

**Tuesday 3 September 2019**

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

## **MESSAGE FROM GOVERNOR**

### **Resignation - Mr Scott Bacon MP**

**Madam SPEAKER** - Honourable members, I wish to advise that have I received the following correspondence from Her Excellency the Governor, dated 23 August 2019. It is addressed to the Hon Sue Hickey MP, Speaker of the House of Assembly, Parliament House -

Dear Madam Speaker

I have today received a letter dated 22 August 2019 from Mr Scott Bacon MP tendering his resignation as a Member for Clark in the House of Assembly effective from Thursday 22 August 2019.

I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Yours sincerely,  
C A Warner,  
Governor

## **RECOGNITION OF VISITORS**

**Madam SPEAKER** - Honourable members, I ask you to give a hearty welcome to grade 6 students from Sacred Heart College. Welcome to parliament. I also welcome all our members and guests in the parliament.

**Members** - Hear, hear.

## **QUESTIONS**

### **Tasmanian Industrial Commission - Submission re Pay Rate for Speaker**

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

[10.04 a.m.]

The Liberal member for Clark, Sue Hickey, has outraged the Tasmanian public by arguing that she deserves a pay rise at a time when many Tasmanians are struggling to keep their heads above water. How can you justify the Liberal Party's argument for higher pay for one of the highest paid people in the parliament? Was this pay rise a condition or your deal to bring the member for Clark back into the tent to make sure you shore up your chaotic and dysfunctional Government?

## ANSWER

Madam Speaker, I thank the Leader of the Opposition for her question. It concluded with the carbon copy line that they use every day in this place that bears no substance. Now is not the time for the Leader of the Opposition to be talking about chaos and dysfunction in a party, when she should take a good hard look at her own.

Once again the Leader is either unaware of the facts or deliberately chooses to misrepresent them. You cannot trust the Leader of the Opposition in what she says. It is not a Government position, as she would assert. I have said publicly the Tasmanian Government's position is that our independent Industrial Commission is the appropriate body to be making determinations about politicians' pay, not politicians themselves. That will help engender greater confidence in our community about how this matter is determined.

In the past, mechanisms have been put in place to ensure that what we are paid, or any increases, are commensurate with community standards or commensurate with growth in our economy, as previously determined by the commission to be linked to wage price index. That has occurred in the past. In 2016 our pays were linked by the commission to the wages price index. In 2017, the wage price index for the total sector grew 2.5 per cent.

Notwithstanding the fact that the Industrial Commission had determined that our pays be linked to wage price index and it had increased by 2.5 per cent, the Liberal members to which the Leader of the Opposition refers did not accept that determination. In line with not only our public sector wages policy, but what we felt appropriate and commensurate with community expectations, we did not accept the pay rise that was given to us.

My question to the Leader of the Opposition is, did Labor accept it?

**Opposition members** interjecting.

**Madam SPEAKER** - Order.

**Mr HODGMAN** - You cannot trust the Leader of the Opposition who will say one thing and do another and who has confirmed, by refusing to answer that question, that the Labor Party did take a pay rise.

**Ms White** - We were completely honest about that at the time. You are the one misleading the House now.

**Madam SPEAKER** - Order. As you are aware we are on a new paradigm in this parliament and I am not going to tolerate this constant interjection. I put you on notice that warnings will be issued very shortly.

I also draw to the attention of the House that you must not reflect on the position of the Speaker. It was the Speaker, not the member for Clark, who put that claim into the tribunal, as is her wont or position for future Speakers. I would be very careful before you go down the slippery slope of reflecting on the Speaker. It was not the member for Clark.

**Mr HODGMAN** - It again demonstrates the hypocrisy of the Labor Party and Leader, Rebecca White. They will say one thing and do another. Look at their track record. They have taken a pay

rise as previously determined by the commission, whereas the Liberal Party did not. That is our track record.

### **Staffing Levels - Ms Hickey's Electorate Office**

#### **Ms WHITE question to PREMIER, Mr HODGMAN**

[10.07 a.m.]

The youth jobless rate in Glenorchy is a shameful 20 per cent. Can you confirm that your only strategy to create jobs in Glenorchy is to recruit additional staff to Sue Hickey's electorate office, as shown in recent job advertisements. Was giving the member for Clark more staff part of your desperate deal to save your chaotic and dysfunctional Government?

#### **ANSWER**

Madam Speaker, I thank the member for the question. The Government will always endeavour to ensure electorate offices, not just those of Government members, but also of opposition party members and independents, are adequately resourced and supported to attend to the needs of constituents.

It is becoming less of an issue for Labor members, because they are, as we have heard by the Leader's own admission and by former Labor luminaries, out of touch with their community. They do not know what they stand for. I suggest they utilise their electorate offices more efficiently, and the staff within them, to get back in touch with the people who elected them.

