

Visitor restrictions for other service sites were also implemented.

- (3) As part of the service management plans, a range of decisions were made which were guided by advice from Public Health in relation to measures that should be implemented within health facilities.

- (a) This included the management of visitors, and reducing face-to-face contact with contact by telephone and telehealth where appropriate. The Mental Health Tribunal met its requirements under the Mental Health Act 2013 to review persons detailed under the act via the use of Polycom healthcare.

Each inpatient unit reviewed all patients to ensure that those who could be cared for appropriately in the community were discharged from hospital.

- (b) All services within Statewide Mental Health Services implemented a range of measures within its facilities to ensure physical distancing occurred. For example, there was a shift to phone consultations where appropriate. For patients and patients who needed to be seen face to face, staff ensured they followed advice from Public Health Services and utilised PPE when required.

Inpatient units modified their layouts to ensure there were separate hot and cold zones, and that all rooms in the facility were able to meet the physical distancing requirements wherever possible.

- (c) Mental Health Services established the COVID-19 support line to assist people requesting support relating to COVID-19, such as people who were in isolation. This was part of the Mental Health Services Helpline and was staffed by appropriately qualified mental health clinicians.

- (4) To protect patients and staff, the Government made the difficult decision to not allow visitors to all Tasmanian Health Service hospitals as a temporary measure, which included the mental health acute inpatient facilities. Additionally, patient leave was ceased temporarily to further reduce the risk of COVID-19 to patients and staff.

This measure meant that patients receiving inpatient mental health treatment were unable to leave the unit and strategies were implemented to ensure patients could remain in contact with families, carers and other support networks. Restrictions have recently been eased and treating teams are now working with their patients in relation to leave options where appropriate.

- (5) Mental Health Services implemented a range of strategies to manage patients' physical health and wellbeing. Generally, this was undertaken at an individual service unit level where patients are able to discuss any issues, including those arising from COVID-19, with their treating team or the service manager, who would then work with patients to identify and implement a solution.

Information was provided to patients in relation to additional services they could access such as Mental Health Families and Friends Tasmania and Flourish.

- (6) Where a patient is required to access treatment or a medical appointment that is essential to their health, this has still been facilitated through the period of restrictions. Staff-escorted leave for patients has now been reintroduced with the easing of leave restrictions and where a plan for leave has been developed with the treating team. Referrals continued to be made to ensure health-related services were accessible for patients.

Access to Allied Health staff has not been affected by COVID-19, although the delivery of these services may have been via telehealth rather than face to face.

- (7) (a) Anyone requiring a test has been taken to the testing centres, whenever possible. Some staff have been trained to carry out tests on those people who are unable to attend the testing centres, but the numbers are extremely low.
- (b) All tests conducted returned a negative result.
- (8) All facilities within Statewide Mental Health Services have implemented the measures recommended by the Public Health Services.
- Staff must complete a staff screening prior to commencing at work.
 - Staff adhere to the requirement to stay home if they are unwell and contact the Public Health Services for advice.
 - Staff and visitors must sanitise prior to entering any of our facilities.
 - Visitors to inpatient units are required to complete a screening tool.
 - Visitors to community services are required to complete a screening tool at reception.
 - Staff and visitors must maintain appropriate social distancing and hand hygiene, and there are posters clearly displayed throughout all services.
 - Cleaning regimes have been reviewed and enhanced utilising government cleaning guidelines.
 - PPE including hand hygiene facilities are available throughout units.
 - Education to staff and patients has occurred and is ongoing.
- (9) Staff have encouraged and helped patients to remain connected with their support networks via telephone or video communication while the restrictions on visitors were in place. Mental Health Services have also reviewed and enhanced ward-based activities in

consultation with patients. Where services have outdoor areas, patients have been encouraged to utilise these.

Staff worked individually with patients who did not have a mobile phone to help them to connect with their family and friends. Inpatient units worked closely with the iVisitors program to implement tablets and mobile phones in areas for patients to use social media platforms to maintain contact during the restriction period.

- (10) Treating teams are supporting patients, providing education about COVID-19 and responding to their individual needs during this time. Services have also kept support networks informed and ensured patients have had contact with family and friends.

Peer carer and peer support workers have also engaged with patients and their families during this time.

- (11) There was a suspension of visits by the Official Visitors to all approved hospitals. This was a decision that was not made lightly, but essential to safeguard the health and safety of patients, staff and the Official Visitors.

Principal Official Visitor Mr Richard Connock was supportive of this decision and mechanisms were put in place to ensure that patients were still able to contact the Official Visitors program if they wanted support or to raise issues.

The Official Visitors will be recommencing their visits to facilities in the north and north-west from 1 July 2020.

TABLED PAPER

Parliamentary Standing Committee on Subordinate Legislation - State Service Amendment Regulations 2020 (No. 24)

Ms Rattray presented the report of the Joint Parliamentary Standing Committee on Subordinate Legislation in relation to an inquiry into the State Service Amendment Regulations 2020 (No. 24).

Report received and printed.

SUSPENSION OF STANDING ORDERS

[11.16 a.m.]

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

That so much of Standing Orders be suspended as to allow for special interest matters to be called on for today's sitting.

Motion agreed to.

SPECIAL INTEREST MATTERS

Men's Health Week

[11.16 a.m.]

Mr PRESIDENT - Honourable members, to begin our session we have quite an historic moment. For the very last time, we will call on the Honourable Kerry Finch as the member for Rosevears. I am sure the new member for Rosevears will be equally as compelling and will use this forum to great use, but I think this has been almost been known as the 'Kerry Finch session'. If we went through the records, there would probably not be any larger contributor to special interests than Mr Finch, so, for the very last time, the member for Rosevears.

Mr FINCH (Rosevears) - Mr President, thank you. I must say, Mr President, you look quite happy announcing that it was my last one. However, last week was Men's Health Week and I take this opportunity to reflect on some instances that highlight the need not to ignore the signs that suggest something is wrong with your health. That applies to women as well.

You may recall my condolence notice about Mike Howe when we were last in parliament. His wife, Louise Earwaker, in writing to me about his passing, said -

With your influence, please pass the message around to look out for your health and see your doctor. So many, men especially, ignore warning signs until too late. Louise.

In Mike's case, after putting things off for quite some time, he was due at the doctors the next day, but he died in his sleep.

In a special interest speech I made in 2014, when I spoke about my heart attack, I mentioned my friend and fellow Stretford-ender, who is an avid Manchester United supporter, Kevin Gannon. He worked at the Wigan Infirmary and when he came home from work, he told his wife, Barbara, that he felt unwell. Straightaway she urged him to call an ambulance but, no, no, he will get it checked out at work tomorrow. Overnight, he passed away in his sleep, at 63.

Many of you will recall the very successful broadcaster, Peter Kaye, who rated number one on 7EX for many years in a row. He was feeling off-colour over a couple of weeks and his wife, Sally, kept suggesting he see his doctor but Peter was his own man. Strong and proud, no, he did not budge. It is inconvenient. On 21 January 2016 he slept well, felt good and died from a heart attack, a blocked artery, two hours later. That was the day before a doctor's appointment at which, no doubt, that would have been picked up. He was 64, so please - heed Sally's advice. Do not shrug it off; do not say, 'If I am no better on Monday, I will go to the doctor'; do not think it is too inconvenient - go and get checked early. It is not being dramatic. It might just save your life.

Ms Forrest - It is being a man.

Mr FINCH - We cannot help it.

There is the reticence, too, in respect of calling an ambulance. Certainly in my case, when I felt pressure on my chest here in Hobart after being in the gym early, I phoned my doctor, and without hesitation, he said, 'Call an ambulance'. A driver and a paramedic came, and after examination, the suggestion was that, because I had called an ambulance, I needed to go to A&E.

On arrival I was examined, taken upstairs, and with no fuss a stent was installed in a blocked artery. I stayed overnight, then back home. The funny thing was -

Ms Forrest - And missed your Thursday special interest speech. Someone had to do it for you that day.

Mr FINCH - I am going to refer to it tomorrow. Do not pre-empt me. I will be here all morning.

The funny thing was that I reported to the rehab at LGH, and discussed my situation with John Aitken. This was about a week and a half later.

I said to him, 'The stent is just off to the side here,' and he said, 'Kerry, the stent is in your heart.'

I said, 'Oh well, there was nothing to worry about, because everybody was pretty relaxed.'

To which he said, 'Kerry, it was an emergency.'

To which I said, 'Do you mean, could this be that I had a heart attack?'

He said, 'Yes.'

That was the first time anybody said I had a heart attack. Nobody, but nobody, had used those words, so it was quite a surprise.

I want to quote Frank Noakes from Ambulance Tasmania -

It is well understood that men are often hesitant to seek medical assistance and can sometimes leave it longer than is good for their health. In a medical emergency, calling for an ambulance could mean the difference between life and death. Sometimes men hesitate to call because they are not sure if the situation qualifies as an emergency. Remember, if in doubt, always call 000.

The people who take your call are trained to help you and will direct you to the appropriate resources, even if this is not an emergency ambulance. Be safe, not sorry.

A word from Graeme Lynch from the Heart Foundation. He said that if you are over 45 or 30 or over, if you are of Aboriginal or Torres Strait descent, you should book a heart health check with your doctor today. It is covered by Medicare. Some 1.4 million Australians have a high chance of having a heart attack or a stroke in the next five years - Australia's number one cause of death. One Australian has a heart attack or a stroke every four minutes. Think of your family and those close to you. Understand the risks and make positive changes.

Mr President, I hope my talk today encourages fellow Tasmanians to make their health a top priority. Embrace preventive health.

I have banged on about it often enough over many years here. We owe it to ourselves, our children and our grandchildren. They learn by watching us, and we owe it to them to demonstrate self-care.

Launceston Basketball Association

[11.23 a.m.]

Ms ARMITAGE (Launceston) - Mr President, I thank the member for Rosevears. I must admit my husband is one of the - probably - few who does go to the doctor quite regularly if he thinks he has an issue.

Today I speak about the Launceston Basketball Association - one of northern Tasmania's premier sporting organisations, and a key driver in the northern sporting calendar.

The Launceston Basketball Association was founded in November 2016, the product of a merger between the Launceston Junior Basketball League, the Launceston Senior Basketball League, the Northern Baptist Basketball Association and the Northern Tasmania Basketball Officials Association. The LBA consequently represents a myriad of players.

The largest association by member number in Tasmania - approximately 1700 - the LBA currently employs a full-time manager and retains a large contingent of volunteers that make the organisation tick.

While the LBA has well-established relationships with the Launceston Tornados, the representative team of the LBA is Launceston Lightning.

The LBA is also a member of the Good Sports association, a national coalition of some 9500 sporting clubs, teams and organisations that are committed to delivering the social, health and community benefits that engaging in sport brings. As a result, the LBA proactively recruits new players to their many competitions, and keeps them engaged and retained through positively impacting on health outcomes and social engagement.

The LBA also engages in fundraising activities such as participating in the Breast Cancer Network Australia Pink Sports Day and supports its players in reaching higher and higher levels of success in the sport.

The LBA is truly a grassroots organisation that does much to support our community. The typical season administered by the LBA runs from late February to August. In 2019, the LBA had 193 teams participating over six days per week, ranging from the under-10s to the senior premier leagues, and more convivial social competitions.

It is very easy to see how much work the LBA does, and just how many interests it represents and sectors of the community it supports.

However, 2020 was not a typical year for the LBA. With the advent of COVID-19, it would not be unreasonable to say that the LBA experienced significant disruptions. Being based at the Elphin Sports Centre, the construction of the coronavirus respiratory testing clinic essentially displaced the association and therefore their many competitions.

I was advised in May by LBA president, Craig Gibson, that the LBA season 2020 had essentially been cut as a result of the coronavirus clinic moving into the Elphin Sports Centre. Ever the optimist, Mr Gibson did his best to devise a contingency plan, that was workable but obviously fell short of what is typically to be expected of a normal basketball season.

While it was potentially set to be based at Elphin until the end of the year, a fantastic result has recently come through for the LBA and its competitions, with the arrangement for the coronavirus clinic at the Elphin Sports Centre to end sooner than originally planned.

As it stands, there are still a number of weeks until the competition can get back up and running, but from 26 June, community sport is permitted to resume, with indoor numbers of up to 500 people allowed. This is a tremendous result for this organisation, and for our sporting community more generally, on the proviso that adequate health, wellbeing and safety measures continue to be adhered to - which I am sure they will be.

At this stage, I would like to point out the excellent work our Health department, Health minister, Director of Public Health, the Premier and their staff have done in managing the coronavirus response and bolstering the health and wellbeing of our communities.

As a result of the dogged determination of Mr Gibson and the association's board, the LBA will ensure that our communities will return back to doing the activities they love and that keep them healthy, well and engaged.

I look forward to seeing the competitions back up and running and attending a game in the very near future.

COVID-19 - Nelson Community

[11.28 p.m.]

Ms WEBB (Nelson) - Mr President, COVID-19 has certainly affected us all, but for some this pandemic has been particularly difficult.

Alongside the challenges, it has been heartening to see that hard times can bring out the best in people also. I have observed people in the Nelson community demonstrating incredible generosity, kindness and concern during this time of COVID-19, finding practical and creative ways to connect with each other and strengthen our community, and I would like to share some of those here today.

It was my great pleasure to film a short video promoting the Salvation Army's 2020 Red Shield Appeal. Naturally, that appeal was a little different this year due to COVID-19 restrictions: instead of a knock on the door, it has been conducted almost completely online. Happily, Major Steve Miller, from the Kingborough/Huon Corps, says they are very close to achieving their fundraising goal in spite of the many challenges met along the way. The funds raised are certainly required.

The local Salvos in my electorate have been helping, supporting and assisting people and families through the COVID-19 lockdown - from a family of seven whose only meat source was possum to an elderly couple battling with significant health issues right through to a young international student couple expecting the imminent birth of their first child. Major Steve points to the generous support from local businesses and the Kingston Rotary Club that has assisted in providing food hampers and other support.

During the lockdown period, the local Salvos, supported by another excellent group, the Kingborough Community Missions, have provided thousands of locally cooked frozen meals to

households in the community. They have also run simple errands for people and older people who cannot get out and about, picking up groceries and prescriptions and posting letters.

I thank Major Steve and the Salvos team, and also Peter and Patricia Harvey from Kingborough Community Missions, for their dedicated service to our community.

COVID-19 has also thrown a good few challenges at the Kingston Neighbourhood House. In normal circumstances, the Kingston Neighbourhood House provides community support, services, activities, events and - my personal favourite - a monthly eating with friends lunch. With their model of operating centred on face-to-face participation and support, David Morse, Manager of Kingston Neighbourhood House, says it has been a real challenge not being able to welcome people through the front door. He noted that simply not being able to put your arms around someone and tell them you care was really hard.

However, they have risen to the challenge with creativity and commitment. The Kingston Neighbourhood House team has set up a community buddy program, making regular phone calls, emails or texts to people in need. Food relief has been provided through the house, but now instead of people coming and helping themselves, volunteers pack food parcels for families and individuals to collect. David and his team also support the local migrant community and temporary entry permit visa holders with food and support. They have also secured donations for an iPad to help a local student in need.

Finally, the house is conducting the COVID-19 community survey, researching issues faced by people in our community relating to the pandemic and how community needs have changed as a result. This research will guide the neighbourhood house in its future planning.

I am deeply appreciative to the work of the Kingston Neighbourhood House in strengthening our community. It would be impossible to paint a picture of the generosity of the Nelson community without mentioning Edna Pennicott OAM, a cornerstone of the Kingborough community and a veritable force of nature. I am not going to read out a complete list of Edna's awards and achievements because that would take us through to lunchtime at least, but allow me to provide some highlights from her more than 45 years of dedicated and generous volunteering in the local community.

Edna is the founder and driving force behind the Kingborough Helping Hands group which provides food, vouchers and household essentials to people experiencing hardship. Edna also operates Kingston's Loui's food van and through Kingborough Helping Hands she supports Annie Kenney Young Women's Refuge, Jireh House women's shelter, the Kingston Primary School Breakfast Club and the aforementioned Kingston Neighbourhood House. Add to this her life memberships of the Kingborough Tigers Football Club and the district cricket club where she has volunteered in the canteen for many decades.

In a normal year, Edna and her team organise several sizeable fundraising events, including the mid-year soup and sandwich fashion show and a vast end-of-year Christmas luncheon, which is truly something to behold. All this is alongside the many food parcels and Christmas hampers she and her team of volunteers deliver throughout the community. In recognition of these tireless contributions, Edna has previously received numerous accolades, including a lifetime achievement award in the Tasmanian Volunteering Awards, the Kingborough Senior Citizen of the Year award and a Pride of Australia Medal.

In the Queen's birthday honours this month, Edna Pennicott was awarded a medal of the Order of Australia for her service to the community of Kingborough. This is a fitting recognition, not least because Edna is generally regarded as the queen of Kingborough. I thank Edna for her steadfast service and the inspiration she provides to so many others in our community.

Finally, I would like to share an example of the small creative and heartfelt ways people have reached out to connect with and support one another within our community. I make a special mention here of a small gesture that touched my heart.

Hananya, Celeste and Nicole Meijer sent me and many others a small token of hope amidst the crisis. The Meijer family had read about children in Italy drawing rainbow posters to share with the message 'Everything will be alright', and decided they would do the same. I now have a beautiful hand-drawn rainbow on my fridge, a reminder from the Meijers that we are all in this together and can rebuild with hope.

Mr John Leedham - Tribute

[11.34 p.m.]

Mr VALENTINE (Hobart) - Mr President, today my matter of special interest concerns the life and times of Mr John Leedham, affectionately known as the Great JL in footy circles.

He is a Tasmanian football icon and sadly passed away on 30 May this year aged 92. I count it an honour and a privilege to mark his passing in this House through this condolence notice. I thank Mr Craig Martin, the President of the North Hobart Football Club, through the hardworking Ms Mandy Jenkins, a North Hobart Football Club stalwart, for providing some great detail of John's life and for allowing me to use an obituary when preparing this condolence that Craig himself penned on the occasion of John's passing.

To the man himself: John Leedham was born on 20 May 1928 and passed away on 30 May 2020. Tasmanian football has certainly lost one of its greatest. Many believe him to be the greatest Tasmanian player not to have played in the VFL or AFL, and that is borne out by being named vice-captain to Darrel Baldock in the Tasmanian Team of the Century announced in 2004.

John is revered, loved and respected by everyone who knew him. I was well acquainted with John when I was lord mayor, holding the position of number one badge holder at the North Hobart Football Club for quite a number of years. I scratched around and found the badge, but I cannot put it on because it would be fraudulent because I am not the number one badge holder anymore. I had better put it away because it will be a prop and we cannot have props in this House. Nevertheless, being number one badge holder is probably the only way I could get into the club.

An extraordinarily gifted left-footer, the Great JL was one of the finest players in the country and unbeatable. He made a habit of regularly beating high-profile interstate players in state games. The late Jim Manson, former Glenorchy ruckman and football commentator, recalled watching John take apart two of Victoria's top players in Bill Twomey and John Brady at North Hobart in 1957. Incredibly, he did not play competition at school, yet within a couple of years of joining North Launceston, he was in the Tasmanian team.

Born in Campbell Town in 1928, John was an only child and lived on a farm. Life was tough and he was not exposed to sport at a young age. The Australian Army arrived and set up a depot at Ross in 1944 and footy became much more prominent in the district.

He started playing with Campbell Town that year; his freakish skills were soon under notice and at 16 he started playing with North Launceston. He would rise early on Saturday mornings and catch a bus to Launceston to play and return the following morning. John quickly became a valuable player with the most successful North Launceston team ever and one of the greatest teams Tasmania has ever seen. They won five successive premierships from 1946 to 1950 and won the state premiership in 1947, 1949 and 1950.

At only 19, John was selected to play for Tasmania at the 1947 National Carnival at North Hobart. Tasmania won the second division title that year, winning all its games. After the carnival, he was recruited by Melbourne in 1948 and was a certainty to be picked in the side for the first game of the season at centre half-back. Unfortunately, he hurt the cartilage in his knee at training and decided to return home to Tasmania for the operation. John said he never regretted returning home because that is where his family and friends were, and the money back then was not all that different to what he would get playing in Melbourne. My word, how times have changed!

After a stint running a pub in the country and marrying the great love of his life, Evelyn (Bubbles) Bingham, in 1951, John returned to the big time as captain-coach of North Launceston in 1953, distinguishing himself by starring for Tasmania at the National Carnival in Adelaide and becoming the first Tasmanian to win selection in the first-ever all-Australian team; he was also runner-up in the Tassie Medal for the best player at the carnival.

After 124 games with North Launceston - and that is no small number - he crossed to North Hobart in 1954, playing 114 games and captained-coached the club from 1954 to 1959. Beaten by New Town in the 1956 grand final by five points, North Hobart with the Great JL as captain-coach wanted, and got, revenge in 1957, beating the newly badged Glenorchy in the grand final by 12 points before a crowd of 16 000. The match was a personal triumph for John, who was chaired off the ground.

In the 1958 National Carnival, John captained-coached Tasmania in Division 1 against the best footballers in Australia. The team emerged as the greatest ever Tasmanian representative side, beating Western Australia and South Australia. When the team arrived home, thousands of Tasmanians turned out at the airport to greet their heroes. This really was a pinnacle in the golden era of Tasmanian football.

For those who never saw him play, he was a left-footer with beautiful hands. He never fumbled, had an uncanny ability to find the ball in heavy traffic, had incredible evasion skills and was impossible to lay a glove on. I love the way Craig describes that. It is a great description.

He was also a showman. He believed that if people came to the footy, they had to be entertained. He was a larger-than-life figure who was always warm and engaging. You were never left in any doubt about his thoughts on the opposition or the umpires when he was watching a game, and I experienced that on quite a number of occasions. He was quite vocal and passionate. He was a lovable larrikin who loved his family, his footy and friends. Craig was fortunate enough to be coached by John at Rose Bay High School and recalls it was a wonderful experience. He coached the team to a flag in 1978 in the under-15s and Craig said it was an honour to have known him since those days.

In 2004, John was selected as ruck-rover and vice-captain in the official Tasmanian Team of the Century, and then in 2005 was an inaugural inductee as a legend in the AFL Tasmania Hall of Fame. He was elevated to AFL Tasmania Icon status in 2014 and was also inducted into the Tasmanian Sporting Hall of Fame that year. He was ruck rover and co-vice captain of the North Hobart Team of the Century. After his playing career, John served as the North Hobart Club president with great distinction from 1998 to 2009, being both a life member and a member of the club's hall of fame.

Tasmania has lost an absolute footy legend, and we are all the sadder for it. Those who knew him will remember him with great warmth and reverence. John lost his beloved wife, Evelyn, otherwise known as 'Bubbles', in 2007, and I am sure members will join with me in expressing our deepest sympathies to his children Jennifer, John and Pippa, his 11 grandchildren and six great-grandchildren. As they learn to live without the Great JL in their lives, I am sure he will be forever in their hearts.

Vale, John Leedham, the Great JL. You will indeed be missed and thanks for the memories.

Circular Head Businesses

[11.42 a.m.]

Ms FORREST (Murchison) - Mr President, in my contribution on Wednesday 3 June I recognised many longstanding businesses in Circular Head and I did not have time to name them all. As is often the case, you miss some because there are so many. I would, therefore, like to expand on the list of long-established small and medium businesses in Circular Head and further acknowledge as many as I can, knowing that I still may miss some. There are so many.

As previously stated, I had intended to make that contribution some time ago and had missed the opportunity, so some of the owners have changed and some businesses have had a name change, even in this time. Many have faced enormous challenges in recent times, during the COVID-19 pandemic shutdown. I sincerely hope they can all survive and continue to thrive in the years ahead, but it is really tough for many of our small businesses. As is always the case when you begin to make lists such as these, I may continue to miss some. I thank several of my Circular Head constituents who have provided some valuable feedback and assistance to ensure that I recognise as many as possible.

Fahey Motors first opened its doors as Fahey Toyota back in 1969.

Smithton Veterinary Service has been providing service in the Circular Head region for over 50 years.

Arnolds BP Smithton, currently owned and operated by Andrew Arnold, has been a long-established family business. It was originally started by Andrew's parents at a shop in Montague that also sold fuel. Andrew's father took over the Ampol distributorship in 1973; 47 years later and the family continues to serve the Circular Head community with their automotive needs through the BP service station as well as Arnolds Autocare operated by Peter Arnold for almost 15 years.

We also have lawyers. The very longstanding Jonathan Smith Lawyers has been in operation and practice for 38 years.

Clark Windows has been owned and operated by Craig and Sandra Clark since 1984; 36 years.

Beth Gail has been the proprietor of Lizzy's This N That for just over 36 years. From humble beginnings as a small record and clothing store, it now stocks electronic games and consoles and music needs as well as men's and women's fashion and accessories. It also has a strong online presence, showing how businesses have had to change with the times.

Hungry Years Pizza has been owned by Kay Free for 33 years.

Smithton Pharmacy, owned by pharmacist Murray House, has been in operation for 32 years.

Spinks Property Services has also been open for 32 years.

Think Water Smithton began as Dixon Irrigation, originally started by Cyril Dixon around 1988, 32 years ago. and it is still independently owned and operated.

Don Joyce Electrical and Don has been in business for over 30 years.

Inn World owned by Jenny Marshall for over 30 years.

Jaeger Electrical, over 30 years.

Richard Haines Mechanical and Exhaust, 25 years.

Wealth Financial, previously Graeme Drake Financial, 22 years.

Kevin Hoare Plumbing, Gas Fitting and Woodheating, 22 years.

Smithton Showcase Jewellers for 20 years, was previously Hingston Showcase Jewellers.

Of course, being in a rural area many farming businesses have been operating for generations and should also be recognised for their contribution to their community and economy. Many were run by the same family throughout the generations.

I am sure there are others that have been overlooked. Regardless, I commend them all especially for operating through this challenging and difficult time. The list will continue to grow because small and medium businesses are the backbone of our regions and collectively employ many local people and are the starting point for many young people getting into employment.

I wish all these businesses and the other businesses I mentioned previously all the best, even those I overlooked. I wish them all the very best in these challenging times and hope they can continue to thrive. We all truly value their contribution to the region and the state. For the newer businesses, especially the very new ones that were not in operation long before they had to face an enormous challenge and one of the most challenging times of our lifetime, I wish them every success and longevity, and commend them all.

International Justice Day for Cleaners and Security Guards

[11.46 a.m.]

Ms LOVELL (Rumney) - Mr President, on 15 June it was International Justice Day for Cleaners and Security Guards.

On this day 30 years ago, in 1990, a group of janitors in Century City, Los Angeles were striking for the right to organise and form a union. In the United States, the right to be a member of a union is not automatic the way it is in Australia where every worker has the right to be a member of their trade union.

This group of janitors in Century City were protesting for the right to unionise and were subject to the use of violent force by the Los Angeles Police Department. Many were injured, but they came back the next day and the next until they won the right to organise and significantly improved their wages and the conditions of their employment. This was the beginning of the Justice for Janitors campaign in the United States, which then spread to the United Kingdom as Justice for Cleaners and to Australia, where it was known as Clean Start. It is in recognition of this day we now celebrate International Justice Day for Cleaners and Security Guards.

Prior to being elected, I was fortunate enough to spend 10 years working for United Voice, now known as the United Workers Union, the union of cleaners and security guards. Cleaning and security can be industries unfairly judged, looked down on or just overlooked altogether for so often the majority of the work is done when nobody is there to witness. You might not consciously notice the toilet has been scrubbed, the floors have been mopped and vacuumed, the bins emptied and the crumbs and coffee rings wiped from your desk, but I can guarantee you would notice if they were not. They are often an invisible workforce, the Cleaning Fairy. The first and easiest thing we can all do is see them and thank them for their work. I thank those who clean our workplace and keep us safe here at Parliament House. Our utility officers - Shane, Gay and Gaye; building supervisor Brendan, as well as Fiona, Andrea, Carol and Alison, and also Myra who cleans my electorate office. They do an outstanding job and I am sure we could all probably make it a little easier for them at times.

Ms Forrest - And never more important than now.

Ms LOVELL - Absolutely. I found, when I was lucky enough to work with cleaners in their union, that you would be hard-pressed to find a group of workers with more pride in their work, with more dedication to doing their job well, and with more acute awareness of how under-appreciated they can be.

Cleaning is hard physical work. I can work up a sweat cleaning my small home and put it off and drag it out, let alone cleaning several floors of an office building, an entire shopping centre or school. The rate of physical workplace injury is high. The workforce is dominated by women often working well past retirement age and by migrant workers. It is low-paid and insecure work. Cleaning and security work are most often contracted out. With contracts often changing hands every two or three years, cleaners and security guards can find themselves working in the same location, doing the same job for years, sometimes decades, without ever working for the same employer for more than a few years at a time.

It is not unusual for entitlements like annual leave and long service leave to be paid out each time a contract changes, meaning that many times these workers are not able to access their full

entitlement to annual leave and may never be able to access long service leave, even after working for 20 or 30 years in the same job.

While international days of recognition and thanks are important, thanks do not pay the bills, so I also highlight today The Cleaners' Solution, a campaign launched on International Justice Day for Cleaners and Security Guards this year.

The campaign was launched in response to a recent survey conducted by the United Workers Union. More than 530 cleaners responded to the survey and the findings were compelling. There are five key asks in The Cleaners' Solution.

Ninety-three per cent of cleaners who responded to the survey said they always, often or sometimes have to rush their work because they do not have enough time allocated, so the first ask is more time. Increases in cleaning hours and cleaner numbers and reduced workloads so there can be a focus on quality cleaning.

Eighty per cent of respondents said they do not have enough cleaning equipment to do a quality job. I am aware how much many cleaners feel they are letting their clients down every time they walk away feeling like they have not done a good enough job. They take pride in their work.

Almost 75 per cent of participants in the survey said they do not have enough personal protective equipment to do their job safely and 70 per cent said they have received no face-to-face training.

Their second ask is for access to better equipment and training. Disposable gloves and cloths, disinfectant and masks for cleaning public areas. We are well aware of how important that is, particularly at the moment.

Eighty-seven per cent of respondents said they are not paid what they are worth and 77 per cent are worried they will lose their job. Their third ask is for better wages and job security. Where contract changes take place, protections for workers to ensure trained and skilled cleaners are kept on in the same workplace.

The fourth ask is calling for clients to deal with quality cleaning companies. There are some very good companies out there, but, unfortunately, in an industry that has grown dependent on winning contracts, this often means corners are cut.

Any business, government, organisation or individual who is engaging a contract cleaning company should ensure the company they are engaging is able to deliver all the things the cleaners have identified - that is, personal protective equipment, adequate training, time to do the job properly and a decent wage for tough work.

The last ask is pretty simple - respect and a voice at work, health and safety representatives and a culture that empowers workers to speak up. Simple, but sadly, not all that common.

During the COVID-19 pandemic, cleaners were absolutely on the frontline of the fight against the virus - in our hospitals, schools, shopping centres, offices, supermarkets, public spaces, here in Parliament House, all of the places we live, work in, and move through every day - when hygiene and cleanliness was more important than ever. Cleaners were the workers making sure we were as safe as we could be.

Like the nurses and midwives I spoke about a couple of weeks ago, cleaners are putting themselves at risk to keep us all safe. Cleaners are heroes, but it is not enough to call them that and then ignore the fact they are undervalued, not respected and living with the constant stress of losing their job and not being listened to. Cleaners should not have to fight to be heard.

International Justice Day for Cleaners and Security Guards was celebrated on 15 June and on that day I pledged to support The Cleaners' Solution. I hope all honourable members will join me in this pledge. In light of everything cleaners do for us, it is really the very least we can do. Thank you.

Members - Hear, hear.

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

Second Reading

[11.54 a.m.]

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

I move that the bill now be read a second time.

This bill is a key part of our Government's response to and recovery from the COVID-19 disease 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 our state.

The Tasmanian building and construction industry employs over 20 000 people and the multiplying 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 all depend on a robust construction industry. COVID-19 has the potential to decimate the industry unless we take appropriate actions to support the industry, all those it employs and the families that it supports.

The Premier has made it clear that Tasmania will 'build our way out of 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 foreshadowed investment of 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. As a proportion of total expenditure, Infrastructure spending has almost doubled from close to 7 per cent in 2014 to almost 12 per cent in the 2018-19 financial year. We need to increase spending on public projects to compensate for the inevitable downturn the private sector is facing, which is why we are doing more.

Recent HIA economic forecasts last week show the private sector is hurting and predict a 40 per cent decline in housing by the 2020-21 financial year. The Master Builders have also predicted very large downturns in the commercial sector. The Australian Institute of Architects, which is, in effect, the canary in the coalmine as to the future pipeline of construction work, has also voiced its 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.

It is not enough simply to throw money at the problem and hope that 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.

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. We need to ensure there is confidence of investment in building and constructing infrastructure without unnecessary delays in assessment and approval processes. We need to remove burdens on small building businesses developing new housing projects and ensure that applications no longer take months to pass through an antiquated and uncertain assessment and approval process.

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 about the processes unnecessarily jeopardises investment confidence. To be clear, this bill does not remove either a single permit or layer of regulatory scrutiny from the process. This bill seeks 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 to spend billions of dollars building houses, schools, factories, offices, bridges and roads, 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 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 is.

In its 2018 report titled, 'Removing the Regulatory Handbrake: Seven Steps to Fix Tasmania's Housing Supply', the Property Council cited several steps as being needed in Tasmania to increase housing supply. The Government is addressing those steps, along with others suggestions by other industry bodies such as the Housing Industry Association, Master Builders Tasmania and the Tasmanian Chamber of Commerce and Industry.

In progressing 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 the utility providers to participate in this process, through which 22 written submissions were received and 40 one-on-one meetings were conducted. More recently, the minister's office has also been in detailed discussions with key stakeholders such as LGAT, TasNetworks and TasWater about this bill.

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 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 for which no time frame exists and presents significant uncertainty about 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 a 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 time frame 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 of 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 five working days. This reduction in the 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 about 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 assessment 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 has

been welcomed with open arms by the building and construction industry. By regulating time frames for the entire design approval and post-approval processes, clear and measurable standards can be established for the industry and regulators alike. This will provide transparency and accountability for all involved and, most importantly, it will provide certainty about the time frames 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 and not afterwards, as has commonly been the case. Providing for a concurrent approval process will provide immediate benefits to a range of projects in which 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 many 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 and 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.

[12.07 p.m.]

Ms ARMITAGE (Launceston) - Mr President, I thank the honourable Leader's office for the detailed briefings yesterday. They clarified many parts of the bill for me. I also appreciated the detailed correspondence from Local Government Association of Tasmania on behalf of its member councils. I sought confirmation with regard to LGATs correspondence from two of my local councils and was advised by the general manager from Launceston that, while they were not overly concerned with the bill, they agreed with LGAT's comments and suggestions.

It is entirely appropriate that the Government explores the Keynesian-style option of creating supply by enacting building and construction works to stimulate the economy, incentivise private investment, create jobs and promote ongoing and sustainable capital works projects. According to the Rebuilding Tasmania report produced by the Master Builders Tasmania and Civil Contractors Federation Tasmania, for every \$1 spent on building construction projects, \$2.90-worth of activity is created in the economy. The report states that this multiplier means stimulus in the building and construction industry is one of the most effective options for the government to boost activity and support the recovery effort post COVID-19.

In the past, enacting large-scale public works in infrastructure and construction has helped to drive and expedite economic recovery. With the right settings and lessons learned from past external shocks and recovery periods, there is an opportunity to be had. However, in order to achieve this, the legislative framework must contain the right settings to most effectively channel our scarce resources and eliminate unnecessary red tape. If this is not done correctly or if there is a lack of clarity in guidance, if efforts between parallel organisations become duplicated or unnecessary burdens are placed on any of these bodies, these precious resources will be channelled away from their intended purpose toward clearing up a mess that should never have existed in the first place.

To that end I would like to be sure that while the bill before us seems to be good in overall substance, no tweaks to various provisions are required.

I say this because, as I am sure others are aware, the Local Government Association of Tasmania has some issues with this bill. LGAT's chief executive officer, Dr Katrena Stephenson, has advised there was little local government consultation in the lead-up to the bill being introduced in the House in early June and as a consequence, in Dr Stephenson's words -

... failed to acknowledge the critical role the local government sector plays in Tasmania's regulatory system.

I completely support any legislative provision that creates time frames for permit decisions where none exist, streamlines ones which do and allows for permit decisions to be made concurrently rather than successively. As it is said, time is money, and there is no circumstance where that adage is truer than in the building and construction sector.

There needs to be surety for developers, whether mum-and-dad or commercial, of a realistic time frame. We heard in briefings that the 42-day clock does not commence until payment of the invoice for applicable fees. This is a glitch in the system because, of course, if the invoice is not issued in a timely manner, the clock does not start until it is paid.

I appreciate it may be difficult for some councils with a smaller workforce. For that reason I am pleased to see that if the invoice for fees is not made within four business days, for the purposes of the act, the application is to be taken as having been received on the fifth business day. This will provide some surety for developers.

I also understand that no penalty provisions will be contained in these regulations. I feel, however, that a prescriptive approach to reporting on implementation and ongoing timeliness of delivering on these new obligations may be required. Of course, these probably do not need to be formally legislated, but I encourage the Government and the minister to think about what kind of benchmarks they would like to see met, what quantitative data need to be collected to assess that, and to discuss with utility providers how this information can be gathered.

I further note that the issue of timing has been raised. For example, the proposed amendment to section 54 of the LUPAA changes the time period in which a planning authority must notify an application where the request for additional information has been satisfied from 14 days to five business days. These amendments seem reasonable enough for simple applications, but I question whether complex applications can be assessed satisfactorily in such a time frame.

A number of assessments - many of which require analysis of safety and involve potential hazards - need to be considered, often in conjunction with external stakeholders, who under these amendments are not liable for meeting time frames, but for which the planning authorities will have no power to compel or expedite these processes. The Leader might be able to address that in her summing up.

I further encourage the Government and the minister to ensure there is a close productive working relationship that goes beyond the implementation of these provisions. I note that the proposed amendment to section 56 of LUPAA, while I understand is generally supported by

stakeholders, provides minimal clarity as to what constitutes a minor amendment to a planning permit.

As Dr Stephenson of LGAT has pointed out, currently the provision is very open to interpretation, which causes conflict between proponents, planning authorities and representatives. I urge consideration of what kind of criteria ought to be used to make these assessments and to maintain a positive ongoing relationship with all stakeholders, to ensure that there is clarity around the meaning and understanding of these provisions, and to work with stakeholders when ambiguity eventuates.

When building, it would be easy to get on site and realise you want to make a minor amendment. It could be simply to make the window slightly larger, or move something on the plan, but currently councils do not have a time frame for a minor amendment. It can take 42 days to consider the development, but when there is a minor amendment there is no time frame, with the possibility of a minor amendment taking months to approve.

I do not believe it is unreasonable for a minor amendment to be addressed within 28 days, as by their very nature they are minor. It is simply putting in a time frame where one does not exist, or if they have to notify neighbours et cetera when someone cannot be reached. These are things that were raised in briefings which should be taken into consideration.

Ms Forrest - Mr President, having been on council, you probably know the answer to this: with a minor amendment, do you have to notify neighbours? I did not think you had to with a minor amendment.

Ms ARMITAGE - It would depend on the minor amendment, from my time on council. Certainly, if someone was actually overlooking another property, you would obviously have to. It depends how minor it is really - that would not be a minor amendment.

Mr Valentine - It cannot be minor if it is an overlooking issue.

Ms ARMITAGE - That is what I mean; it would depend on what it was. I would assume minor would be something like a larger window or, as we heard in briefings, moving something slightly. Minor.

The classification of a minor amendment to a house could be very different to a minor amendment to a commercial property. Without a degree of flexibility, the council may have to refuse an amendment.

Minor amendments, from my recollection on council - and the member for Windermere will possibly agree - was when we were looking at things like that as a planning authority.

You could not change something to someone's improvement to someone else's detriment. That was something that always came up as a planning authority. It was not fair to give someone something better if you were making something worse for someone else.

It is an interesting area in planning, but I am not sure many councils have much to do with planning now.

Ms Rattray - Delegated authority.

Ms ARMITAGE - As a council, yes. It was very unfortunate that things became delegated authority, and a lot of things were taken out of the hands of councillors. One of the sayings when I was on council was that you should never improve one person's property to the detriment of another.

With regard to TasNetworks and TasWater, it is about being engaged earlier. While TasWater is happy to look at developments from day one, as we heard TasNetworks will not look at a development until planning has been approved, which could be 42 days. This can cause a considerable delay, as they can go into up to a 10-week design period, after which you then go into a queue.

Under these changes, council will notify TasNetworks, and they will then be compelled to negotiate with proponents. People do need to know time frames, and should be able to rely on these statutory time frames. That is a very good change.

I understand the need to reduce red tape, and to tidy up some aspects of building construction. It is an area from which I regularly receive complaints. I have already sent an email to Mr Clues, and I am sure over the next weeks I will be having more correspondence with both Mr Kerschbaum and Mr Clues. In my electorate, the Building Act would be the area that I get the most serious complaints, because it is someone's most expensive asset, and when it goes wrong, it is a terrible situation.

I have been looking for some time at the Building Act. In the past I have spoken with the member for Murchison with regard to the Building Act when it came under that committee. I have seriously considered an inquiry into the Building Act, but it could be something that would be never-ending. It would be very difficult to get an outcome in a timely manner.

I am hoping that Mr Clues and Mr Kerschbaum can assist with the next tranches we have.

Ms Forrest - Fit it into their schedule.

Ms ARMITAGE - There are more tranches coming up, and perhaps we can make some changes that might assist.

Ms Forrest - Not to the Building Act.

Mrs Hiscutt - Perhaps you could make a submission.

Mr Gaffney - And take the response time from 14 days to five days.

Ms ARMITAGE - I do not see them nodding. Member for Mersey, I do not think they are looking favourably towards that.

As for this particular bill before us, I appreciate LGAT has some relevant concerns on behalf of its member councils. Everyone would agree that while the system is not broken, there is certainly room for improvement.

I support the bill.

[12.18 p.m.]

Ms FORREST (Murchison) - Mr President, I understand the bill before us today is part of a series of further reforms to improve the performance of the state's planning approvals process, although we are assured that it is not broken.

I note that this matter has been considered by the Government for some time. Mention was made of a need for reform in a range of areas in early March in the Premier's State of the State address.

I much prefer to see an integrated and holistic approach to such reform. I am always concerned when we receive and are expected to deal with piecemeal reform, especially in this rather fraught area of planning.

Before dealing specifically with the detail of the bill, I will make some comments about reform in this area more broadly, and the approach being taken in light of the COVID-19 pandemic, and the response by government - both state and federal - related to the areas this bill goes to.

I note the honourable Leader's statement that this bill is a key part of the Government's response in recovery to the COVID-19 disease emergency, and that it will help manage and mitigate the significant impact this pandemic has, and is having, on businesses, our community and our economy. That is a pretty bold claim. I am always wary of cries of 'Cut red, blue, green, and any other colour tape there may be.'.

Generally, our regulatory framework is there to ensure a proper process is maintained, and that people, the environment and structures are kept safe.

We need to be very aware of this constant claim of too much regulation, if, for example, this cry demands a relaxation of important and necessary safety measures.

This bill predominantly seeks to insert, or tweak, time frames for steps in the process, which arguably, if we are to be honest, makes sense and that we are not removing any red tape here at all. In fact, we are adding to and tightening up the tape for some councils, TasNetworks and TasWater. Let us all stop the moving red tape rhetoric here, because that is nonsense in this case.

I agree the economic recovery is a huge, very challenging and daunting task. The federal and state governments have resorted to giving the construction industry preferential treatment to help the economy recover. These jobs are important, but the industry has been, and will continue to be, male-dominated. Programs aimed at encouraging women into the trades have limited progress to date. Skills and trade training have been under-resourced, and undervalued by governments. Investment infrastructure needs to create social value, not just capital value.

Building social housing, improving our educational and healthcare facilities, improving road safety are also important investments.

I do not dispute that one of the key drivers of our economy prior to the COVID-19 pandemic was the building and construction industry, which was operating at record levels across the state. However, our blinkered approach risks giving us a distorted view of the real world. Health and education are downplayed as if they are not fair dinkum industries like the building industry, because it builds things we can all see.

When we consider employment numbers, the latest 2019 data on the federal parliament's website notes the percentage of employees from - people employed in the healthcare and social assistance sector, 13.3 per cent; retail trade, 10.1 per cent; construction, 9 per cent; professional scientific and technical services, 8.7 per cent; education and training, 8.1 per cent; and

accommodation and food services, 7.1 per cent. That is the top; obviously, there are many others below that.

When we break this down by gender, in the health and social assistance sector, 22.2 per cent are women, 5.4 per cent men; retail trade, 11.9 per cent women, 8.4 per cent men; construction, 2.4 per cent women, 15.3 per cent men; professional scientific and technical services, 7.9 per cent women, 9.2 per cent men; education and training, 12.4 per cent women, 4.3 per cent men; and accommodation and food services, 8.1 per cent women, 6.2 per cent men.

I illustrate this as a point about the value of the investment in this sector, but not to the detriment of others.

Health care, social assistance, employment and education training - including child care and early education - are wrongly held in lower regard and are not seen as economic drivers in our community. It is true many of those employed in these areas are paid less, on average, than many of the male-dominated sectors that add to this disparity.

As for the arts industry, if it were not for David Walsh, MONA and the festivals, many of which he promotes, arts would still be regulated to a pastime for those who do not like the footy and not a fair dinkum industry that contributes to the economy and our social wellbeing.

All of us would have consumed arts during this period of the COVID-19 shutdown without paying for it, because we all appreciate the importance and value of the arts to our health and wellbeing. It is time it was better recognised as an essential component to our overall economic recovery.

I certainly acknowledge the Tasmanian building construction industry employs over 20 000 people. The member for Launceston referred to the multiplier effect impact on associated employees, such as hardware stores, whitegoods retailers and even local coffee shops, which depend on a robust construction industry. All those little takeaway shops with all the tradies pulled up at a quarter to seven in the morning, before they start work at seven. They rely on them and particularly during the COVID-19 shutdown.

The claim by the Leader, that the Premier has made it clear Tasmania will build our way out of the coronavirus and the economic crisis it has caused, flagging the biggest infrastructure spend in the state's history, completely ignores these very important matters I have just raised.

These comments also ignore past and present governments' history of old claims in the very same area, being overly optimistic and where the reality of the spend has not matched the promises for years.

The economic recovery plan needs to take a broad long-term approach that is gender sensitive. To date we have seen anything but a sensitive and equitable response.

I hope all members in the Government take note of my comments because we should not be focusing all our economic recovery entirely on a male-dominated employment area. I fear this trajectory takes us back to the past, reinforces old views of what industries are important, reopens gender inequality gaps that have started to close, risks further disadvantaging vulnerable Tasmanians and is particularly disadvantaging to women.

In a recent article in *The Conversation*, Elizabeth Mossop, Dean of Design, Architecture and Building at the University of Technology Sydney, makes a very important observation -

Infrastructure spending is great for economic stimulus, but it has to be the right kind of infrastructure.

These are some of our largest public investments, so we want this public money to work a lot harder to create multiple rather than just singular benefits. As well as quickly providing jobs and the economic benefits of solving the problems of transport or energy supply, stimulus projects need to deliver broad, long-term community value, reduce inequality and help counter climate change.

We must be sure such investment is affordable and social history is part of the stimulus and not lost to this opportunity.

She goes on -

The focus of fast-tracked infrastructure spending in the pandemic recovery should be many smaller-scale projects that provide these broader benefits. Hence these projects will provide greater value than the transport mega-projects that had already been proposed for economic stimulus.

...

Infrastructure projects are such significant economic engines they can incorporate community improvement without compromising their other outcomes.

The ways in which projects get planned and implemented hold the key. For example, projects should involve local businesses, give hiring preference to long-term unemployed people and use sustainable materials.

Infrastructure planning can integrate multiple functions. For example, water-management infrastructure (for drainage or flooding) can be designed to include open space, tree cover, recreation and cycleways. Streets can be designed as beautiful public spaces that include pedestrians, cyclists and cars, as well as tree canopy and water storage.

Mr President, we must avoid missing the messages we have learnt over this period.

She goes on to note -

The Morrison government is promoting the myth of fast-tracking through the cutting of red tape and green tape. This is not the key to faster project delivery. We have a decent system of development regulation, which attempts to balance the business interests of developers against the public good. The current crisis has illustrated very clearly the importance of the public values of liveability, preserving natural resources and easy access to open spaces and local centres.

Have we not seen that and its importance for people's health and wellbeing during this period?
She goes on -

We must hold all our infrastructure projects to higher standards. Robust planning and environmental regulation are crucial to maximise the public benefit of projects. Effective community engagement ultimately leads to smoother implementation and better outcomes. Projects that work within planning regulations move more swiftly into implementation than projects that try to bypass them.

Martin Loosemore, Professor of Construction Management, University of Technology Sydney, acknowledged the importance of the construction sector before expressing similar concerns, as published in *The Conversation* on 15 June. He added -

We should not ignore the risks involved in the rush to get the economy going again. We will pay for mistakes made now in the form of debt created by cost blowouts and unscrupulous developers. We will have to live with poor-quality, ill-conceived and environmentally damaging developments for decades.

Of course, construction and infrastructure programs provide us with a powerful stimulus tool. It's why federal and state governments are looking to this sector to drive the recovery. The social impact of investing in more construction infrastructure could certainly be significant.

Construction is one of the country's largest employers. The sector employs around 1.2 million people directly, and indirectly much more. It's one of the largest employers of apprentices, youth and disadvantaged groups such as Indigenous people and refugees.

Investment in construction flows through to the broader economy. The Australian Bureau of Statistics estimates for every A\$1 million spent on construction output generates A\$2.9 million in output across the economy as a whole.

Every job created in construction leads to another three in the wider economy.

I am not saying it is not a worthwhile place to invest. I want my comments to be taken in context, which is why I have gone to that detail.

He went on to say -

Knowing this, state and local governments are relaxing hard-won controls to fast-track projects. Planning ministers are being given more power to override some of the statutory timeframes that govern normal planning and approval processes.

This approach creates many risks, as well as many opportunities. If we do not control these risks in our rush to stimulate the economy, we are likely to regret this in the future.

I am not saying this is what this bill does. This is an overall statement that will cover all those other bills that come following this. We need to be careful.

He went on to say –

Relaxing controls also opens the door to unscrupulous developers to exploit the crisis for their own personal gain.

Something I will speak about a little bit later -

Transparency International's recent submission to the Senate inquiry argues that powerful groups have too often prevailed over public interest. It warns:

Businesses in highly regulated industries, such as transport, mining, energy and property construction, all actively seek to influence politicians, although the channels of influence vary by industry.

We do see that. He says -

In some countries, we are already seeing developers exploiting the COVID-19 crisis to argue for relaxation and even removal of regulations put in place to ensure projects contribute positively to the communities in which they are built.

A former senior adviser to US President Donald Trump has argued that his administration should trigger an emergency override of America's environmental protection laws and establish 'Australian-style permitting'.

Strange comment, Mr President.

He goes on -

If fast-tracked projects are undertaken without appropriate controls, purely to boost the economy rather than meet a real community need, then we will be paying for this crisis far longer than we expect.

Professor Loosemoore goes on to note the comments made by Elizabeth Mossop, as I have noted above. He also commented on the importance of procuring locally, to support investment and infrastructure. This is something the Government must be acutely aware of.

I asked the honourable Leader what measures will be put in place to ensure there is a focus on local procurement - not specifically related to this bill; this is more with the reforms that are coming. Is that part of the Government's intention?

Professor Loosemoore had some suggestions, for some guidance perhaps. He stated -

We could learn much from the principles of urban acupuncture, which would advocate a community-based approach to stimulus. It would also warn against awarding contracts to major multinationals. These corporations suck money out of needy communities into the pockets of shareholders with no links to the communities we need to help.

Research shows procuring from local businesses provides a 77-100% economic advantage and an 80-100% increase in jobs compared to procuring from multinationals.

If stimulus programs follow traditional approaches to infrastructure procurement in Australia, then we will miss an unprecedented opportunity to tackle growing inequality. Even before this crisis, many younger and poor members of our society were already being left behind.

Mr President, some of those comments were not germane to this bill entirely, but I wanted to make those points because as we get more of this legislation coming down to us, we need to keep those principles in mind.

That said, we have a bill before us to consider, so I will turn my attention directly to that.

The Leader informs us that this bill is the start of regulatory refinement that will assist a construction-led recovery, and that we need to have a permit and approval process that is fit for purpose. In the other breath, we hear them say there is nothing wrong with it, and that it is not actually broken.

I accept some areas do need refinement. We need to ensure there is confidence of investment in building construction infrastructure, without unnecessary delays in the assessment and approvals process. 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 process.

Where does this leave the statewide planning scheme? It was something that came up when I was reading through this bill. What is happening with that? Maybe the honourable Leader could tell us what is happening there.

This has been worked on for so long - almost as long as I have been in this place - and now we are just going to do this piecemeal approach to it.

Mrs Hiscutt - What in particular did you want?

Ms FORREST - Where is it at?

Mrs Hiscutt - Right, where it is at.

Ms FORREST - Yes, and how does this bill intersect with that?

The Leader assures us also that this bill does not remove either a single permit or layer of regulatory scrutiny from the process. One could reasonably ask: Why have these processes not been dealt with and made more efficient pre-COVID-19? Did it take COVID to focus the attention on it?

The Leader went through the list of different aspects that the bill seeks to achieve, so I will not reiterate those.

The third point the Leader raised is about the electricity, water and sewerage utilities allowing permanent decisions to occur concurrently. I have called for this form of streamlined strategic approach for years, and not just to include electricity, water and sewerage - what about IT and communications, including NBN, and another energy source such as gas, where available, and transport planning, for example? Rather than have to dig up the road or footpath or the surrounding area of a building, just do it once, rather than do it three, four, five times, as we see. Why would you not require all services to be identified up-front, and actually work together for the benefit of everyone, especially the consumer or the customer?

As a whole, the amendment to enable minor amendments to planning permits, to enable planning authorities to process a minor amendment in a lesser time than it took to consider the original planning permit, does make sense. I know there is no time frame here, and it is interesting that it was never put in in the first place.

By interjection, I asked the member for Launceston about her experience in dealing with minor amendments when she was a member of local government, but I am interested in cases where minor amendments may create an unwelcome or unforeseen impost on a neighbour, or a safety risk. We are told that will not happen, and it will not be approved, but we see it happen and I hear about it.

How is the minor amendment to be assessed? I am sure this does not change it, but it is relevant to this area. It is a matter that LGAT raised, too, about the clarity around the application of that minor amendment.

The member for Launceston referred to the letter from Dr Katrena Stephenson from LGAT. I will refer to some points she has made, but I will not repeat the particular section she referred to with regard to the minor amendment. To me it makes sense that a time frame is put in there. I think it can be used as a way of avoiding dealing with the neighbours again if you have difficult neighbours, because if you go back through the whole permit, I imagine that has to be readvertised.

The Leader also informs us that across the state requests for further information are received from between a quarter and third of all applications. A reduction in the time frame for 14 days to five business days, if this can be reasonably be achieved, begs the question of why it was even 14 days in the first place.

I do not believe it probably can be achieved in five business days in all circumstances. On further discussion, it seems this may be the reaction of a number of councils that I represent. When I talk to them, most of them progress these requests for information within a timely framework. I know from my consultation that the really complicated ones with a lot of detail are very difficult for small councils, because you have one person doing the lot, including the invoicing. As we heard at the briefing, some of the bigger councils may have to send the information to a number of departments within council to get the information.

I will speak further about this in the Committee stage, but I think it has been ill-considered to cut it right back to five days in this way.

I did my own consultation, before I got the letter from LGAT, and this letter confirmed the concerns that I held, particularly around dealing with more complex matters.

I am concerned that this change has not been adequately consulted on with LGAT. I am concerned it will put planners in small councils under undue pressure, which could result in adverse

outcomes. One outcome could be a hasty decision that is not fully informed, or the planning officer deciding the only way to assess the additional information fully, especially if it is complex and voluminous, is to seek further information further delaying the process. You have the perverse outcome that they have not had time to assess it properly so will ask for something more - we are not sure we have it all here - and the clock will start again.

I appreciate the 14 days does not make the maths stack up if councils use the full 21 days for the first part of the process, then 14 here in this process and another 14 for public exhibition, but I am informed the majority of Tasmanian councils do better than that. At my request, LGAT sent through some figures of the median times for dealing with applications and there are couple of outliers there, but overall they are meeting their obligations within the statutory time frame. It is often quite a bit shorter than some of the other jurisdictions around the country. This bit does not appear to be particularly broken. I know 42 days if you use all the time does not add up, but when you look at the figures, at the end of it most of the councils are doing it well within that time. It is the complex cases where you want them to have the available time to assess them properly, to avoid some the problems I spoke about at the outset.

I know the bodies consulted with regard to this bill; however, the key stakeholder here, LGAT, stated in an email I mentioned, that it has had limited time to canvass its membership to inform discussion on the bill. This is troubling because the majority of these amendments will have a direct impact on local government. My own consultation provided details of the consultation with LGAT. This is what I was told about the consultation with LGAT, and it is really significant to understand. This is directly from LGAT when I rang them. They said, 'Yes, there was broad discussion around the reform in the area that has been going on for some time.'

With regard to the provisions of this bill, I am informed this is the information provided. A confidential copy of a general approach and measures was provided to LGAT in early March - around the time of the State of the State address, I assume? This was not draft legislation, just broad principles. They were ideas and concepts for reform and areas under review for reform.

LGAT had less than a week's notice of the current approach and legislation prior to the tabling of the bill in the other place. LGAT received a copy of the draft bill, the one we are dealing with, on Friday, 29 May but was informed it was confidential and it was not to discuss it with its members at that stage. That was Friday, 29 May - not to discuss with their members.

LGAT received a bill it could distribute to their members on Tuesday, 2 June. The bill was debated in the House of Assembly the following day on Wednesday, 3 June. How could it consult with its members overnight? A number of the members I contacted, who I represent, did not know this was happening. When I spoke to the advisers about this, they said, 'Maybe that could be the case.'. They might not know it was happening and certainly LGAT suggested that, too.

This is not good consultation with a key stakeholder, particularly when most of the burden of this bill falls right there on local government. In a personal briefing on this bill - and I appreciate the Leader providing the assistance to facilitate this - I was informed there may be councils who were not even aware of the legislation at that time. That was last week, and correct when I followed up with my council.

In the email we received from LGAT, it provided the following feedback in relation to the amendment to Part 3, Additional information, under section 54 of LUPAA. I will read part of that into *Hansard* -

This amendment is of significant concern for the Local Government sector and we believe it is not necessary. Under the current arrangement a council has 14 days to assess if information supplied by an applicant in response to a request for further information is adequate. If the information is deemed to meet the request the statutory clock starts on the day on which the information was submitted, not once the council has determined it meets the request. This provides an inbuilt incentive for councils to assess information expediently, as in effect if they do not do so in a timely fashion then they risk unnecessarily utilizing the precious statutory clock time.

The proposed 5 business day timeframe may work for very simple applications but this amendment has not considered the difficulty of assessing further information supplied on major and complex applications.

In such instances, the further information may include complex plans, and extensive and detailed specialist consultant and technical reports, sometimes running into hundreds of pages.

Don't forget, Mr President, this one is being dealt with by one person in a small council -

This information, typically, requires internal and at times, external referral and assessment prior to a decision being made on their adequacy - and all with 5 business days?

Consider a situation when the further information includes a collection of documents, such as a traffic engineering study, coastal hazard assessment from a specialist engineer, architectural detail plans, land stability, and say a flora and fauna report.

This is possible, and not uncommon, with large or complex proposals in sensitive coastal or hillside locations, for example.

Much of Tasmania is coastal; the rest of it, hills -

Is it realistic to expect a proper assessment of these reports to determine they are satisfactory within such a short period? And does that provide justice for all parties involved, as well as ensuring a council delivers on its responsibilities?

This is a particularly difficult request for smaller councils which have staffing challenges, and it is not the case of hiring another planner, as there is a national shortage of landuse planners. The difference for the developer, between 14 days and 5 business days, is minimal, and as mentioned earlier, if the information is satisfactory, then there is no lost statutory time.

However, for a small council, the current timeframe of 14 days assures an efficient assessment can be undertaken without being rushed, and subsequently missing matters which require further consideration.

Mr President, I read the bill, and the second reading speech before I received this email, and these questions were the ones I was already asking myself. I represent one of smallest councils on

King Island. I am very aware we must not create unnecessary burdens in our attempts to simplify matters that may be quite achievable for a large council.

The same goes for the valid permit test. While it makes sense, it is achievable and reasonable, especially for a small council, and what unintended impacts could there be with this? I do not think this is such an issue and probably, makes more sense. It is the additional information one that is the problem.

The reforms to TasNetworks and TasWater service standards - if we could achieve a truly coordinated and integrated approach, that would be welcome. I spoke to people at TasNetworks who say this is what they do already.

The Leader suggested this is probably one of the most important provisions in the bill and regulating time frames for the entire design approval and post-approval process will mean clear and measurable standards can be established for the industry and the regulators alike.

I agree if TasNetworks and potentially other services could be incorporated into the integrated planning permit process, that would allow them to engage with proponents at a much earlier time in the approval framework and would be most welcome.

I personally experienced the challenge these reforms are designed to address and also assisting many constituents over the years, so hopefully, these measures will actually work as intended.

With regard to these reforms, the email from Doctor Stephenson states -

While it is useful that the electricity entity is to be required to identify its requirements and to establish a program for works, the approach set out in the Bill is disjointed. The Bill imposes an obligation on a planning authority to refer an application and to provide the applicant with advice received in reply during the planning permit assessment period on matters that are not within the jurisdiction of the planning scheme, in essence councils are a postage service. While it may be convenient for the Government to introduce this parallel process into the permit assessment, it adds to the administrative requirements for planning applications, with additional referral and forwarding of any response to the applicant. At the moment, without the regulations that clarify exempt applications, it is unknown how much work will this entail.

So again, the small councils are concerned about the extra impost on them.

As so often is the case, we do not have the draft regulations to see how this is actually going to work or what the time frames are going to be. I understand TasNetworks and TasWater are going to be engaged in coming up with, hopefully, an appropriate process and time frame. See what they come up with, perhaps.

I would like the Leader to address in her reply some of these matters I have raised. I certainly appreciate that this would expedite matters, with many of these measures in situations in which additional electrical loads are proposed for the network and can take a long time to provide the necessary infrastructure upgrades, having had very direct and personal experience of this and at great personal cost.

I understand from the briefing I had on the bill this week that TasNetworks has been consulted on this matter and will be able to propose workable service levels and time frames that will be the focus of these regulations. I note that at the briefing yesterday, the honourable Leader's advisers committed to providing draft copies of the regulations prior to them being made. I would like the honourable Leader to reiterate that commitment on the record. It is not done all the time and it would be helpful to have them if there is to be a bit of toing and froing.

If TasNetworks and TasWater come up with what is deemed by the Government to be unacceptable and the Government says they have failed and we are going to do it another way, it might be helpful for members to be aware of that before they are gazetted, so any concerns can be raised promptly. I understand the regulations were to be completed by August so the bill could be enacted by then, subject to the passage through this House. I appreciate there does need to be some time for councils, TasNetworks and TasWater to ensure they have done what is needed to accommodate these changes, especially councils, some of whom I am informed were not even aware of this.

I ask the Leader to address the concerns raised by LGAT and ask her to provide clear assurances and details regarding the matters of local procurement and avoiding the growth inequity, which I mentioned at the beginning of my speech, as an overall approach to this reform. Is the Government also considering the local procurement process in all its reform measures to look at encouraging that?

The cry of red tape reduction is often not backed up with any evidence of unnecessary barriers to appropriate processes and measures to protect people and places. I support this bill in principle. I remain somewhat concerned about the time frame reduction of assessment of additional information under section 54 of LUPAA and believe this requires meaningful consultation before it is dealt with. I suggest it is not dealt with in this bill, but deferred to another bill we are going to get not too far down the track, as I understand it. There are a number of bills coming our way and it would be sensible to send this bill back to councils to have some meaningful consultation about a reasonable time frame. It may be that it is less than 14 days, but I do not believe it will be five. I will listen to the debate but, in view of the lack of consultation, particularly on that aspect, I will be encouraging members to vote against clause 7 of the bill; however, I support the principle of the other aspects of the bill.

[12.53 p.m.]

Mr VALENTINE (Hobart) - Mr President, I thank the officers who provided us with the briefing, Mr Kerschbaum and Mr Clues.

I understand the desire for the Government to want to get things moving; we have been through the strangest of times. I remind members that these amendments are not only for COVID-19, they are also here to stay if they are passed. It is a bit of a one-size-fits-all approach and it is not always the case that councils can fit so rigidly into the sorts of windows that are being suggested. Other members have more councils in their jurisdictions than I do. I have one council, so I go to the one council and talk to them, maybe two if it is something else I need to follow up and compare. In general terms, I touch base with my council, the Hobart City Council, and seek its comments.

It comes down to some of the things that the member for Murchison was talking about; it is about the red tape mantra. It can all too often be seen as a dirty word. Without it, when things go awry - and in that case it may be the utilities or local government wear the opprobrium and end up being a sort of whipping boy for the Government. I looked 'whipping boy' up - you hear it said and

it is a bit of a cliché, but apparently members of royalty who committed various misdemeanours had a boy who would take the punishment for them. They would not take the punishment themselves; somebody else would wear the punishment, and that is what 'whipping boy' means. If there was a strap or whatever to be had, the member of royalty would not get the strap but this poor soul, who tagged along with them all the time, got the punishment.

I say that, and it is partly in jest, because the Government is pushing for these time frames to be tightened but they will not suffer the detriment - it will be local government or the utilities. In looking at whatever we change when it comes to these sorts of things, we have to be careful that we are not closing up those time frames to the detriment of other parties.

Mrs Hiscutt - Can I remind the member that the next tranches to come will address the Government and some of their departments as well, so it is not only one council?

Mr VALENTINE - I appreciate that, and we were told that during the briefings. This is not all finished and this is only the local government part, but it is the Government that is bringing in the changes. It will be the same with whatever happens within government departments - the Government will come in and say that this department will do *x*, and then something hits the fan; as a result of that, it will be that department or the Government that suffers the opprobrium in that instance. We have to be careful - red tape has mostly been put in place for a very good reason. Yes, life changes as we go on - things change, technology changes, time frames can be reduced without huge effect - and I am not saying we should not be trying to tighten things up, but we have to be careful we do it in a fair and reasonable way.

It is obvious that developers, the stakeholders in this, want to see fewer barriers in their way to develop whatever it is they are trying to build. It is quite obvious that most people in that circumstance will want to have a freer rein. They do not want to see barriers in front of them, but we have to look at both sides of the argument. There are a couple of parts to this legislation that are a bit of a concern and I want to read from the Hobart City Council's response to this bill. They are talking about version 8 of the bill, and it might be that some small things have been changed since. It said -

Thank you for sending through the Bill and Clause Notes. I have reviewed a later version ... of the Bill and I have the following comments.

- Section 7 – amendment to section 54 of LUPAA – Currently, we have 14 days to respond to an applicant to tell them they have not complied with the requirement to provide the Council with further information. It is proposed to cut this to 5 business days. While 14 days may sound like a luxurious timeframe, it is important to note the following:
 - We don't take the 14 days for all applications. If we review the information and decide that it does satisfy our request for information, then we take the date that the information was received as the date that the statutory clock restarts (not the date that it was assessed). So shortening this timeframe will not have any impact on the assessment time for a significant number of applications.
 - Our internal timeframes for assessing information by all referral units is 5 days for all applications. We have agreed on this timeframe

because the LUPAA timeframes do not allow us to utilise the full timeframes allowed in LUPAA (21 days to request information, 14 days to assess it, 14 days to advertise = already in excess of the 42-day timeframe to determine applications, and this is not including the time it takes to get a report ready for the CPC agenda, go to CPC and then go to the Council). However, while this timeframe is met as often as possible, there are some which go beyond that timeframe. Currently, that does not matter but in my view -

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

QUESTIONS

COVID-19 - Small Business Hardship Grant

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

[2.31 p.m.]

This is a particularly topical issue at the moment. In regard to the Small Business Hardship Grant -

- (1) Can the Government advise when applicants who have requested reviews of their applications can expect to be advised of the outcome?
- (2) Will the Government review all applicants who received the reduced amount or were unsuccessful, regardless of whether there has been a request for a review under the Small Business Hardship Grant?

ANSWER

Mr President, I thank the member for McIntyre for her question. Before I answer her question, we have an awful lot of questions to get through. I do not plan to extend question time because of the other work we have to get through, so I will ask whether I can table an answer, and if anyone says no, I will be happy to read the response out. I will read out the shorter ones.

Mr Dean - You could ask for an extension.

Mrs HISCUTT - I could, but I do not want to.

- (1) The department has committed to review any individual application by businesses that believe they have been unfairly assessed or are seeking advice in relation to the outcome of their assessment. These reviews are underway and businesses seeking advice or review are encouraged to contact the Business Tasmania hotline. The dedicated Department of State Growth staff carrying out the reviews are working hard to complete this work as quickly as possible and will be directly notifying businesses that have submitted requests for reviews with the outcomes as soon as possible.

- (2) As we have committed, the department will continue to review any individual application and businesses are encouraged to request a review through Business Tasmania.

COVID-19 - TasTAFE Learning Modes

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

[2.32 p.m.]

With regard to the future of on campus learning at TasTAFE, it appears all learning has moved to online and distance delivery, with students unable to physically attend a campus unless invited to attend a timetabled small group session, to use a pre-booked computer or for assessment purposes.

- (1) Has the impact of this mode of delivery for an extended time been considered on students who do not have access to or who are not skilled in technology, have poor internet access or literacy skills?
- (2) What impacts, if any, have been considered in regard to how this mode of delivery and assessment may affect skilled workforce development as our economy moves forward post-COVID-19? If so, how will these impacts be addressed?
- (3) Have workplace safety concerns been addressed for students undertaking subjects such as forklift and chainsaw operation when the only time they can visit the campus is for assessment purposes with minimal face-to-face training or practice?
- (4) When is online campus learning expected to recommence?

ANSWER

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

- (1) TasTAFE already provides, and will continue to provide, support to all students who require it. Students using online and distance learning have continued to have access to teachers and support services by phone, email and the internet.
- (2) Although the mode of delivery of training has changed, TasTAFE will still deliver full qualifications, including any practical training students have enrolled in. There will be a positive impact on Tasmania's skilled workforce development, as TasTAFE students have further developed online skills necessary for a post-COVID-19 future while obtaining their qualifications.
- (3) Workplace health and safety issues are addressed in course delivery and have continued to be addressed during TasTAFE's response to the COVID-19 pandemic.
- (4) TasTAFE reopened its doors for practical training to small group sessions as soon as it was able, which was on 11 May 2020. Over 200 small groups are now at TasTAFE

training facilities, with each delivery team ensuring a COVID-19 safety plan has been agreed and is adhered to. From the beginning of semester 2 on 20 July 2020, more students will be back, libraries will be open and more services will resume, all operating under strict public health guidelines.

COVID-19 - Queechy High School - Capital Works Review

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

[2.35 p.m.]

My question relates to the schools capital works review process 2020-21 priority list. In accordance with this list, capital works for Queechy High School are listed as a priority rating of 2. The capital works required at Queechy are so important, the school has made significant other sacrifices to commit \$400 000 to the build budget for the E Block redevelopment. The school's gymnasium change room, shower and toilet block has been, in effect, condemned for several years and raises occupational work, health and safety issues. The block cannot be used and it is pitiful, to be frank, that this has been allowed to happen.

Will the honourable Leader please advise -

- (1) What are the requisite criteria necessary to be met to receive a priority rating of 1 in that program?
- (2) When is it likely the capital works receiving a priority rating of 2 will be funded?
- (3) What is the expectation of the Department of Education Tasmania for the students and members of the public using the gymnasium and oval insofar as shower and change room amenities are required?

Do not say it is a matter for the principal.

ANSWER

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

- (1) The criteria used to assess all capital submissions by the Department of Education are -
 - Demonstrating links to improved student learning outcomes by addressing space needs and/or optimising utilisation of facilities at the school or across schools.
 - Improving building condition, addressing significant occupational health and safety issues, disability access and infrastructure issues and/or incorporating environmental sustainability. (Sites must demonstrate that the condition of the current facility is poor, poses an occupational health and safety risk and/or continued maintenance is not economically viable).
 - Addressing strategic priorities and initiatives (consistent with the school's strategic plan and in line with government direction and policies).

- Demonstrating community benefits and extending use of school facilities - i.e. capacity of the local and wider community and educational facilities, including network schools, to support education provision in the community, for example.
- (2) All capital works submissions are reviewed annually, with the highest priority submissions across the entire Tasmanian public education system forming part of the department's annual budget submission to government for consideration as part of the annual state budget.
 - (3) Under the Government's stimulus package in response to COVID-19 pandemic, the Department of Education has assessed and allocated \$50 000 for an upgrade to Queechy High School's gymnasium amenities.

Education - Reissue of Student Results in 2019

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

[2.38 p.m.]

Last year it was acknowledged by the Government that some Tasmanian student results had to be reissued because they were incorrect.

- (1) Can the Government provide the number of Australian Tertiary Admission Rank - ATAR - results that were reissued?
- (2) Can the Government provide the subjects where ATAR results had to be reissued?
- (3) Can the Government provide the number of Vocational Education and Training - VET - results that had to be reissued last year?
- (4) Can the Government provide the subjects where the VET results had to be reissued?
- (5) Can the Government confirm if any Tasmanian Certificate of Education - TCE - certificates were impacted by the reissuing of results?
- (6) If some TCE certificates were impacted, how many TCE certificates had to be reissued?

ANSWER

Mr President, I thank the member for Elwick for his question. I can read out the answer if the member wishes, but it is lengthy - it has over 22 courses and related numbers and figures next to it. Would the member like me read it out or may I seek permission to table and incorporate it in *Hansard*?

Leave granted; document incorporated as follows -

- (1) Over 2100 students were issued with an ATAR in 2019. Of these, 55 students received their ATAR, or an updated ATAR, after results were initially released.

Circumstances in which ATARs have been updated or issued after initial release of results include when -

- the student utilised TASC's inspection and review process, resulting in an amendment to the ratings they received
 - the student completed a TCE Everyday Adult standard test after receiving their results
 - a processing error or human error has occurred
 - new information became available.
- (2) There were no issues in 2019 that affected all students enrolled in a particular TASC-accredited course.

A student's ATAR, or eligibility to receive an ATAR, may be affected by matters specific to the individual student's circumstances. These circumstances may, or may not, relate to a particular course.

In 2019, ATARs were affected by student-specific matters such as those outlined in question (1) relating to the following TASC-accredited courses -

- Ancient History (ANH315117)
- Art Production (ART315117)
- Australia in Asia and the Pacific (AAP315116)
- Basic Road Safety (RSE105115)
- Biology (BIO315116)
- Dance (DNC315115)
- Drama (SDD315120)
- Economics (ECN315116)
- English (ENG315117)
- English Literature (ENL315114)
- English Writing (ENW315114)
- French (FRN315114)
- Geography (GGY315115)
- Health Studies (HLT315118)
- Housing and Design (HDS315118)
- Legal Studies (LST315117)
- Media Production (MED315117)
- Modern History (HSM315117)

- Outdoor Leadership (EXP315118)
 - Philosophy (PHL315118)
 - Psychology (BHP315116)
 - Theatre Performance (SDP315120)
- (3) VET results are issued by registered training providers and provided to TASC on a quarterly basis. There were no known issues in relation to the issuing of VET results or requirement for VET results to be reissued in 2019.

An issue did occur in relation to the attribution of levels and size values for VET units of competency for the purpose of the TCE. Specifically, historic VET values determined through manual processes were automatically overwritten by values based on data sourced directly from the National Register of VET (www.training.gov.au).

For many units, the historic data matched the values calculated by TRACS, meaning that there was no change to students' records. For some, however, the different values were assigned. This issue was corrected as soon as practicable by the reinstatement of the historical levels. Six hundred and eighteen students who completed VET units in 2019 were impacted by this issue.

- (4) While not all VET units were affected by the VET levels attribution issue, TASC ran a data fix across all VET units of competency to assure that the historic levels attributed to each unit were consistently applied. This approach enabled the issue to be comprehensively and promptly resolved without requiring the identification of the specific units affected.
- (5) In some cases, the update of students' results records after the initial release of results in December 2019 enabled that student to meet the requirements of the TCE.
- (6) The reissue of a student's TCE is not required unless a student has requested TASC to provide them with a copy of their TCE.

One hundred and four students (104) have achieved and been issued their TCE since the initial release of student results in December 2019. This includes -

- 50 students who were credited as having demonstrated the Everyday Adult Standard for the Use of Computers and the Internet following liaison with their school, in recognition of work undertaken in class
- 27 students for whom the reinstatement of historical VET levels and/or size values enabled them to achieve the Participation and Achievement standard
- 13 students for whom specific manual processing was required to ensure their record accurately reflected their personal circumstances
- 7 students who have subsequently completed VET units of competency, enabling them to achieve the Participation and Achievement standard

- 7 students who have subsequently undertaken an Everyday Adult Standard safety net test.