**Ms WHITE** - Point of order, Madam Speaker, it goes to standing order 45 on relevance. I ask you to draw the attention of the Premier to the question: can you confirm that additional staff have been recruited to the member for Clark's electorate office in Glenorchy?

**Madam SPEAKER** - I am going to rule that out of order because it is out of order.

### **Federal Religious Freedom Laws - Government Response**

#### **Ms O'CONNOR question to PREMIER, Mr HODGMAN**

[10.09 a.m.]

Do you support the so-called religious freedom laws being put forward by your culture warrior colleagues in Canberra? What is your response to a law that will override Tasmania's Anti-Discrimination Act and make it easier to offend, insult or humiliate - that is harm - LGBTI Tasmanians, people from culturally and linguistically diverse backgrounds, Tasmanians with disability, women, the elderly? The list of marginalised people goes on. Will you make any representation to your federal colleagues to wind back the federal bill in order to protect these vulnerable Tasmanians?

#### **ANSWER**

Madam Speaker, I thank the member for the question. This Government has a very strong track record for supporting those within our community who are vulnerable and those in our

community who may be marginalised, strengthening laws to ensure that that be so and increasing protections, programs and initiatives for that purpose. We have often also expressed our very strong views in relation to these matters, and the Commonwealth Government made no secret of their intentions were they to be re-elected. Obviously their policy position is one that they stand by. Certainly, with respect to our colleagues, we will always seek to understand from them anything proposed that affects Tasmania.

We have received a copy of the draft legislation to which the member refers, as I have said publicly, and as the Attorney-General will do on behalf of Government before reporting to Government, and before we state more publicly our response to this draft legislation, which is out for consultation -

**Ms O'Connor** - Are you going to make a submission?

**Mr HODGMAN** - take advice as to how to react with our laws, and if there are any constitutional issues that arise. There are contentious matters, as we have previously expressed, and complex legal matters as well, and there are competing views expressed in relation to these matters. It would be inappropriate to pre-empt the Government's position on these matters until we have received that advice, but we will certainly continue to very strongly stand up for Tasmanians to ensure that they are protected by the law, because that is what we have done in the past.

### **Tasmanian Economy - Job Creation**

**Mrs RYLAH question to PREMIER, Mr HODGMAN**

[10.11 a.m.]

Could you outline to the House how the Hodgman majority Liberal Government is delivering our long-term plan to keep Tasmania's economy strong and to support job creation? Are you aware of any other alternative approaches?

### **ANSWER**

Madam Speaker I thank my Parliamentary Secretary for her question. Tasmania's economy continues to perform strongly. Notwithstanding the headwinds hitting the national economy, ours is the strongest growing in the nation. It does not happen by accident. It is the result of strong financial management and a government that truly understands business and how the economy works, how to deliver positive conditions for our businesses, as reflected in the fact that the NAB and recent Sensis business surveys confirm that Tasmania's business conditions are the best in the country, and Tasmanian businesses continue to be the most confident in the country.

A strong economy and a strong budget position is also essential so that we can reinvest into essential services, whether it be our health system, lifting education standards, supporting our most vulnerable -

**Ms Butler** interjecting.

**Madam SPEAKER** - Order. Ms Butler, warning one.

**Mr HODGMAN** - or infrastructure for our growing state needs. This is not news to anyone sitting on this side of the House. This is not some sudden realisation. It is not a revelation for us, but apparently it is for Labor, because they now have to have past Labor leaders lecture them on what actually matters and what is important. I do not need a former premier to tell me about the importance of our state's economy and strong growth - that is the key difference - because Labor clearly does.

**Members** interjecting.

**Madam SPEAKER** - Order, there is a lot of mumbling and grumbling going on. I am asking you to obey the rules please.

**Mr HODGMAN** - Thank you, Madam Speaker. Under this Government, there are 13 000 more jobs for Tasmanians. Under theirs, 10 000 jobs lost. Under this Government, the unemployment rate is lower than when we came into government.

**Members** interjecting.

**Madam SPEAKER** - Mr O'Byrne, warning number one.

**Mr HODGMAN** - Under them, up to 8.6 per cent. They have absolutely no credibility at all on the economy.

**Madam SPEAKER** - Ms O'Byrne, warning number one.

**Mr HODGMAN** - No one will believe Labor's claims that it is important to them now, because Rebecca White, the honourable member for Lyons, has been the Leader of the Opposition for two and a half years, and now decides that the economy is important to the Labor Party.

Madam Speaker, we understand it. Our policies and our Budget are very much about ensuring that we deliver on a strengthening economy. In fact, our Budget anticipates the creation of 10 000 more jobs for Tasmanians, so our record stands against Labor's. You simply cannot trust them.

Nor can you trust them on their other 'lightbulb' moment, that they are now suddenly again splitting from the Greens. It is like *Days of our Lives*, this constant on-again, off-again thing. Rebecca White was happy to sit in Cabinet with the Greens to stay in Government, but now in Opposition she says it is a bad idea.

**Ms WHITE** - Point of order, Madam Speaker, the Premier might want to reflect on the truthfulness of that remark. I did not sit in Cabinet with the Greens and what you told parliament is not true.

**Madam SPEAKER** - That is not a point of order.

**Mr HODGMAN** - I do accept that was another of the faux separations between Labor and the Greens before the 2014 election, when the member for Lyons, who sat in a government with the Greens for three and a half years before that election, was happy to do so. Now she says she is tired of the Greens standing in the way. Well, this is the same person as Labor Leader that has stood alongside the Greens on over 90 per cent of the votes that have taken place in this parliament.

**Mr O'Byrne** - You were talking to the drivers in 2010.

**Madam SPEAKER** - Order, Mr O'Byrne, warning number two.

**Mr HODGMAN** - Nine times out of 10, Bec White has stood with the Greens when legislation is being voted upon in this place. Tasmanians will not be fooled by this latest faux divorce. We have seen it before. They have said before they will not do deals with the Greens. It is exactly what they did to get in government, and the Leader of the Opposition was one of those who had made that commitment. You cannot trust Labor. You cannot trust the Leader of the Opposition. You do not know what they stand for. They said that removing poker machines was something they strongly believed in, but they have walked away from that. They cannot deliver an alternative budget to demonstrate what they would do, and how they would pay for it.

The Leader of the Opposition does not even know if she wants Madeleine Ogilvie to be part of her government, and says it is a matter for Maddie. She does not even have a view on whether or not she wants Madeleine Ogilvie to be in her party. I would say that if you do not know who you want to be in your own party, you should not be leading it. The simple point is you cannot trust Labor; you cannot trust the Leader of the Opposition. No-one has any idea what she stands for.

I thank the member for her question. It is the toughest one I will get today, because when it comes to alternatives, what would you know? How could anyone possibly know what the alternative is, because they do not stand for anything.

### **Drivers Licensing Testing Period**

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

[10.17 a.m.]

At the same time the Liberal Party is arguing for a pay rise for the member for Clark, 20 per cent of young people in Glenorchy, the heart of Ms Hickey's electorate, cannot get a job. If you were not such a part-time Premier, you would have heard the story of Shaun Clayton. Shaun Clayton desperately wants to get a building apprenticeship but has been told that he will have to wait until January to sit his driver's test to get a licence. These delays, created by your decision to privatise drivers' licence testing, are standing in the way of young Tasmanians trying to get work.

What is your Government doing to ensure that young people like Shaun can get their licence so they can get a job?

### **ANSWER**

Madam Speaker, I thank the Leader of the Opposition for the question. When it comes to learners on our roads, driving licences and the assessments of learner drivers, it is important to balance driver safety - safety on our roads more broadly - to ensure that Tasmanians of any age who are seeking to obtain a learner's licence are able to do so in a way that helps us reduce the risk to themselves, and indeed others on our roads.

I am advised, because I want to inform the member, that overall waiting times for driving assessments across Tasmania are consistent with those that were in place, or those that were

occurring under the government of which the Leader was a member, around three to five weeks. I am advised that as of last week, the current wait time in Hobart was four weeks and one day.

That is the advice that I have received. With respect to individual cases, I am not going to comment on those, but I note that in order for an individual to be able to sit a P1 assessment they must have held their L2 licence for a minimum of nine months. Where an individual requires an exemption to the nine-month minimum, such as to secure employment or to study, then they are able to apply directly to the Registrar of Motor Vehicles for consideration.

We understand that there is an important balance to be struck here. My Government and our policies have in fact increased job opportunities for Tasmanians. There are now 13 000 more jobs in our state than when we came into Government. We are now seeing more young Tasmanians get the qualifications they need by completing their studies, whether it be through their school, completing years 11 and 12 or some equivalent training or, indeed, going on to work. There is more confidence, not only within our business community but amongst Tasmanians to actually get a job. Job ads have increased and a number of key performance indicators show we are now heading in the right direction. It is a far cry from the recession that Labor delivered when young Tasmanians left the state, our population declined and our unemployment rate hit 8.6 per cent.

We are determined as a government, and through the lens of strategic growth, to ensure that government policies, programs and initiatives are all about better equipping people to get to work, and that includes through transport.

**Ms White** - They can't even get a licence test.

**Madam SPEAKER** - Ms White, warning number one.

**Mr HODGMAN** - We will also ensure that our learner training for drivers is commensurate with what occurs in other states and, importantly, ensuring that our drivers are able to use a motor vehicle safely and not endanger themselves or others. I would say to any young Tasmanian, wherever they live and in whatever community, that while there is a lot more to be done, there are now more opportunities for young Tasmanians than there were under the former Labor-Greens government. It is not a thought bubble or lightbulb moment for us to suddenly realise that the economy is important.