Wombats - Mange Treatment Field Trials

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

[2.39 p.m.]

Regarding the scourge of wombat mange, will the Leader advise -

- (1) In response to a question asked by the member for Rosevears on this subject in November 2019, the Leader advised that improved options for treating wombat mange in partnership with the University of Tasmania were to begin field trials this year. Can the Leader indicate what progress has been made with this?
- (2) The Department of Primary Industries, Parks, Water and Environment - DPIPWE - website states that consideration of active reintroduction of wombats to Narawntapu National Park will be given. Can the Leader indicate if there has been any progress towards making a decision on this?
- (3) With regard to the previous question, what factors will be taken into account in making a decision on this? Does DPIPWE have adequate resources to ensure that a project of this nature will be viable over the longer term?
- (4) What support is currently being given to volunteers who locate, treat and take ongoing care of wombats both in the wild and in captivity? Where is the Government's ongoing plan to ensure that volunteers are adequately supported, trained and retained?
- (5) Are there strategies in place to recruit volunteers to take on this type of work? If so, what is the nature of these strategies? If not, why not?

ANSWER

Mr President, I thank the member for Launceston for her question. There is a large degree of interest in this answer. Bearing in mind the answer is lengthy, does the member want it read out or will I table that answer? Mr President, I seek leave to table the answer to this question and incorporate it in *Hansard*.

Leave granted; document incorporated as follows -

- (1) With funding and support from the department, the University of Tasmania has undertaken trials with wombats in captivity to determine the potential effectiveness of this insecticide (Bravecto®) treatment. The results of these trials are very encouraging, and the university is now planning field trials in Tasmania and New South Wales.

The department is in regular contact with the university's lead researcher and can advise that while the trials have been delayed in the first half of 2020 as a result of COVID-19

restrictions, they are scheduled to start in the coming months. These trials will provide the information required to ensure any future approved use of Bravecto for the management and effective treatment of mange-affected wombats in the wild is safe and appropriate.

- (2) A DPIPWE Wombat Working Group comprising wildlife ecologists, veterinarians, land managers and university researchers has considered a range of options for the management of wombats at Narawntapu National Park following the decline of the population due to sarcoptic mange. Monitoring by the department using remote sensing cameras since 2018 has confirmed the persistence of a small but apparently healthy population of wombats in the national park. It is encouraging that no evidence of mange has been observed in the wombats detected in the camera images and that recent breeding is also confirmed as evidenced by a mother and her young being among those images. These monitoring results provide critical information in guiding decisions regarding the requirement for intervention.
- (3) The department will continue to monitor the health and status of the wombat population at Narawntapu National Park. The persistence of healthy wombats in the national park is very positive and at present indicates active intervention is not warranted at this time. Additional tools to manage wombats and mange, including the promising results of the research into more effective treatment options, will be considered over the longer term should the evidence from monitoring suggest that intervention is necessary.
- (4) The Natural and Cultural Heritage Division of DPIPWE works collaboratively with community volunteer groups to coordinate the treatment of wombats with mange in Tasmania. This includes groups such as Wombat Rescue Tasmania and Bonorong Wildlife Rescue. NCH is the central point of contact for mange reports, and maintains a list of these reports (through the *Natural Values Atlas*).

Reports of wombats with mange are discussed with community groups to ascertain whether the report is a new case, or relate to a wombat that is already undergoing a course of treatment by community volunteers. NCH provides preliminary advice on the best course of action for individual wombats, and, where a wombat requires euthanasia, may assist if resources are available.

Under the Wildlife (General) Regulations 2010, NCH also grants permits to allow community volunteers to assist injured and orphaned wombats, which are primarily -

- For community volunteers to provide 'pole and scoop' treatment of mange (treatment is applied via a long pole). This allows volunteers to 'disturb' wombats so that they may receive beneficial treatment.
- Permits to possess wombats for the purpose of rehabilitating them for release back into the wild.

As new scientific research is released, NCH will continue to work with community groups to identify ways to support their volunteers to treat mange.

- (5) NCH values the dedication of members of the community in treating wombats with mange. Community volunteer groups that undertake the treatment of mange are not

classified as DPIPWE volunteers, therefore it is the role and responsibility of community groups to recruit and retain volunteers, similar to what occurs in other jurisdictions. All volunteer groups should follow Volunteering Australia's National Standards for Volunteer Involvement.

NCH has several mechanisms in place to assist with recruitment of community volunteers, including -

- Providing funding to develop an introductory marsupial rehabilitation training course under the nationally accredited Animal Studies Certificate, through Bonorong Wildlife Sanctuary and TasTAFE. Developed in 2018, the aim of this course is to recruit more community volunteers, provide foundation level training for marsupial rehabilitation, and to improve retention of community volunteers. Many of these newly trained community volunteers will progress to assisting with the treatment of mange and/or rehabilitating orphaned wombats for release back to the wild.
- Referring members of the public who contact NCH and are interested in assisting with the treatment of mange to local community groups.
- Notifying community volunteer groups of grants programs that are available to them.

NCH is currently investigating whether it can assist wildlife community groups to build their capacity to respond to injured and orphaned wildlife, as well as meet the National Standards for Volunteer Involvement. This includes investigating resources that can assist with recruitment, improvement of volunteer management, good governance, grants writing skills, understanding legal obligations and providing a safe working environment for volunteers.

COVID-19 - Public Information Unit

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

[2.41 p.m.]

Regarding the formal public health emergency declared under section 14 of the Public Health Act 1997 and the state of emergency declared under section 42 of the Emergency Management Act 2006 due to the presence of COVID-19 within the state, inclusive of recent extensions to both -

- (1) Has the Public Information Unit - PIU - as provided for under the Tasmanian Emergency Management Arrangements been activated to fulfil its roles and functions as outlined in the TEMA, specifically providing support for the dissemination of public information for the whole-of-government response to an emergency? If not, why not?
- (2) If the PIU has been activated -
 - (a) Where is it located within government?

- (b) What are its operating principles and guidelines?
 - (c) What is its reporting structure?
- (3) Was the PIU involved in any manner in the public statements released by government or public officials regarding the June extension of both the public health emergency declaration and the state of emergency declaration respectively? If not, why not?

ANSWER

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

- (1) Yes.
- (2)
 - (a) The Public Information Unit is located in the State Control Centre - SCC.
 - (b) The PIU assists in the dissemination of public information from across government in support of the SCC aim, which is to minimise the impact of COVID-19 on the Tasmanian community.
 - (c) The PIU is led by the SCC public information adviser who reports to the State Controller and the PIU manager.
- (3) The PIU made information about the extension of the two declarations publicly available by publishing their relevant directions and media releases on the coronavirus website - and we all know what that is - along with an item under the 'Important Community Updates' section of the site.

Stanley Highway - Condition

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

[2.44 p.m.]

With regard to Stanley Highway (B21), from the junction with the Bass Highway into Stanley

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- (1) Is the Minister for Infrastructure and Transport aware of the high seasonal use of this road?
- (2) Is the Minister for Infrastructure and Transport aware of the narrowness of the road, the lack of sealed shoulders and the unsafe camber of the road in many sections?
- (3) Is the Minister for Infrastructure and Transport aware of the regular vehicle crashes occurring on this section of road?
- (4) With regard to the economic stimulus funding, will this section of the Stanley Highway be included as an infrastructure project under the economic stimulus funding to upgrade this road and address the above safety issues?

ANSWER

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

(1) to (4)

The town of Stanley is a popular tourism location within Tasmania for both local and visiting tourists, with an average annual daily traffic volume of around 1570 vehicles per day. Over the last 10 years there has been an average of about two reported crashes per year. The highway is inspected on a weekly basis as part of the road maintenance program and issues such as the formation of potholes, vegetation obstructions, edge breaks, removal of roadkill and any other safety matters are rectified.

The Stanley Highway was last resealed in 2013 and line marking of the highway was undertaken in late 2019. An upgrade of the Stanley Highway is not currently programmed within the current programs of works on the State Road Network. The Stanley Highway currently provides a level of service that corresponds to its existing level of demand.

COVID-19 - Bounce Back to Learning at School

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

[2.45 p.m.]

The Minister for Education and Training announced a support program to help early learning students 'bounce back to learning at school' after learning at home due to the COVID-19 pandemic.

- (1) What is the total funding for the program?
- (2) Will the Department of Education employ early learning educators to facilitate the program? If so, how many?
- (3) Will the Department of Education employ additional teachers to support the program? If so, how many?
- (4) What data are being captured to measure the impact of remote learning at a system level across grades?

ANSWER

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

- (1) The department has invested a significant resource into the Bounce Back to Learning at School initiative, including access to non-school-based early years educators who are providing regular support to classroom teachers; 8000 families enrolled in Launching into Learning and kindergarten to receive a Bounce Back Talk and Read resource at a cost of \$180 000; and professional learning opportunities.

- (2) As part of the initiative, schools will be supported by nine existing early learning educators who will provide additional classroom support.
- (3) The department will re-prioritise the work of nine existing early learning educators to provide expertise and additional classroom support to identified schools. The expertise of the early learning and literacy teams will further support educators to respond to learning needs by providing tailored teaching.
- (4) Teachers in schools use a range of approaches and strategies to monitor the progress and growth of student learning. Within and across schools, teachers continue to work collaboratively to moderate samples of student learning, referring to curriculum standards and learning progressions. This supports consistent judgment of student achievement and builds shared teacher understanding of the curriculum and the next steps in learning. Communication with parents or carers for mid-year reporting will include information about progress and the level of learning achievement for core learning areas.

In addition, the Department of Education captures a wide range of data that will help understand any impacts of remote learning at a system level, including a wellbeing tracker; student wellbeing survey; Child and Family Centres data; BASE assessment program; students assessed twice yearly; PATs - progressive achievement tests (most schools undertake PAT assessments with students in October and November each year); and, of course, NAPLAN. The 2020 testing was cancelled due to COVID-19, but will recommence in May 2021.

Tasracing - Point of Consumption Tax

Ms RATTRAY to MINISTER for RACING, Ms HOWLETT

[2.48 p.m.]

Minister, can you please advise -

- (1) How much money will Tasracing receive in the next financial year from the point of consumption tax which commenced in Tasmania on 1 January 2020?
- (2) If the amount is around \$2 million for the financial year 2020-21, why has only \$660 000 of those funds been provided for stake money for the three codes?
- (3) As an election promise, the Government pledged an increase of 4 per cent over the four years, being a total of 16 per cent to the racing industry. Can the minister advise why the latest 3 per cent increase comes from the point of consumption tax when there had already been a promise of a 4 per cent increase, not including the point of consumption tax?

ANSWER

Mr President, I thank the member for McIntyre for her question. As there are quite a few questions, would the member like me to read the response or may I table and incorporate it in *Hansard*?

Leave granted; document incorporated as follows -

Regarding stakes increase, the Government remains committed to an average 4 per cent stakes increase each year over the term of the Government.

Stakes increases across all codes so far have been 4.4 per cent in the 2018-19 year, representing an almost \$922 000 lift and a further 1.35 per cent in the current financial year, an increase of a further \$292 898.

Just two weeks ago, I joined representatives from the three codes to announce a further increase of 3 per cent to take effect in the 2020-21 financial year, an increase of another \$660 000.

While increases so far have been short of the 4 per cent average, the Government and Tasracing are committed to a substantial increase in the 2021-22 financial year, with stakes money to be sourced from the first full year of point of consumption - POC - tax revenue.

While many industry participants might desire greater stakes increases now, the impact on race field fees as a result of the COVID-19 pandemic mean this is not prudent at this time.

I must also address the incorrect assertion that the revenues to the industry from the POC tax were promised in addition to the Government's commitment of an average 4 per cent annual stakes increase.

The POC tax enables the Government's commitment to a 4 per cent annual average stakes increase, as well as the investments in infrastructure and animal welfare, both of which are vital to the future of the industry.

Through the POC tax, the industry has a dedicated revenue stream to support future investments in the industry, including stakes.

The addition of the entire POC tax revenue to stakes on top of the Government's commitment of 4 per cent stakes increases would amount to a total stakes increase of 35 per cent by 2022, an increase that was never promised and would be both unaffordable and unsustainable.

In terms of the point of consumption tax, earlier this year the Government committed that the industry will receive 80 per cent of the expected increase in revenue from the POC tax, estimated at \$4 million a year.

I am advised that revenues are tracking broadly in line with expectation, despite the interruption to racing. The Government has committed that this return to the industry would be allocated to stakes, infrastructure and animal welfare.

It is important to understand that POC tax revenues are paid in arrears. No funds will be received by the industry from the POC tax until well into the new financial year. The first funds received will represent the first six months of revenues from 1 January to 30 June 2020.

The 3 per cent increase in stakes in the new financial year was negotiated with the Board of Tasracing and is supported by the receipt of the first six months of the POC tax, which will also replace reductions in Race Field Fee receipts.

Many racing industry leaders have told me they had no expectations of any stakes increase in the new financial year following the interruption to racing and, in fact, were concerned there would be a reduction in stakes.

At a time when businesses are under extreme stress, jobs have been lost across the state and many people are taking a pay cut due to the pandemic, the 3 per cent increase is not only ahead of inflation, it is better than expectations.

In closing, I again thank the industry for its constructive work through the racing shutdown, including keeping its racing animals in work.

West Tamar Highway - Speed Limit Reduction

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

[2.51 p.m.]

Will the Tasmanian Government consider reducing the speed limit on a section of the West Tamar Highway in response to local residents' concerns about numerous crashes in the area? Residents say the 70 kilometre per hour speed limit is too high for the section between 117 and 133 West Tamar Highway because it is often difficult to see approaching traffic due to the road condition.

- (1) What can the Government do to make this part of the highway safe for local residents and motorists and other road users?
- (2) Will the Government meet with local residents to inspect this firsthand to have this dangerous section of the road made safe?
- (3) Will the Government consider reducing the local speed in that area from 70 kilometres per hour to 50 kilometres per hour, as suggested by residents?

ANSWER

Mr President, I thank the member for Rosevears for his three questions.

(1) to (3)

The Commissioner for Transport is the legal authority for setting speed limits on all roads in Tasmania. The commissioner makes a decision after looking at the application and recommendation from the road manager.

In the case of the West Tamar Highway, this is the Department of State Growth.

Any recommendation to the commissioner necessarily takes into account traffic engineering standards and guidance with respect to a road's function, traffic volume, abutting development and crash history.

The West Tamar Highway is a major urban arterial road carrying some 25 000 vehicles per day. The level of roadside access in the vicinity of the subject section is similar to that along the majority of the highway's length through Trevallyn and Riverside, and notably similar to that of other roads with matching characteristics and speed limits around the state, such as the East Derwent Highway through Lindisfarne, for example.

In terms of crash history, it is noted that in the last 10 years, there have only been seven reported crashes between 117 and 133 West Tamar Highway -

Ms Forrest - Less than the Stanley Highway.

Mrs HISCUTT - Two of these resulted in minor injury to the vehicle occupant, with the rest being property damage only. This is a very low crash rate considering the number of vehicles that use the road every day.

While it is appreciated that there will always be differing expectations between road users travelling through an area to those of local residents accessing their properties from the road, the current 70 kilometres per hour speed limit does align with the criteria set out by national guidance and the department would not be able to provide a creditable justification for recommending a 50 kilometres per hour speed limit to the Transport Commissioner, which would slow down every road user travelling into West Tamar.

The Government is currently undertaking the West Tamar Highway corridor study between Launceston and Legana. The minister, Michael Ferguson, has ensured that all local residents are invited to participate. As part of this work, extensive community engagement was recently carried out, inviting all residents adjoining the highway, and also the wider community, to provide feedback of their concerns and ideas to assist with information solutions for future road improvement projects along the highway.

The immediate area around 117 to 133 West Tamar Highway, locally known as Barnes Hill, featured strongly in the responses. The department, in conjunction with its design consultants, is looking at what solutions may be appropriate for the area to improve road safety for all road users.

Once options are further developed, local residents will again be informed and provided the opportunity to comment on any proposals.

**COVID-19 - Antenatal and Postnatal Mental Health and
Wellbeing - North-West Coast**

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

[2.54 p.m.]

With regard to the care of pregnant and postnatal women since March this year -

- (1) What sort of specific assessments have been undertaken to assess for antenatal anxiety and depression?
 - (a) Have additional antenatal assessments been undertaken in light of the risk of COVID-19 and the limitations placed on visitors in hospital and support for new parents, particularly for pregnant women on the north-west coast?
- (2) What specific assessments have been undertaken to assess for postnatal anxiety and depression and were additional assessments undertaken in the postnatal period in light of the risk of COVID-19 and the limitations placed on visitors in hospital and support for new parents?
- (3) Will additional assessment support for women's mental health and wellbeing be provided to monitor the risk of postnatal depression in north-western Tasmania?
- (4) Will a suitable mother and baby unit be made available to support mothers and babies on the north-west coast requiring additional parenting support or with postnatal depression and/or puerperal psychosis?

ANSWER

Mr President, I thank the member for Murchison for her question and seek leave to table and incorporate the answer to the question.

Leave granted; document incorporated as follows -

- (1) Maternal screening for antenatal anxiety and depression is undertaken using a validated tool as part of the first booking in appointment. A discussion is held at each appointment with the midwife to assess the woman's mental health status.

During the period when COVID-19 changed service provision, antenatal assessments were maintained using telemedicine platforms. Emotional wellbeing checks are completed at every antenatal visit. The Edinburgh Postnatal Depression Scale - EPNDS - is completed at booking in appointment and again at 30 weeks.

A pregnancy, birth and early parenting website has been established to provide advice to pregnant women on self-care and wellbeing in addition to providing online information on pregnancy.

Women who were due to deliver during the period the North West Private Hospital was closed had the option of relocating to Launceston and had daily phone calls from the antenatal staff at Launceston General Hospital as well as both antenatal and emotional wellbeing checks.

- (2) The Extended Care Midwifery Service maintained service delivery throughout the COVID-19 restriction period which included postnatal care. Each visit included assessment of emotional wellbeing as well as any issues related to breastfeeding. Face-to-face visits were continued with appropriate screening mechanisms in place and staff wearing appropriate personal protection equipment - PPE

The Child Health and Parenting Service - CHaPS - screens all new parents at eight weeks with the EPNDS, a validated screening tool to identify potential postnatal anxiety or depression, and staff can refer or provide additional parent support where appropriate. Staff discuss perinatal wellness with all new parents who are CHaPS clients.

CHaPS has been providing two-, four- and eight-week appointments with a combination of face-to-face appointments and telehealth during the COVID-19 response, and has continued to screen for perinatal and wellness.

CHaPS statewide parenting centres provide targeted support for families in relation to parenting support and perinatal wellbeing and have been providing telehealth appointments during COVID-19.

- (3) The Tasmanian Government offers a range of services to support mothers and families in the perinatal and postnatal period, from primary care options through to acute treatment. Mothers can receive support through antenatal clinics, Child Health and Parenting Services, and the Perinatal and Infant Mental Health Service. Mother-baby workers are also based in the north and north-west.
- (4) Where clinically recommended, a mother can receive inpatient treatment and care for postnatal depression and anxiety at the Mother Baby Unit at the St Helens Private Hospital in Hobart. The Department of Health, via the Tasmanian Health Service, has an agreement with the Mother Baby Unit for public patients to receive treatment in this facility. For families in the north and north-west, a subsidised transport service can be provided to enable access to this service. As part of the LGH master plan, which will inform the next stages of the \$87 million LGH redevelopment, the THS will be undertaking clinical planning. It is expected that consideration of perinatal services will be a part of this process. Importantly, the federal government is also delivering additional funding to support improved perinatal mental health services in the north and north-west.

Correctional Facility - Birralelee Road

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

[2.56 p.m.]

Mr President, I am happy to have the answer to this question tabled and incorporated.

With the recent announcement that a northern correctional facility is to be built on a newly identified site on Birralelee Road, the following questions have been raised by members of the Westbury community -

- (1) Is the Government considering establishing a fully operational police station in Westbury?
- (2) Is it a fact that the Clarence City Council receives a \$500 000 annual payment from the Government as a correctional facility operates within its municipality?
- (3) Will there be a financial payment paid annually to the Meander Valley Council once the proposed northern correctional facility is operational?

ANSWER

Mr President, I thank the member for McIntyre and seek leave to table and incorporate the answer to her question.

Leave granted; document incorporated as follows -

- (1) The Meander Valley is well serviced by Tasmania Police, having divisional headquarters at Deloraine, and a fully operational station at Westbury.

Eleven officers are located across Deloraine and Westbury, with four police officers stationed at Westbury. Eight of those officers commence and conclude work from the Westbury Police Station.

Overall the Meander Valley community, inclusive of Westbury, is considered a low crime area and a very safe place to reside. There are currently no specific crime trends, public safety concerns or unusual road safety issues.

Tasmania Police continually make assessments in relation to the deployment of resources across the state, and this includes Westbury.

- (2) The Clarence City Council charges the Department of Justice annually for rates for its Tasmania Prison Service site at 672 East Derwent Highway, Risdon Vale 7016. The rates payable by the department for 2019-20 were \$506 340.75.
- (3) The Department of Justice will be paying the Meander Valley Council rates as would any other landowner.

AFL - Hawthorn and North Melbourne - Contracts

Mr DEAN to MINISTER for SPORT AND RECREATION, Ms HOWLETT

- (1) Have the contracts for Hawthorn and North Melbourne advanced in any way? I appreciate some of these questions were for the Premier, which I think fall within his area.
- (2) If not, when is it expected this will happen given that the current contracts will conclude in 2021?
- (3) Do the current contracts cover to the end of 2021?
- (4) Is it envisaged any new contracts will include a clause for Tasmania to exit the contracts in the event an AFL licence is gained?
- (5) When was the last government instalment of \$250 000 paid to AFL Tasmania? Had they met all key performance indicators - KPIs - as required?
- (6) If applicable, what KPIs were not met and what action was taken by the department?

Mr President, I am happy for the answers to be tabled.

ANSWER

Mr President, I thank the member for Windermere and seek leave to table and incorporate the answer to his question.

Leave granted; document incorporated as follows -

- (1) Due to COVID-19 the renegotiation of the contract between the Crown and Hawthorn Football Club is currently on hold. The contract between North Melbourne and TT-Line is not managed by the state Government, therefore I am unable to provide information about the status of those negotiations.
- (2) It is hoped that negotiations with Hawthorn Football Club can recommence later this year.
- (3) The current agreement between the Hawthorn Football Club, the Crown and the AFL, which delivers four AFL games per season, expires on 31 October 2021 and required negotiations on any future agreement to occur in the period between 1 April 2020 and 30 June 2020. This has been delayed due to the impact of COVID-19. The Tasmanian Government also has an agreement with North Melbourne Football Club to deliver at least two NMFC AFLW home games in Tasmania per season, one in the north and one in the south. This agreement is due to expire at the end of 2023. TT-Line manages a contract with the North Melbourne Football Club agreement, which also delivers four AFL games per season. This agreement expires in 2021 and it is understood this would require renegotiations to occur sometime during 2021 if the partnership is to continue.

- (4) The Tasmanian Government remains committed to pursuing a team for our state, and this will be one of the considerations taken into account in future discussions with the Hawthorn Football Club. The Government recognises the economic benefit AFL games in Tasmania bring to the state. Analysis of the value of AFL games in Tasmania indicates that the Tasmanian Government is achieving value for money for its investment in the Hawthorn Football Club partnership.

The analysis shows that for every \$1 invested by the Government on the support of the Hawthorn Football Club, approximately \$5 is spent directly in Tasmanian industries such as accommodation, hospitality, retail trade and other service industries. This direct spending generates further indirect spend on other goods and services in the Tasmanian economy, an increase in Tasmanian Gross State Product and an increase in employment.

The independent analysis also estimates around 130 additional permanent full-time equivalent jobs are created as a direct and indirect impact of the expenditure flowing to Tasmania as a result of the Hawthorn Football Club games in Launceston.

In addition, a number of other benefits of AFL games in Tasmania should be considered, such as brand exposure for Tasmania, the health and welfare benefits of increased participation in sport, and the social and cultural value of having the games played in our state. While a number of these do not directly relate to traditional financial return-on-investment benchmarks, they are nevertheless important and recognised as genuine benefits by the Tasmanian Government and to the Tasmanian community.

- (5) The last Government instalment of \$150 000 (not \$250 000) was paid to AFL Tasmania on 7 April 2020. Payments under the 2016-20 funding agreement have been made in two instalments - \$350 000 and \$150 000 - each financial year. AFL Tasmania met all of the 23 KPIs for the last reporting period to 31 December 2019 as required.
- (6) Not applicable.

PESRAC - Stage 1 Consultation

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

[2.59 p.m.]

The Premier's Economic and Social Recovery Advisory Council - PESRAC - has outlined in its work plan that, as part of stage 1, a consultation stage will be undertaken with targeted stakeholders and peak groups invited to participate. Please detail the following -

- (1) Which individuals, organisations, government agencies, peak bodies and any others were invited to participate in stage 1 consultation?
- (2) Were any consultation guides, background material, prompt questions or any indication of preferred manner of input provided by PESRAC to those invited to participate in stage 1 consultation? If so can they be provided?

ANSWER

Mr President, I thank the member for Nelson and seek leave to table and incorporate the answer to her question.

Leave granted; document incorporated as follows -

- (1) The council, through its secretariat, wrote to the following peaks to seek written input for phase 1 of the consultation process -

- Architects Tasmania
- Aviation Access Working Group
- Cape Barren Island Aboriginal Association Incorporated
- Civil Construction Association
- Civil Constructors Federation
- Commissioner for Children and Young Persons
- Coordinator-General
- Disability Services Tasmania
- Early Childhood Australia
- Engineers Australia
- Fruit Growers Association
- Housing Industry Association
- LGAT
- Master Builders Australia
- Mental Health Council
- Mortgage and Finance Association of Australia
- Music Tasmania
- Premier's Youth Advisory Council
- Primary Health Tasmania
- Property Council
- Real Estate Institute of Tasmania
- Regional Development Entities
- Regional Recovery Committees
- Sport and Recreation - Department of Communities (as proxy for industry)
- State Control Centre
- State Recovery Committee
- TAFE
- Tasmanian Salmon Growers Association
- TasCOSS
- TasICT
- Tasmania Maritime Network
- Tasmanian Aboriginal Centre
- Tasmanian Chamber Alliance
- Tasmanian Chamber of Commerce and Industry
- Tasmanian Council of Churches
- Tasmanian Development Board
- Tasmanian Farmers and Graziers Association
- Tasmanian Hospitality Association
- Tasmanian Logistics Committee
- Tasmanian Minerals, Manufacturing and Energy Council

- Tasmanian Regional Aboriginal Communities Alliance
- Tasmanian Seafood Industry Council
- Tasmanian Small Business Council
- Tenants' Union
- Tourism Industry Council Tasmania
- Unions Tasmania
- University of Tasmania

To supplement this process, the secretariat also sought to have discussions with the majority of peaks above, and in many cases, such discussions were able to be scheduled within the timeframes available for this task.

The secretariat, with the support of TasCOSS, held a workshop with the TasCOSS peak group to hear directly from those peak organisations, and received submissions from some of those peaks, in addition to the TasCOSS submission.

In addition to the above process, the secretariat sought input from all government agencies and departmental recovery group networks, including the Agriculture Coordination Group and the Seafood Industry Recovery Coordination Group.

The council has also received unsolicited submissions and correspondence that has also been considered through the work program.

(2) The letters to the peak organisations asked a consistent set of questions as follows -

- What impacts are currently being seen by your sector or members (including clients/households/individuals as relevant in your context) and what impacts are anticipated in the coming weeks and months?
- What factors are likely to shape the medium and longer term impacts for your sector/members?
- What data or information can currently be provided to the Council on the nature and magnitude of impacts for your sector/members?
- What mitigation measures are currently in place that aim to address these impacts?
- What impacts are not being mitigated or for which there is no plan in place to mitigate?
- What responses, both within the sector and more broadly, are front of mind and over what time frames - what should be stopped, what should continue and what should be started?
- What would help create or build business/consumer/community confidence?
- What would help your sector/members re-employ where there have been reductions in jobs, or grow employment levels?

Economic and Fiscal Update Report

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

[3.00 p.m.]

With regard to the Economic and Fiscal Update Report dated May 2020, in particular page 19, which estimates the decreases in dividend tax and rate equivalent income for government businesses at \$140.2 million for 2020-21 - I note this is a 38 per cent decrease -

What is the break-up of this amount specifically listed by individual amounts for each business as would be presented in a policy and parameter statement?

I am sure it is probably tabular in nature and I am happy to have the answer incorporated.

ANSWER

Mr President, I thank the member for Murchison and seek leave to table and incorporate the answer to her question.

Leave granted; incorporated document read as follows -

The revised returns to Government forecasts for 2020-21 are based on the assumption that government business performance will be significantly impacted as a result of the COVID-19 pandemic.

It has been assumed that Aurora, MAIB and TT-Line will not make a profit or recognise any income tax expense in 2020-21. The estimates for Hydro reflect the forecast demand reductions from social distancing restrictions and reduced wholesale prices in the NEM. The forecast demand reductions have also been consistently applied to TasNetworks' forecasts.

The reduced profitability of government businesses in 2019-20 has reduced the ordinary dividends paid in 2020-21. Income tax equivalents in 2020-21 have also decreased reflecting the continuation of reduced profits in the first part of 2020-21 with a gradual recovery stabilising results.

These forecasts will continue to be subject to review as circumstances evolve.

Variation - 2019-20 Budget to Economic and Fiscal Update Report - May 2020	
	2020-21 Forward Estimate
	\$m
<i>Dividend, tax and rate equivalent income</i>	
Dividend income	
Aurora Energy Pty Ltd	(14,900)
Hydro Tasmania	(17,040)
Tasmanian Networks Pty Ltd	(2,553)
Motor Accidents Insurance Board	(35,845)
Tasmanian Public Finance Corporation	(216)
Public Trustee	-
Tasmanian Ports Corporation Pty Ltd	(8,733)
TT-Line Company Pty Ltd	(26,379)
	(105,666)
Income tax equivalents	
Aurora Energy Pty Ltd	(7,100)
Hydro Tasmania	(12,200)
Tasmanian Networks Pty Ltd	(8,577)
Motor Accidents Insurance Board	(1,376)
Tasmanian Public Finance Corporation	-
Public Trustee	82
Tasmanian Ports Corporation Pty Ltd	(5,389)
TT-Line Company Pty Ltd	-
	(34,560)
Total Dividend, tax and rate equivalents income	(140,226)

Children's Contact Service - North-West Coast

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

[3.01 p.m.]

With regard to access visits and availability of family contact centres on the north-west coast:

- (1) Is the minister aware that monitored and no-contact access visits have been facilitated in public places on weekends, allegedly due to the lack of safe places in Burnie?
- (2) Where are the designated family contact centres in Burnie?
 - (a) What hours are these open to facilitate access?
 - (b) Which centres, if any, are currently open on weekends?
- (3) If no centres are open currently, will a centre be made available during weekends in Burnie and when is this to occur?
- (4) If a weekend access centre is not to reopen, how are families in Burnie and surrounds relying on access to safe places to facilitate these visits able to meet these requirements safely?
- (5) If families have to travel to Devonport to access a safe place, what support is provided to low income families who find this financially challenging?
- (6) How is the safety of women and children assured if monitored or no-access visits are required on weekends by families in Burnie and surrounding areas?

ANSWER

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

(1) to (6)

I am advised that the Children's Contact Service, to which you are referring, is funded by the Commonwealth Government. In Burnie and Devonport, it is administered through Relationships Australia Tasmania and is independent from state government oversight.

The only thing we can do is encourage you to contact Relationships Australia Tasmania or the federal Department of Social Services to discuss those questions you are looking for.

Suspension of Standing Orders

[3.02 p.m.]

Motion by **Mrs Hiscutt** agreed to -

That so much of Standing Orders be suspended as to continue question time until 3.10 p.m.

State Service - Promotion of Gender Equality

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

In answer to previous questions I asked regarding promotion of gender equality in the State Service, I was provided with extensive answers related to work being done to support the advancement of women in the workplace. I commend these actions.

With regard to the promotion of gender equality throughout the State Service, I note the previous answer advising of a range of specific gender equality-related activities as part of broader diversity and inclusion program.

- (1) Has a gender sensitive/gender equality audit been conducted? If so, when and are the results available? If not, when will such an audit be considered in the future?
- (2) How many specific programs have been provided to enhance awareness of gender equality for men?
- (3) What specific activities have been undertaken by men in the State Service? How many men have engaged with the activities and programs?

ANSWER

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

- (1) A gender equality audit has not been conducted across the State Service and there are no plans to undertake one in the near future. As stated in an earlier response, departments have undertaken, and will continue to undertake, a range of specific gender equality-related activities.
- (2) and (3)
In relation to programs provided to enhance awareness of gender equality, several have engaged both men and women. Some examples are -

- White Ribbon Accreditation Program - considerable investment was made across departments that participated in the program, which incorporated a strong gender equality focus. Each department ran training, communication and educational campaigns around gender equality.
- Training and coaching in diversity and inclusive leadership has targeted heads of departments and deputy secretaries across all departments.
- A range of departmental activities is undertaken and an example provided in an earlier response was the Department of Justice-led program, Understanding biases in decision making, which involved compulsory four-hour, face-to-face training for all managers, team leaders and recruiters, approximately 200 employees.

Premier's Economic and Social Recovery Advisory Council

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

I refer to the Premier's Economic and Social Recovery Advisory Council. I had a number of questions related to PESRAC but I was told politely to go to its new website where I would get most of the answers. I did get some of the answers. The website says that all formal reports produced by the council will be given directly to the Premier and it is then it will be a matter for him as to whether they will be published.

Will the Leader please advise -

- (1) Will it be the intention of the Premier to table all formal reports provided in the parliament?
- (2) If not, why not?
- (3) If yes, is it the intention to table the full reports and within a short time of receiving them?

ANSWER

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

- (1) Yes.
- (2) See the answer to question (1).
- (3) Yes, as soon as possible.

Tasracing - Stake money Increases

Ms RATTRAY to MINISTER FOR RACING, Ms HOWLETT

I thank the minister for her answers to the Tasracing question I just asked, but I note that in the response she talks about the fact that there will be an increase in stake money in 2021-22. I respectfully ask the minister: How does she expect the industry to continue to be sustainable if the increases do not kick in until 2021-22? What about now?

ANSWER

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

In the current financial year, stakes increased a further 1.35 per cent, a lift of \$292 898. Last week I announced a further increase of 3 per cent to take effect on 1 July 2020-21 for the financial year, an increase of \$660 000. While I appreciate the increase has fallen short of the 4 per cent averaged so far, the Government is very committed to a substantial increase in the 2021-22 financial year with stake money to be sourced from the first full year of the point of consumption revenue tax.

I acknowledge that a greater increase would have been desirable, but it was not possible during the COVID-19 pandemic which has resulted in a reduction in Race Field Fees.

Racing Codes - Stake money Increases

Mr DEAN to the MINISTER for RACING, Ms HOWLETT

I am happy if the minister wants to take these questions on notice and provide answers later, probably tomorrow, because some of them are a bit complex.

- (1) Can the minister explain why each of the three racing codes has not seen any increase in stake money since the beginning of January 2018? I think you had a similar question earlier.
- (2) With the sale of TOTE Tasmania, a funding deed was provided to Tasmanian racing; in the 2011 financial year, \$33.9 million was provided by the government when it established Tasracing. Of that amount, \$23.3 million was allocated to the three racing codes. In the 2019 financial year, Tasracing's total budget was \$49.3 million and yet only \$26.7 million was allocated to the three racing codes. Do you think that Tasmanian racing participants are getting a fair return for their investment, bearing in mind Tasracing income has gone up by almost \$16 million yet stake money has only gone up by about \$3 million?
- (3) Given all the details provided today regarding the poor financial performance of Tasracing in relation to the return of stake money to the three racing codes and their continual operating losses over the past three financial years, along with a blowout in other expenditure, will you support the racing industry's call for an independent external review of the operation of Tasracing? I would think the answer to that would be yes.

- (4) On 2 April 2020 the Premier announced an immediate closure of all three codes of racing in Tasmania. Subsequently an animal welfare assistance package was put in place which was paid from stakemoney and the current Tasracing budget. Can you please give members a breakdown of how much money was paid by Tasracing to each of the three codes between 2 April 2020 and 13 June 2020? I require the dollar amount for each code.

I am happy for the answers to be incorporated if they are in writing.

ANSWER

Mr President, I thank the member for Windermere for his questions, the answers to which I am happy to read out.

(1) to (4)

In relation to stake increases the Government remains committed to an average 4 per cent stake increase each year over the term of government. Contrary to the assertions in your question, stake increases across all codes so far have been 4.4 per cent in the 2018-19 year, representing a \$921 000 lift. In the current financial year, stakes increased a further 1.35 per cent, a lift of almost \$300 000. Last week I announced a further 3 per cent to take effect in the 2020-21 financial year, an increase of \$660 000.

As I said previously, we have fallen short of the 4 per cent average so far. The Government is committed to a substantial increase in the 2021-22 financial year, with stakemoney to be sourced from the first full year of the point of consumption tax. I acknowledge that a greater increase would have been desirable, but during COVID-19 that was not possible due to a reduction in Race Field Fees.

As you may be aware, earlier this year the Government committed that the industry would receive 80 per cent of the expected increase in revenue from the point of consumption tax, estimated at \$4 million a year. I am advised that the revenues are tracking broadly in line with expectation despite the interruption to racing. The Government has committed that this return to the industry would be allocated to stakes, infrastructure and animal welfare.

It is important to understand that the point of consumption tax revenues are paid in arrears. No funds will be received by the industry from the tax well into the new financial year. The first funds received will represent the first six months of the point of consumption tax, from 1 January until 30 June 2020, and are expected to be around \$1.8 million.

Many racing industry leaders told me that they had no expectations of any stake increases in the new financial year following the interruption of racing and having 72 days of zero racing. In fact they were very concerned that there would be a reduction in racing.

I am pleased to advise that the 3 per cent increase is affordable and sustainable for Tasracing and the industry as a whole. The Government wants to ensure that Tasracing is not again forced to cut prize money to sustain the operations of racing in this state. Certainly at a time when businesses are under extreme pressure, jobs have been lost across the state and many people are taking a pay cut due to the pandemic, the 3 per cent increase is not only ahead of inflation but is better than expectations.