I notice the former economic development minister, who was in fact the minister responsible for delivering Tasmania with that recession and the 10 000 jobs lost under the former government. It is a lot different now.

**Members** interjecting.

**Madam SPEAKER** - Ms White, you are on warning number two.

---

**Member Suspended**  
**Member for Franklin - Mr O'Byrne**

**Madam SPEAKER** - Mr O'Byrne, you are on warning number three. It is time for you to go out until after question time.

**Mr O'Byrne** withdrew.

---

## **TEMCO - Possible Job Losses**

**Ms O'BYRNE question to PREMIER, Mr HODGMAN**

[10.21 a.m.]

Your hands-off approach to the challenges that face the state have earned you the title 'part-time Hodgman'.

**Government members** interjecting.

**Ms O'BYRNE** - Madam Speaker, I notice the interjections from the Government benches.

**Madam SPEAKER** - Yes, it is very rude. Thank you. Please proceed.

**Ms O'BYRNE** - There is no more damning failure than the loss of 5100 full-time jobs in the past year. Right now, there is a concern that 250 well-paid direct jobs, 150 contractors and many more indirect jobs will be lost if TEMCO closes its doors at Bell Bay. George Town Mayor, Greg Kieser, said of TEMCO -

I know they have met with the State Government (which has) made offers and sourced what they can do to assist.

Yesterday you denied that any offers have been made. What exactly are you doing to keep TEMCO in Tasmania?

### **ANSWER**

Madam Speaker, I thank the member for the question. It comes from the Deputy Leader of a party and an Opposition that is too lazy to even prepare an alternative budget. It is politics 101 that credibility for any opposition party should come with the delivering of an alternative budget, not just a list of thought bubbles or uncosted and unfunded promises, which is all the Opposition can do.

**Ms O'Connor** - Here's one. This is what they look like.

**Madam SPEAKER** - Order, Ms O'Connor.

**Ms O'BYRNE** - Point of order, Madam Speaker.

**Madam SPEAKER** - We are getting out of line again. Ms O'Byrne, what is your point of order?

**Ms O'BYRNE** - My point of order goes to Standing Order 45, relevance. I ask you draw the Premier's attention to the question. The people of George Town would like to know the answer.

**Madam SPEAKER** - As you are very aware, this House has a tradition. I do not know what is going to fall out of the Premier's mouth, so let us hope he gets to it.



**Mr HODGMAN** - Thank you, Madam Speaker. I was making the point, given the assertions, suggestions and imputations made by the member who asked the question, that her own party should look within itself to engage enough and be active enough to deliver an alternative budget or even to get in touch with community, which the Leader of the Opposition has conceded they are not.

**Ms WHITE** - Point of order, Madam Speaker, under standing order 45. We organised the Premier's own meeting with TEMCO so he should think about what he is actually doing to support that community.

**Madam SPEAKER** - Ms White, that is not a point of order. I would expect more with your experience in this parliament. Please resume, Premier.

**Mr HODGMAN** - Thank you, Madam Speaker. We again welcomed the opportunity to meet with executives from South32 and understand more from them as to the process that they committed to, which they have publicly made very clear in terms of the time frames involved and the engagement it will have with Government and other key stakeholders, including the local community in George Town. It is something my local members have also been very keen to do. I was also able to point the executives to the fact that what we were getting from the Opposition was all about scaring people in that community, raising fear and doing nothing at all to offer any solutions or come forward with positive policies. Once again, all care and no responsibility or, worse still, a deliberate scare for people in that community.

I can assure them we will continue to work very closely with the company. We will continue to be updated and engage with them. We will consider any requests they make for assistance from Government and make that available, as we have done in the past, to secure jobs. It is no coincidence, nor does it happen by chance, that there are 13 000 more jobs in this state now under this Government than there were under yours.

I understand the concern within the community. We have conveyed that view to the company and they are well aware of it and have personnel engaging with our employees and the broader George Town community. We will work very closely with the Commonwealth, with the local government authority and other key stakeholders to ensure that any decision made by this company has no detrimental long-term impact to that community. Any decision of ours will have front of mind the workers at TEMCO.

I urge the member who represents that community who asked the question to be more mindful of the fact that people's emotions and their livelihoods are the subject of a review that is being undertaken. Perhaps you could come forward with a positive suggestion rather than snide one-liners and false assertions. We will do a thorough job in terms of engaging with this company, as we have done and will continue to do.

### **Culling of Native Wildlife - Crop Protection System**

**Dr WOODRUFF question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT**

[10.27 a.m.]

How do you justify your department's authorised killing of more than 21 000 black swans, 10 000 native hens, 5000 wombats, 44 000 sulphur-crested cockatoos and 50 000 Forester

kangaroos since 2014? These are among yellow-tailed black cockatoos, galahs, masked black wings, gulls and hundreds of thousands of other protected native animals on your Government's licence-to-kill list. What do you say to those Tasmanians appalled to hear that seven platypuses were also included in culling permits? Do you agree that your Government's all-care-and-no-responsibility crop protection system is pushing an unknown number of native animals towards extinction in Tasmania?

## **ANSWER**

Madam Speaker, I thank the member for her question on what are very important matters. This Government always wants to get the balance right. Also, we always want to support our farmers, foresters and land managers in the way they sustainably manage browsing animal populations that are causing excessive damage to their crops, pastures and natural resources.

Where wildlife is causing excessive damage, crop protection permits are allowed and are granted to enable those applicants to take that wildlife if alternative non-lethal strategies are not effective or practical. I make the point that the rules -

**Dr Woodruff** - But you don't ask those questions.

**Madam SPEAKER** - Dr Woodruff, warning number one.

**Mr BARNETT** - I make the very important point that the rules and guidelines we are applying now as a Government applied under the former Labor-Greens government and other past governments in this place. We will strive for continual improvement -

**Ms O'Connor** - No, you're not. What, so you can kill more?

**Madam SPEAKER** - Ms O'Connor, warning number 1.

**Mr BARNETT** - Regarding the process, let me make it clear that the department of Primary Industries in determining those permits considers: the assessment of the damage; the alternative management measures; the species abundance and the status at a local, regional and state level -

**Dr Woodruff** - What's the species abundance of the platypus? It's a disgrace the platypus is on that list.

**Madam SPEAKER** - Dr Woodruff, warning number 2.

**Mr BARNETT** - and requirements to uphold the relevant animal welfare standards and guidelines. It was this Government that improved, increased and toughened the laws when it came to animal welfare. We increased the penalties. The Greens member for Franklin knows that. It is all politics, no policies from the Greens.

**Dr Woodruff** - Tell that to the Tasmanians who are appalled to hear about platypuses being killed.

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

**Mr BARNETT** - In terms of issuing crop protection permits, it has been a longstanding practice under this and previous governments. The TFGA recently stated that these permits are a very necessary tool for the agricultural sector. The TFGA has the utmost confidence in the department and the administration of those crop protection permits.

**Ms O'CONNOR** - Point of order, Madam Speaker. Dr Woodruff asked the question: does the minister agree that this wholesale slaughter of native animals is putting an unknown number of them on the edge of extinction?

**Madam SPEAKER** - That is not a point of order but it has been recorded on *Hansard*. I will let the minister continue.

**Mr BARNETT** - In terms of that question, the answer is no. Let me address the range of allegations that have been made in the question, many of which are unsubstantiated. We are committed to ensuring that those relevant tools are available for the farmers, foresters and land managers to do their work in a sustainable way, to sustainably manage -

**Dr Woodruff** - So you don't care what native animals -

**Madam SPEAKER** - Dr Woodruff, you have two warnings. The next one you are out.

**Mr BARNETT** - browsing animal populations that cause excessive damage to their crops, pastures and natural resources. We are there to get the balance right.

I will address the issue of the platypus permits. The department has not issued any permits for the deliberate killing of platypus. Permits are issued to the IFS to support the vitally important carp eradication program. The European carp is an invasive pest and can dramatically affect our freshwater ecosystem. Members in this place and around the community support the efforts that have been undertaken since 1995 - long-standing, world-leading efforts with a fantastic objective. We are near the backend of the campaign to eradicate carp from Lake Sorell and Lake Crescent. More than 41 000 carp have been moved from Lake Sorell. These permits were issued on the basis that the netting for carp may have resulted in platypus being caught with the intention of releasing them from the net alive. Permits issued in the earlier part of the program had a quota as the carp netting was relatively intensive. Including a quota in the permit provided a trigger to periodically review the impact of the program on the platypus.

In the later stages of the program the setting of a quota was not considered necessary due to the less widespread carp fishing and hence the lower likelihood of taking a platypus. I can advise the House that since 2012, 15 platypus were inadvertently caught during carp fishing operations. Of these, eight were released unharmed. Unfortunately, seven died. No platypus have been caught since 2017.

The Government wants to get the balance right. We support our farmers, foresters and land managers. In light of the reset on the weekend, what is Labor's position on this issue?

**Ms O'CONNOR** - Point of order, Madam Speaker. It is quite good fun listening to the Government attack Labor but you cannot devolve on the question of the slaughter of native species to an attack on Labor, which is completely unrelated. The minister is being opportunistic. I implore you to pull him into line.

**Madam SPEAKER** - I do not believe that is a point of order. I ask the minister to resume.

**Mr BARNETT** - Thank you, Madam Speaker. The same rules as under Labor and the Greens are under our Government. We are just improving the situation to make sure that we get the right balance. In terms of the rules and crop protection permits, the question for Labor is: do they continue to support them and the rights of our farmers, foresters and land managers to use our crop protection permits in a balanced way?