I acknowledge the constructive role most participants played throughout this very difficult period. More than \$4 million in support provided to trainers through this period was not a substitute for the sensation of racing. However, it did enable racing animals to be kept in work, which was demonstrated by industry feedback and the strong number of nominations received for race field meetings since the restart.

I am pleased at the conduct of the race meetings over the first few weeks and I am confident that, as we have announced today, we will be able to see 500 people outside and 250 inside if the square meterage allows.

You mentioned in your question the sale of the TOTE. Most members will not have forgotten the sale of the TOTE by a former Labor government. It should not be forgotten that this Government also makes a contribution of more than \$30 million annually to the industry. As Racing minister I am determined, member for Windermere, to ensure that Tasracing operates as efficiently and as effectively as possible and I know that people in the industry want that.

The 2018-19 financial year was challenging for Tasracing, and that is revealed in its annual report. The company recorded a loss of \$2.73 million for 2018-19, with a \$1.17 million write-off on redundant track assets. A \$589 000 cost for defined benefit obligations and industry costs relating to serious workers compensation injuries cost the industry \$1.56 million for the year.

There were certainly some positives, however. Race Field Fees were \$1.1 million higher in 2018-19 than the previous year. Prize money and industry funding increased by \$1.92 million in the 2019 financial year, to \$26.79 million. The \$12.5 million redevelopment of the Elwick thoroughbred track, which was closed for the majority of 2019, was delivered on time and on budget.

I am hopeful that the current financial year's performance will show improvements when the company reports later this calendar year, but there is no doubt that the closure of racing has produced many challenges in maintaining a level of payment to trainers at the same level of nominal rate for that period while forgoing all Race Field Fees for that revenue.

As minister, I have a responsibility to ensure that Tasracing operates as effectively as possible. In terms of Tasracing's executive, there is certainly value to be found in a period of consolidation. No-one benefits from constantly revolving doors through staff and senior management. The current CEO, Paul Eriksson, has been in the role for a little over a year now, and before that there were a number of changes.

I am not prepared to commit to an independent inquiry at this stage. I would need to look at the annual report when that is provided and I will then decide if there is to be an independent or a Treasury inquiry, but I am not prepared to commit to that -

Mr Dean - Unless I move for an inquiry here and it is supported by this House.

Ms HOWLETT - That is a decision for you.

Ms Forrest - Well, there you go; I am wasting time.

Ms HOWLETT - In relation to your question about the number of trainers and the number of horses -

The number of trainers in the thoroughbred industry was 76 and the number of horses kept in work were 898, so the total amount was just over \$2 million for that.

In the standard breeds, the number of trainers was 111, and the number of horses was 653, and the total amount was \$1.4 million.

For greyhounds, the number of trainers was 127 and the number of greyhounds was 1200, and the total figure was just over \$500 000.

We had clerks as well. We had seven clerks over a two-month period, and it was \$14 700 for the clerks.

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

Second Reading

Resumed from above.

[3.19 p.m.]

Mr VALENTINE (Hobart) - Mr President, earlier I was talking about the 14 to five day amendment that is being considered. I was reading from the Hobart City Council's response to these amendments. I got to this point where the response stated -

However, while this timeframe is met as often as possible, there are some which go beyond that timeframe -

We are talking about the 42-day period, from go to whoa -

There are some which go beyond that timeframe. Currently that does not matter, but in my view -

that is, the view of the person putting this report together for the council -

... this demonstrates that there is a real risk that the Council's ability to properly understand what is being proposed and whether it will comply with the scheme will be compromised, particularly where there is a level of coordination which is required between referral units.

That is something the member for Murchison raised, and something I mentioned in yesterday's briefings. That can be a problem, especially if you have a large project, a large development. With a larger council, it has to go before different units. In a small council, it is the same problem at the end of the day but with fewer staff, so it is basically the same outcome.

Ms Forrest - The same problem but it manifests in a different mechanism.

Mr VALENTINE - Yes, that is right. Clearly, it is an issue.

The response goes on to say that five business days is more workable than the initial proposal of seven days -

At least for busy periods such as Easter we will have some chance of complying with this timeframe. For the reasons above, in my view, this is still insufficient.

So clearly they have some issues with going down to five days from 14 days.

Ms Rattray - I thought you said earlier in your contribution that the Hobart City Council indicated that it regularly met that time frame?

Mr VALENTINE - No, the 42 days. I talked about the fact that it has certain time frames internal to council but, overall, they were talking about 42 days being regularly met.

Ms Rattray - I thought you meant they met the five days.

Mr VALENTINE - No, I do not think so.

Ms Forrest - I made the point that a lot of the councils meet their requirement within five days. When complex information is received, it is very problematic to meet that sort of time frame - they would not normally and they would not be able to in the future if that is their concern.

Mr VALENTINE - Yes. At the start of this opinion, they said, 'We don't take the 14 days for all applications'. The document continues as follows -

Section 8 - Amendment of section 56 of LUPAA - currently there is no statutory deadline for determining an application to vary a planning permit. It is proposed to introduce a timeframe of 28 days. I note, unfortunately, there is no ability for the planning authority to request further information from the applicant about the proposed amendment. This is currently done informally with the applicant realising that until they comply with the request, the Council will not determine the application.

While we don't object to a time frame being introduced -

And I underline that -

without an ability to request information such as you would for a development application under section 54, it is likely that the Council will end up refusing more applications than it normally would just so it complies with the statutory timeframe.

This is the unintended consequence I am talking about. That is not a threat; that is a reality - they will not be able to meet the time frame and therefore the only way they can meet the time

frame is by refusing what is being put before them. I do not think it achieves its end. Anyway, the response continues -

Also, this is an absolute timeframe with no ability to extend it by agreement. There is an ability to extend the time for determining a development application in s.57(6A) for discretionary applications or s.58(2A) for permitted applications. Again, without that flexibility, the Council may be forced to refuse more s.56 amendments than it does currently.

We don't have any objection to the balance of the Bill. The requirements in relation to fees will not impact on us since we require up-front payment through our online portal.

Clearly, that is the Hobart City Council's position on that. It is important to note that it was not that the local government did not have a chance to respond to things because it did. At a private briefing Mr Kerr told me that they received something from local government in May, if I am not mistaken. When Cabinet decided to move with this, they did not have a chance to see the final bill.

Ms Forrest - They only got a broad concept in March.

Mr VALENTINE - That is right. They did not have a chance to see the final thing. This is not like dealing with a government department. This is dealing with another level of government and there is a process in place. The member for Mersey raised this during briefings. There is a consultation mechanism in place with local government and an agreement that they will deal with things in a certain way. It is important that occurs because if it does not, you get to this point - something is being attempted to be forced on them and there can be unintended consequences like the one I just read out. There is every reason these two clauses, clauses 54 and 56, ought to go back for further consultation with local government.

For clarity, a couple of people have asked what a minor amendment is and what can happen with a minor amendment. I take members to the Land Use Planning and Approvals Act 1993, section 56(2) -

The planning authority may amend the permit if it is satisfied that the amendment -

- (aa) is not an amendment of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and
- (a) does not change the effect of a condition or restriction, specified in the permit, that is required, imposed or amended by the Appeal Tribunal; and
- (b) will not cause an increase in detriment to any person; and
- (c) does not change the use or development for which the permit was issued other than a minor change to the description of the use or development.

It is spelt out there and other aspects are dealt with in section 56, but it gives you an understanding as to what might be considered a minor amendment. The point is: is it black and white enough? There are always shades of grey with these things, and with this being the case there needs to be that further conversation with local government to make sure that if that other sphere of government - and they are elected by the people to do a job; they are elected to make sure that developments fit the scheme - is going to be squeezed, we have to take a good look at it.

Ms Forrest - We are tightening the tape.

Mr VALENTINE - Yes, I have mentioned a bit of that. I remember when the 42 days came into effect and some said that it was unrealistic. Well, it is 49 days in some places now and they are not all met. They do not all meet the 42-day limit and that shows that 42 days is probably not realistic. It is for the majority of them but not for some of those developments that are larger and take more scrutiny. If something happens as a result of that lack of scrutiny, it can come back to bite local government - more so than the state Government that is trying to impose these things. They are mostly happy with it, except for two clauses 54 and 56. I will be listening to the debate on that but I am pretty sure I will be voting against one or two of those.

[3.29 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I will add a few words because I have really appreciated the contributions from everybody. I thank the Leader for organising the briefings; I found them very good. There is a lot in this bill I can support because it is common sense. I also acknowledge that has been some consultation with Master Builders Tasmania, the Property Council and a range of people from the business world. To balance it, when you walk into this place there many people who have had council experience as well. Taking that on board, we should have a good balance here.

I go back to the member for Murchison, who spoke about those dates, the times and how much they had. I go back to the intergovernmental agreement and, although people have apologised, I signed that intergovernmental agreement when I was president of LGAT. It was done in such a way that there has to be a level of respect and understanding between the spheres of government.

I will take two minutes to get on my high horse and note that we often look at government as federal, state and local, and there are relationships but it is not - it is federal, state and local and each of those groups has different responsibilities and roles. Yes, there is an interconnectivity between them, but that does not say that one level of government shakes the tree of another level of government. It is really important to note that it is much better to consult, compromise and work it out cohesively.

My concerns are the 14 to five days. If there is a change, what process will be in place such that they can ascertain how this is working in 12 or 15 months from now? Have you been able to work? What problems do you have? Will it be more along the lines of stating that they have not been able to meet the deadlines or the statistics are not as good as they were this time last year? We have had a look at the statistics compared to other states, and Tasmania does very well. That is because we have so many councils they take pride in what they do; they know their communities and they try to work these things out as quickly as possible because they want to have a good reputation within the community. No council wants to have the word around the place, of people

not going to them because they are not very good or they do will not look after you. That is not how it works.

Ms Forrest - That used to be the case some years ago. People would not look at commercial development because of that.

Mr GAFFNEY – What has happened now, because councils realise that the strength of their sphere of government has to be all of them performing well - I will not labour this point but when this place brought in four-year all-in/all-outs in 2014 because they said it will save us money, go back and look at how many councils have been in administration. In that time, look at how many dysfunctional councillors there have been, how many councils have been out on code of conduct issues and how many pressures there have been within councils. I do not know whether that has been a benefit to local government as a sphere, but it is shaking the tree to see if we can come up with something a bit better.

Whilst I appreciate that quite a bit of the information contained within this legislation is good and sound, I also have reservations about a couple of the things put forward, especially the 14 days to five. The member for Murchison encapsulated it very well when she said that you ask for further information, and some of the projects that have come up are complex. If you get 500 or 600 pages of further information, you are asking planning staff to do that in five days, to get that and all they can do is say that they are sorry, they need more information and they have not had the time.

I have spoken with the local government sector and councils within my area and they are concerned by the amount of pressure put on councils. They go back to when the same sort of pressure was applied with the water and sewerage changes that councils had to endure and the staff who had to work to make that happen, back with Mr Aird. Councils were under an enormous amount of pressure and staff suffered. In that same process, we have to be careful that we are not putting further pressure on councils that have undergone different issues with COVID-19 as well, they have also had different pressures placed on them. The legislation has some merit but there are a couple of clauses I will not be supporting.

[3.34 p.m.]

Ms RATTRAY (McIntyre) - Mr President, a few people have been reading my mail today. The member for Windermere read it in question time and the honourable member may have read it. There is a cybersecurity issue in Australia and I am lucky the cybersecurity has not picked up that I am no longer the member for Apsley and I am still receiving the honourable member for Apsley's mail. I will let LGAT know that I am no longer the member for Apsley.

I certainly support 99 per cent of the intention of this particular piece of legislation before us today as a representative of six local government areas, all of which are all small. I have the Flinders community, one of the very small ones that sits beside the King Island community.

In the planning department, some of those smaller councils only have people dealing with these things part-time because they often work elsewhere. It is a difficult one and I completely understand the concerns raised around five working days. On the other hand, I am certainly conscious of the intent from industry to get on with the work that they need to do.

I am not going to oppose the five days, but I ask the Leader if there could be some facilitation of a negotiated extension to that five days - negotiation between council and the applicant. Surely there must be a way that could occur? I do not mean only for council to come and say 'Oh, we need a bit more time because we have not gotten around to doing what we should have done'. Sometimes

it is on the other foot as well - sometimes applicants, whether they are developers or be mum-and-dad applicants, do not always get their house in order either.

We need to be mindful that this is a two-way street. I am particularly interested in the question posed around the issue raised about no negotiation or no opportunity to negotiate between both parties, for an extension to that five days. I will be looking for the Leader to provide some feedback to the Council with regard to that matter because that is a really important one. That appears to me to be the only real sticking point here.

Generally, there is strong support for what the Government is trying to achieve here and what industry supports. We need to be mindful of what local government can actually facilitate in its role, again being mindful that we have, in Tasmania, a lot of small to medium councils who do not always have huge planning departments. A couple of councils have a part-time -

Mr Valentine - They share them.

Ms RATTRAY - They share the resources. George Town and Dorset might work together, or West Tamar. The plumbing engineer - what would he be called in council now? Anyway, the engineer who signs off on your plumbing for Dorset comes from West Tamar Council. There again, you are waiting on that.

The other point I will make is around service delivery by TasWater, TasNetworks and Aurora. Many times in my office there has been some confusion about who is responsible for what, particularly when it comes to TasNetworks and Aurora. Aurora says, 'No, it is TasNetworks', TasNetworks says, 'No, it is Aurora', and I am sitting in the middle with this very frustrated person saying, 'Can somebody make up their mind who is responsible for what?'.

This is part of reform but the rubber will really hit the road when some of those service delivery areas get their act together and actually work together and do not make excuses. I have been dealing with matters that have taken months and months. I am not talking about the COVID-19 situation. That has exacerbated those months and months for some people, but it certainly is an issue for many people when they go to do a development and there possibly needs to be an upgrade and TasNetworks cannot do its part because Aurora has not done its part, or vice versa.

The member for Murchison made the point that we should have a coordinated approach where all the services work together, so that you are not digging up after somebody has already laid some pipes, and then, 'Oh gee, we better put the NBN in now'. Hello, we have already dug that up once, and now we have to dig it up again. We have to get on top of this coordinated approach, and how we do that - whether we need to have another reform package to put some penalties around those obligations; that may well be the case. Obviously, this is the first tranche of that reform.

I know from the information we received from the Property Council - they were good enough to send quite a bit of information. I thank Brian Wightman, who is always proactive in responding to emails. You send an email about what you are dealing with, or what is coming before the House and within no time you receive the information. He pretty much understands how the Legislative Council works, Mr President. He sat in the Leader's Reserve many times and watched, and he understands, which has been very helpful.

There was a media release in October 2018 in regard to asking the Government for these types of changes. It is not like it is something that happened overnight. It has had a decent lead time,

and, yes, there will always be stakeholders who feel they have not had adequate time in and around that consultation period. I do not necessarily support all the accusations that there has not been enough time, but there has been a strong focus on the need to have some sort of reform when it comes to streamlining the building process and the development application process in this state.

I support 99 per cent of what has been put forward, but I have a question mark around whether there is a possibility, or an opportunity, to have a negotiated outcome, or a negotiated time frame if the five days cannot be met by mutual agreement.

Ms Forrest - If you send it back to them, they can consult on that and work out the best framework, whether it is fewer days than 14 days, or more than five days, or whether it is having that process built in. But that did not happen, so it needs to be sent back, and consulted.

Ms RATTRAY - Member for Murchison, I do not necessarily support that. I certainly support the fact that there should be some avenue for a negotiated time to be acceptable, but to hold up the whole thing because of one aspect - perhaps some sort of commitment could be given that there will be an opportunity for a negotiated outcome for both parties in regard to that five days, if one or the other cannot meet that obligation, rather than hold up the whole thing.

Ms Forrest - They are bringing more legislation back soon. It is not like it is forever. It is to give them time to think about it and negotiate it.

Ms RATTRAY - We know that some major building will be happening in and around the state. I suggest it is important to get on with it. However, there must be something that would fit in with what has been put forward here to alleviate some of the concerns regarding the small number of planning applications that do not quite fit into the general square box, those that have some issues around them. That is my question, Mr President, but I generally support what has been proposed. For too long we have continually heard about hold-ups, and we just have to get on with it. Public housing - social housing - is very important. If there is going to be building work, we need to ensure we have a reliable and efficient system that people can deal with. Consistency would be fantastic.

I will support the bill and I hope that the Leader has some suggested outcome that I can be comfortable with.

[3.45 p.m.]

Mr WILLIE (Elwick) - Mr President, I will start with a couple of things that the Leader said in the second reading speech that I find very alarming. It is alarming because we are three months into this pandemic. Some of the economic outlooks are bleak. The member referred to a recent HIA economic forecast last week which showed the private sector is hurting and predicts a 40 per cent decline in housing in 2021. The Master Builders Tasmania has also predicted large downturns in the commercial sector. The Australian Institute of Architects - these are the Leader's words - 'which is in effect the canary in the coalmine as to the future of pipeline of construction work has also voiced its concerns'. Its members were recently surveyed and it reported that 30 per cent of their members had been significantly affected by COVID-19 and another 60 per cent had been somewhat affected. We are in extraordinary times and anything that can speed up the planning process is good in my book.

In the past I have been a strong advocate for housing. I know when we had such an increase in demand the long lead-in times to planning effectively helped to raise prices, but that does not mean it is broken. We had acknowledgment from the Government saying the process is not broken,

but it would be good to speed it up ever so slightly. That said, we are also not performing badly, as other members have said, when you compare us to other jurisdictions.

When it comes to this bill, there is a lot of political rhetoric. Other members have referred to that. If you look at some of the issues I just described, and what this bill will do to impact them, it will be modest at best. It is not a significant reform. We know this will be part of a package of reforms. I look forward to seeing that because it is bleak, but when you are big on political rhetoric, perhaps getting your own house in order would be a good starting point.

It was not that long ago that we were in this place talking about public infrastructure budgets and a request from the Government to increase the threshold for the Public Works Committee because apparently the Public Works Committee was holding up a whole lot of work. Potentially, there is a pattern of behaviour here looking for scapegoats, excuses and reasons for things not progressing as they should and -

Ms Rattray - That was vehemently denied by members in this place at that committee.

Mr WILLIE - Yes, I am just saying that the debate that ensued was based around that accusation. If you look at the Government's record - 20 per cent on average of the infrastructure budget in public expenditure has not happened over the six years. Master Builders and the Civil Contractors Federation have said that is an underspending of \$630 million -

Ms Forrest - A longstanding problem.

Mr WILLIE - Yes. I acknowledge it is a longstanding problem, but my point, member for Murchison, is that significant money is available, so why are we not looking at State Growth, the public service and building capacity and making sure we get projects out the door? That would be significant during this period to get those projects out to market and happening, given that economic stimulus is at a premium. I frame that debate in that way because it seems to be that we are looking everywhere else apart from our own government departments on that side.

We do not have significant problems with it. As I said, it is a modest reform at best. It is part of a bigger package. I look forward to the Government's explanation around the five days and will take a keen interest in that.

[3.50 p.m.]

Mr ARMSTRONG (Huon) - Mr President, I only have a short contribution.

I support the legislation. Anything that can be done to cut red tape I believe is good. Having been in local government, I fully understand streamlining the planning process.

One thing I hear out in the community all the time is that there is too much red tape when people go to do things, whether it is building or planning or whatever it is. This is one part of the reforms, I believe; there are more to come.

I think the member for Murchison raised LGAT. It seems to me that they possibly could have been consulted a bit better than they were or given more time.

I support the legislation.

[3.51 p.m.]

Mr DEAN (Windermere) - Mr President, I will not repeat what others have said as best I can get around that.

If you were to speak to developers, people who are developing properties and submitting development applications and so on, I think 100 per cent of them would say anything that can speed up these processes, make the time shorter, the better it would be for them. There would not be too many out there who would not support it.

However, my point is that LGAT has raised a number of issues and members have gone through those issues. The question I ask myself is: Should we just absolutely ignore what LGAT has told us? Just forget that they raised it as an issue or a concern? Or should we try to do something about it? I think that in this place it is incumbent on us to satisfy those who will be impacted by this legislation. The representatives of those bodies - LGAT represents all the local government areas in the state, and I think all local governments are now members of LGAT. I think Glenorchy now is, isn't it? I am not too sure.

Mr Armstrong - Hobart rejoined.

Mr DEAN - Hobart rejoined so I think that they represent all the local government areas.

As other members said, if the department had sat down with LGAT, I would have thought that it could have worked something out here. It would seem it supports the changes being made but it is saying some of the changes will create enormous problems. As I understand it, this bill does not differentiate between a development application for a house and one, for instance, for a Fragrance hotel or a subdivision. It does not differentiate -

Ms Forrest - Or the many other things that councils deal with.

Mr DEAN - And the many other things councils deal with.

LGAT raises an important matter - there is a national shortage of land use planners. They are not out there by the droves. That also raises a number of issues. I have been in and worked closely with some of the council planning areas. If I talk about the City of Launceston Council, in the main they are flat chat. That was the case when I was there with them. They do not have a lot of spare time, and the City of Launceston Council is the largest council in this state. What they said when I wrote to them in relation to this matter is interesting. I will just quote exactly what they said; I do not want to get it wrong. I wrote to the chief executive officer - not the general manager. When Mr Stretton came back he said this -

The City of Launceston is not overly concerned with the Bill, but do agree with the LGAT comments and suggestions.

That was Launceston - not overly concerned with the bill but has support for the issues that LGAT has raised. A bob each way. I am not quite sure what that is telling me.

Ms Forrest - They need more consultation.

Mr DEAN - I think that is about what it is saying - that there needed to be some work done with LGAT, with local government -

George Town Council came back with -

Ms Rattray - Are they a medium-sized council?

Mr DEAN - George Town is a small council -

Thank you for the opportunity to provide comments on the Bill for Ivan's consideration.

George Town Council has not formally considered the Bill however has submitted comments on its concerns to LGAT which we expect have been incorporated in LGAT's response. The main concerns relate to tighter time frames and additional resource burden on small councils.

The main concerns relate to tighter time frames and additional resource burden on small councils.

So, they are raising their issue as a small council being able to meet these time frames that this bill will impose on them.

I appreciated the briefings yesterday - I thought they were strong briefings - but I do not believe they took account of the imposition on local and smaller councils, particular with larger development applications coming to them in the way they should.

With the greatest respect to the officers conducting the briefings yesterday, the emphasis was placed on speeding up the process and having been on a council, I do not disagree with that. Having submitted development applications before a council, it is frustrating at times, but if we are saying that the councils are there and the planning sections in particular are simply waiting for work to come in, that is not right. It may well happen occasionally, but, as I said, they always have much work to do. I am in a bit of a fix here and I will wait to see what happens with the Committee because I would like to see the processes speeded up and made much easier.

A member of parliament told me the other day that he has just put in a development application for a home he is building. I think he said he had to wade through something like 60-plus pages to work out what is required, what is necessary, and what else is happening. In fact, I am just about to go through the process myself again, Mr President, and I am not looking forward to those 60, 70 or 80 pages of paperwork I will have to wade through. I often wonder why you need to do that with just a common house - when I say 'common house', I mean a normal house.

Ms Forrest - A basic house.

Mr DEAN - A better word, a basic house. I do not understand why you need -

Ms Rattray - The member had better get Hansard to change that.

Mr DEAN - Why you need 60 to 80 pages or whatever it is just for a basic home, I am not quite sure why that is there.

Ms Forrest - You are talking about a permitted use.

Mr DEAN - Talking about a permitted use. It is clear; it is all there.

Mr President, I will wait until the Committee stage to see what happens then, but I would certainly like to support the bill. We need to make changes, and, as we were told at the briefing, further changes are yet to come before us in relation to state departments and those areas to put statutory time frames for those organisations as well.

You do need statutory time frames but we have them here. It is simply decreasing some of those time frames and some circumstances.

I would like to support the bill; I certainly support it into the Committee stage when I will see what happens then.

[3.59 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I have quite a few answers here for members so I will start wading my way through it.

We started with the member for Launceston. How would the Government monitor effectiveness of the reforms, like, for example, the valid permit test?

Once statutory time frames are assigned, it will allow local government to measure and report on the compliance. Local government is already monitoring compliance so it will be added to that.

Also, a number of members talked about the time frames and the minor amendments, and I will just run through them. The members for Launceston, Murchison, Elwick and every other member has talked about the time frames. At the moment, the councils have 14 calendar days to determine if the information provided by the proponent satisfies their request for further information. It is the intention that the amendment outlined in clause 7 is to shorten the time frame to five working days, whereas before it was 14 calendar days. In considering whether this time frame is reasonable, it should be remembered the council has already considered the original permit application in its entirety and this is simply a request for more information when the council considers there is a deficiency.

Having made the request, it is reasonable that the council will be able to assess within a week whether the request has been satisfied. The council will be looking for the developer to provide (a), (b), (c), (d) and (e), or whatever they want, and it should be a relatively easy assessment when it comes back to say whether they have addressed those. We think that five working days should be enough to supply that.

Mr Valentine - It does not take into account that it might have to go to two or three different units within the council to assess that. That is the difficulty.

Mrs HISCUTT - Yes, well, they should know what they are looking for because they have asked for it. It is not like they have to search for their questions again. If the information provided does not satisfy the council, they can stop the clock until the information provided does satisfy their request for information. In all accounts we consider the amendment quite reasonable; I ask for the support of members when we get to that part in committee.

Members also talked about minor amendments - the members for Launceston, Murchison and others. The bill does not alter the definition of a minor amendment under LUPAA, as the member for Hobart explained very well. However, we may seek to review the definition under future tranches of this regulatory review through the IDC, but it is not part of this bill.

The member for Murchison asked what measures there are to ensure local procurement. The Government is committed to local procurement through the Buy Local Policy and that policy is weighted on local suppliers. This bill does not affect the Buy Local Policy, and it will be good for the Buy Local Policy.

The member for Murchison also asked about the status of the single statewide planning scheme. The majority of councils have now lodged their local provision schedules with the Tasmanian Planning Commission. The first of these are expected to be approved shortly, enacting their new schemes. This is an independent process that is being handled by the TPC, which does not form part of the regulatory reform process as it is totally separate to government. It is well underway.

Ms Forrest - I have heard that a lot of times.

Mrs HISCUTT - Well, we have been through it with the Central Coast, let me tell you.

The member for Murchison also asked if future tranches of reforms enshrine IT and communication connections. The Government is working through a raft of additional reforms through the IDC and is not opposed to looking at connections and the like. It should be noted that the NBN connections are not within the state jurisdiction.

Ms Forrest - It would be good to talk to each other, surely? It is a poorly integrated system.

Mrs HISCUTT - It would be nice, yes. We can commit to providing the draft regulations to members for perusal prior to their introduction by the end of the year. You wanted that on *Hansard*.

The member for Murchison and others noted the change from 14 days to five days. The recommendation provided to LGAT was in line with the bill. While LGAT did not provide advice on the bill per se, the content of the bill directly reflected the proposed recommendations. The high-level consultation with LGAT was done for two-and-a-half months. The recommendation to reduce the further information request was made by a qualified planner with experience in local government as well as the private sector, so there is certainly a group of people who would like to see it shortened.

The member for McIntyre also asked if there is any room for negotiation. The bill does not allow room for negotiation, but I said earlier that if the information provided does not satisfy the council, they can stop the clock until the information provided satisfies their request for information.

I thank honourable members for their thoughtful contributions. Thank you very much, Mr President.

Bill read the second time.

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

In Committee

Clauses 1 to 3 agreed to.

Clause 4 -

Part 3, Division 5B inserted

Mr DEAN - This covers all these subclauses; you are not calling each individually?

Madam CHAIR - Not unless you indicate you have a number of questions on each subclause.

Mr DEAN - No, I only wanted to raise proposed section 44M.

Madam CHAIR - That is fine. We have called clause 4 as a whole. If you have questions about other parts of it, feel free to raise them in the same question.

Mr DEAN - This was answered yesterday in a briefing and it needs to be on the record. Clause 4, proposed section 44M(2) says -

A planning authority must, within 5 business days after receiving under subsection (1) a notice in relation to an application for a permit, provide a copy of the notice to the person who made the application.

What is the position when the council cannot do that? It says 'must', but what if for some other reason they cannot and do not do it?

Mrs HISCUTT - I thank the member for his question. We believe it is a reasonable time frame. There is no penalty attached to this, but it sets an expectation that it would be done.

Mr Dean - If it is not done -

Mrs HISCUTT - There is no penalty, but it raises the expectation that it will be done and we feel that is a reasonable amount of time.

Mr DEAN - My question is: If it is not done, what happens? Do they get it done whenever they get around to it? Is the application deemed approved?

Mrs HISCUTT - In this particular proposed section, the application is not deemed to be approved. The expectation is it will be done; it is setting an expectation. We did not want to put any penalties in the legislation because there will be occasions where it is not, but the expectation is that it will. The expectation is that if it is not, it will happen as soon as possible after that.

Mr Dean - It is not an expectation because it said 'must'.

Mrs HISCUTT - Yes, we hope that it will but there is no penalty attached.

Mr VALENTINE - Proposed section 44O relates to the regulations. For the record, how much consultation was there with the entities on regulations being set and what was their direct response? I may not get a total answer, but I would love to know whether they very positive or whether they had concerns.

Mrs HISCUTT - The minister's office had discussions with TasWater and TasNetworks, and it certainly was agreed that a reasonable standard of service expectations should be presented. They

will be discussed and consulted as the regulations go through. Of course I have guaranteed that members will see those regulations. The two entities - TasWater and TasNetworks - understand there should be a reasonable expectation here.

Clauses 4 and 5 agreed to.

Clause 6 -

Section 51A inserted

Mr VALENTINE - On reading clause 6(4), it is not immediately clear what exactly is happening here. If you take the commas out, you might get a statement like -

If the planning authority has not demanded payment of a fee ... for an application for a permit before ... the day on which a person lodges ... the application for the permit ...

... the planning authority ... is not entitled to refuse to take any action in relation to the application for the permit ... and

... if it is a valid application ...

Surely the application has to be received before a demand for payment can be made? Maybe I am reading that the wrong way - it is all the commas. I am sure if members read that clause, they will find it a little confusing. The secret might be in the component of that clause -

If the planning authority has not demanded payment of a fee, under a relevant legislative instrument ...

Something in the subclause 'relevant legislative instrument' is causing this to be so complex for an application for a permit before or within four days after. It seems a little odd to me and I would like some explanation about how you can demand payment before the application is lodged. Maybe the website handling this expects payment to happen at the same time, but it says 'before', and I am concerned.

Mrs HISCUTT - It says that if the person has lodged the application within the four days, it then becomes a valid application. The Office of Parliamentary Counsel - OPC - has evidently spent a lot of time working on this and I am pretty sure it has it the right way around.

Clause 6 agreed to.

Clause 7 -

Section 54 amended (Additional information)

Ms FORREST - As I foreshadowed in my second reading contribution, I urge members to vote against this clause. I do so not because I do not agree with it entirely, but because councils were not directly consulted with on this particular aspect. From what we are hearing, it will have significant impacts on councils, large and small. Some middle ground could be worked out, either a process to get to an agreement as you, Deputy Chair, raised in your contribution, or a different time frame. However, what I am hearing from the councils I represent is that five days is too short a time when you get complex documents.

The development application has already been looked at and the overall design and all that have been provided, but, as LGAT indicated, councils have to get the expertise in and this can make it particularly problematic. This was raised when I talked to King Island Council, because that council has to outsource this work - they cannot afford their own planner; they do not have enough work to have a full-time planner, anyway. I am sure it is the same on Flinders and with the other small councils.

There is an answer here for this and in making the numbers add up by the 42 days. I am not asking you to scrap it altogether. I am asking you to vote against it now, send it off for consultation with LGAT so the Government can work with LGAT and their members to determine the best framework to go forward with - whether a different number of days or having a process that allows them to negotiate an extension or whatever.

Making it hard and fast - it is five business days and that is it - is extremely problematic so I urge members to reject this clause at this point. We have been told we are going to get a significant number of bills related to these sorts of reforms. It would be easy to bring this back in the next bill, once it has been consulted on and a position has been agreed to.

As the member for Mersey alluded to, the agreement struck between the two levels of government, local and state, should be respected. It has not been respected here. There is a rush to try to tighten things up. It is not getting rid of any red tape. This does not get rid of any red tape - the Leader said that herself. It tightens up the tape a bit, but it could risk strangling the council if they cannot meet the obligations.

Let us get away from that red tape reduction rubbish with regard to this bill. It is not that. It is trying to tighten some of the processes, but to the point you could strangle a council or make it really difficult for them to meet their obligations.

I ask members to vote against this clause - not because we disagree with it entirely in its intent, but because of the way it has happened: without that consultation and with the rigidity around the five days. There will be an opportunity in August to come back with something else. I urge members to vote against the clause.

Mrs HISCUTT - As you can imagine, the Government has listened very hard to the constant theme coming through from members' contributions today.

After a bit of discussion with my advisers, if the member for Murchison is happy to withdraw her plea to vote against this clause, the Government is happy to move it to a seven- or eight-day thing now as a compromise, as the honourable -

Ms Forrest - We do not know if that suits LGAT, though. My point is that there has been no consultation with LGAT about what is the best. Maybe the member for McIntyre's, the Deputy Chair's, suggestion was a better one. I do not know; it has not been consulted.

Mrs HISCUTT - We were listening to the Deputy Chair's comments about negotiation, and listening to all members' comments about the time frame, and at the minute it is 14 calendar days -

Mr Dean - It is 10 days, really.

Mrs HISCUTT - ... and we wanted to drop it to five working days, so there is a middle ground there. I do not think eight days would be too difficult -

Mr Dean - It is only two days less -

Mrs HISCUTT - Yes, we are trying to get the construction industry moving. This would help a little bit.

Mr Dean - Why can't you defer the whole bill and talk to LGAT about it?

Ms Forrest - Just consult with LGAT and bring it back in August.

Mr Dean - You could bring it back tomorrow.

Mrs HISCUTT - I do not think so. The members are either going to vote against this clause - and if that is the case, I will try my luck with an amendment later on, with an eight-day or a seven-day. We will discuss that and see how we go.

Members might be inclined to do as the member for Murchison is asking and support an amendment, but we will try because the Government is willing to negotiate.

We have heard what you said about the smaller councils and their struggles, and this would reduce the time by two days, which would help get things just a little bit quicker. Of course, the main intention is to get construction rolling, and the way to do it is to tighten up some of these rules.

I urge members not to vote for the member for Murchison's motion -

Ms Forrest - I am not; I am just asking them to vote against the clause.

Mrs HISCUTT - Yes, vote against the clause. If you do not, I will guarantee that I will bring in an amendment for eight days.

Mr ARMSTRONG - For clarification, the motion to vote against the clause -

Mrs Hiscutt - There is no motion, just a vote against the clause.

Mr ARMSTRONG - Yes. If the vote against the clause is supported, does it then default to the 10-day period?

Mrs Hiscutt - The 14-day period.

Mr VALENTINE - Does the Government believe there is a risk to the councils' ability to properly understand what is being proposed? It is actually going from 14 days, which includes weekends, down to five. So we are saying it is basically going from 10 days to five days; you are halving the time.

I agree with you in the sense that making it eight days might be a compromise, but the point is that this needs to be worked out between the two spheres of government, not in an ad hoc fashion on the Floor, to my mind.

Can the Government see that this will compromise local government in terms of its ability to understand what is being put before it, because the time frame has been shortened so much, especially with major projects?

Mrs HISCUTT - The Government has received advice that the change to five working days is practical and achievable. It will require councils to focus on this aspect of the approval process, but nonetheless we maintain that small changes like the proposed amendment to the 42-day time frame enshrined with LUPAA is deliverable.

We think that the five working days is practical and achievable, but after listening to members' concerns on the Floor here today, the Government is quite happy to come to a negotiated halfway point with members who feel that five days is too short, but 14 days is too long. I just hope members might accept my compromise.

Mr GAFFNEY - I am sure LGAT is listening to this debate, and perhaps many of the councils, general managers and planners want to understand what goes on here.

I think it would be wise to adjourn this part of the process, then start from here - contact Katrena Stephenson and LGAT and say, 'You have heard the debate - is there some leeway that you could go to? Because it is either going to be five days or remain at 14, or a negotiation in between.'

They can come back to us tomorrow and say, 'We have spoken to LGAT; it is not willing to move because it thinks it has the numbers and it will stay the same', or, 'We have spoken to LGAT and it thinks yes, it could live with eight or nine days' - or whatever it could be - and then we could deal with it tomorrow.

Ms Forrest - Are you not ignoring the intergovernmental agreement you spoke about?

Mr GAFFNEY - Yes. But LGAT did not raise that as a major issue because of what it said it was trying to do. I still think that is an issue, but that is me. I think we should do that.

But in this situation, if LGAT, representing its community, representing the councils - and they will be listening to this debate - says, 'Yes, we are willing to talk, we can come back tomorrow' - or it might say, 'No, we do not believe that we should, because the intergovernmental developmental agreement has not been agreed to'. That has happened on other occasions as well; this is not the first time. I think that might be a solution, because then we will get information from them, coming back here in a negotiated way. They might say, 'No, we do not want a bar of it, and we will defeat this', and it will probably come back in August.

I would consider that might be a positive step forward, instead of us trying to guess what LGAT might want. That is the point raised.

Mrs HISCUTT - My advisers are very happy to postpone this clause, and make that phone call now and discuss it with LGAT, with Katrena Stephenson, if the members are of a mind to do that.

Ms ARMITAGE - I certainly have some concerns, as I mentioned in my second reading speech. Some assessments will require analysis of safety and involve potential hazards and will be a lot more difficult to simpler applications.

Is there a penalty if they go over the five days? I have been reading the act and I cannot find whether there is a penalty. If there is no actual penalty for going over five days - obviously it was 10 days before and now we are taking it back to five - even if it were to be made eight, I cannot see an issue if they are required to take extra time and they are not penalised.

Mr DEAN - I listened to what the Leader said in relation to negotiation of the change of days delay. What will an extra two days mean? If we look at section 54(3) of the principal act, where the planning authority has sought additional information, the additional information has been provided, and then the council has, as I interpret this amendment, five days to respond to say whether that additional information has been received. Looking closely at this, I would think a council ought to be able to tell a person that the additional information they have received is not satisfactory or does not meet what they wanted,

Ms Forrest - Not if it is really complex.

Mr Valentine - It has to go to several units.

Mr DEAN - Looking at that, it is whether the additional information provided by the applicant meets and addresses what the council has been seeking. I think that even with a complex situation, the process would not take any more than five days.

Ms Forrest - That is not what my councils are telling me, the smaller ones particularly - well, they are all small really.

Mr DEAN - LGAT raised it. The member is right. I am happy with, and would support, the Leader's position - that this section be postponed for the purposes of further discussion with LGAT to see whether its position might have changed or whether it can accept something else. If you are going to change from five to eight days, that is quite frankly a little bit silly. I cannot see what an extra two or three days will mean.