**Ms O'Connor** - It was part of the keynote speech, spotlighting wallabies.

**Madam SPEAKER** - Ms O'Connor, warning two.

### **Tasmanian Economy - Economic Plan**

[10.34 a.m.]

**Mr TUCKER question to TREASURER, Mr GUTWEIN**

Can you update the House on the state of the economy and jobs in Tasmania under the Hodgman majority Liberal Government's economic plan? Is the Treasurer aware of any alternative economic plan for the state?

#### **ANSWER**

Madam Speaker, I thank Mr Tucker, member for Lyons, for that question, and his interest in this very important matter. The Leader of the Greens does not share that same interest in how well the state is going, while Labor seems to have a new-found interest.

The Tasmanian economy grew at the fastest rate in the nation on a per capita basis in the past year. This year, Tasmania's economy is growing at the fastest rate overall. Annual growth and state final demand increased by 5.2 per cent in the March quarter, making Tasmania the fastest growing jurisdiction in Australia on an annual basis for the first time in almost 15 years. Our housing sector is the strongest in the country in terms of dwelling approvals, commencements, completions and work done. Our population is growing strongly with annual growth at more than double the long-term average. Our export sector is booming. There is no doubt that the world wants what Tasmania has. Total exports of \$3.63 billion over the past 12 months is a 32.3 per cent increase. It is a higher rate than in the last year of the Labor-Greens government when they put a wrecking ball through the economy.

We have achieved these results because our Budget is strong, our economic fundamentals are strong and our businesses are confident.

**Dr Broad** - You are cranking up the debt.

**Mr GUTWEIN** - I wonder if that is the next shadow treasurer interjecting there. It is either that one or that one. I can guarantee it will not be Maddie Ogilvie, if she gets into this place.

**Dr Broad** - How is your investor tax going, Treasurer?

**Mr GUTWEIN** - Here we go again. His new-found interest in the economy.

**Dr Broad** - How is your investor tax going, Treasurer? How did that work out for you?

**Madam SPEAKER** - Order, Dr Broad, warning number one.

**Mr GUTWEIN** - The most recent National Australia Bank business survey showed that Tasmanian businesses continue to enjoy the strongest business conditions in the nation. Sensis found that Tasmanian businesses were the most confident of all of the states. Commsec State of the States report confirmed that Tasmania's annual economic growth rate is one of the highest in the country.

I was also asked about jobs. Since we came to Government 13 000 new jobs have been created in Tasmania; 7600 of those jobs are jobs for women and 2000 more for young people. There are 700 fewer people on the long-term unemployed list. Overall there are more full-time jobs and there are more part-time jobs in Tasmania.

Who can forget the recession that we had under the stewardship of the member who is no longer in this Chamber when as economic development minister he took us to one of our darkest ebbs: a recession and people leaving the state in droves? He is one of the choices for shadow treasurer.

What is the alternative? We saw some interesting things on the weekend. On one hand Labor wants five more public holidays. That would have a public sector cost of around a quarter of a billion dollars over four years. If you wheel in more holidays with free bus travel, free TAFE and other policies, we are seeing a hit to the budget and the economy of around \$400 million. For a party with no alternative budget they have some explaining to do.

What was enlightening from the weekend and the lead up to it was their road to Damascus moment. They have suddenly discovered that having a strong economy and creating jobs for Tasmanians is important. It took a former failed Labor premier in Mr Lennon to point that out to them. There are not too many things that I agree with Mr Lennon on but that is one of them. I welcome the Labor Party to wanting to become us. They have a long way to go. A long road to Damascus it will be. I want to provide some advice for them. If they have an interest in jobs you will need one of those. Tradies wear them.

**Madam SPEAKER** - Order, Treasurer. That is a prop. Naughty. If you put it away you can proceed.

**Mr GUTWEIN** - For the benefit of the Greens it is not kryptonite so there is no need to be frightened of it.

**Ms O'CONNOR** - Point of order, Madam Speaker. They were wearing them at Queens Walk when we did it up. Standing Order 48. The Treasurer has been waffling on for more than five minutes on a Dorothy Dixier.

**Madam SPEAKER** - Okay. He has 30 seconds to wind up.

**Mr GUTWEIN** - This side of the House has a long-term plan. It is about ensuring that we have confidence in our economy, growth in our economy, an economy that attracts investment and creates jobs. That side of the House has nothing - zip, zero - no alternative budget and no shadow treasurer to speak of.

## **National Hydrogen Strategy**

### **Ms O'BYRNE question to PREMIER, Mr HODGMAN**

[10.40 a.m.]