Either the amendment will be accepted or you change it to 10 business days rather than the 14 days - the amendment reads worse than it is when it says 14 days to five days. We have already discussed that. I certainly support the Leader's position of deferring this clause until tomorrow, and those further discussions can take place.

Mr VALENTINE - This is not a second reading, but the member has raised the issue of taking the time to talk with LGAT on this. How is LGAT expected to be able to consult with its councils in this time?

Mr Dean - They have already done that.

Mr VALENTINE - They cannot effectively.

Mr Dean - They have already spoken to their councils.

Mr VALENTINE - No, but to know whether eight is good enough. Some of them might be 14. Some of them might say to leave it as it is. It is putting LGAT into an awkward situation by expecting it to give an answer on this straightaway.

Mr Dean - The member makes a good point because the Launceston City Council has already said it is fairly happy with it in some respects.

Mr GAFFNEY - To clarify: this does not put LGAT in a difficult position because once LGAT is asked the question, it can say, 'No, we will not be moved; no, we will not have five; no, we have not had a chance to discuss this' - although it has - or it can come back and say, 'We have had a ring around; we have communicated; everyone is happy if we go with nine, eight days or whatever.'. The LGAT CEO will not come back with a decision or a point of view unless she has had that discussion. She would not do that. All we can do now is say, 'Go and talk, come back and provide us with an update and you may not know where it might go.'. That is the right way to operate. If they come back with, 'We are happy with this', then we will have further discussion.

I think we should just postpone this clause.

Ms FORREST - The right way to do it is consult in the first place. That is the right way to do it. The right way to do it is to abide by the intergovernmental agreement you spoke about yourself, member for Mersey, saying that that is how you do it. You give LGAT time to talk to its members through the processes being agreed.

I have not rung the councils outside my electorate. I have little enough time to deal with the ones I have, with more than some, not as many as others.

The consistent message I have received is that this has not been consulted. Councils did not know about this particular provision and it is too short in time, particularly for some of them. I have only small councils - Burnie the biggest, but it is not that big compared to Launceston and Hobart, for example.

To be fair to the process, we should vote against it. Let the Government go and do its proper consultation, under a proper framework. It has a consultant and all that sort of thing now, anyway. Come back in August with an agreed position that has been properly consulted.

It is not as if this is going to change. This is not going to promote building in the next three months. This will make no difference at all to building in the next three months. It is not going to contribute to a construction boom in the next three months. It is complete rubbish even to suggest it would. It will make no difference at all.

If you have complex information to deal with - I know some councils do and that they have one person who has to do the lot, or they have to pass it around four or five different departments. Let them work out what is reasonable and then think about whether a penalty needs to be included, as the member for Launceston referred to. There are no penalties at the moment for anything. That is one thing that might be considered in the future to try to add a bit of weight to the decisions we make here.

At this stage it is not on the table; maybe it will be later. Show some respect to the process, show some respect to that arm of government, as the member for Mersey said, and properly consult, and then bring it back to us consulted. This has created concerns. Launceston City Council - it is fine for them, but they are one of 29.

Let LGAT go about its business - not get it to ring around in the next hour to find out whether this council supports it or that one does not. If five of them say yes, four say no and nine say we do not care, then what? Give LGAT time to come to an agreed consensus agreement so when we come to this place, we can impose restrictions, requirements or conditions on councils' management of planning - decisions that are properly informed.

I still stand by the view that we should vote against the clause. Let the Government consult properly on this with local government. I have never been in local government, but I talk to them. I contact my general managers regularly, to see what is happening and what some of the challenges are. I contacted my general managers to discuss this, and most of them did not know about it at all. They knew things were happening, but they did not know about this.

I said to them, 'This is why I want you to comment on these matters here. You can comment on TasNetworks and TasWater if you like, but these are the things I particularly want you to comment on.' That was the feedback I received.

Let us be reasonable and let us be fair - and not just make decisions on the run about what we think our councils and what the Local Government Association of Tasmania might like. Sure, LGAT can make a quick decision on this, but it cannot properly consult with all its members in that time frame. Let us give it time to do that by voting against this clause.

Mrs HISCUTT - We have made a phone call to LGAT. We are waiting on some advice, so respectfully, in light of that phone call and what the member for Murchison is trying to do, I propose that clause 7 be postponed.

Clause 7 postponed.

Clause 8 -

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

Mr ARMSTRONG - This clause reads -

... A planning authority that receives a request under subsection (1) to amend a permit -

- (a) must, within the 28-day period after the request was received, amend, or refuse to amend, the permit ...

If they do not answer within that time period, what is the default position? It is deemed approved, or ...

Mrs HISCUTT - These time frames are designed to set a standard, an expectation. There is no penalty, of course, but it is expected that this will be done within 28 days. If it is not, there is no penalty. It just sets an expectation for councils to follow.

Mr ARMSTRONG - Following from that, that can continue on and on. Is there a time frame? An answer has to be given.

Mrs HISCUTT - There is no set time frame. Currently it is 28 days. It sets an expectation that it will be followed. After a year's time the Government will look at it, and if there is a large noncompliance or compliance, it will be assessed. You will find that if there is a large noncompliance with the 28 days, the Government will look at it to see what it can do to fix that.

Mr VALENTINE - As I said before, the council I consulted with did not have any objection to a time frame being introduced, but can you confirm for me that they do not have the ability to request information such as you would for a development application under section 54, as I said in

my second reading contribution? I just need to ask that question - can they request further information? With respect to the amendment put forward, they are likely to refuse it if they cannot get the information they feel they need.

Mrs HISCUTT - Is the member asking that if an application is made for a permit for a minor amendment, the council has the ability to request further information on the minor amendment? Yes, the council can certainly ask for more information. However, having said that, a minor amendment is something minor. It should not need more information, but if it is to request information, yes, they can get it. It does not particularly stop the clock, bearing in mind this is a minor amendment. It is very simple.

Mr VALENTINE - I understand that, but it is good to get on the *Hansard* that they can ask for further information. With regard to it being an absolute time frame, do they not have any ability to be able to extend that by agreement with the applicant?

Mrs HISCUTT - It is considered that 28 days is ample and sufficient time for a minor amendment. This is minor. I know the member is aware of what minor is, but we feel that 28 days is ample time.

Mr DEAN - I want to raise an issue I raised previously in another clause. I am not surprised people get confused when they are trying to understand legislation and what it really means.

The clause uses the word 'must'. 'Must' provides no wriggle room whatsoever. None. 'Must' is not an expectation. If you look at the dictionary meaning of the word 'must', it says you have to do it. Now what you are telling us that there is only an expectation that will happen. In other words, if councils do not comply, it does not matter too much because there is only an expectation. That is what you are saying.

Why would not the word 'should' or something else be used? We are only talking about minor amendments. I wonder why we use the word 'must'. I do not want to question Robyn at all or OPC in any way because they are very astute and put together legislation absolutely wonderfully well, but I wonder why that is the case.

Mrs HISCUTT - It is the same as I said before. It is to set a degree of expectation that people could have. The Government will be looking at noncompliance with this in another year's time and if it sees that something needs to happen, it will. At the moment, we do not wish to put penalties there yet, but that will be looked at.

Clause 8 agreed to.

Clauses 9 to 14 agreed to.

Postponed clause 7 -

Section 54 amended (Additional information)

[4.48 p.m.]

Mrs HISCUTT - After discussions with Dr Katrena Stephenson, they are happy to support the eight days. I have an amendment drawn up that I would like to put forward now.

Madam CHAIR - Before I ask the Deputy Chair to take over the Chair, I remind members that the calls honourable members have already had on this clause already count. It does not start again. For clarity, the member for Launceston has had one call; the member for Huon has had one; the member for Windermere has had one; I have had two; the member for Mersey has had two; and the member for Hobart has had two.

Madam DEPUTY CHAIR - I remind members that each member has three calls on the amendment. The honourable Chair indicated how many people had spoken on the substantive question. On the amendment, every member has three opportunities.

Mrs HISCUTT - Madam Chair, I move -
That clause 7 be amended by:

Leave out '5'.

Insert instead '8'.

Ms FORREST - Madam Deputy Chair, this is being boxed into a corner. What happens here is that if I can convince members to reject it, we are back to the five. This amendment relies on people rejecting the clause, so it is a bit of a political game we are playing here.

Having said that, I go back to my point that this has not been fully consulted.

Mrs HISCUTT - Madam Deputy Chair, I take offence to the political games. We were were trying to compromise.

Ms FORREST - But the point is, Leader, is that now it relies on -

Mrs Hiscutt - It is just the political game part.

Ms FORREST - My point, Madam Deputy Chair, is that I am now boxed into a corner here. My councils are saying that we need to discuss this more broadly, more fully. If LGAT had a phone call saying, 'Will you accept eight?', of course they will accept eight rather than five. Of course they will, because that is what they have said in their message. That is what the councils are saying - that five is too short.

Would they prefer to be consulted? Would they prefer it to be put off until August? Did you ask them that? Did you ask them that, Leader? Would they prefer to put it off and have proper consultation so all their members could give input? Did they talk to Greg Alomes in King Island? Did they talk to Shane Crawford in Wynyard? I am talking about Sean, who is acting in Burnie at the moment. I think Andrew is still there.

But did they talk to all of these general managers and to the mayors to ensure that this is okay? No, they have not. Because how could you have possibly - in the time we stopped here to when we got to there - have rung them all and got them?

I think it is really unfortunate that we are ignoring the intergovernmental agreement that has been struck between the state and local government to undertake a proper consultation process.

A quick phone call to LGAT is not proper consultation. It is not like we are going away for six months now. We are back in August. There is more legislation coming. We have been told that. Yes, eight is better than five. But even better than that is voting against the clause as it stands. We can get eight, then we can vote against the clause at eight if it has not been properly consulted. It is unfortunate we find ourselves being required to try to read the minds of all the councils and that we are basically passing judgment on the basis of a phone call to LGAT on something that actually does impact them, because we know it does.

I am disappointed we are going down this path rather than just saying go back and consult on it, but that is the position we are in at the moment.

Ms ARMITAGE - I hear where the member for Murchison is coming from. As I mentioned before, I think five days is reasonable for a simple application, and I have questioned whether the complex applications might need more.

However, LGAT is tasked with representing councils. Some councils might want 21 days, some might want 28. Eight days is two fewer than they had before, which was 10, because it was 14 days and 10 working days.

The member for Windermere and I both received the same response from Launceston, in that it agrees with LGAT's comments, but does not really have any great issues with the bill.

Also - I think it was in the comments from the member for Windermere - what they are tasked with is looking over the information they have received to decide whether it satisfies the requirements or whether it does not.

Five days, eight days - obviously each council would be different.

However, the other thing that comes to me is that if a smaller council has a problem, it is not going to be penalised at this stage. Whether they put penalties on that is something we can vote on if another tranche of legislation comes back, but at the moment they are not penalised.

I am sure if they take 20 days for some reason - a smaller council may only have a planner who comes in once a week or a couple of days a week, and they are rushed with building work - they are not actually going to get fined or penalised. I think it would be considered reasonable in the circumstances if they can justify why - and that they do not even have to justify it, because it is not as if they are going to be fined some huge amount, or something is going to be deemed approved or deemed to go through.

I understand where the member for Murchison is coming from, but I do not see a real issue here. Eight days is reasonable. LGAT has accepted it.

What I come back to is there is no penalty for going over eight days anyway. They can go over eight days, they can take 10 days, they can take 12 days -

Ms Forrest - They can go over 42 without penalty, too.

Ms ARMITAGE - That is the thing, they can. It is simply putting forward an expectation of them, rather than something locked in or set in concrete, so I really do not see the issue.

I was satisfied with five, mainly because if they went to eight, or they went to 10, or they went to 18 days, for whatever reason, no-one is going to hit them with a big stick or give them a great fine, so I really do not see the problem.

I understand small councils have issues, but I feel like I am repeating myself again and again. There is no penalty.

Mr DEAN - I was going to say that in this place we spend a lot of time on insignificant things, and we do. Let us be reasonable - we are talking about two days.

Ms Forrest - It is the lack of consultation we are talking about.

Mr DEAN - The consultation. An approach has been made to LGAT. Often, in bills and amendments we discuss in this place, we will go back during that process and talk to the people involved. It is not an unusual position we have adopted.

What they have done today is exactly that. They have approached LGAT - the body that supports all the 29 councils - and LGAT has come back and said that the eight days is acceptable to it as a position moving forward.

Why do we not accept that? Why can we not accept that, for goodness sake? LGAT would have spoken to its councils in this whole process. I suspect with LGAT making that statement, no council has come out - or there might have been one or two - and said it can never ever work under the 14 days or the 10 working days.

LGAT is answerable to its councils. If it comes out and makes these outlandish statements that it will accept this and will not accept something else, I do not think the councils would be all that happy or pleased.

I have been there where that has happened. I have been with the Launceston City Council when LGAT has made some decisions that the Launceston City Council at that stage did not agree with and became quite upset about - and one occasion, the council threatened to withdraw from LGAT. The member for Launceston may remember because of that very reason.

Here we have LGAT agreeing to this, knowing it is on fairly firm ground. It is obviously a better position than the one we have. I do not see much between five and eight. Eight days gives them an extra three days, and I want people to support the amendment.

The member for Launceston raises a very good point. If they cannot meet that time, there is no penalty to be imposed. I do not like the words used in all of this, the 'must' and 'expectations', but that is another issue. It is common sense and we need to move on. This is a fairly minor issue and, for goodness sake, support it and let us move on.

Mr VALENTINE - To me, the real principle of the intergovernmental agreement is at stake here. Why have that agreement if we are not going to properly engage with them on things like this?

Mr Dean - We have. LGAT is happy.

Mr VALENTINE - No, we are talking about proper engagement on this particular issue. We are not talking about the broad aspects; we are talking about this particular matter which actually affects their operation.

I know how my council feels but I do not know what the King Island, Southern Midlands or Northern Midlands councils feel about it. You might say eight days is better than five, but if 10 days is really needed by some councils in certain circumstances, they need some flexibility.

Mr Dean - It will have that. An expectation.

Mr VALENTINE - No. It is an expectation that says 'must' and because there is no penalty involved, why put it there if there is no penalty involved? Why put that stricture there? It is a silly thing to do. Proper consultation needs to happen under the intergovernmental agreement, otherwise why have it?

Mr GAFFNEY - I was surprised at the response, that LGAT came back so quickly. Any person asked about that situation would need to check that with not only the person they work for or work with, but also the other people involved at an LGAT representative level, whether that be mayors, deputy mayors or presidents of that.

I thought I best check and the response to me, to be fair to everybody, is that LGAT's preference would be 14 days is better than five. If it had to take the five, it would prefer to take the eight. That is how it has been termed to it, but I do not think it would move from its initial position if it realised that was not going to be changed.

If we voted against this, that would have been LGAT's preference but there could be room for consultation. There has not been enough time for LGAT to come back to this place with the response saying it would accept the eight days, knowing that more than likely we would have voted this down and it would not have to change at all. That is the issue I have now.

In saying that, I will not be supporting the eight days, even though it is a better position than what they could have. It is one they could work with. I am not satisfied the process undertaken in the last 30 minutes has been clear and I am not sure the people who are being asked to make some decisions have the backing of the whole sector. I will not be supporting the eight days.

I will still support an adjournment until tomorrow to see if they can come back with something in writing from the LGAT CEO saying they have had a chance to talk to the president and other people involved in this. I hear what you are saying. They have elected people as president and executive to represent them and, therefore, if we received correspondence tomorrow from the CEO that had been signed off by the president, as a group we have done the right thing. That is my input.

Ms FORREST - Here is another way around it. If the amendment were agreed to, we could still vote against the amended clause. What you do is you agree. I absolutely back you, member for Mersey - I agree with all the comments you have just made, but if the amendment were supported, we would still have to vote on the amended clause and at that point you can vote against it. So you end up with eight as the worst outcome and the status quo as the best outcome.

Mr Valentine - Are you saying to defer this till tomorrow?

Ms FORREST - No, I am not suggesting that; I am saying -

Mr Valentine - That is what I am saying - support the clause.

Ms FORREST - Yes. That is one way around it or you can defer it, but you would have to withdraw the amendment to do that. We have wasted enough time on this.

Mr WILLIE - I said I would take a keen interest but I have just been observing with interest.

Mr Dean - I can understand.

Mr WILLIE - I will go back to the point I made in my second reading contribution: the impact of this bill will be modest. This is an aspirational target, effectively. There is no penalty involved if they do not meet the time frame. LGAT has given its position and said the eight days is okay. I do not think it is up to us to question its process around that or how it has arrived at that. That has been agreed to in LGAT's name and the consequences of that are up to LGAT.

Mr Gaffney - It all depends on how the question was framed.

Mr WILLIE - They are representative of local government. They have given that position. The consequences of that position are for them and local government.

Mr Gaffney - I know about local government, Mr Willie, but what happened is that the phone call was made and was the question, say, 'Would you accept eight instead of 5?' Is that the right question?

Mr WILLIE - They could have maintained their position and said, 'We still disagree with it'. They are quite entitled to do that, too.

Mr Gaffney - It might have been passed and they would have been stuck with five.

Mr WILLIE - We are going around in circles here. I go back to the point this is an aspirational target. There is no penalty involved. We are happy to support the eight days.

Amendment agreed to.

Clause, as amended -

The Committee divided -

AYES 8

Ms Armitage
Mr Armstrong
Mr Dean
Mrs Hiscutt
Ms Howlett
Ms Lovell (Teller)
Ms Rattray
Mr Willie

NOES 4

Ms Forrest (Teller)
Mr Gaffney
Mr Valentine
Ms Webb

PAIRS

Ms Siejka

Mr Finch

Clause 7, as amended, agreed to and bill taken through the remainder of the Committee stage.

MOTION

Legislative Council Select Committee Inquiry into TasWater

[5.16 p.m.]

Ms RATTRAY (McIntyre)(by leave) - Mr President, I move -

That a Select Committee be appointed, with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place, to inquire into and report upon the operations of TasWater with particular reference to:-

- (1) the impact of compliance by regulated bodies;
- (2) operations in regard to the impact on business required to comply with Trade Waste regulations;
- (3) the opportunity for re-use water expansion for irrigation;
- (4) the management of sewage treatment including the disposal of the treated waste biosolids;
- (5) the effect of TasWater's dividend policy on Local Government revenue;
- (6) the delivery and timeliness of water services to Tasmanian communities;
- (7) the effectiveness of business operations since the State Government became a shareholder in early 2019;
- (8) the impact of COVID-19 on business operations; and
- (9) any other matters incidental thereto.

And that -

Mr Armstrong;
Mr Dean;
Ms Lovell; and
the Mover

be of the Committee.

Mr President, I will take this opportunity to speak to that motion.

First, I thank honourable members for supporting my request to seek leave to put this motion forward. I had a timeslot allocated for noting of the Tasmanian Irrigation annual report, and I have chosen to do this instead of taking that opportunity, so I will not proceed with that at this time.

Thank you very much.

Mr President, Legislative Council committee inquiries, in my view, are very important features of the scrutiny role undertaken by this Council, and deliver positive outcomes for everything I have seen through the committee process.

For example, in respect of the Legislative Council select inquiry into the future management of water rights and associated assets administered by Tasmanian Irrigation Pty Ltd in 2017-18, Tasmanian Irrigation to its credit acknowledged about halfway through the inquiry the concerns raised through inquiry process and addressed those matters. The entire report changed quite considerably once those matters were addressed by TI, which made significant changes to its management and communication processes. That was a very positive outcome, and a good example of the benefit of the inquiry process undertaken by a committee of this House. I wanted to set the scene somewhat for the request for this inquiry.

It is a well-known fact that I have been working with a number of my communities over the past couple of years in regard to water quality for some communities. Boil water alerts have continued to be an issue for TasWater and trade waste has been a significant issue for small business.

I took the opportunity to write to Government Administration A on a couple of occasions over that time, seeking its input and whether it would have an opportunity to undertake an inquiry into those matters. I acknowledge that the committee was somewhat specific at the time - I very much appreciate the committee looking at that request - and declined those requests for obvious reasons with regard to their more specific nature. The committee encouraged me to continue to work with local government councils and with the business community regarding trade waste, and to continue to liaise with TasWater.

I have done that and, to TasWater's credit, it has continued to respond to my emails and my calls. I very much appreciate that it has done that. The establishment of this committee is about having a vehicle for a more detailed inquiry into a number of issues that continue to be raised with me. I am sure other members have issues with TasWater that need more thorough investigation.

I know that all members would have received a letter from the chair of TasWater, Dr Stephen Gumley AO, signed jointly by Doug Chipman, the Chief Owners Representative. I put on the record that I received a call from a representative of TasWater, alerting me to the fact that this would be distributed, from memory, on Monday, 22 June. I appreciated that they did that. I am not going to read any of it, but I will pick out a couple of points made by the two gentlemen who signed the letter on behalf of TasWater, asking members not to support the establishment of this inquiry. I acknowledge they have every right to do that.

However, when the general business enterprise hearing scheduled for December 2020 is referred to as 'an opportunity for an in-depth look at TasWater's operations', I provide members with the following information - the hearing is for about two hours, or thereabouts, once a year alternating between the Legislative Council and the House of Assembly. I asked my assistant Melissa, who kindly provided the time frame for that. In December 2018, TasWater was scrutinised by the Legislative Council as part of the GBE scrutiny process and questions were resolved. That hearing was one-and-a-half hours of scrutiny. In December 2019, TasWater was scrutinised by the House of Assembly as part of the scrutiny process, and that was two hours of scrutiny. To say that is in-depth scrutiny - well, I would argue that it does not give you a lot of time to really drill down into specific issues.

Every member in this place will appreciate, and I have a very clear understanding, that I have had to cut off members from asking questions through the GBE process because other members were waiting for a question, or we just did not have the time allocated to be able to drill right down into issues. I acknowledge they do have some scrutiny with the parliament, but to say that it is an in-depth amount of scrutiny, I would argue that it is not, in my view, in-depth.

The state Government has become a financial key stakeholder in TasWater on behalf of the Tasmanian Parliament to the tune of \$20 million a year, and that is a commitment over 10 years. It is a significant investment on behalf of Tasmania. I argue this inquiry will be an opportunity to see how those things are tracking, because that was from 1 January 2019.

COVID-19 will be a challenge for any business. We know that TasWater has made some changes to how it is dealing with its business model at this time, and we know the dividend to local government is not going to be as it was previously. I want to know what impact that will have on local government and the services it delivers to communities. Some might argue they will not know what that impact is. They will have a fair idea of what sort of impact that will be because they have in place some particular processes at this time around what they are prepared to do regarding community support and how much relief they have given to businesses.

We also know that TasWater works under significant compliance with regulated bodies. The list is quite extensive, and I have taken the opportunity to list them. TasWater operates under the Water and Sewerage Industry Act 2008, Environmental Management and Pollution Control Act 1994, the Public Health Act 1997, the Land Use Planning and Approvals Act 1993 and the Water Management Act 1999, and the TasWater Constitution, and the Shareholders' Letter of Expectations.

TasWater is regulated by a number of bodies, including the Tasmanian Economic Regulator, the Environment Protection Authority, the Department of Health, and the Department of Primary Industries, Parks, Water and Environment.

It has significant compliance there, and being able to explore that compliance requirement may well shed some light on the particular way TasWater runs its operations. I believe that is really important.

The letter we received from the board and the Chief Owners Representative, Mr Chipman, talked about the 2017 select committee inquiry into the operations of TasWater. That was as much as anything about the Government taking over the operations of TasWater. It was not where we looked at trade waste or biosolids issues. We did not drill down into some of these areas which I believe a select committee inquiry would be able to drill down into.

The letter also talks about the negative impact that an inquiry might have on the resources of TasWater. I expect, if this motion is successful - and I sincerely hope it is - that by the time the committee is established and able to call for submissions, there would be a significant time frame around that. Committees are mindful that organisations need time to prepare submissions. It is not going to be within a very short time frame; it is going to give that opportunity to prepare submissions.

As for the GBE process, information that comes out of that may well be able to be put into the inquiry process as well.

This is not going to happen overnight. It is going to take some time. There are nine terms of reference. An organisation might decide to make a submission covering two or three terms of reference. People in the community might like to focus on trade waste compliance and some of the issues they continue to deal with.

As an aside, for one particular small business in Deloraine retrofitting trade waste compliance to their business was somewhere in the order of \$60 000. How is that fair? We need to be able to get to the bottom of some of that. Can that business continue to operate? They are already working under extreme circumstances as a business right now. I am particularly keen to explore that issue through an inquiry.

Since 1 January 2019, the state Government has been a significant shareholder. It would be good to look at whether it believes it is getting value for money as a shareholder on behalf of the Tasmanian community.

In the letter asking members to vote against the establishment of this committee, it also talked about the Audit Office. I took the opportunity to look at the last Auditor-General's work that had been done. Thank you very much to the member for Rosevears for reminding me of what the Auditor-General's Office had done in regard to TasWater. It was a 160-page report, and cost \$483 618. It was extensive.

Some improvements have been made by TasWater, and I have no issue with them. To be able to highlight some of those is good for openness and transparency in this place.

The letter talked about the focus on improving water quality over wastewater compliance and performance. The proposed committee would be able to explore all the effort that has been put into improving water quality - and rightly so, with all those boil water alerts.

I clearly recall my support for the establishment of these changes when Michael Aird was the treasurer in this place. We had the initial establishment of the organisation and then we had three entities and Onstream, which has since been merged into TasWater.

Mr Valentine - They were the days.

Ms RATTRAY - They were the days. I had the majority of boil water alerts in the electorate of Apsley at the time. I felt I had an obligation during that legislative process to make sure the communities I represented did not have to continually deal with boil water alerts, so I am very pleased with the progress made. Even TasWater's letter acknowledged there is still much more to do.

I believe this is an opportunity to drill into some of those areas in the terms of reference. One in particular that would probably be of a great advantage is the opportunity to re-use water expansion for irrigation. We have so many opportunities in Tasmania. We have had such a focus on water development that I think that the Tasmanian Farmers and Graziers Association - TFGA - would pick up and run with that one on behalf of its key stakeholders. I know the member for Windermere is keen to explore the treated waste biosolids. I feel sure many other people in the Tasmanian community would appreciate the opportunity.

I want to mention one person who has been a champion for the Deloraine business community, Malcolm Eastley. He has continually brought information to my attention and facilitated meetings.

In his last information to me, he said that he had had eight meetings with TasWater to discuss matters around trade waste and the negative impact it is having on Deloraine businesses. Mr Eastley does not own a business, but he is so dedicated to his community that he has taken on this work on behalf of very busy business people. We know how busy small business are. They are head down and you-know-what up just trying to make ends meet - then, of course, 2020 delivered COVID-19. It has been a real struggle.

I called in on Saturday to Cruzin' in the 50's Diner at Deloraine and Malcolm was working in the back shed, as he often is. I just wanted to make sure he knew I had been in. I had a coffee and had taken half of my family with me so it was a good result for him on Saturday. He continues to be concerned about compliance with trade waste and he has been, as I said, exceptional in his support for the Deloraine business community.

Not long after I became the member for McIntyre, I held a meeting at Deloraine House, from which I hire space and have my meetings. I managed to bring into that meeting representatives from 10 small businesses, mostly related to the hospitality industry - food, preparation of food, and, obviously, trade waste. They were so appreciative somebody had taken the time to come and listen to the concerns they continue to raise.

I acknowledge TasWater has made attempts and even, at my request, has given some additional time for businesses to work through the trade waste compliance issue. But at the end of the day, TasWater still has a heavy hand when it comes to trade waste compliance. This is an opportunity to explore some of those requirements. When they talk to businesses counterparts on the big island - and we are all working under national compliance regulations - they do not have nearly the same compliance obligations. This is one issue that is really close to my heart, and I feel that this is going to be an opportunity to give them a vehicle, give them a voice, to make sure their matters are clearly heard, clearly understood in a forum where time frames are not as important and do not have to be adhered to quite as much as they are through the GBE scrutiny process.

When TasWater was formed, I recall there was an invitation from the parliament to provide scrutiny. There was quite a few who pushed back at the time from TasWater and asking why that was the case. There was a bit of toing and froing at the time about TasWater coming under that scrutiny process.

Mr Valentine - Was that because they were not a government -

Ms RATTRAY - Exactly, that was their argument at the time. That argument is certainly not valid anymore because of the state Government's shareholder and financial commitments.

The two hours the Legislative Council has every other year, and the Assembly alternately, just does not allow enough time to really drill down into some of those issues that are causing trouble. If we were able to get anywhere near the result of the select committee inquiry into Tasmanian Irrigation - established on a motion by the honourable Greg Hall when he was the member for Western Tiers - I would be a very happy member of this place. I took on board the information coming out of those hearings and halfway through the inquiry, as you will know, Mr President, there were significant changes. If we could achieve some of that, I would certainly be very happy.

I will not go on any more. The terms of reference are there for members to see. I have been asked to make one very slight change and I am hoping that can be a tabled amendment. On the first

term of reference (1) - 'the impact of compliance by regulated bodies' - it has been suggested 'with' would be a much better word than 'by' -

Ms Forrest - I was going to ask you what it meant the way it was written.

Ms RATTRAY - I appreciate that, and rather than put out a third draft of terms of reference, I seek the indulgence of the House with a tabled amendment.

Term of reference (1) would then read, 'the impact of compliance with regulated bodies'. I had assistance with those terms of reference, but I appreciate the member for Rumney raising that matter. Thank you very much, I think that works better and may assist the members for Murchison and Hobart, suggesting that rather than 'by regulated bodies', it should read 'with regulated bodies'.

Ms Forrest - When I put my submission in, I wouldn't know how to address it.

Ms RATTRAY - Thank you very much, honourable member. That is something I would respectfully request, that word change, and it would make it more compliant with regulated bodies.

Honourable members, I appreciate the opportunity to put this motion today as we have a break coming up. To establish an inquiry and at least put the wheels in motion, giving every acknowledgement that TasWater has said that it is not the right time and it will take a lot of resources, we will make sure as a committee, if this is supported, that we allow plenty of time for submission time frames to address particularly TasWater's concerns about putting together a submission to the inquiry process. I will leave it at that, Mr President, and look forward to members' contributions.

[5.45 p.m.]

Ms LOVELL (Rumney) - Mr President, I make a brief contribution to support the member for McIntyre and thank the member for moving to establish the committee. I agree that a select committee is the appropriate way forward. We have a number of members who are willing to participate. I appreciate the concerns raised by TasWater about the scrutiny processes that are already in place but, again, I support what the member for McIntyre has said in response to that - the GBE process allows us only very limited time. It is nowhere near enough time for adequate interrogation of the issues that are raised with us. There is no capacity to hear from other stakeholders or other people who are affected through that process, either, so it is very one-sided.

While I also want to acknowledge that TasWater is always, in my experience, happy to respond to issues that are raised and is very approachable in that way, it is a piecemeal way of addressing issues when a number of similar issues have been raised by members here, constituents and stakeholders in our electorates and our colleagues in the other place as well. It is hard to know sometimes which issues are being raised by which members and in what part of the state.

I also acknowledge the concerns about the resources and the time required. We are all aware of the unique circumstances we are in at the moment, have been in over the past few months and are likely to continue to be in over the coming months. As the member for McIntyre has already outlined, if the committee is supported, we would be more than happy to make allowances to accommodate those additional extraordinary circumstances that we find ourselves in. I support the member for McIntyre and her motion to establish the select committee. I hope that other members will do so as well.

[5.47 p.m.]

Mr ARMSTRONG (Huon) - Mr President, I also support the member in seeking a select committee. I have had a good relationship with TasWater. Every time I have called them about an issue raised by a constituent, they have always come back to me and worked things through with me. We usually come to a good outcome.

This inquiry could be a big benefit to TasWater in the long term, because we will look at the terms of reference and the impact of trade waste on businesses. I have had a couple of inquiries about that, not a lot. Other members, particularly, the member for McIntyre, have raised questions in this place on trade waste issues. We might be able to flush out some issues if there are issues with that. It would be a good avenue to bring some of these things out.

I am really interested in the opportunity to re-use water expansion for irrigation. I think the Clarence City Council is already doing that; it has been doing it for a number of years now. I imagine many other councils could go into that area, too. We are looking at agriculture as a way forward and we need water for agriculture. Whatever comes out of this committee, we could come out with some good recommendations for that. The terms of reference are all there. This could be a big benefit to TasWater, so I support the committee.

[5.49 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I congratulate members for putting their names forward or taking this committee on board. To be fair to TasWater, I will read a few sections of its correspondence because TasWater's opinion is that this would not be of benefit. That is why it has taken the chance to write to us - Dr Stephen Gumley, chairman, and Doug Chipman, the Chief Owners Representative.

I may then table the document as well because people listening might want to look at the whole document. I will just take out some of it for the purpose of this debate -

We are of the view that the proposed inquiry will duplicate the findings arising from these previous reviews and reports, and note that the proposed inquiry will take place only a few months ahead of the GBE hearings ... There is also an acute awareness of the resource implications of adequately preparing for and responding to an inquiry, and the potential impact this work will have on our ability to deliver for the people of Tasmania, particularly during this time of significant disruption, hardship, refresh, and recovery arising from COVID-19.

I will just do the top line of each of these -

- September 2017 - a Legislative Council Select Committee inquired into and reported on the matter of TasWater ownership.
- November 2017 - The Tasmanian Audit Office published its report ...
- December 2018 - TasWater was scrutinised by the Legislative Council as part of the GBE Scrutiny process ...
- December 2019 - TasWater was scrutinised by the House of Assembly as part of the GBE Scrutiny process ...

TasWater acknowledges that it recognises and welcomes that scrutiny, because the public does expect a high degree of transparency and accountability. However, matters addressed in those hearings included increased profitability, increased capital expenditure, functions of the Capital Delivery Office, the Pioneer water supply, employee culture, pricing, the important role of the owners, dividends, use of local contractors, specific critical incidents and spills, irrigation, water quality and trade waste.

Most recently last month, the Tasmanian Economic Regulator published its annual state of the industry report of 2018-19, which summarises TasWater's performance across the key areas of pricing, customer service, network reliability and efficiency, financial performance and its compliance with drinking water quality, dam safety and environmental obligations.

In its correspondence, TasWater then looks at several of the outlined reference criteria, so I will not go over those. The letter goes on -

As you are aware, like all Tasmanian businesses, TasWater is currently dedicating significant resources to managing the impacts of COVID-19. Our primary focus the safety of our staff and customers, followed by the development and delivery of a package of support for customers experiencing financial stress. This includes a decision by the Board to freeze prices for a further year and offer a full quarter bill remission to eligible small to medium enterprises. The net impact of these decisions is a \$25M reduction in revenue for which we have not sought any support from the state government. In addition we have forecast a significant reduction in earnings for next year as a result of the need to support customers who experience hardship over the coming months.

The next stage of our response will be returning our business to normal operations while recognising that the impacts on our customers will be felt for an extended period. We are prioritising our capital works program during these challenging circumstances to ensure this expenditure with contractors, consultants, and suppliers plays its parts in Tasmania's economic recovery.

Just a little bit more -

These changes to work practices, and work programs have placed an extra burden on our staff, and the added pressure of another enquiry while we should be concentrating on delivery of our essential services throughout the COVID-19 recovery phase, could negatively impact morale, productivity and service delivery.

While of course we would fully co-operate with the proposed select committee, we are firmly of the view that the proposed select committee inquiry into TasWater would duplicate much of the findings listed above, taking place only a few months ahead of GBE hearings scheduled for December 2020 which provide another opportunity for an in-depth look at TasWater's operations. There is also an acute awareness of the resource implications of adequately preparing for and responding to an enquiry, and the potential impact this work will have on our ability to deliver for the people of Tasmania at such a critical time.

I will table that letter.

It comes to my assessment of the inquiry at this time. There is room for an inquiry, but I do not think this is the right time for an inquiry. We are still in the COVID-19 phase. We have not gone through that period, and members of this body have had a lot of pressure in the last three or four years. They are trying to get stable; they are doing all they can to ameliorate the impacts of COVID, as they have stated, and whether we like it or not, a parliamentary inquiry creates work for somebody or some group within that organisation, and it takes them away from their core function and their core business.

If you look at the breadth of the terms of reference for this inquiry, it is quite substantial. This is not a short-term inquiry. That means the people in TasWater will be undertaking this inquiry for quite a long period, so while they may not be directly impacted day to day, it is a monthly or long-term work.

I will not support the inquiry because of that. I would be more inclined to support this inquiry if it came to me perhaps in May next year, or if it was fine-tuned to one or two of those terms of reference - but this is a huge inquiry.

I am not quite certain about term of reference (8), the impact of COVID-19 on business operations. I am not sure if that is talking about TasWater as the business, or the consumers of TasWater. So you might clarify that.

Ms Rattray - It is on TasWater.

Mr GAFFNEY - It is on TasWater. Therefore this is a huge undertaking, and it is going to take a lot of resources. At a time when TasWater has said it is cutting away its resources, that it is trying not to impact on its customers, we have had these inquiries and we have more coming up. For that reason, and because of the letter I received from the chairman and the Chief Owners Representative, I will not be supporting this inquiry, although I commend the members who have put their hands up to say they would be willing to be on it. I just think it is at the wrong time.

If you put yourself in the position of the people trying to run that organisation, and the amazing work they have done these last two or three or four years to change some of the situations they were in and to address them, they are not going to be able to address everybody's concerns.

I went to three or four businesses and asked how have they had found say, for example, the Deloraine one with the waste traps and that sort of thing. To their credit, the people I spoke to who have small businesses said, 'We found working with TasWater was really good. We have probably had more difficulty with the council, because they had so many different bodies that had to be included in those discussions.'

While I commend members, had this been presented in May next year or a little bit further down the track, I would probably agree to it, but I will not be supporting the inquiry.

[5.58 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, in recent years TasWater has been the subject of a number of independent reviews and reports, including government reviews. Each of these has highlighted challenges for TasWater, but noted improvement in key metrics, including customer satisfaction.

Encouragingly, complaints have again recently dropped, as demonstrated in the regulator's report of May 2020.

As you would be well aware, the state Government became a stakeholder in TasWater in early 2019, with a view to reducing price increases and investing in much-needed capital upgrades. The results of our investment are starting to pay off and are making a difference to everyday Tasmanians.

The investment allowed a price freeze for TasWater customers during the financial year 2019-20, and a future cap on increases at no more than 3.5 per cent. The price freeze has since been extended for residential and business customers for the financial year 2020-21 as part of the COVID-19 support package.

Government investment in TasWater will accelerate delivery by \$1.8 billion in water and sewerage infrastructure upgrades across the state, as well as providing additional funding for key projects, such as the Launceston combined systems upgrades.

The Capital Delivery Office was established on 1 July 2019 to enable an accelerated program of delivery for essential water and sewerage projects. The CDO is responsible for the delivery of all capital works from the planning, design, procurement and delivery phases. While slow to take off, we are seeing some improvements in the CDO's performance.

In more recent years, the Government has witnessed an improvement in a large number of TasWater operations - and they are as follows. All permanent public health alerts have been lifted as a result of TasWater delivering quality drinking water to 28 towns, four more than anticipated. This included the construction of 17 water treatment plants and four pipelines, along with many other related infrastructure improvements. There was also the Blackmans Bay Sewage Treatment Plant, which was completed by July 2019, delivering a new 15-kilometre pipeline and a plant that services up to 40 000 households. Also, in terms of industrial and commercial trade waste compliance, TasWater has made a concerted effort that is paying off: there have been no material complaints by trade waste customers since early July 2019.

The latest report of the Economic Regulator, titled *Report on the State of the Tasmanian Water and Sewerage Industry 2018-19*, highlights the continuing improvement in TasWater service delivery across the key areas of pricing, customer service, network reliability and efficiency, financial performance and compliance with drinking water quality, dam safety and environmental obligations.

On balance, the state Government has seen real improvements in TasWater's performance but recognises the need to continually keep improving. Therefore, the Government believes the proposed select committee offers such an opportunity and for this reason we will not oppose the motion.

[6.02 p.m.]

Mr DEAN (Windermere) - Mr President, I agreed to be part of the select committee because I support it. I would not be part of a committee if I did not support it. I make that perfectly clear and plain.

TasWater has taken a fairly strong position in not wanting this inquiry, which is fairly unusual in many respects because I have found TasWater to be very open and very willing to help, as other

members have said. I have raised a number of issues with them and they have bent over backwards to help me resolve those matters so I commend them for that.

There is nothing sinister in this. I think at times some departments or businesses might believe that things are wrong and we are there to uncover all of these wrongdoings by them and goodness knows what else. That is not what it is about. It is about taking a close look at a number of areas. The member for McIntyre is absolutely correct in looking at some areas and taking a lot of time to consider those issues. Government business enterprises' scrutiny does not provide that opportunity, unfortunately. We have a number of members in each of the committees and you have to give each member a fair go. A member is not able to pursue at length and in detail the particular points they might want to follow up on and pursue. Sadly, you cannot do that. Normally you have to select three or four questions that you believe are important when trying to decide on and determine a matter moving forward.

I was responsible for having one of the terms of reference included here, and I am thankful to the member moving this motion and for it being included and that is:

- (4) the management of sewage treatment including the disposal of treated waste biosolids.

To my knowledge, TasWater has never been scrutinised on this part of its business at all. I am currently in the middle of a very important matter, a development application submitted to the City of Launceston Council for biosolids to be used as a fertiliser. Biosolids on their own are a Class 3 product and can only be used for either landfill or burning or in whatever other form there is of disposal for it. When it is treated and broken down by the use of wood residues - and that is what will happen in this case, that is a product that cannot be used for woodchips and cannot be moved overseas for woodchips. The residue of that is going to be mixed with the biosolids. That becomes a Class 2 and can then be used for land fertiliser.

Ms Forrest - I heard inspector Dean talking about this on the radio.

Mr DEAN - You did. I knew nothing about it going back about three months, but I have become a little more knowledgeable about what happens in this area now, particularly when you get some fairly angry people in my electorate demanding meetings with me. I have done that on each occasion they have demanded that of me. They are fairly irate because they are going to live close to where these biosolids are going to be used. It becomes a very important matter for one to look at and be a part of.

I want to know what TasWater's situation is in relation to it. I want to know what it pays, for instance. It is very difficult to get this information from an organisation. I understand there is a cost to it. There is one at Plenty in the member's region. There is one at Dulverton in the member for Mersey's region. I think that is where Dulverton would be. There is one also at Interlaken.

Ms Rattray - Railton. I am Railton, but I do not make it to Sheffield.

Mr DEAN - The one at Interlaken would be yours also?

Mr PRESIDENT - No, that is mine. I have Interlaken and Plenty. I have two of them and quite a bit of discussion from both.

Mr DEAN - A lot of issues are being raised about them. I'm not going to go into detail now, because hopefully the inquiry will be supported and I will have that opportunity at a later time to look at these issues.

The other terms of reference are important matters. The one in relation to trade waste is going to affect all of us. I would be very surprised if there was a member here who has not had some issues about the trade waste raised with them, as to some of the costs, and some of the issues that occur in that area as well.

I am not going to go any further than that. I think I have raised the issues I wanted to. The member for McIntyre has put a very strong case in support of her motion.

I refer to the GBE process. As COVID-19 was raised by a member - I am not sure who raised it -

Ms Forrest - The member for Mersey raised it.

Mr DEAN - Certainly that has created and caused a lot of very serious issues, not only for this state but the country and the world.

However, Mr President, we have to move on. We just cannot stop doing this sort of work simply because of COVID-19. We have to put certain restrictions on it. We are hoping - and I am hoping, and I think we all are - that most of the restrictions will be lifted, certainly by the end of the year. That is not known yet. It is still up in the air but I hope we will be open for business as normal by about the end of the year, at least.

We cannot stop. If you look at the clock on the wall, it is continuing to go around. The sun will be up again in the morning. It does not change all those things. We have to move forward. I will be supporting the motion, Mr President.

[6.08 p.m.]

Ms ARMITAGE (Launceston) - Mr President, I thank the member for McIntyre for bringing the select committee inquiry forward. I also thank her for not naming me on the committee.

Ms Rattray - I got the message.

Ms ARMITAGE - I understand many of the areas she wants to look into, but I also appreciate the letter from TasWater, and I was pleased that some of the matters were raised by the member for Mersey.

I mention particularly - I am not sure whether the member for Mersey read it in and I did listen to his contribution - where the letter, I think on page 3, said -

As you are aware, like all Tasmanian businesses, TasWater is currently dedicating significant resources to managing the impacts of COVID-19.

I appreciate the comments by the member for Windermere. I think many businesses are under extra stress and much extra work managing COVID-19 resources. I am sure that affects TasWater.

Also -

These changes to work practices, and work programs have placed an extra burden on our staff, and the added pressure of another enquiry while we should be concentrating on delivery of our essential services throughout the COVID-19 recovery phase, could negatively impact morale, productivity and service delivery.

I hope that is not the case. I cannot see how it could impact morale. That is an interesting comment to make, but I am pleased to see the final paragraph -

While of course we would fully co-operate with the proposed select committee, we are firmly of the view that [it] will duplicate much of the findings ...

I, like the member for Windermere, find that TasWater has been extremely good in resolving issues since our previous inquiry. There were many problems related to trade waste when it was first introduced; for example, the cost factor - it cost my husband \$20 000 to \$30 000 to put it in the hotel.

I remember many people with small businesses renting their premises had landlords who did not want to pay the money to put it in but the small business could not afford to do it either, so there were issues in the past. While I have not had anyone come back to me recently to say they are still having problems, I do not know whether they are. As I said, we sold our business so I do not know what is happening there. To Bruce, the ongoing maintenance was an impost - regardless of whether you had an issue, you had to have ongoing maintenance - quarterly, at least - and at a reasonably significant cost.

I hope it fits the terms of reference because I have an ongoing issue with TasWater which it is well aware of. That is employing interstate firms to do most of its business. It is something I ask it about regularly. It is very difficult to get an answer that you can dispute because it makes a lot of sense when TasWater says it, but when you go back to your constituents - I have constituents who say that they are doing all the work for the mainland firm. They put in the cheaper quote, but they do not get the jobs. The mainland firm gets the jobs. It is the cream off the top.

That is something I hope will come in under 'any other matters incidental thereto'. I will possibly put in a submission myself, but I will recommend to my constituents that they also put submissions in. To me, we should buy local, not use a firm that only has an office in Tasmania - in Launceston, Hobart or on the north-west coast - that may employ people when it gets the business. Let us employ our local people to keep them employed, particularly during these COVID-19 times.

I had some concerns, particularly when I read the TasWater letter, and I was not sure whether I was going to support it. I have listened to most of the contributions and I will listen to a few more, but I am leaning toward support.

[6.13 p.m.]

Mr VALENTINE (Hobart) - Mr President, I seek leave to table the TasWater letter on behalf of the member for Mersey and have it incorporated into *Hansard*.

Leave granted; see Appendix 1 for incorporated document (page 156).

Mr VALENTINE - Thank you, Mr President. I have read through the terms of reference with respect to this inquiry and a number of issues are certainly of interest. Term of reference (1) is

probably better described as 'the impact of compliance with the requirements of regulatory bodies' rather than 'the impact of compliance with regulated bodies'. It is the regulatory bodies to which TasWater is responsible. Is that clear?

As to term of reference (2) -

operations in regard to the impact on business required to comply with Trade Waste regulations;

I read in TasWater's letter that it has no material complaints from trade waste customers since July 2019. I am not sure what the member for McIntyre has had come across her desk. Maybe she will be able to enlighten me in her summing up as to the extent of the concerns she has been hearing in her electorate.

The opportunity for re-use water expansion for irrigation was mentioned by the member for Huon with respect to Clarence. Clarence has a significant water re-use scheme. It goes to the Coal River Valley and is not insignificant. I am sure other opportunities could be identified to report as a result of this going out for public comment or for other councils to comment on. I can see that.

The inclusion of term of reference (5) - 'the effect of TasWater's dividend policy on Local Government revenue' - is a fair call.

As to term of reference (6) - 'the delivery and timeliness of water services to Tasmanian communities' - TasWater is saying that it has fixed most of the problems; even Pioneer, which we have heard much about, is now to get a pipeline, which I think was mentioned in the letter.

Term of reference (7) is 'the effectiveness of business operations since the State Government became a shareholder in early 2019', and it is a fair deal to investigate or at least to scrutinise TasWater if the state has such significant investment in it. I do not have a problem with that. We are here to scrutinise and delve into operations and ensure businesses that affect Tasmanians are operating effectively. It is not our business enterprise - it is a local government enterprise - but, as the member for McIntyre says, it has a commitment from the Government of \$20 million each year for 10 years. I will let the member for McIntyre clarify that in her summing up, if she would not mind. I cannot quite recall the figure.

Term of reference (8) is 'the impact of COVID-19 on business operations'. COVID-19 is not over yet and I wonder whether it is appropriate. You are not going to gain a complete profile on exactly how it is impacting until the emergency is over. I am with the member for Mersey in this regard: I wonder whether now is the right time to have an inquiry like this when everybody is stretched to the max, when government departments and all sorts of operations are very stressed with staffing issues and all those sorts of things. I do not have a problem with the various aspects of the inquiry, member for McIntyre, because there are reasons to look at some of these.

I draw attention to the matters outlined in the TasWater letter that show that, yes, it has been a bit of a punching bag over the last few years in the way matters have developed and evolved. TasWater staff might be thinking to themselves, 'Where is it going to stop?'. Look at all the different regulators TasWater has to comply with: the Tasmanian Economic Regulator, Environment Protection Authority Tasmania, the Department of Health, and the Department of Primary Industries, Parks, Water and Environment; water and sewerage, and the acts it has to comply with: the Water and Sewerage Industry Acts, the Environmental Management and Pollution Control Act,

the Public Health Act, the Land Use Planning and Approvals Act, Water Management Act, and the Shareholders' Letter of Expectations. The member for Mersey read all those in.

There is significant scrutiny by the various acts TasWater has to operate under and by the various regulators it has to answer to, for sure. But that still does not stop us looking at operations - it does not - but it is that issue about when. I hear the strong argument the member for Mersey puts in this regard. I draw attention to term of reference (8), 'the impact on TasWater of COVID-19 on business operations'. COVID-19 is not over yet. I wonder about the right time for this. I agree with the member for Mersey in that regard. I am not saying it should not be looked at. I want that to be clear.

I will listen to any other offerings made by members, but I query whether this is the right time and whether the member who is moving the motion might defer this term of reference or amend the motion to take into account of the fact that we are in the middle of this very awkward time. Is now the right time and could it be brought back at a more appropriate time? That might be, I think the member for Mersey said, the middle of -

Mr Gaffney - Perhaps if the committee does get up, that could be one of the agenda items for discussion.

Mr VALENTINE - As to when they commence it?

Mr Gaffney - When they commence it and when they have stakeholders' submissions.

Mr VALENTINE - It could be taken into account in that regard. That is a thought.

Anyway, I do not have too much of a problem with the content, except for that issue with COVID-19 and some of the matters TasWater pointed out on how it has met a lot of this. It has given us a great deal of information over time. I do not have a problem - we are here to scrutinise, but I just have an issue with its timing.

[6.23 p.m.]

Ms WEBB (Nelson) - Mr President, I thank the member for McIntyre for bringing the motion forward. I think it will be no surprise to members that I am very supportive of our role of scrutiny. It is one that is central to the role of this place and the members in it. We have discussed it in depth of late, under slightly different circumstances, but many of the aspects discussed at that time are probably highly relevant here, as we have heard echoed here today.

I agree broadly with comments made about the range of methods that can be brought to bear in scrutiny. They all play a really important role and, in fact, are quite complementary to each other. While we may have available already the ability to ask questions on this topic during question time or to interrogate certain matters through GBEs and the like, inquiries are a really important way to drill down and get detailed and comprehensive information discussed, presented, interrogated and made a matter of public record. I am very supportive of that role.

I have listened with interest to members' contributions, and I think a case has been well made for many of the matters covered by the terms of reference to be looked at in that way and to have that level of comprehensive examination made of them.

The member for McIntyre made the case well for bringing this committee proposal to this Chamber for consideration. This brings us to the matter of timing. It has been picked up on already by other members but I am going to speak briefly about it.

We received the letter from TasWater, from which I took quite clearly a willingness and, in fact, a welcoming of scrutiny and a recognition of the value it has. I noted the concerns that TasWater raised; to me, they seem largely to relate to timing so that, to me, is a major consideration here for us to look at too.

I know some members have spoken about the idea that, although we are still fairly squarely in the COVID-19 period, we have to move on. We cannot stop this kind of work. Members will not be surprised to hear that I agree with that in a broad sense. When looking at a committee of inquiry not long ago, a key part of that discussion was the fact that we can continue work in this place on important matters, particularly in regard to scrutiny. That is the job we are here to do.

I find it puzzling that not two weeks ago when we discussed providing scrutiny of, and assistance to, matters occurring now in the context of COVID-19, we were not able to get full support around the idea that was our appropriate role and one we could take forward. We were not able to have the Government agree that could be a worthwhile contribution undertaken by our parliament, which is a shame.

I feel that to make it an argument that we cannot undertake a fundamental part of our role on one matter that is directly relevant to the circumstances occurring at the time, and then, not two weeks later, make the argument that we can do that on a matter which is important but can be delayed beyond this time is surprisingly inconsistent from some members here. I am disappointed about that retrospectively and it gives me pause. We need consistency here. I firmly support our role for committees of inquiry and the scrutiny that provides, the ability it gives us to have matters on the public record, and the contribution that can make to good governance. I think this committee could be undertaken at a later date, as argued and presented by the member for Mersey and referred to by the member for Hobart.

I will support it happening if the committee is formed and decides to take timing into consideration in its activities as it goes forward. That would be thoughtful and I think there would be a willingness amongst the members to do that. I encourage them to do that.

I will support this committee because I am consistent in my view that the importance of scrutiny by us in this place is really paramount. I hope in future we can have a consistent approach to that and other matters too.

[6.28 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I sincerely thank all members for their contributions to the motion before us, the establishment of the committee. Members obviously will vote, and I respect everyone's position absolutely, and I mean that sincerely.

I would like to refer to a couple of points. I thank the member for Mersey for his very considered contribution regarding his particular concern, which was the timing. I agree that timing - when is the right time? As I said, a number of those issues were referred to in the terms of reference that have been kicking around now for two years.

As I said, I attempted to have them inquired into through another committee process we have here, which I also very much respect, but I was unsuccessful so this was my next avenue as a member of the Legislative Council.

I acknowledge and thank the member for Nelson for her contribution, and particularly her support, but I also acknowledge that the scrutiny role is an important role. Every member takes the opportunity to use whatever avenue is available to them - in this case a sincere effort to represent parts of the Tasmanian community that still feel they have not been listened to, particularly in the trade waste issues. I have concerns in Railton and I have concerns in Deloraine. Perhaps the reference that there has been no -

Mr Gaffney - No reported cases since July.

Mr Valentine - No material complaints by trade waste customers since July.

Ms RATTRAY - Yes. They are outstanding, and I continue to not be able to get a resolution for them. Perhaps there are no new ones, but we are still looking at the old ones.

As for the contribution by the state Government, we know that after the takeover legislation was negated in the Legislative Council - I actually voted against the Government's legislation at the time. I made clear to Mr Chipman last night that this is not about me trying to undermine in any way, shape or form the work that TasWater does, and the improvements that it has made. However, when the state Government in its negotiated compromised position committed on behalf of the Tasmanian community to invest \$200 million in TasWater over 10 years and become a 10 per cent shareholder effective from 1 January 2019, that is a significant stake in the TasWater organisation on behalf of the Tasmanian people. So it is significant.

With COVID-19, I am not sure what quarter we are in at this point. It has been referred to as this quarter, that quarter and so forth. We have some changes as of 12 noon on Friday, so we could well be in the third quarter. Again, I acknowledge there has already been an impact on TasWater's business from COVID-19. Obviously, it will only be able to provide to the committee the information it has at that point in time. Nobody expects it to know what the full extent of it is, but given that it is an important aspect of its business - particularly around the dividend to councils, which will again impact on the Tasmanian community - this was one of the points that I made when I spoke to Mr Chipman last evening. I am sure everyone in and outside the organisation is keen to have some understanding of the impact of COVID-19 on the business.

Again, I really appreciate the opportunity to be able to put forward this motion, and thank everyone for their contribution.

Mr Valentine - Is there a desire to look at the timing?

Ms RATTRAY - Obviously, that would be a decision for the committee, but the member for Rumney in her contribution clearly articulated that she would be very mindful and considerate of the time frames around calling for submissions, and the time frame given for those submissions.

As I said in my contribution, this will not be something we expect to have done within a matter of two or three months; this will take some time.

Obviously, the first part of taking that time will be alerting the community to the opportunity to provide any input around the terms of reference, and also around the time frame we are going to allow for them to respond.

I say to people, when they ask me about making submissions, that committees do not need a novel. You can write a one-page and request that the committee hears you, if that is something that is more preferable, and the committee will make a decision around that. It does not have to be a novel. Some of the information in the letter provided may well be something that TasWater repeats in a submission.

Mr Gaffney - Mr President, that is a really good point. The workload of this falls mainly on TasWater, which is fair enough, and other people who are listening will put in their submissions. If TasWater can have assurance that it can table some of the documents it has already done, so it does not have to reinvent the wheel - that is where they are asking for some leniency, I suppose.

Ms RATTRAY - As I said, if the members want to expand on some of the points made in this three-page letter, without reinventing the wheel, that addresses some of the issues, and then it is an opportunity for the committee through that inquiry to drill down into some of those areas, and there may well be some more improvements.

Some of the data in the Auditor-General's report was back to 2015-16 or 2016-17, so there will be some updates on that. They do not need to reinvent the wheel there. There will just be an update of that information. Here is what we had at this date, and here is what we have now.

The point the member for Launceston made and referred to - that this could negatively impact on morale, productivity and service delivery - I expect that all those people who work for TasWater will just get on with what they do.

Ms Armitage - I actually did not say that I thought it would impact. I read the section of TasWater's letter.

Ms RATTRAY - Sorry, the member referred to it. I was not saying she said it.

I agree that the people who work for TasWater - and I know plenty of them - will be getting on with what they do best, and that is look after the services provided in our communities.

Again, I thank members for this opportunity, and I encourage you to support the establishment of the committee.

The Council divided -

AYES 11

Ms Armitage
Mr Armstrong
Mr Dean
Mr Finch
Ms Forrest (Teller)
Mrs Hiscutt
Ms Howlett
Ms Lovell
Ms Rattray
Ms Webb
Mr Willie

NOES 2

Mr Gaffney (Teller)
Mr Valentine

Motion agreed to.

HOMEBUILDER GRANTS BILL 2020 (No. 23)

First Reading

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

SUSPENSION OF STANDING ORDERS

Bill to Pass All Stages

[6.44 p.m.]

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

That so much of Standing Orders be suspended to allow the bill to pass through its remaining stages at such time as the Council may appoint.

Ms FORREST (Murchison) - Mr President, I would like to speak briefly to this motion. Again, we understand the need for speed around getting this dealt with. As the National Partnership, has been signed at the National Cabinet level, we are expected to deal with this very promptly to give effect to that. However, we only received this bill on Monday evening, I think it was, as a working draft and then we were not even sure that was the final draft.

Whilst it mirrors in many respects the First Home Owner Grant legislation we have in many parts of it, it concerns me that it has only just been dealt with in the other place. It is now here. The intention is to deal with it tonight, which I am not opposing, Leader. I am making the point that it really is a risky process to rush something that has only just finished being drafted. We received

the second reading speech a matter of two or three hours ago and now we are being expected to deal with it.

I want to raise that concern. I am working furiously on an amendment for one section that I hope will not be too controversial for the Government around scrutiny, but there is a lot of pressure in trying to make sure we do this right.

I am not going to oppose the suspension, but it is important to make these comments because we are acting in unprecedented times with COVID-19. I hope we see the end of this pretty soon, COVID-19 as well as the suspension of Standing Orders.

Mr VALENTINE (Hobart) - Mr President, I heard the member for Murchison say that it is expected to be dealt with tonight. Is there no way that this can be dealt with tomorrow morning? I would like that addressed -

Mrs Hiscutt - While the member is on his feet I have a list of how I see today and tomorrow running.

Mr VALENTINE - Okay, I will wait and hear that, thank you.

Motion agreed to.

HOMEBUILDER GRANTS BILL 2020 (No 23)

Second Reading

[6.50 p.m.]

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

That the bill be now read the second time.

Before I start, I would like to clarify with members what is happening. There has been a little shuffling of private members' business. I was happy to get a lot of private members' business done provided I could get my business done, so there has been a little shuffling of deckchairs. I do not want to waste time and I do not want to knock off early; we are starting at 10 o'clock tomorrow morning and we need to have that time to get everybody's business done.

The member for Windermere and the member for Nelson have declined to proceed tonight because they want to do their motions and orders of business in whole. I am happy for them to do that, but I will fill the time up tonight with my business.

The member for Murchison wishes to do her motion tonight, so we will keep going until at least 9.30 p.m. or 10 p.m. and start again tomorrow at 10 a.m. just to give enough time for everybody to do their business. When this bill has finished, I have another one to do but there are members who want to do their own business so we just need the time allocated.

With regard to the member for Murchison's comments - yes, that is taken on board. I must admit that I let my staff knock off work at 9.30 on Sunday night so everybody has been working hard to get this done, but I note her comments.

Mr Dean - What time do you propose to sit to tonight? This is a period when we said we would not sit beyond certain times. We are still in the COVID-19 period so we are making a mockery of it.

Mrs HISCUTT - I phoned members and alerted them to that. We cannot do any private members' business tomorrow. I am only trying to help everybody out here. In order to do that, we need the time.

Mr Dean - I am happy to leave mine tomorrow and do it in August when we come back. I guess tomorrow is not going to make any difference.

Mrs HISCUTT - We need to finish by at least 7.30 p.m. tomorrow, but that is your call.

Ms Forrest - Let us go to 9 p.m. or 9.30 p.m. as we agreed.

Mrs HISCUTT - Yes. I alerted members that it would be a late night, about 9.30 p.m. or 10 o'clock.

Mr President, I move on to the second reading speech.

COVID-19 has been the biggest health, economic and societal shock to hit our state in a century. It has challenged all of us in ways previously unimagined, and forced action that has curbed our freedoms and driven thousands of Tasmanians into unemployment.

Tasmania's coronavirus challenge came at the same time our economy was leading the nation across a raft of key economic performance indicators. This means Tasmania's core economic foundations, including our balance sheet, at the time our borders went up and our jobs went down, was in a solid position. We now face the second and arguably tougher phase of this fight - to reboot our economy, while avoiding a deadly second wave of the virus.

The way that our broader economy operates and how our society interacts with it will be considerably different to the recent past, and there will be challenges ahead. Measures to manage the virus will mean business will need to find new ways to do old things to stay profitable and employ their fellow Tasmanians in a COVID-19-safe environment, and we will work closely with them to achieve that. It's no longer about shutting down and saving lives. It's about opening up our economy and rebuilding livelihoods.

The Tasmanian Liberal Government is set to reboot the economy with a record construction blitz over two years, underpinning around 15 000 jobs. The package will build on the Government's current infrastructure package of \$1.8 billion over the next two years, and in total will support an estimated construction value of \$3.1 billion across the next two years. It brings forward government expenditure. It will stimulate investment in the private sector. It will strengthen and underpin the economy and it will create thousands of jobs.

The best way to get our budget back on track and grow business confidence and create jobs is to grow the economy, and that is what we are doing.

The program of works will build next-generation infrastructure, improve the opportunity for more Tasmanians to become a home owner, and provide houses for more Tasmanians. It will get our economy back on track, fuel the supply chain across the state and create jobs.

The centrepiece of the package delivers 2300 new dwellings, including social and affordable houses across the state. With this package there is no better place in the country right now to build a house, with our state funding of \$20 000 for any new occupier to build a house. Combined with the federal government's injection of \$25 000, it means there's a massive \$45 000 available. Together these grants will assist the residential construction market in Tasmania by encouraging the commencement of new home builds and renovations this year, stimulating investment in the private sector, strengthening the economy, and creating jobs.

The Australian Government's \$25 000 HomeBuilder Grant is to be administered by the states and territories under a National Partnership agreement. The HomeBuilder Grants Bill 2020 provides legislative authority for both of these grants to be provided in Tasmania.

The Australian Government's HomeBuilder Grant will provide \$25 000 to eligible persons to build a new home, or substantially renovate an existing home, where the relevant contract is signed between 4 June 2020 and 31 December 2020.

To be eligible for the Australian Government's HomeBuilder grant, owner-occupiers must be a natural person aged 18 years or older and be an Australian citizen. Applicants must also meet one of two income caps and enter into the eligible contract for a new home as a principal place of residence where the property value does not exceed \$750 000, or substantially renovate their existing home as a principal place of residence where the renovation contract is between \$150 000 and \$750 000, and where the value of the existing property does not exceed \$1.5 million.

Naturally, any new homes commenced prior to 4 June 2020 will not meet the criteria for the grant. However, if a builder had commenced a new home without a contract for purchase - also known as a 'spec home' - on or after 4 June 2020 it will be covered provided a contract for sale has been entered into during the same date range of 4 June to 31 December 2020.

Owner-builders and those persons seeking to build a new home or renovate an existing home as an investment property will be ineligible for the HomeBuilder Grant.

Applications for the HomeBuilder Grant will be backdated to 4 June 2020 and construction must commence no later than three months after the contract is entered into. The Commissioner of State Revenue will have discretion to extend the three-month commencement deadline by up to a further three months where commencement is delayed due to unforeseen factors.

Building works must be undertaken by registered builders and the building contract must be negotiated at arm's length.

If undertaking renovations, the works must be to improve the accessibility, safety and liveability of the dwelling. It cannot be for additions to the property such as swimming pools, tennis courts, outdoor spas and saunas, sheds or garages unconnected to the dwelling.

The Tasmanian HomeBuilder Grant will provide an additional \$20 000 to eligible persons who build a new home. The eligibility criteria for the Tasmanian HomeBuilder Grant closely mirrors the eligibility criteria for the HomeBuilder Grant to make it seamless for applicants to be eligible for both grants. However, the Tasmanian grant will not apply to home renovations, and construction is required to be completed within 18 months of commencing building.

While applicants may be eligible for both grants, applicants can only receive each grant once and each grant will only be available once per eligible transaction. Both grants are subject to standard administrative provisions that closely align with the administrative provisions of the First Home Owner Grant.

The grants provided for in this bill alongside the Tasmanian Government's longstanding \$20 000 First Home Owner Grant will play an important role in stimulating activity in the residential construction industry as the state recovers from the economic impacts of the COVID-19 pandemic.

As we have long said, the best way to get our budget back on track, grow business confidence and create jobs is to grow the economy, and that is exactly what we are doing. With both Commonwealth and state grant programs, it means Tasmanians can potentially access up to \$45 000 for their new build, making it one of the best places in Australia to build a home.

These grants will assist the residential construction market by encouraging the commencement of new home builds and renovations this year. Aside from additional housing outcomes, this policy is protecting and creating jobs as we rebuild Tasmania's economy. In the short time since this scheme was announced, almost 500 Tasmanians have already expressed interest in the state's HomeBuilder Grant and we are keen to see these people get on with their build, create employment, support Tasmanian families, and move into their new homes.

I commend this bill to the House.

[6.57 p.m.]

Ms ARMITAGE (Launceston) - Mr President, I thank the Leader and her office for organising the briefings, which certainly cleared up a few concerns I had with regard to the bill and provided valuable information. I still have a few concerns but I will support the bill.

I notice in *The Examiner* on 22 June, as mentioned by the Leader, that almost 500 people have already registered for the state HomeBuilder program and that around 900 Tasmanians have registered for the federal HomeBuilder scheme. It certainly looks to be successful. It also mentions that we were staring at a shortfall of around 800 houses, which is considerable. One of the concerns I have is that we may have a shortage of builders when it comes to making the time frames. I am not sure how we will go with that or whether we will be coming back and extending some of the time frames we have in the bill.

I have a couple of questions or statements about the legislation fact sheet, Leader. I note -

owner-occupiers that live in the home for at least six consecutive months within the first 12 months of the home being built -

That seems a very short period for someone to have to be a home owner. Even with the current home owner's scheme, is it 12 months that you -

Ms Forrest - Only six months.

Ms ARMITAGE - Is it only six months?

Ms Forrest - Yes.

Ms ARMITAGE - There you go, but it is still a short time for someone to get a substantial payment of this type. The other thing I recall from the briefings is that someone could have received a First Home Owner Grant of \$20 000 18 months or two years ago and they are eligible again, so they can live in a house for six months, it could have been 12 months ago that they moved into their home and they build a new one again -

Mr Dean - If certain conditions apply, they don't have to live in it for six months, either.

Ms ARMITAGE - That is right. The other thing it says here is that applicants can only receive the grant once. I see a section here that owner-builders and those seeking to build a new home or renovate an existing home as an investment property are ineligible. If you received grants 12 to 18 months ago and you were doing it again, you would have to think it is an investment property.

Ms Forrest - It is a HomeBuilder grant as opposed to home owner grant.

Ms ARMITAGE - I appreciate it is a HomeBuilder grant. I was about to get to that. I have this argument with the Government quite regularly, and I am not going to let the opportunity go by to mention it again.

While I am only planning a very short contribution, I will support the bill before us because I believe it is very important we support the building industry. I also believe it is very important that we support those people who cannot afford to build a new home. I hope that, perhaps with this recent grant to help the building industry, the Government can look at changing the First Home Owner Grant to a true first homebuyer, someone not able to afford to build a new home. Given that we are being fairly generous now, perhaps next time the home owner grant is looked at, it can be for people who are in a home and they need to move to another home but they cannot afford to build a brand new home. A lot of people will not be able to meet the criteria, mainly because they cannot afford to go into debt to build a new home, whereas I see a few anomalies in the First Home Owner Grant.

It is all very well if you are able to afford to do this, but I would like to see us also helping those apart from the building industry, and that is great to help them. That is really important for the economy and it is good to be doing this bill; I do not have a problem with that. I would like to see the possibility in the future that people wishing to move into another home, buying a first home or moving out of a rental into another home can also be accommodated. I hear the argument every time, which I still disagree with, that it inflates the price. I do not see any difference between inflating the price of building a new house with inflating the price of buying a new home. I would like the Government, and I may write to the Treasurer at some stage before -

Ms Forrest - The Treasurer got rid of it.

Ms ARMITAGE - The Treasurer got rid of it. I understand that, but it still does not hurt to continue to lobby, member for Murchison.

Ms Webb - Unless we build social housing instead.

Ms ARMITAGE - I understand the need for social housing, but I also understand the need for young people or even older people to be able to purchase their own home. That takes the pressure off social housing as well. It is all very well, yes, it is great to have social housing, but it is really important that people can afford to buy a home as well as build a home.

I appreciate the bill before us and I certainly will support it. I see it as very important to our economy in the COVID-19-led downturn we are going through. I would like the Government to be cognisant of the fact that not everyone can afford to build a new home. It also helps our economy to allow people and to assist people to buy a new home or another home.

Mrs Hiscutt - I do note your comments. I have heard them many times before.

Ms ARMITAGE - You will probably hear them again.

Mrs Hiscutt - This bill is to stimulate construction. I hear what you are saying.

Ms ARMITAGE - I accept that. The reason I am making these comments is because it is a first home builder grant, but it still allows people who have had a First Home Owner Grant in the past to get this grant again. I always believe it is worth mentioning the issue at every opportunity I get. I will support the bill.

[7.04 p.m.]

Ms FORREST (Murchison) - Mr President, I make the observation that the impact of COVID-19 has been quite astounding and far-reaching to the point that everyone at the podium, except for the member for Nelson, now has facial hair. That is the COVID-19 look.

Turning my mind to this bill, I have mixed feelings about this bill. We have seen the Government demonstrate commendable resolve, making tough decisions during uncertain days in early April and March when the pandemic struck this state and continue to exercise caution in not bowing to every demand to open our borders prematurely. I commend the Government for that.

This bill sees a proposed handout to property owners or want-to-be owners who are planning to pursue their dream anyway. That is the reality of the HomeBuilder Grant. As many have observed, the grant requirement, whereby a contract needs to be signed by the end of this calendar year and construction to start within three months, means the policy is a handout to those who are planning to build and/or renovate anyway.

Interestingly, the definition of commencement is quite loose. The date of the laying of the foundations for the building or if no foundations have been laid, a date determined by the Commissioner of State Revenue in respect of the building.

I understand that commencement is used in the First Home Owner Grant for first-time builders, but it is pretty loose and I appreciate the Leader organising a briefing for me at short notice this morning.

Mrs Hiscutt - I told my staff they could knock off after we had sorted that. We worked all hours.

Ms FORREST - They did not all go off after they talked to me. They are here now. I made the point that surely this must mean more than a few pegs in the ground. Surely there must be some sort of serious commencement if we are going to be serious about this? The commissioner cannot decide, 'Oh well, they have pegged out a bit of a lot there on a block.'. I would like the Leader to clarify a bit more of the detail around that. The definition in clause 3 of 'commencement', at part (b), is quite loose.

I note the date to end the grant program is set for 31 December this year; however, under clause 14, this can be extended by ministerial order. Amendments to the National Partnership can also result in ministerial orders being used to alter the application of this bill under clause 19.

While both of these are disallowable, we know that parliament does not sit until March over this period. That is assuming things go as planned. If we look across the water to Victoria and New South Wales, both are now experiencing significantly more numbers of COVID-19 infections - not significant in the American or the Brazilian or even the English sense, but in the Australian sense, it is significant.

We are not out of the woods yet and there could be a second wave. We need to be sure that there is proper scrutiny of a notice or a ministerial order issued under this bill. The bill, as it is drafted, excludes the scrutiny of the Subordinate Legislation Committee. In my view, the committee could be charged with considering these orders in clause 14 as the committee has the power to act when parliament is not sitting.

As this is a COVID-19-related bill, to deal with the COVID-19 pandemic emergency to try to stimulate the construction industry, I am proposing - and I am working on an amendment - to allow it to be disallowed should the parliament be sitting. Also, for it to be subject to the scrutiny of the Subordinate Legislation Committee as COVID-19 bill notices are, if parliament is not sitting for a period, bearing in mind that if a notice is issued, it is most likely to be in December, the first one anyway and it does warrant scrutiny. All measures to deal with COVID-19 should be. As soon as that is available, I will circulate it to everyone.

We also hear from other members as well as the community that many will not be able to access this grant due to the shortage of builders in Tasmania to do the jobs. The member for Launceston referred to that, and that is true. Everyone I have talked to - builders, people who are wanting to do work on their homes now or even build - are saying the same thing, which is good news for the tradies and the builders out there but it makes this seem a little bit out of whack.

It may be the case in other states that there is redundant capacity and the National Partnership has been signed to give it effect and we are only following along here, but the number of people actually being able to genuinely access this will only be the people who are ready to go anyway.

We are talking about spending of at least \$150 000. A lot of people in my electorate do not have that spare money, even with the \$45 000 if they manage to pick up both grants. It is still a lot of money for people to find and borrow at the moment - banks rightly are being very cautious.

The planning and financing required to build a project of \$150 000 or more - to quality for it, the project would have to be underway at this stage for them even to be successful.

I know this from people who have been trying to settle properties lately. It is taking weeks and weeks, if not months, to get finance approved.

This is a windfall gain to those already in the queue. Economist, Leith van Onselen, wrote in *MacroBusiness* on 15 June -

The implication for the HomeBuilder scheme is that rather than creating additional demand for property purchases and renovations, the scheme would just bring forward works that were already planned.

...

The kind of planning and financing that needs to be organised for a six-figure renovation means it would largely be taken up by those who have already started the process.

He goes on -

The big winners from HomeBuilder are large developers who will be able to inflate the cost of their house-and-land packages, whilst also clearing their inventories.

So, on 22 June, a few days or a week later, in *MacroBusiness*, Mr van Onselen wrote -

We have also witnessed cases whereby developers have marked-up the cost of house-and-land packages by the amount of the grant, thus representing a direct transfer from taxpayers to developers.

Which shows the failure of this policy in First Home Owner grant as well. Exactly the same, the same effect. It inflates the price of houses, that is what it does.

Mr Willie - It is a demand-side solution for a supply issue and so you are overheating the demand-side really, are you not?

Ms FORREST - It is inflationary. It inflates the cost of the price of houses, so it pushes more people out.

I must say I was not surprised by that. The same transfer occurred with the First Home Builders Boost Grant. That clearly inflated house prices and was rightly scrapped by this Government. I commend the Treasurer - now Premier and Treasurer still - at the time it was also announced that treasurers were getting rid of it because of that impact, a well-understood impact.

The HomeBuilder program is being sold as a boost for tradies, but were they actually suffering?

I know of no evidence that of all the industries out there this industry required preferential treatment. On the contrary - as I said, the anecdotal evidence I hear is that building tradies and the workers have suffered less than most. What we could see here is the bringing forward of works that were on the go, were in the forward plan. They will be brought forward and pushed forward to try to meet these criteria to get this money because they are already ready to go. Then what happens in 12 months time? Do we get to a cliff and need to look at, 'Well, now the construction industry in Tasmania is really in trouble'? Bringing forward work may have the perverse impact of creating a void in about a year's time or thereabouts.