In just 12 months you have overseen the loss of 5100 full-time jobs. You clearly have no plan to protect the jobs at TEMCO, and you are also failing to diversify the economy against shocks. During the last parliamentary session in question time, you were oblivious to the opportunity to create a hydrogen industry in the Tamar Valley. It is estimated a hydrogen plant converting renewable energy into hydrogen for export would support the creation of 500 jobs. Will you guarantee that Tasmania will be part of the National Hydrogen Strategy which is due to be released at the end of this year?

### **ANSWER**

Madam Speaker, I thank the member for the question. They are good at one-liners but not on substance. They have no policies to speak of and no alternative budget. The Leader of the Opposition has spent two and a half years in the role and she is still out of touch with Tasmanians. There is no shadow treasurer to speak of. When it comes to doing the work, the Leader of the Opposition and her colleagues are the last people who should be saying anything about that, but it did not stop them taking the pay rise, as we have just found out. We stepped into line with our public sector wages policy and it is the Labor Party that has gone above and beyond. They are not the friend of the workers. They are the friends of themselves.

**Ms O'BYRNE** - Point of order, Madam Speaker, under standing order 45, relevance. I know the Premier has a script he is sticking to today but the issue of hydrogen jobs that could be created in northern Tasmania is important enough to get an answer.

**Madam SPEAKER** - That is not a point of order, so I will let the Premier proceed.

**Mr HODGMAN** - Thank you, Madam Speaker. I will again remind the member who asked the question and those on the Opposition benches that under this Government there are 13 000 more jobs for Tasmanians compared to the 10 000 lost when you were in government. We have the most confident businesses in the country, the strongest performing economy in the country, and a plan to keep it that way. There has been nothing at all from the Opposition to contribute to how we might do that. The late-to-the-party interest in hydrogen -

**Ms O'BYRNE** - Point of order, Madam Speaker. The Premier is misleading the House by saying we are not contributing. I am genuinely asking about our inclusion in the National Hydrogen Strategy.

**Madam SPEAKER** - That is not a point of order. Mr Ferguson, do you want to make a point of order?

**Mr FERGUSON** - Madam Speaker, you have already correctly ruled but I draw your attention to obstructive behaviour of the member who is clearly showing discomfort, but it is only obstructing the business of the House.

**Madam SPEAKER** - I agree with that.

**Mr HODGMAN** - Madam Speaker, when it comes to the growth in our economy, it does not happen by accident. We are a Government that has increased the diversification in opportunity in our economy. One thing we did was to open up our forestry industry which you and your colleagues shut down. We have restored confidence in our mining sector, we have delivered a sustainable growth for salmon -

**Members** interjecting.

**Madam SPEAKER** - Order. I am going to take a moment to reflect on why we are here. There is a lot of noise from both sides of the parliament at the moment so we will calmly reflect on how we are to behave. We are wasting very valuable parliamentary question time. Please proceed, Premier.

**Mr HODGMAN** - When it comes to diversifying our economy and investing in our competitive strengths, the industries I have referred to as well as the momentous growth in our tourism industry continues. The growth in our exports has been supportive through the Tasmanian Government's trade strategy, as part of which on our last trade mission to Japan, as I informed the member who asked the question, the issue of opportunities for Tasmanian hydrogen generation was a matter of some interest to major corporates in Japan and to Hydro Tasmania that has been working and continue to work very actively in this space.

We have said we will continue to participate with development of the national hydrogen strategy. The minister recently met with Dr Alan Finkel, Australia's Chief Scientist and chair of the national hydrogen strategy steering committee, and I can assure the member that, based on the conversation and our participation in the strategy development, Tasmania is viewed very favourably as a potential producer of renewable hydrogen. It is a great opportunity for our state. Another industry that is growing and is part of our diversified economy is the increase in investment in our renewable energy sector. That has happened under this Government as well.

We are pursuing opportunities in Japan. I was on that trade mission and met with key industrials there to explore that. South Korea and China are also decarbonising their economies. The Coordinator-General - another position Labor one day supports and the next day opposes - is also contributing to opportunities for development there. I can assure the member who asked the question that a lot of work is being done in this space. We have a strong track record on renewable energy investment and development that is occurring under this Government.

I will again point to the fact that with the Labor Party it is always the case that whenever they say something you think it is more of a reflection on them, because they are now claiming to be the hardest workers. If they were so hard at work, how could it be that after two and a half years being leader of the party you now acknowledge you are out of touch with what Tasmanians expect, what Tasmanians are interested in, the importance of our economy and the importance of strong budget management?

As the Treasurer said and as we have noticed, former Labor MP Harry Quick, who for 14 years served in the federal parliament, said you are out of touch and just concerned with peripheral issues. We had former premier, Paul Lennon, go on air and podcast to give you some tips on what a good leader looks like in his view. Julian Amos, another former Labor MP who served 14 years in this place, including as a minister, says of Labor:

When they say that we've not been listened to, who has not been listened to? For a start -

They do not want to hear this from a colleague -

**Ms O'BYRNE** - Point of order, Madam Speaker, once again on relevance. The Premier is straying into his scripted remarks of the day. My question was: will you guarantee that we are going to be a part of the National Hydrogen Strategy?