Mr van Onselen goes on in the article -

This is one of the reasons consensus is mounting around social housing being a much more efficient use of government expenditure on housing because it guarantees the upgrade and building of homes through direct expenditure.

Mr van Onselen goes on and describes the vacuum effect of this policy, saying -

A vacuum effect describes housing stimulus bringing forward a planned decision to purchase property. It reflects a surge in buyer activity soon after housing grants are made available and a significant drop in activity thereafter.

The implication is that rather than stimulating sustained, new demand, stimulus is simply bringing forward activity to a certain date, where it would have likely occurred over time anyway.

It happened in 2000 when the GST was introduced and after the global financial crisis in 2008. On both occasions, a boost in first home buyer grants saw increased activity quickly subside when the stimulus was withdrawn.

That could be when the builders and others in related sectors feel the real pain. There will also be some Tasmanians who will be adversely impacted by this measure as it stands here and now. I have heard from a property agent who has a 'spec' home to sell. This property was commenced before 4 June 2020. It now risks becoming very difficult to sell because buyers will look to purchase a property that is eligible to access this grant, pushing up the price of the home contracted and built after 4 June 2020. She gave me an example - and this is a quote from the agent who contacted me about this and to talk about others as well -

I currently have a brand new completed home to for sale. If this home is in competition with a new home to be built after 4 June 2020, I'm sure the buyers will wait for the new one when they are able to obtain another \$25,000.

She said \$25 000, but they could actually get \$45 000 if they are eligible for both. Back to the example -

Hence this property may be worth less -

The one that has been built, or soon ready to sell -

The owner of this property is a developer, which if not sold won't go on with his future new builds until sold. The active builders/developers are disadvantaged by this incentive with their spec homes were started and/or completed prior to 4 June 2020.

To keep it simple, it should just apply to all new built homes.

She goes on to state that in a new subdivision, this could happen. You have an example of two new spec homes side by side, one started before 4 June 2020, or started and completed after 4 June. Which home would the buyer go for?

There are people out there who are actually going to find this negatively impacts on them already.

Mr President, this clearly shows how this program will inflate house prices and do nothing for affordable housing in the state. But this was not about affordable housing; it was about stimulating the construction industry.

The priority given to the property sector at the expense of other areas of the economy, which are suffering far worse, is also bewildering. Given there is a growing homelessness problem, why are the funds not being directed to more public housing, where we know there is very real and actual challenge, especially as this could have a perverse impact of increasing housing prices, making houses less affordable to those who may be trying to leave the rental market, either public or private?

Mr President, I am really struggling to explain why, at a time the Government is decrying the massive amount of red tape supposedly strangling the economy and avowing a commitment to streamline processes, we are being asked to provide a bill with 55 clauses to hand over funds so a fortunate few can renovate or build a new house - something they were going to do anyway, which is effectively how it is going to play out.

The home builder deal is being sold as a boost to tradies, but that would occur with spending on public housing, and it would also create additional value in the process.

If you want immediate economic impact, this spending can be directed at clearing the maintenance backlog with public housing, rather than building new ones. Spend the money there. That will keep the tradies busy.

Delays caused by planning and other problems with new construction could be neatly sidestepped with money that would flow immediately into the economy. The beneficial social effects of better housing for the disadvantaged would also be immediate. We need to rein in our obsession with housing being the cornerstone of an investment portfolio. Housing is first and foremost a place to live. We should not be pursuing policies that give pre-eminence to housing as a source of wealth, when many - and an increasing number - go without.

We need to look at our priorities. Unlike an investment in a productive asset, the aim of which is to produce future returns, once a house is built, it tends to drain resources from the real economy by the servicing of loans, which inevitably grow with encouragements by governments as we are being asked to approve this bill.

Home building is an important contributor to the economy - do not get me wrong - but its role is disproportionately exaggerated by the property lobby, and its effect on the real economy is largely ignored. The paper wealth with increased house prices accruing to a decreasing number of privileged owners is forever being paraded as evidence of a successful economy. It is not. It is a charade.

State governments are always happy to play along with propping up the housing sector, because of our poorly designed, unfit-for-purpose dysfunctional tax system. State governments give preferential support to housing because they depend on a steady stream of conveyancing duties to finance budgets. The pandemic has revealed the flaws in relying on volatile conveyancing duties to fund essential services. It really is a dumb system. When demand for services rises and government income falls, that is not the perfect system for a state government, I suggest.

I guess I am going to have to vote for this bill, but I will be doing so reluctantly.

Our Premier has agreed at a national level on our behalf without discussing it with us first. I was not engaged in that consultation - that was a National Cabinet decision, and we are party to a national agreement we had no say on.

It makes it impossible to oppose a poor policy that we are condoning in this bill. It is the wrong time to be giving this handout, and it will negatively impact some. This is a policy that does not do the best it could, or should, with the money being made available.

Mr President, it is bad public policy.

[7.21 p.m.]

Mr WILLIE (Elwick) - Mr President, I am going to make only a short contribution. There is some confusion in the community, I think, when we talk about HomeBuilder boosts. It is not a supply-side solution. It is not about increasing housing supply. It is an economic stimulus to stimulate the construction industry, and that is what it is about.

That said, this is a pretty poorly designed policy: \$150 000 minimum for a project. Not many people have that sort of money lying around, particularly in Tasmania. I think it is quite detrimental in terms of us getting our share of this, just in terms of our demographics and incomes. The member for Murchison is quite right.

It is essentially paying people to do renovations on their expensive properties that they were going to do anyway. They are already well in the planning process because of the time frames involved, and this is at a time when we have massive social housing deficits across the country. We have the worst home ownership in 60 years.

It could have been a far better targeted policy. It could have looked at things like improving energy efficiency. It could have addressed the maintenance backlog on social housing, as the member for Murchison said initially.

We have an ageing demographic in Tasmania. We have very high proportions of the population who have a disability. It could have been targeted in a way to improve accessibility to properties.

There were so many different approaches that could have been taken, but unfortunately, we have a federal government that has chosen a particular constituency, and I am sceptical around the politics of that. They are going to be the beneficiaries of this economic stimulus, along with people who own assets, including blocks, and developing businesses, and a whole range of other people in the community.

When we could have maybe targeted it towards those in need, we have gone for the other end of the scale. Like the member for Murchison, I just think it is really poor public policy. It has been really poorly thought out.

The federal Treasurer is talking about this producing 7000 projects and hundreds of thousands of jobs. Well, that does not really add up when you are talking about projects that were going to be undertaken anyway. If you do the maths on that, it is like 30 jobs to a project, on a project that probably would have taken place anyway. It is pretty silly, really, I think.

That said, we are not going to stand in the way of it. It is a national agreement. It is about economic stimulus. The *Mercury* this morning said that 30 000 people had signed up already across Australia - about 1000 people in Tasmania.

Given the time frames, some people might not meet that, and there might be some disappointed people. It is typical of this federal government. It sounds good, they market it well, and just like

JobKeeper, they might not reach the target they have set. That might be by design, too, because that side of politics do not particularly like stimulus. It might have been cooked up in a way to keep their party happy, but we will not stand in the way.

[7.24 p.m.]

Mr GAFFNEY (Mersey) - Mr President, I have a couple of questions I asked yesterday in the briefing. I appreciate the Government's briefings, I found them very helpful, but I will just put these on the Table so the Leader can respond to them if she feels inclined.

In Tasmania, given the number of large infrastructure projects being undertaken to stimulate the economy and building industry, anecdotal evidence suggests that it might be difficult for a builder to commence within three months after the contract date. Should the grant be extended for at least six months to allow more individuals to take advantage of the opportunity?

We know that the Commonwealth and state grants are linked, so there is a bit of a conundrum there. However, I was informed that the state grants could actually be extended.

Noting that builders, if there is a flood of opportunities, do not always keep their prices low. Anybody who has been involved with tendering projects - for example, a range of tender projects for a place were tabled at the Devonport City Council on Monday night and the tenders tend to come in about the same. If there are not many projects out there, the tender will be higher; if there are many projects, it will be lower. If there is a flood of money out there, I feel this could happen as well.

Will applicants fill out the one form with multiple sections, one for federal and one for state government or will repetition be required? I am wondering if there is any consistency for people applying to access the funds. When will the grant be paid, when does it go into the coffers of whoever is able to get the grants?

Whilst the state has committed itself to this project, and it really did not have much choice, has the Government considered a smaller grant scheme only in Tasmania, which might allow Tasmanians to increase the energy efficiency of their homes through renovations - for example, subsidised double-glazing of windows, a solar panel scheme, a subsidy for more efficient heating and cooling, one for which they could perhaps share the cost? There would many Tasmanians who want to improve their homes but who would not be able to come up with the funds required when it goes to the top end of town.

The Premier should seriously consider, being the Premier, the Treasurer and the Minister for Climate Change, that one of the targets is trying to improve our place in that. If it is to get some of - not Fairbrothers and Vos, who do a wonderful job so I am not having a crack - those who have a lower workforce, to get some of those smaller jobs that do not need council approval and that your everyday workman can do, that is where you are going to get more jobs, whereas the person who picks up four more houses will have to pick up somebody else to help them do it all.

That would have a greater impact than the company that already has 250 people and is looking around for projects to keep its workers busy. There is not going to be an increase in the people working within those bigger organisations; they are simply moving from one project to the next. If they do not get a big project, they will go down to the little ones so they can keep their workers in work. We work in communities where people cannot get a builder to do some of the smaller jobs because there is a lot of work on. That is going to change. Men's shed volunteers around the state

are doing work on little old ladies' and little old men's homes that they cannot do themselves. There is a role for them to play.

In Tasmania, the space we should be operating in is not at that large level of cost and funding. Our land and housing packages do not compare to those in Sydney, Melbourne and places like that. As mentioned by the members for Murchison and Elwick, we are locked into this but surely the Government might think that we could do something else that could target the partnerships, the couple of people who do the building around the place - perhaps we could cater for that. Perhaps we could get a better bang for our buck if the Government comes up with a smaller grant scheme and people would be prepared to pay a percentage, half of that, if they could get solar or glazing they cannot do themselves. They would be prepared to contribute, which would increase the value of their property and decrease their heating bills and that sort of thing. Whilst we are locked in and have to go down this track, there are opportunities for the Government to seriously consider what might be better or achievable within our patch, to use a turn of phrase.

[7.30 p.m.]

Mr VALENTINE (Hobart) - Mr President, I am a little concerned about the inflexibility of the federal grant in respect of the extra three months. I asked this question during the briefings but clearly as a state we are at a bit of a disadvantage here. We are an island state. When it comes to getting certain resources to be able to undertake building projects, it just may take that little bit longer. I place on the record that this bill is unable to be changed to allow a greater extension of time, indeed over and above the three months. There is only a certain amount of resources within our borders and a certain number of builders who exist within the state and given the demand - somebody said there had been 1000 expressions of interest in this - that is a significant number for a state our size. I do not know whether anyone has done the figures in terms of other expressions of interest for other states, but to put in another 1000 projects within this state with the resources we have is crueling the pitch for those who want to take advantage of this if they cannot extend it past an extra three months - that is, for the Commonwealth grant component, the federal grant component.

My other query is about something raised by the member for Launceston. I am not quite sure I heard it properly. Could the Leader clarify whether it is in fact the case that a person who has already received a First Home Owner Grant and has built a house with that is still eligible to apply for this particular grant? That really does seem odd but I will let the honourable -

Mrs Hiscutt - I can confirm that now.

Mr VALENTINE - You can confirm that this is the case. When I look at clause 11(1)(c) of the bill, it says -

the first home owner grant has not been paid, or is not payable, in respect of the eligible transaction.

Then I go to clause 12(1)(g), which says -

The applicant has not previously been paid the Tasmanian HomeBuilder grant in respect of another eligible transaction.

It seems to me that they cannot, but what the member for Launceston was telling me is that, yes, they can. I would like that clarified, especially given those two clauses, as to whether it is now

possible for a person who has already received the First Home Owner Grant and has built a home to have another go and also get the Commonwealth money. That means they would get another \$45 000 over and above the \$20 000 they have already received.

Mr Dean - I thought it was clear that they could not.

Mr VALENTINE - Well, no. I want clarification of that. That is okay; that can come with the Leader's closing. I am happy to wait for that; it does not have to be right away.

I am concerned about the policy, a policy made by others in other places, in respect of the way it has been put there for people of a certain bracket and how much they are supposed to spend on additions, modifications and the like to their homes and how that actually benefits those in the upper brackets. It does not do a lot - it could be a double benefit if it were applied to, say, social housing. It could be a double benefit - it could boost the building industry and it could benefit the people on the ground who are finding it difficult to get into homes. What is happening is that it is basically allowing people in the middle income earning bracket to be able to benefit from this, but it provides no greater benefit to the building industry.

I think this policy has not been that well thought through, but we are not here to debate the policy. It is here before us. We either agree to pass it or not. Whether we reluctantly do that, be that as it may, but it is what is before us.

However, I want to know about the capacity of people who have already built a home using a First Home Owner Grant as to whether they, too, can take advantage of it and have a second grab.

I support the bill as it is. I would have liked more time to have a look at the nitty-gritty wording of it to ensure there are no anomalies, but it is what it is.

[7.36 p.m.]

Mr DEAN (Windermere) - Mr President, I think not supporting this bill would probably not be a good look. I think a gun has been held at our head, really, in some respects. I think that the people who may well apply and be given the benefits of these grants - both the Commonwealth grant and the state grant - will not see the position taken too kindly if it is not supported.

I read this in the Leader's second reading -

With this package there is no better place in the country right now to build a house, with our state funding of \$20 000 for any new occupier to build a house.

Is that statement right? I did not think it was right, because I thought you had to meet certain criteria to be eligible.

Mrs Hiscutt - Once you meet the criteria -

Mr DEAN - It does not say that.

Mrs Hiscutt - Just to clarify. There is a criterion that needs to be met. Once you have met that, yes.

Madam DEPUTY PRESIDENT - You are not eligible.

Mr DEAN - I just get a little annoyed when you read through this and see -

The centrepiece of the package delivers 2300 new dwellings, including social and affordable houses across the state. With this package there is no better place in the country right now to build a house, with our state funding of \$20 000 for any new occupier to build a house.

And we know that is not right, is it?

Mrs Hiscutt - In hindsight, 'eligible' would have been in there.

Mr DEAN - You have to meet the criteria for any owner-occupier.

Will this do what the Government is saying it will do? Where it says also that it will get our economy back on track -

The program of works will build next-generation infrastructure, improve the opportunity for more Tasmanians to become a home owner, and provide houses for more Tasmanians. It will get our economy back on track, fuel the supply chain across the state and create jobs.

Will it be enough? No, it will not be enough, will it? We will need to do a lot more, but certainly it will have an impact; it should have an impact.

The issue raised by some members is whether there will be enough builders to be able to take on all the projects expected to come through. We have had quite a lot of interest in the grant already, so will there be enough builders? I think that that is also another question.

The issue I was going to comment on was raised by the member for Mersey. It is an important matter, in my view. If it were to provide for those people who would want to complete renovations and works not to the value of \$150 000, it would have felt more deserving for people. Those people who are doing it tough, who want to carry out maintenance on their properties or renovations and who do not have other means to do so. When you look at the criteria around the federal government's provision of \$25 000 and the state, it is really targeted at a certain element within our community.

I currently have a builder working at my home carrying out some renovation work. He is employing people and concentrates only on renovations. He does not take on new buildings. He raised with me the opportunities he will have from the federal grant in particular for renovations. That is the only one that applies to renovations. I said to him, 'I do not think it will help you at all, Paul, because how many renovations will you do up to \$175 000?'; he said, 'Well, none. I have been working in this area for quite some time and am yet to get one anywhere near that amount of money.'. His next question to me was, 'Can you do something about it?'; I said, 'Well, no, I do not think I can do anything about it. This is the process and this is what is occurring.'. It does not help those I think it should be helping.

I want to refer to *The Examiner* of Monday, 15 June. I will read a little of this and have your comment in relation to it, Leader -

People purchasing speculative houses are eligible for the federal grant if construction started after June 4 and the property is purchased before December 31.

The state grant however excludes people who are buying speculative houses, although first home buyers would still be eligible for the First Home Owners Grants.

Darren Goodyer says the grants will prevent him from selling houses already under construction. His company, D&B Goodyer Developments, has kept 28 people plus contractors employed during COVID-19, but he says if they cannot sell their houses they will have to stop work.

'Who is going to buy my houses if they cannot get \$45,000?', he said.

'Most of them are under construction now or we have several other ones coming up, but because we have already gone through planning we are going to be ineligible. It means that I will have to stop building and wait until this grant is removed to make it an even playing field'.

Finance Minister Michael Ferguson said the scheme was designed to match the federal grant criteria.

He said both schemes were designed to provide immediate stimulus to the economy.

'These programs are not designed to provide cash supplements towards homes already under construction or about to be completed, such as spec homes', Mr Ferguson said.

But CHS Property Developments project manager, Amanda Foster, said if builders can't sell their properties they won't be able to afford to keep people employed.

'Long term we would have to stop work and that would mean nine people directly out of employment, three apprentices directly out of employment, let alone all the contractors we employ', she said.

'I hope that the government will ... see our concern and understand our concern as a major player in the residential construction sector in Tasmania and realign the wording to include all new dwellings and all off the plan purchases'.

Harris Daley Developments director Daniel Harris agreed the grants could cost jobs and cause properties to stay on the market longer.

Having said that, have all those issues been addressed as to what this is likely to do in that area? Other members also raised this. Is it likely to create difficulties for people who are already building homes and speculative builders, who have a lot of homes on the go? Will their properties be sold? Will they stay on the market much longer? What opportunities will there be there for them? I ask

the question: have all those issues been considered in putting this bill together and were developers spoken to as a part of putting this bill together as well?

We were told at the briefing yesterday that people were consulted with in relation to putting this bill together. I do not think we were, so I ask: Who was consulted? What organisations had input into it? If so, what were their comments? In particular, did the larger developers have any input into this in any way whatsoever, or were they asked to comment?

I may raise some other issues during the Committee stage, but they are the only points I wanted to make. It will be interesting to see how it goes, and one would hope that it will be successful.

[7.46 p.m.]

Ms WEBB (Nelson) - Madam Deputy President, I will speak briefly on this. I have not prepared remarks. I thank the members for the remarks that have been made; I have appreciated listening to them.

The parts I reiterate are that while we appear to be locked into supporting this bill - and I will be doing that - through the national agreements that have bound us to it, I fully concur with the sentiments expressed about the misplacement of this investment and the lost opportunity it represents for our state.

I will elaborate slightly on that in that the intent to stimulate our state economically and to improve job prospects in the state across this next period of time is highly important. It is absolutely critical we do that and do it effectively.

Other members have made the clear point that this will generate activity that would already have happened. That point is well made and well recognised. This is not delivering us something new, different and additional to what was there before. My particular point is that had we chosen differently, we could take the investment we are making in this space as a state and put it into the other opportunities also mentioned here today - specifically, social housing for the 3500 people on our public housing waiting list. That is, it could have provided opportunities for people with disability or those who are elderly who require adjustments and modifications to their homes to have those adjustments and modifications made. The third one is opportunities, particularly for people on low incomes, to make use of a renovation that would improve the climate efficiency of their homes.

Those three areas, if they were prioritised with this investment we are planning to make, would have done exactly the same intended thing of providing economic stimulus - creating jobs to undertake that work. However, they would also have done much more on top of that. Not only would we have been delivered the intended stimulus that this bill brings us, in terms of climate efficiency we would also have had people on low incomes living in housing that was healthier and saved us on the health front. We would have had them living in houses that were more economical for them to be in, in a day-to-day way. We would have reduced their bills, in winter typically when it is really important to do that.

We would have delivered better outcomes for our community on the environment and climate change front through that efficiency, delivered through funded renovations and improvements made in that space.

Second, the other part was the disability and accessibility options for elderly Tasmanians. In this state thousands of people live with a disability who would like to have access to funding to improve the accessibility of their homes or to get equipment they need within their homes to improve the quality of their lives; in fact, not only improve the quality of their lives, but also let them live with the basic essentials of a good life in their home. These are people who perhaps need assistance to get in and out of their homes with ramps and the like. It might be people who need assistance to be able to move through parts of their home with greater accessibility by widening door spaces. These are fundamental basic things. There are Tasmanians right now who cannot live in the basic way we all take for granted because they cannot afford modifications of their homes. Where is our investment in them where we would have economic delivery and better quality of life for some of the most disadvantaged Tasmanians who are struggling on a daily basis to get about their homes?

The third one is social and public housing. This is a no-brainer. Putting this investment into that area, however many homes that might deliver us - let us pluck a figure out the air, let us say it would deliver us 200 homes; I have no idea what the amount would be, but let us say it is that - would get us exactly the same economic and job stimulus proposed in this bill and through this initiative. We would also get that many households provided with an affordable home to live in.

For those of us who have a home we can afford to live in, it is easy to dismiss the full impact of what this means. If we delivered, say, 200 homes for people to live in, it is a place for them to live, but it is also a place for their children to have a safe and secure permanent ongoing home to live in from which they then attend school. On top of economic and job stimulus, we get an education stimulus for some of the kids in this state who are most disadvantaged, who have difficulty connecting with education because of uncertain and unsteady housing and home situations. We deliver a stimulus for our future through that economic benefit. We also, through providing social and public housing, provide women and children in our community with safety. We get an absolute bonus and stimulus in safety for women and children who are suffering from domestic violence in this state by being able to provide them with a home. Right now, women and children in this state are staying in situations with a lack of safety, with violence and abuse, because they do not have an option to go to. They are waiting. They are there waiting, not in safety. We would have a safety stimulus with a different choice for this funding.

We would also have a health stimulus at a time our state is suffering from an incredible health challenge. We were all, even before this pandemic, acutely aware of the health challenges we face as a state. If we were to deliver through investment in public and social housing, a certain number of homes to Tasmanian families for safety and security, what we would get is a health stimulus because a home that is affordable to you and can be something you can rely on permanently into the future improves health outcomes. We would see hospital admissions go down; see people able to connect to a local general practitioner; see people not suffering the same sorts of illnesses that a more itinerant lifestyle might generate. We get a health stimulus through this sort of funding.

What else do we get? We actually get a community wellbeing stimulus through that sort of funding. We would likely see a crime rate reduction from the uncertainty often presented by people who are facing homelessness, who are facing difficulty in securing an affordable home. We would see people who might be struggling to manage addictions of different sorts provided with a stable base from which they could then be better supported to address those issues.

This funding - with a choice made to direct this funding just slightly differently to achieve all the same ends that are claimed under this initiative, we would also, could also, have received a raft

of the most valuable, the most needed stimuluses in this state across those other areas - health, homelessness, domestic violence, education, children's safety and community wellbeing.

What a lost opportunity, Madam Deputy President. I trust and hope that our state Government and the federal government will give more holistic thought to future investments of this sort of stimulus money, to deliver to us what would be in the best interests of our state, not only the best interests of a very narrow proportion of our population for whatever political purposes that might have been.

[7.56 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank members for their contributions. I think there is a little more to come. I will launch into this. I have an overall statement that touches on what the member for Windermere was asking.

The Government has consulted with the Housing Industry Association - HIA - and the Master Builders Association - MBA. We understand many prospective home builders have deferred signing contracts due to uncertainty arising from COVID-19. Advice is that there has been a drop of several hundred homes in the state's building pipeline. This initiative is aimed at giving those people the confidence to proceed in the short term while keeping builders in work.

The member for Murchison asked for clarification of commencement and the application of part (b). That part of the definition is included so that the commissioner can take into account builds that do not require foundations laid. In these instances, the commissioner will seek to establish an equivalent type of work that will identify substantial commencement. For example, when footings are laid for a pole house, which is equivalent to how the First Home Owner Grant is applied.

For the member for Hobart - someone can have received the First Home Owner Grant and now receive the Tasmanian HomeBuilder and Commonwealth HomeBuilder if eligible, but they cannot receive the First Home Owner Grant and the Tasmanian HomeBuilder on the same transaction, but can receive the First Home Owner Grant and the Commonwealth HomeBuilder on the same transaction. I will give you a moment to contemplate that.

With regard to speculative homes, member for Windermere, the Tasmanian HomeBuilder Grant and the HomeBuilder are only available for speculative homes for which building commenced on or after 4 June 2020. This is because the measures announced on 4 June are intended to create an incentive for new building activities, not to provide a grant to anyone purchasing a new home. Speculative home builders will need to adapt their business model and work with potential new home owner-occupiers to maximise the number of homes able to be supported under the new builder stimulus program. Homes commenced prior to 4 June 2020 are still eligible for the First Home Owner Grant if the applicant is eligible.

As mentioned by the member for Elwick and a few others, the \$150 000 Commonwealth grant is out of our control, but I believe it is also designed to stimulate architects, surveyors and those people who come along with it.

Mr Willie - It is not a \$150 000 grant. That is the amount the project needs to be to qualify.

Mrs HISCUTT - Yes, for renovations. I am sorry; there is nothing I can do about that.

The member for Mersey and a few others talked about energy efficiency for homes and the like. This bill is designed for construction, but the comments that were made were food for thought and have been noted by the advisers here. Another question asked was: at what stage during the construction process is the Tasmanian HomeBuilder Grant paid? Payment of the Tasmanian HomeBuilder Grant is not required until all conditions are met, including the requirement to reside at the property for six consecutive months, commencing within 12 months of the issue of the occupancy certificate, but the commissioner has the discretion to pay the grant before this time.

If the home is built through a comprehensive home building contract, payment will generally be made following completion of the laying of the foundations if the home is financed, or on completion if the home is not financed. If a speculative home or an off-the-plan home is purchased with finance, payment is usually made upon settlement of the property or upon confirmation of settlement or transfer of title where there is no finance. Applications can be lodged with Service Tasmania. The act also provides for the commissioner to delegate administrative functions to financial institutions through an administration agreement.

It is expected that the Australian Government's HomeBuilder Grant will be paid in the same manner as the Tasmanian HomeBuilder Grant. Please note that if foundations are not to be laid, the commissioner will determine when commencement occurs. With respect to renovations under the HomeBuilder Grant payment, payment will be made once at least \$150 000 of the contract price has been paid.

There is also a question about how many forms there will be and the administration along with it. The guidelines and the forms will be developed by the State Revenue Office once the legislation is passed, or hopefully passed. Forms will only require applicants to provide information necessary to determine eligibility.

Bill read the second time.

HOMEBUILDER GRANTS BILL 2020 (No. 23)

In Committee

Clauses 1 to 6 agreed to.

Clause 7 -

Ownership of land and homes

Ms RATTRAY - In relation to the ownership of land and owners, clause 7(2)(b) says, 'a life estate in the land approved by the Commissioner;'. It is not a reference I have ever come across before, and in light of the importance of this legislation, I would appreciate having that clarified in simple terms.

Mrs HISCUTT - That was a very interesting question.

A life estate is approved and so grants a right to reside on a property for the remainder of a person's life and is a right listed on the title. It could be that where parents own the title, if they let their adult child live in it for life, it has to be registered on the title or vice versa.

We had one of these on the farm many years ago. One of the old gentlemen who owned the farm had life entitlement where he lived, even though the house belonged to somebody else. I do not think it was registered on the title, but it was still honoured. That is what it is.

Ms RATTRAY - Thank you, I appreciate that clarification.

Moving on to clause 7(2)(d) -

a leasehold interest in the land granted by the Commonwealth or the State that may be converted under the terms of the lease, or by statute, into an estate in fee simple.

I believe at this time there is limit of around 10 years on a leasehold, certainly issued by the state. The last time I tried to lease through the state, I was told they were not giving out leases that were for more than 10 years. Obviously, that is not a very long time.

It states that it –

may be converted under the terms of the lease, or by statute, into an estate in fee simple

Again, because this is such important legislation and people will be accessing public funds through this, it needs to be clearly articulated what it means. The Leader may like to find another interesting answer.

Mrs HISCUTT - Another interesting question.

What we are going through here is the same as was in the original home owners' bill, so this is just a replication.

Ms Rattray - There will be many new people applying over this particular legislation.

Mrs HISCUTT - Some examples are long-term purchase agreements where payments is made over say 30 years and transferred at the completion of that. An example might be returned service personnel allotted some land, who then pay it off over many, many years. That is what this one is about.

Ms Rattray - Soldier settlement?

Mrs HISCUTT - That is what I first initially said, but the advisers are not really sure that they accept that term.

Ms Rattray - The soldier settlement? Flinders Island and Waterhouse were established on soldier settlement allotments.

Mrs HISCUTT - So, yes, that is what it is.

Ms RATTRAY - Madam Chair, I advise those in the House those areas - and there would be many others of them in Tasmania - were established on soldier settlement allocations of land for those who served our country, who returned and were allocated pieces of land. There are still some leases on soldier settlements in Waterhouse.

My final question is around clause 7(2)(f) -

a licence or right of occupancy granted by the Commonwealth or the State that gives, in the Commissioner's opinion, the licence or the holder of the right reasonable security of tenure;

Am I to understand that you do not need to own a piece of land outright? That you can have a right or a licence of occupancy over that land to apply for this grant? I am not sure how many of those we would have in Tasmania.

Mr Dean - It would be one of those 99-year lease ones.

Ms RATTRAY - Who gets a 99-year lease now? The Crown is very firm that any lease entitlement is a 10-year lease. My advice is that you have to fight tooth and nail to get anything past 10 years. Just again, some clarification around that one.

I have had my third call so you will not see me again on this clause.

Mrs HISCUTT - Again, this would be rare legacy arrangements at shack sites and long licence terms from the past.

Clause 7 agreed to.

Clause 8 -

Spouse

Ms RATTRAY - To make sure it is clearly understood a person is the spouse of another person if -

- (a) the persons are legally married; or
- (b) the persons are in a significant relationship, within the meaning of the Relationships Act 2003.

I have not read the Relationships Act in recent times, but making sure that it does not have to be a registered relationship - it can just be a relationship for a sense of completeness.

Mrs HISCUTT - We are seeking some more advice. We believe that is the meaning of the Relationships Act, but the advisors are checking the act for you. I appreciate the question and am having it looked it up as we speak so we will see what it says.

The definitions in the Relationships Act talk about registered relationships and de facto relationships, but if it is not registered, you have to prove you are together. There is a list of things there - basically speaking it does not have to be registered, but you have to prove you are a couple.

Clause 8 agreed to.

Clause 9 -

Transaction value

Ms RATTRAY - In regard to the transaction value referred to in this particular clause, not every person who undertakes building has a contract with the builder. Obviously, we have an

owner-builder situation where you direct the project and you could quite possibly pay the builder by the hour so there is no actual contract. I want some clarification around the fact that you do not have or do have to have a contract to be eligible to apply under this transaction value aspect of the legislation because not every renovation or build has a contract attached. Some people who do not need to borrow other moneys to finish the build can just do it on the owner-builder process available to Tasmanians.

Mrs HISCUTT - There has to be a contract in place because how else do we work out what is going on, what is the value, when to pay and all that sort of stuff? There has to be a contract in place with a registered builder and it has to be at arm's length.

Ms RATTRAY - Can I take it from the Leader's response no owner-builder will be eligible to apply for this grant? I am seeing some nodding from elsewhere so the case is that an owner-builder cannot apply and expect to receive a favourable response to this application.

Mrs HISCUTT - That is correct. If you are a registered builder, you can build someone else's home and get someone else to build your home at arm's length, but it has to be a contract.

Ms RATTRAY - Has it been widely shared with the building fraternity that no parts of this bill apply to owner-builders? A lot of people do owner-builder; I am sure the member for Windermere will when he takes on his new project. There are plenty of people with expertise being their own builders, so has this been widely advertised? I was not aware until I asked this question. This has come from the Commonwealth and filtered down into our state. Is it widely known in the building industry?

Mrs HISCUTT - I will seek some clarity. I imagine the HIA and the MBA are fully aware and give it back to their members. There is a further clause covering this, but having said that it cannot be an owner-builder, that is a Commonwealth requirement and there has been plenty of advertising about it by the Commonwealth and here in the second reading speech.

Ms Rattray - While the Leader is on her feet, what is a secondary contract in clause 9(1)(a)(ii)?

Mrs HISCUTT - A secondary contract. I will find out what a secondary contract is. It is there in case you need a secondary contract. In case you are a builder who for some reason cannot complete the job and you need to get another contractor or subcontractor in.

Ms Rattray - I thank the Leader for that clarification.

Clause 9 agreed to.

Clause 10 agreed to.

Clause 11 -

Entitlement to Tasmanian HomeBuilder grant

Mr VALENTINE - With respect to clause 11(1)(c), I need absolute clarification here. I want the rationale behind why somebody who has received a First Home Owner Grant - I do not know how long it has been since they were available, probably some years - rather than first HomeBuilder -

Madam CHAIR - They are called the same thing.

Mr VALENTINE - It is under Tasmanian HomeBuilder grant.

(1) A Tasmanian HomeBuilder grant is payable on application under this Act if -

...

(c) the first home owner grant has not been paid, or is not payable, in respect of the eligible transaction.

We are talking about the current transaction where a person is applying for the first home builder grant and is probably applying for the Commonwealth grant as well. I am interested to know why a person who had a First Home Owner Grant, not in relation to this eligible transaction but in relation to a previous transaction, is allowed to get a Tasmanian HomeBuilder grant. They can get both. You explained it but I want to know what the rationale is behind allowing people to double dip on that.

Mrs HISCUTT - I think it is wrapped around policy issues. Bearing in mind that you have to meet eligibility criteria to start with, it is designed so that if someone received the first home owner grant 20 years ago, it will not stop them from applying for it. The idea is to get builds done, to get the construction industry up and running. That is why it is there. If you had something 20 years ago, you can have another go as long as you meet the criteria.

Clause 11 agreed to.

Clause 12 -

Eligibility requirement for Tasmanian HomeBuilder grant

Mr DEAN - My question is in relation to clause 12(3) -

The Commissioner may approve a greater period under subsection (1)(f)(ii) if the Commissioner is satisfied that there are good reasons why the applicant cannot comply with the requirement to commence occupation of the home, as a principal place of residence, within the 12-month period immediately after the completion of the relevant eligible transaction.

Would that apply to the person who might well have known they were not able to do that at the time of applying for the grant? If the occupation cannot occur as is required by the grant, would the person receiving the grant be entitled to lease or rent that house out until they were able to occupy it as their principal place of residence?

Mrs HISCUTT - I will seek some advice on that for clarification, but I would say it was up to the commissioner to be satisfied that there are good reasons. We could prophesise an awful lot about this scenario, and that scenario. I think it is going to come down to what the commissioner determines, but I will just get some clarity to make sure.

It generally relates to someone who did not know that they would not be able to meet the requirements at the time of the application. That could be someone in the Australian Defence Force who gets suddenly posted, and they are gone.

Mr Dean - Would they be able to rent the house out in that situation? Or do they have to leave it vacant until they occupy it as a principal residence?

Mrs HISCUTT - I cannot pre-empt what the commissioner may say, but that would be very reasonable in a situation like this, and they would, more than likely, be able to rent it out. Yes.

Clause 12 agreed to.

Clause 13 agreed to.

Clause 14 -

Amendment of Tasmanian HomeBuilder grant

Ms FORREST - Madam Deputy Chair, I move -
Clause 14, after subclause (2).

Insert the following subclauses:

- (a) If the Minister makes an order under subsection (1), the Minister is to send to the Committee, within the meaning of the Subordinate Legislation Committee Act 1969, a copy of the order within 14 days after the making of the order is notified in the *Gazette*.
- (b) Section 7(4), 8 and 9 of the *Subordinate Legislation Committee Act 1969* apply to a copy of an order sent to the Committee, within the meaning of that Act, under Subsection (X) as if the order were regulations.

(X) would be completed with the appropriate number, if this amendment were supported.

I provided some overview of why I propose this amendment in my contribution in the second reading. Applications for this grant expire on 31 December. This order would enable an extension to be made by ministerial order.

Normally, as we know, orders are not reviewable, but this one is a disallowable instrument and that is good news. But we do know that parliament rarely sits in January, February and into March. Assuming that all goes well, and we do not have a second wave of COVID-19, that will probably be the case, but it might not be the case. In any event, if the parliament or the Subordinate Legislation Committee on behalf of the parliament deem it to be unreasonable to extend the grant, then the Subordinate Legislation Committee can report when parliament is not sitting.

Because this is a COVID-related measure to provide an economic stimulus to the construction industry as a result of the COVID pandemic, I asked the Office of Parliamentary Counsel for an amendment that basically mirrors the requirement or the decision made with the COVID act - the first one we passed - that saw all the notices made under that act referred to the Subordinate Legislation Committee for scrutiny. That was assuming, particularly at that time, that we were not going to be sitting again for some time, but we did end up coming back. The Subordinate Legislation Committee, as members will be well aware from the tabling of papers today, has been frightfully busy reviewing all those notices. We do not actually want more work. We are always happy to get it, are we not?

Madam DEPUTY CHAIR - We do the work presented.

Ms FORREST - That is right. We talk about the importance of scrutiny; we have just talked about importance of scrutiny of TasWater, for example. This is another example of making sure there is timely scrutiny, particularly of measures related to the COVID-19 pandemic. I encourage members to support this amendment. It does not change anything other than provide for a timely opportunity for scrutiny.

Mrs HISCUTT - The Government does not support this motion and I have myriad reasons why it is not necessary. We believe there is a fair amount of oversight already. Disallowable instruments enable the minister to make a small straightforward change by order without requiring an amendment act. As the Rules Publication Act 1953 applies to those orders, the orders must be drafted by the Office of Parliamentary Counsel and their making be notified in the *Gazette* and therefore the orders will appear in the statute book and on the OPC and the *Gazette* websites - easily found by members of the public.

It is not an instrument of legislative character under the Subordinate Legislation Act 1992, so the minister cannot make a notice under section 3(2) making it subordinate legislation and therefore subject to repeal under that act.

Because sections 47(3), (3A), (4), (5), (6) and (7) of the Acts Interpretation Act 1931 apply to the orders, the order must be published in the *Gazette* within 21 days of it being made by the minister under section 47(3). If it is not published within that period it is void - that is under section 47(3A). A resolution can be passed within the first 15 sitting days of either House of parliament for the order to be disallowed under 47(4) and the Clerk will publish a notice to that fact - section 47(5). All or a specified part of the order can be disallowed under the motion - that is section 47(6) - and if it is disallowed, the Treasurer cannot make another order on that subject within 12 months of the disallowance, unless it is laid in parliament for 30 days rather than the usual 15. That is section 47(7).

The advantage of a ministerial order is that it is not dependent on an amendment act getting through both Houses of parliament and royal assent before the existing conditions lapse. This can be an issue if either or both Houses of parliament are not sitting at any stage as in other parts of the year. So, we are using the same -

Ms Forrest - What a nonsense this answer is.

Mrs HISCUTT - By extending the period for -

Members interjecting.

Mrs HISCUTT - ... also no requirement to meet Executive Council sitting dates or deadlines, which can be problematic when the time period is fixed. It also means there cannot be a retrospective extension of the time period by the minister because an order cannot have retrospective effect unless specifically empowered under the act to do so. This means that if the government of the day wishes to extend a time period that has expired, it must do so by amending the act.

As the orders are disallowable, it does enable parliament to have its say on the policy behind the order. Parliament has the power to disallow any extension of the period of time if parliament

thinks fit. It is quite a commonly used technique to update names or references in acts to certain organisations without requiring an amendment bill.

I have a few lists here of what other legislation gives the minister power to vary the legislation by ministerial order.

Ms Forrest - There will be a list as long as your arm.

Mrs HISCUTT - No, it is not. There is only one, two, three, four - so, there is -

- the new homes available for long-term rental, which section 19F of the Land Tax Act 2000 - and I will not go through what it does, but it certainly is there and if anyone wants to know what it does, I am happy to go through it;
- short-term accommodation properties made available for long-term rental accommodation, which is section 19F of the Land Tax Act 2000
- duty concession for first homebuyers who purchase an established property - that is section 46B of the Duties Act 2001
- duties concession for eligible pensioners who downsize, that is section 46K of the Duties Act of 2001.

Probably - the best bit until last - the best reason is that the Subordinate Legislation Committee review introduced a sovereign risk for persons committed to the home build based on an extension by order. Under the current bill, parliament can review and disallow an order, but it is the members of both Houses considering the policy underpinning that order.

Mr Willie - The parliament's sovereign risk?

Ms FORREST - I could ask, 'Where do I start?' I will just start with a couple of points. Most of that was completely irrelevant to this argument and to this suggestion. I am disappointed the Government is taking such a circuitous route to try to encourage members not to support this amendment. This does nothing to alter that fact that it is disallowable. I said in my comments that I was really pleased to see that it was disallowable. I thought first up that it was not. This is a COVID-related measure spending a lot of money - a lot of money - and the question that has been raised here is: is this the best place to spend it? After we get to the end of the year, if we find there are better ways this money should be spent and there are good reasons not to continue it or extend it, we will not have opportunity to do so until at least March. This is about timely scrutiny.

Mrs Hiscutt - Be nice.

Ms FORREST - I am being nice; I cannot believe some of that stuff that came out of the Leader's mouth. This is not about the publication; nothing changes with the gazettal. I am not trying to take any of this out of what is in the act or in the bill already. It does not remove any of the requirements of the Acts Interpretation Act that were dutifully read out - absolutely not. It agrees with all those and says that if parliament is not sitting, scrutiny can be provided by the Subordinate Legislation Committee. It does not change the scrutiny; it just allows for more timely scrutiny.

Madam Deputy CHAIR - A joint House committee.

Ms FORREST - A joint House committee - and we all talked about the importance of that committee with the COVID-19 act and how that was only a measure at the point we thought parliament was not going to be sitting. Now we know parliament is not going to sit unless there is extraordinary reason until March next year and we are not going to get a notice under this section until December at the earliest, it may be January, but it will have to really be by December because it runs out in December. So, it will be December. We pull up stumps in the middle of December this year until a bit later, until March.

So I am asking for the opportunity for timely scrutiny, no different to what the Government have put in this act, or this bill; exactly the same sort of scrutiny, just the opportunity for the Subordinate Legislation Committee to scrutinise it in the absence of parliament sitting. It does not change. It probably reduces the sovereign risk because people can enter into contracts and then we come back to parliament in March and the first day up, one of us slams on the Notice Paper a disallowance motion and it is away. There are people who have already committed.

Talk about sovereign risk - what a nonsense. The Leader was only reading out what she had been given, but I would like to meet the person who wrote that. Clearly missing the point - completely missing the point. To say that it can be disallowed when parliament resumes - well, of course it can; that is the whole point of a disallowable instrument - but it will not be for at least three months or more.

We are talking here about a lot of money being offered to a select group of Tasmanians with no scrutiny for three months. We have been asked to deal with this today, posthaste, so we can make sure it is in place, and we are doing that. Now the Government is saying, 'No, let us not ensure there is proper scrutiny in a timely manner.'. I cannot believe it; I cannot believe that response.

Mrs HISCUTT - The whole reason for not accepting this and putting it to the Subordinate Legislation Committee is because they are a small, well-respected and powerful group of people.

Ms Forrest - Oh, but I paid for the COVID-19 stuff.

Mrs HISCUTT - The idea was that all of the parliament, where there are 40 MPs looking at this, is where we want it. That is why we stuck with a ministerial order.

Ms Forrest - What a nonsense. The arguments are getting weaker.

Madam DEPUTY SPEAKER - Order, the honourable Leader has a right to reply.

Mrs HISCUTT - The Government is not of a mind to support this amendment, noting the good reasons I have put forward. I urge members to think seriously about how we move forward with this.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 to 24 agreed to.

Clause 25 -

Payment in anticipation of compliance with residence requirement

Mr DEAN - I could have asked this question in a number of places. If you look at clause 25, it is where things go wrong and grant money has to be repaid. What sort of policing will occur when these grants are paid? Will they be thoroughly checked to ensure there is full compliance with each and every grant, and must there be a signing off at some stage or another? They get the grant, the home is built, but at what stage is there a review or policing of it to ensure it is all in order?

Mrs Hiscutt - So your question is: have the criteria been adopted?

Mr DEAN - That is right. Is the person who got the grant living in it as their principal place of residence and have they met the other criteria necessary? What policing will there be of each grant?

Mrs HISCUTT - The Commissioner of State Revenue is responsible for reviewing the Tasmanian HomeBuilder Grant application prior to the grant being approved. During this process the commissioner can investigate and verify information provided and request further information where required. Checks are conducted following the issue of the occupancy certificate to ensure that the residency requirement is met. The commissioner also has the power to recall grants paid prior to satisfaction of all conditions in which, subsequently, one or more conditions are not met. These processes ensure that those recipients of the Tasmanian HomeBuilder Grant are eligible for the grant.

Clause 25 agreed to.

Clauses 26 to 55 agreed to and bill taken through the remainder of the Committee stage.

HOMEBUILDER GRANTS BILL 2020 (No. 23)

Consideration of Amendments made in the Committee of the Whole Council

Amendment agreed to.

Bill read the third time.

MOTION

Inquiry into COVID-19 Outbreak in North-West Tasmania

[8.55 p.m.]

Ms FORREST (Murchison) - Mr President, I move -

That the Legislative Council supports the establishment of a comprehensive inquiry conducted by suitably qualified and independent experts into the contributing factors which led to the recent COVID-19 outbreak in North West Tasmania.

Mr President, this will be a fairly brief contribution for a number of factors, one of which is the lateness of the hour, but also the fact I was tuned in to question time in the other place this morning and Mr Tucker asked a Dorothy Dixier. I am surprised the member for Braddon, Mrs Rylah, was not given the opportunity to ask for an update on the progress with this independent inquiry. I listened to the answer and reckon the Leader will have to read that answer, because it provides pretty much all the comments around this motion. However, I am pleased to see it being progressed. It is interesting it has happened today when this motion was coming on at the same time. Interesting timing, I am sure.

Mr President, in speaking to this motion briefly, it is important there is a fully independent inquiry into the outbreak at the North West Regional Hospital that also impacted the North West Private Hospital. Without that outbreak, Tasmania would have had extremely low numbers. Yes, they stem back to the *Ruby Princess* and the passengers who arrived back in Tasmania and ended up at the North West Regional Hospital due to the nature of their illness related to COVID-19 and it went from there. In many ways it was good it occurred because it made us realise it is a serious matter. Had it not happened, we might have been a little complacent but it did happen and, unfortunately, it happened in one of our hospitals.

At the time I commended the Premier - and I continue to commend him - for taking the courageous action to take over the North West Private Hospital first and then shut down both hospitals. An unprecedented thing to do when you need hospitals in a pandemic. It was difficult decision, but it was the right decision. It is important we learn from these circumstances. I know we have had the Public Health investigation that was done at a point in time and we gleaned some facts from it. That report is publicly available; it has been discussed and provides a body of evidence the independent inquiry will also consider.

As was found by the Public Health inquiry, this was a multifactorial occurrence. A number of factors contributed to the outbreak and spread. I firmly believe it will not be just one person's responsibility. It is a multiple responsibility, and something new in the country and the state. It takes time to appreciate sometimes how quickly and significantly dangerous these viruses can be.

My concern was around the suitability of the investigators. It is important for the Legislative Council to make a strong statement about the support for an independent inquiry of this nature. I know the people leading the inquiry. From the answer provided downstairs this morning, Greg Melick is going to lead the inquiry. He is not an epidemiologist; I believe he is in workplace safety, but I do not think he is an epidemiologist or an infection control specialist. I could be wrong on that, but I expect others who have been engaged to support him on the panel will have those requisite skills. That is a really important aspect because they are people who know the right questions to ask. If the answers being told may be a little bit less than complete, they will then know where to dig and which rabbit burrows to go down and which ones to leave alone because they are just going to go nowhere.

I suggested when I was asked in the media about this some time ago what my views were. There was some discussion about having a parliamentary inquiry. At the time when that was being suggested by others, I did not particularly support this. I supported an independent approach, preferably from people from outside the state. Tasmania is very small and if you engage people who have worked or are currently working in this area, particularly in the health space, it is difficult to have that separation. I believe that is what the member has made a decision around. The challenge is you cannot have people coming particularly at the moment, from Victoria or New South

Wales where they have still ongoing active and new cases every day, to be travelling to and fro and conducting an inquiry. That was one of the reasons it has not commenced already.

The other point I am particularly concerned about, and I was pleased to hear some comments on this in answer to Mr Tucker's question this morning, was the protection for witnesses. Perhaps this sounds a little over the top - witnesses needing protection, but they do. The healthcare workers in this hospital need to be assured they can turn up and tell their story without fear or favour. Whistleblowers are not treated well in this state. There are people who have felt they have not been believed even when they have told their stories. I have heard from one side to the other stories about access and availability of personal protective equipment - PPE - and about whose responsibility that was and all those sorts of things.

It is really important that witnesses, particularly when they are state servants - which the majority of them will be, either by way of being a nursing staff member, a medical professional, a member of the cleaning staff, catering staff, the medical orderlies whoever, because they are all involved in this - are provided with protection. There should be no threat to their ongoing employment or career advancement opportunities through their participation in such an inquiry.

There was some comment made by the Premier downstairs this morning about that and is also now on the public record, which is helpful. The Leader may address her mind to that.

Another pleasing point, one I have been really strong on, is the need for public release of the report. The Premier this morning committed to that. Maybe he has been reading my mail or has been listening to me. I have spoken publicly about the importance of this a number of times. I am really glad those measures are getting through because these things matter to my community. My community was at the heart of this. We were the ones locked down harder than anybody else. We were the ones who bore the brunt of some of the hate and vitriol directed at the health professionals and even some of the people with COVID-19. It was a very tough time. The enormous toll on the mental health and wellbeing of many of these people is significant and will be ongoing. I am still talking to some of the nursing staff and others who were deeply impacted by what occurred around this time.

It is important protection is there for the witnesses. There is a public release of the report so we can all learn from it because we will have another pandemic one day. This one is not over yet either. There will be another, whether it will be as bad as this, worse than this, it could quite possibly be worse.

We have done a good job in Tasmania and we have done a good job in Australia. You do not have to look too far over the water to see that, but we cannot afford to take our eyes off the ball. This will help provide a greater body of evidence done in a completely independent, arms-length way. Support for this motion from this House will add to that strong public statement. This is a matter of importance, and it needs to be done properly.

I urge members to support the motion.

[9.05 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, the Premier announced details of the independent review of the COVID-19 outbreak in the north-west in the other place today.

As per his previous commitment to the parliament on 30 April, he has released the draft terms of reference for the independent review for two weeks public consultation. The Department of Premier and Cabinet will coordinate this consultation.

I encourage all members to examine the draft terms of reference, which are available, together with details on public comments and other issues, on the DPAC website, www.dpac.tas.gov.au.

The independent review will commence in mid-July 2020. An eminent member of Australia's legal community, as mentioned by the member for Murchison, Mr Greg Melick AO RDF SC, will be appointed as the independent reviewer.

Mr Melick practises as a barrister and mediator in several jurisdictions in both criminal and civil matters; he is also Chief Commissioner and Chair of the Board of the Tasmanian Integrity Commission. He has conducted several significant investigations, including the one into the Beaconsfield Mine collapse.

A working group will be established in conjunction with and to advise Mr Melick with at least public health, hospital administration and public sector administration experience. This will be a broad-ranging independent review. Importantly, it will ensure that, where necessary, appropriate confidentiality arrangements are made for persons assisting the inquiry and it will ensure the lived experiences of north-west coast patients diagnosed with COVID-19 and those placed in quarantine are taken account of.

This is something that the member for Murchison, and indeed myself, together with the members for Mersey and McIntyre, as the local representatives of the areas that were directly affected, are very keen to make sure happens

The Premier was also very clear that the review will also cover any other matter relevant to the outbreak of COVID-19 in the north-west that Mr Melick identifies in the course of the review activities as warranting investigation and discussion. Members will agree that this point is a very important one.

The final report, including findings and recommendations, should be delivered by the end of October, subject to the effects of any COVID-19 spread over that time frame and possible impacts on the availability of personnel.

The Premier will release the report in full to enable public scrutiny. This independent review of the north-west outbreak led by Mr Greg Melick clearly demonstrates the Government's commitment to transparency and accountability, and it shows that our Premier, Peter Gutwein, can be held to his word.

The Premier said that he would do this and he has delivered on his commitment to the parliament and to the Tasmanian community and, of course, the member for Murchison would certainly support that.

[9.08 p.m.]

Ms LOVELL (Rumney) - Mr President, I will be supporting the motion, and I thank the member for Murchison for bringing it before us. We have debated things along these lines a couple of times now and I am very supportive of any inquiry into the outbreak and the impacts of COVID-19 and the pandemic.

I would prefer the inquiry to be broader than that announced today by the Premier. I would prefer it to be broader even than what the member for Murchison has included in her motion, but I support the motion because it does not exclude a broader inquiry.

There is no doubt that the outbreak in the north-west was devastating for that community and, indeed, for the rest of the state as we watched from some distance. Many of us have loved ones, colleagues and family members in that area - 5000 staff and family members in quarantine. We had an entire region in lockdown; the armed forces were brought in to support the hospital cleaning; and major hospitals were closed. Tragically, 13 Tasmanians lost their lives. It is incredibly concerning that we have had, not only one of the worst outbreaks in the country, but that we had what I believe is still - it has been a while since I have looked at the figures, but certainly for some time it was - the highest per capita death rate from COVID-19. It was certainly, by a long way, the highest death rate per number of confirmed cases. Some very concerning information is coming out of that region. We are hearing stories of staff who are looking to leave the state because of their concerns about returning to work in the environment they work in. Stories of staff reporting being told different things about the use of PPE, and how that should or should not be used, and when it should or should not be used, when it might have been available and when it was not.

While I am not saying, here and now, what happened, this is why we need an inquiry. This is why we need an in-depth inquiry into all these things, to look at exactly what happened so we can uncover the truth and find out what happened. The worrying thing is that this may not be the last time we deal with a pandemic of this magnitude. I hope that it is, but it may well not be. We need to ensure we take the opportunity to review every aspect of this, not just in the north-west, but also across the entire state. How we responded, how prepared we were, how our health system was equipped or not, to deal with this situation.

I would prefer the inquiry to be more wide-ranging. I would prefer it to be a broader inquiry. I still believe, and will continue to believe, that we deserve nothing less than a royal commission or a commission of inquiry. I believe that is the best option to get to the bottom of all the issues across the state, but I will support the motion because I support the establishment of a comprehensive inquiry. I just would prefer that to be a broader inquiry, more far-reaching, and I would prefer that to be in the form of a commission of inquiry.

[9.12 p.m.]

Mr VALENTINE (Hobart) - Mr President, I, too, will support this motion, but I will say in support of what the member for Rumney has just stated, that a holistic inquiry associated with everything that has gone on in this state in relation to COVID-19 would have been the best way to go when it was put forward by the member for Nelson, if only for the fact that it is on the public record. It is discoverable; an inquiry report will lay it all out. It would mean that future parliaments, future governments, would have the advantage of having that information available to them.

As I say, people walk out the door and the corporate knowledge is lost. The information is not always available when you need it. That is the difficulty and the importance of knowledge transfer. If you like, as far as parliament and governments are concerned, what is on the public record here is the knowledge transfer in that sense.

I support the motion. Obviously it is happening downstairs anyway. What has happened in the north-west happens to be essential to the whole experience we have had here in Tasmania, but I hope that whatever is discovered, we have a good public record so that we can learn from the mistakes in the future.

[9.14 p.m.]

Ms FORREST (Murchison) - Mr President, just a brief contribution in reply. I thank the members for their comments and their support of this motion. I note the comments made about a broader inquiry. Members will recall that this motion was on the Notice Paper alongside the motion from the member for Nelson when she brought that forward, and I supported that. That was intended to be a much broader motion. This was always, in my mind, intended to be focused on the outbreak in the hospital - keep it narrow and look at the learnings around that. I think that is a really important body of work - to try to make everything really broad and include everything would become such a huge body of work. What I am really pleased to see the Government doing, and I have been calling for it for some time, is this independent approach to this particular aspect.

We know the Public Accounts Committee has an inquiry, which has been commenced, looking at the economic stimulus and recovery plans and the health expenditure. That will be much broader - not as broad as the member for Nelson's suggestion we debated at a previous time. Other avenues of scrutiny are going on, but my intention was always to focus on the North West Regional Hospital outbreak and find some really clear answer to that. That was unique in this state. It was isolated to the north-west community. I think many learnings are to be had. It could have happened anywhere; it could have been the LGH, the RHH or the Mersey - we had the case of a staff member there very early on in the piece. It was not, but we did have this particular hospital. The point is to focus this sort of inquiry at that level.

I appreciate members' contributions. It sends a strong statement that this parliament overall supports this and supports it strongly. I appreciate members' comments on that front.

Motion agreed to.

LAND TAX AMENDMENT BILL 2020 (No. 22)

First Reading

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

SUSPENSION OF STANDING ORDERS

Bill to Pass Through Remaining Stages

[9.17 p.m.]

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

That so much of the Standing Orders be suspended as to allow the bill to pass through its remaining stages at such time as the Council may appoint.

Ms FORREST (Murchison) - Mr President, I will not oppose the motion to suspend Standing Orders. Again. It is one of things we are dealing with very promptly, but this one is very narrow its focus. The Premier has been talking about this in terms of other notices issued around similar measures. This one took less time to scrutinise than the other bill we have just dealt with. We had the bill slightly earlier as well.

Mr President, I hope we will soon see an end to this rushing through of legislation.

Standing Orders suspended.

LAND TAX AMENDMENT BILL 2020 (No. 22)

Second Reading

[9.18 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council)- Mr President, before I launch into the second reading speech, I would like to give members a heads-up for tomorrow. We will start with the member for Windermere's motion on policing, and then it will be the member for Nelson's motion on gaming. We will then finish the day with the member for Murchison's motions, time permitting.

As the member for Murchison mentioned again, we are getting this bill at some weird hour of evening. I would like to thank my advisors again - those who are here, particularly Mandy Jenkins. The advisers were all texting and emailing throughout the weekend, so we did the best we could to get it to members even though some of it was in draft form.

Mr President, I move -

That the bill be read the second time.

In response to the global COVID-19 pandemic, the Tasmanian Government has been receiving daily advice for health professionals to guide the policies we needed in place to save lives. Tasmanians have supported the calls for self-isolation, exercised social distancing and practised good hygiene. As a result we recently achieved the important milestone of zero active cases of coronavirus in our state.

The necessary actions taken to achieve this milestone have come at a significant cost to our economy, to jobs and to livelihoods. The Tasmanian Government Social and Economic Support packages are unprecedented in the history of our state. The two packages total approximately \$1 billion and are of a scale not seen before in our state.

On 26 March 2020, the Premier announced the second Tasmanian Social and Economic Support package which included support measures across health, business, households and individuals and the community. One of the many support measures aimed at business in that package was the waiving of land tax for 2020-21 for businesses shut down or severely impacted as a result of the pandemic.

The Land Tax Amendment Bill 2020 amends the Land Tax Act 2000 to introduce support measures by providing a land tax exemption in the 2020-21 financial year for commercial landowners who have suffered significant financial impact due to COVID-19. Landowners will be eligible for the land tax exemption where the Commissioner of State Revenue is satisfied that the land is commercial land. This may be determined by a Commercial Land Valuation Property Classification code as issued by the Valuer-General under the Valuation of Land Act 2001, with all other grounds considered reasonable by the commissioner in the circumstances.

To ensure the land tax exemption is appropriately targeted, commercial landowners will also need to demonstrate that they have been adversely financially impacted by COVID-19 in a manner which is unexpected and significant. In this regard, landowners will need to demonstrate that they have experienced a reduction in the amount of income generated as a result of COVID-19, including a loss of rent or licence fees, or that the land is vacant and available for rent as a result of COVID-19 despite the owner taking reasonable actions to advertise that the land is available.

Alternatively, where the landowner operates a business on that land, the landowner will need to demonstrate that the business has been affected by COVID-19. The commissioner will produce guidelines which will assist landowners in applying for the waiver and to ensure that applications are assessed in a fair and equitable manner.

To be clear, Mr President, the commissioner is not to waive land tax for commercial property owners who have not experienced a significant adverse financial impact due to the COVID-19.

This bill provides the commissioner with broad discretion to administer the exemption. This applies in determining whether the landowner has been adversely financially impacted and whether the land is or is not commercial land. The measure provided for in this bill will play an important role in mitigating the economic impact of COVID-19 on commercial landowners in Tasmania. These are unprecedented times and it is vital that this parliament does what it can to provide assistance to our businesses and keep Tasmanians in jobs.

Mr President, I commend the bill to the House.

[9.23 p.m.]

Ms FORREST (Murchison) - Mr President, they have let a tax bill go past without comment.

We are all very well aware of the impact of COVID-19 on business. Those decisions must have been terribly difficult for the Premier to make - to shut down hundreds of businesses overnight and effectively put people out of work. I know it was a very difficult decision for him. It was the right decision, but it does not take away its difficulties. Any of us who walk around the streets in our towns hear stories of not only significant hardship but also amazing support for business, too.

Since most of the shops in the Wynyard main street are open, I popped into all of them to see how things are going. You use hand sanitiser at every one as you get there; you feel like your hands have been sanitised half to death by the time you get to the end of the street, but that is part of the deal now. Some retailers have been telling me about the amazing support they have had from landlords. Without that, they would not have been able to reopen and some of them will still struggle significantly.

I commend the Government for taking the opportunity to consider what other burdens we could relieve from businesses - a lot of them are small businesses that run almost on the smell of an oily rag to make a living - and to help them get through what will continue to be a tough time; with social distancing requirements that will be in place for some time yet and the different way we go about things, their incomes will likely be less for some time.

Some businesses have done well, but I went into a little shop up the road from my office. One of their key income drivers is balloons and so on for birthday parties and other celebrations. They were all straight out the window. Balloons stayed in the shop. It is not only the merchandise they sell in the store it is all those other things - they also hire out costumes. None of that is being used, even though they wash them between customers and so on. While they can reopen, many of their

revenue streams have been removed. Yes, a lot of them are innovating and taking on different means to try to boost their income and their sales. For some it is not easy, and even if you do that, you are still only making up for the lost revenues you might have had.

This is time-limited. If it goes on and the restrictions cause financial hardship for businesses and those in commercial premises much longer - hopefully we will not be in the same situation in 12 months time, but we cannot assume we will not be; if a vaccine is developed in that time, we may be all right but there is no guarantee of that because no vaccine has ever been developed for a coronavirus, so we certainly cannot pin our hopes on that - we will have to come back with other legislation to give effect to consideration of a similar relief package in the next financial year. I understand the Leader might like to clarify this, but we need to deal with this now because the land tax assessment is done on 1 July for the year previous.

This impact is hitting hard. Assuming that the impact of COVID-19 does extend for the next six months, at least into the first half of this financial year we are going into, what is the likelihood of us needing to extend it to businesses for the next financial year? It is a bit hard to tell. How long is a piece of string? I support the intent behind this bill.

[9.27 p.m.]

Mr VALENTINE (Hobart) - Mr President, yes, you walk around the streets and you see some of the impact that COVID-19 has had, especially in a CBD like Hobart's. You see it in all sorts of ways. Retailers are reducing their opening hours, and the number of staff they have had to put off have been allocated JobKeeper, which is good. Retailers have had to shut their doors for quite some time and they are now opening up again. In some ways they are falling victim to online sales operations. They have realised they have to get into that as well, but they have buildings. The people who are operating purely online do not have that detriment, if I can put it that way, to their business so it is important that the Government provides precisely this sort of relief regarding land tax.

I have a couple of questions for the Committee stage. One is in relation to those suffering a reduction in income because of their largesse to their tenants and, quite clearly, a lot of people, a lot of building owners would be in this space. Maybe they do not have bank loans, but they are doing the right thing by reducing the rent that a tenant has to pay purely because that tenant is suffering a downturn in their particular operation. I am keen to explore that to make sure those who are not necessarily getting bank relief through deferred mortgages or whatever are able to take advantage of this land tax exemption for the 2019-20 financial year.

[9.30 p.m.]

Mr ARMSTRONG (Huon) - Mr President, I support the legislation, but I have a question for the Leader regarding limited land exemption, exempt land and adversely impacted commercial properties. Proposed new section 19EA, at clause 4(1)(a) reads -

the Commissioner is satisfied, on either or both of the following grounds, that the land, on 1 July 2020, is commercial land:

In the cities most activities are on commercial land, but in the rural areas you can have land zoned rural and have commercial businesses on it, so it is not classified as commercial land. It is zoned as rural land, but it has commercial businesses on it. I am wondering whether 'commercial land' here needs to be tightened up? Anybody who comes from country would understand what I

am saying. A commercial activity can happen on rural land. Is the Leader able to give me an answer on that?

[9.31 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank honourable members for their contributions and we have more questions coming up. If I do not answer them before the Committee stage, we can deliver them then.

The first was from the member for Murchison - would new legislative amendments be needed for a follow-up financial year? If the piece of string we talk about became short enough, yes, we would have to do something else because this is only valid for this financial year. The advisers are busy writing answers to those questions, which I will be happy to deliver in the Committee stage if members are happy to proceed.

Bill read the second time.

LAND TAX AMENDMENT BILL 2020 (No. 22)

In Committee

Clauses 1 to 3 agreed to.

Clause 4 -

Section 19EA inserted

Ms LOVELL - This was something we discussed in the briefing and I thank the advisers for the briefing we had yesterday. I have a question about clause 4(1)(b) -

the Commissioner is satisfied that the owner of the land has been adversely financially impacted during the pandemic period, in a manner that is unexpected and not insignificant ...

What is the intention of not having a parameter set for what is considered significant or insignificant and leaving that to the discretion of the commissioner? Honourable Leader, is this intended so more people can be captured? Is it intended for this to be more inclusive, rather than potentially people being excluded from the exemption because they might determine the impact is not significant? We discussed this yesterday in the briefing. In leaving it to the discretion of the commissioner, is the intention to allow it to be more inclusive and to enable more people to be captured by that clause than may otherwise be the case if there were set parameters?

Mrs HISCUTT - Madam Chair, the landowner must be adversely financially impacted to be eligible for the 2021 land tax waiver. This impact must be unexpected and not insignificant. Requiring the adverse impact to be unexpected prevents the landowner from claiming exemption relating to the pre-COVID-19 financial losses, or losses arising from factors other than COVID-19 that were foreseeable by the landowner. Requiring that the adverse financial impact is not insignificant prevents immaterial rent deduction - for example, \$10 per week - or periods of vacancy, for example two days, from being sufficient to trigger the exemption.

An additional benefit of using the term is it allows the adverse financial impact to be considered in the context of the landowner's circumstances. For example, a \$1000 financial impact on a major retailer may not meet the threshold, whereas the same impact on a corner store retailer may not be considered insignificant.

The member for Hobart asked a question. Would you like him to re-ask that question? Can I deliver that now?

Ms Forrest - He is listening.

Mrs HISCUTT - This is circumstances about whether a landlord reduces rent to help the tenant. This is catered for under the subsection, where the amount of income payable to the owner of the land has been reduced as a result of COVID-19. This includes a loss of rent or licence fees.

I have another answer and will seek some more advice. This is for the member for Huon, on whether land classified as rural has a commercial business operating on it. The commissioner has a discretion to treat land as commercial in circumstances considered reasonable. This may be the case if rural land were being used for genuinely commercial purposes. The commissioner has discretion over that. In addition, if rural land is being used for primary production purposes under the Land Tax Act, the land would be zero rated for land tax anyway. I hope that explains it.

Clause 4 agreed to.

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

LAND TAX AMENDMENT BILL 2020 (No. 22)

Third Reading

Bill read the third time.

ADJOURNMENT

[9.40 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank members for their consideration during this debate. Tomorrow is private members' day and I have listed what order they will be in.

Before I move the adjournment, I remind members that the information session on the end-of-life choices bill as presented by the member for Mersey will be in Committee Room 2 at 8.45 a.m. to nine.

Mr President, I move -

That the Council will at its rising adjourn until 10 o'clock a.m. on Thursday,
25 June 2020.

Motion agreed to.

***Tasmanian Country* - End of Publication**

[9.41 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I will not take up very much of the members' time but this is an important issue and one I would like to share with them on the adjournment tonight rather than tomorrow night.

I rise to express on behalf of the Tasmanian rural sector our extreme disappointment that in two days time the much-loved and welcomed into the home newspaper, the *Tasmanian Country* - more affectionately known as 'Tas Country' - will be published for the final time and will be no more. News Corp Australia has recently announced major changes to its Australian media titles with some papers becoming digital and Tas Country - our state's only leading rural newspaper - has been axed. Receiving the Tas Country in Friday's mail and having been granted the time to read it over the weekend or even into the next week has been a ritual for many since the 1980s in our rural communities. To see the demise of this newspaper is very sad.

It is true in some instances the online platform can perform similar tasks. If all our rural areas had reliable internet services, perhaps the online option could be embraced and would fill the gap left by the loss of Tas Country. However, Mr President, we know that is not the case. Too often telecommunication access, particularly for my rural communities, is at best patchy and certainly not reliable. Here we see yet another key plank to rural living being taken away from our rural community.

So what do we do after the last edition? What will replace the weekly read? There have been some suggestions another rural-based newspaper may be in a position to pick up the baton and that would certainly be welcomed. I know some discussions are already being held with at least one rural-based paper that is interested in seeing the type of rural news and information previously covered by Tas Country continue, but we will have to wait and see.

We are all very much aware change is constantly occurring and, in some respects, change is to be embraced. Since this announcement that after 40 years of serving our rural sector the weekly bible is to be tossed on the scrap heap, I suggest not all change is for the best. Very few people connected to the agriculture sector are looking forward to the 26 June when the final edition of Tas Country arrives in the mail, but I know they are looking forward to another publication in our state taking on this important role of connecting our rural communities into the future.

The Council adjourned at 9.44 p.m.

APPENDIX 1



TW HPE ref: 20/49971

22 June 2020

The Hon Mike Gaffney
3/126 Best Street
Devonport TAS 7310

via email: michael.gaffney@parliament.tas.gov.au

Dear Mr Gaffney

I understand that there is a proposal to undertake a Legislative Council Select Committee inquiry into the operations of TasWater. It should be noted that in recent years the company has been the subject of a number of independent reviews and reports, including government reviews, which are summarised in this letter. We are of the view that the proposed inquiry will duplicate the findings arising from these previous reviews and reports and note that the proposed inquiry will take place only a few months ahead of the GBE hearing scheduled for December 2020 which provides an opportunity for an in-depth look at TasWater's operations.

There is also an acute awareness of the resource implications of adequately preparing for and responding to an inquiry, and the potential impact this work will have on our ability to deliver for the people of Tasmania, particularly during this time of significant disruption, hardship, refresh, and recovery arising from COVID-19.

The independent reviews and reports that have recently taken place are:

- September 2017 – a Legislative Council Select Committee inquired into and reported on the matter of TasWater ownership. This saw five media statements issued by the committee and six public consultations held across Tasmania. A total of 53 submissions were received, representing thirty individuals and fourteen agencies and organisations. While the findings of the November 2017 final report rightly highlighted challenges, it clearly stated that "from the evidence received, there is no consensus that there is a crisis in the Tasmanian water and sewerage sector."
- November 2017 – The Tasmanian Audit Office published its report 'Water and Sewerage in Tasmania: Assessing the outcomes of industry reform'. In his conclusion, the Auditor-General noted that while there were areas identified for improvement the intended outcomes of the reforms have either been fully or partially achieved; strategic asset management has improved; expected financial benefits have been largely delivered; and customer service, service delivery and customer relations have broadly improved.

Tasmanian Water & Sewerage Corporation Pty Ltd
GPO Box 1393 Hobart Tas 7001
Email: enquiries@taswater.com.au
Tel: 13 6992

ABN: 47 162 220 653



- December 2018 – TasWater was scrutinised by the Legislative Council as part of the GBE Scrutiny process and questions resolved.
- December 2019 – TasWater was scrutinised by the House of Assembly as part of the GBE Scrutiny process and questions resolved.

TasWater welcomes that scrutiny, and recognise that as a publicly owned utility, the public expects a high degree of transparency and accountability. Matters addressed in those hearings included increased profitability; increased capital expenditure; the functions of the Capital Delivery Office; the Pioneer water supply; employee culture; pricing; the important role of the owners; dividends; use of local contractors; specific critical incidents and spills; irrigation; water quality and trade waste.

Most recently (last month), the Office of the Tasmanian Economic Regulator published its annual *State of the Industry Report* for 2018-19 which "summarises TasWater's performance across the key areas of pricing, customer service, network reliability and efficiency, financial performance and its compliance with drinking water quality, dam safety and environmental obligations."

Among its findings, the report notes "... 100 per cent microbiological compliance for the first time; a significant feat given that two years earlier there were 25 permanent boil water and public health alerts in place across the State." Also highlighted is the high quality of drinking water in Tasmania; the sizeable drop in complaints; improvement in the compliance of treated effluent discharged to waterways; improved performance of sewage treatment plants, and bills that are typically lower than those on the mainland.

Challenges highlighted include the relatively high rate of service interruptions and water main breaks; trade waste related non-compliance of sewage treatment plants; and water losses.

The operations, finances, culture, structure, performance and compliance of TasWater are heavily scrutinised, as they should be. The company will continue to work closely with our regulators and both houses of the Tasmanian Parliament to ensure we are accountable to our customers, shareholders and communities throughout the state.

Several specific issues that we know have caused community concern have been addressed. Testing in Pioneer in recent months indicated that all the water stored in tanks supplied by TasWater is within Australian Drinking Water Guidelines, and following unanimous council support we have recently received the final approval from the Regulators to install a full reticulated water supply in the town.

In terms of industrial and commercial trade waste compliance, we have made a concerted effort to listen to our customers and act on this feedback. We have put in place support programs to assist commercial customers with meeting their compliance obligations and worked with them on potential solutions. As a result of our ongoing focus in this important area, we have seen no material complaints by trade waste customers since early July 2019.

It is essential that we continue to seek the right balance between the cost of compliance for customers, the amount charged for dealing with trade waste and the impact of non-compliant trade waste on the broader community. By working with trade waste emitters to ensure they fairly contribute to an effective solution, we are able to minimise the build up of potentially fatal levels of poisonous gases, reduce the frequency of blockages resulting in raw sewage overflowing into public areas, prevent the release of highly odorous gas releases from impacting the public and nearby commercial operations, and minimise the risk of effluent being discharged that negatively impacts our beaches and rivers.

Our three-year biosolids program has benefited farmers and now sees 99.9 per cent of biosolids from sewage treatment plants beneficially used. We have engaged a contractor to take these



biosolids to EPA approved sites. It should be noted that TasWater does not own or operate any biosolid management sites and we are not involved in the application lodged with the Launceston City Council to develop a new biosolids site in that municipality.

Since talking to the Select Committee in 2017, we have seen continued improvement in key areas, however we do openly acknowledge that there are still further improvements we must make. A measure of this success is the drop in complaints reported in the latest *State of the Industry Report 2018-19*. TasWater is responsible for over 208 000 water connections and provides water and sewerage services to more than 421 000 Tasmanians, and in this report it notes only 2 648 complaints were received in 2018/19 which equates to 1.27 percent of customer connections.

Satisfaction with TasWater continues to grow, with our latest customer research demonstrating our customer satisfaction lifting from 56 percent in July 2017 to 68 percent in January 2020.

As you are aware, like all Tasmanian businesses, TasWater is currently dedicating significant resources to managing the impacts of COVID-19. Our primary focus is the safety of our staff and customers, followed by the development and delivery of a package of support for customers experiencing financial stress. This includes a decision by the Board to freeze prices for a further year and offer a full quarter bill remission to eligible small to medium enterprises. The net impact of these decisions is a \$25M reduction in revenue for which we have not sought any support from the state government. In addition we have forecast a significant reduction in earnings for next year as a result of the need to support customers who experience hardship over the coming months.

The next stage of our response will be returning our business to normal operations while recognising that the impacts on our customers will be felt for an extended period. We are prioritising our capital works program during these challenging circumstances to ensure this expenditure with contractors, consultants, and suppliers plays its part in Tasmania's economic recovery.

These changes to work practices, and work programs have placed an extra burden on our staff, and the added pressure of another enquiry while we should be concentrating on delivery of our essential services throughout the COVID-19 recovery phase, could negatively impact morale, productivity and service delivery.

While of course we would fully co-operate with the proposed select committee, we are firmly of the view that the proposed select committee inquiry into TasWater will duplicate much of the findings listed above, taking place only a few months ahead of the OBE hearings scheduled for December 2020 which provide another opportunity for an in-depth look at TasWater's operations. There is also an acute awareness of the resource implications of adequately preparing for and responding to an enquiry, and the potential impact this work will have on our ability to deliver for the people of Tasmania at such a critical time.

If any member of Parliament has a particular issue, or a matter raised by a constituent, we would be pleased to address that directly once informed.

Yours sincerely

Dr Stephen Gumley AO
Chairman

*x people are satisfied
& speakly wheel*

Doug Chipman
Chief Owners' Representative