**Madam SPEAKER** - Thank you, but that is not a point of order.

**Mr HODGMAN** - As I have said, we are contributing to its development. I must just also assist the Leader of the Opposition, because it seems that every disgruntled former Labor member, any feather duster who wants to provide some gratuitous advice to the Leader of the Opposition, Ms White, is doing so. It is a fair point. When you talk about doing the work and diversifying our economy, Dr Amos said:

Who has not been listened to? For a start, most people in the regions have been excluded by Labor, forestry workers have been sacrificed, mine workers are confused, those in primary industries have not heard a peep. Those industries should be a backstay for most rural and regional towns.

**Dr Broad** - I heard about your tax. Land tax.

**Madam SPEAKER** - Excuse me, Premier, Dr Broad needs to be reminded he is on warning number two.

**Mr HODGMAN** - I know he is upset because a lot of these portfolios are his. It is not the greatest job ad for shadow treasurer. Dr Amos goes on to say:

Even workers in manufacturing, dependent on cheap, reliable power for their livelihood, would be questioning the party's energy policy.

The party's response? Dr Amos says 'dot, dot, dot'. He says:

As former premiers have observed, for those in the regions Labor now appears to be a city-based party dealing with city-based issues.

I can assure the member we are doing a lot in this space. A lot of work is being done by government, our agencies and our industry partners. We welcome any constructive support or contributions from the Labor Party, but no-one believes they have any because it is all lightbulb moments and thought bubbles and there is no policy and no substance.

### **Traffic Congestion - Update on Plans to Reduce**

**Mrs PETRUSMA question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON**

[10.49 a.m.]

Can you please update the House on the Hodgman majority Liberal Government's latest measures of our plan to bust the traffic congestion in the Hobart CBD and key feeder routes? What has been the response to these initiatives?



## ANSWER

Madam Speaker, I thank the member for Franklin for her question. It is a chance to update the House and our travelling public on the raft of recent changes to deal with traffic congestion in Hobart's CBD and the main arterial routes. The reason we are seeing more traffic on the roads is because there are more people in work. There are more people with jobs, and there are more people choosing to make Tasmania their home. They love Tasmania and they want to be part of it. It is fantastic to see fewer young people fleeing the state because of the end of the disastrous job-destroying Labor-Greens deal that darkened this state.

Since the Government was elected in March 2014 our economy, our population and jobs have been growing strongly, which has resulted in increased traffic. This has come at a cost, with people suffering longer commute times during peak hour. We appreciate that. We acknowledge the frustration of commuters who have told us they spend too long in their cars. They want to have more time with their family and friends.

In response to this our Government has made an election commitment: the Great Hobart Traffic Solution. This is a long-term plan with short- and medium-term actions about dealing with the problems. This is about directly addressing the concerns. It is a package of measures that involves management, better infrastructure, better technology.

Last year, the Government took over responsibility for the Davey and Macquarie streets couplet from the Hobart City Council because that was the missing link in the state road network that links to the north, east and south. Since then we have been taking action on the roads that the state now controls. It includes measurably improving traffic flow by changes in the way the traffic signal sequencing works. We have also begun rolling out our new fleet of rapid response tow trucks to ensure the breakdowns and crashes on roads which block and hold up traffic can be dealt with more swiftly.

We have extended the tow truck hours on the Tasman Bridge to be an all-day operation and not just during peaks. We have installed new tow-away signs on Macquarie Street clearways and announced that vehicles that park illegally and hold up traffic in those clearways are going to be towed away from 14 October 2019. This allows people to prepare for that change in enforcement. We have extended clearway hours by one hour every morning. This is about freeing up our roads and allowing our commuters to be able to use all available lanes.

Today, I am also delighted, as part of the Hodgman majority Government, to announce for those who commute on the Southern Outlet our commencement of the Government's new rapid response tow service to operate on the outlet as well as on Davey and Macquarie Streets between 7.00 a.m. and 9.30 a.m. and between 3.30 p.m. and 6.00 p.m. The effectiveness of our new rapid response tow fleet has already been demonstrated since the commencement of the service on the bridge and the Tasman and Domain highways.

Last week there was a five-car pile-up on the bridge during morning peak hour traffic. Because of the Hodgman majority Liberal Government's new initiatives and services, including a truck that can deal with not one but two vehicles at a time, five cars were cleared up within 35 minutes. It is a record.

Since the new service started the average tow away time is under 15 minutes. There have been 18 incidents responded to, including 11 vehicles towed away. There was also a dinghy that had to be towed away. These would usually have held up the traffic and made people's travel time longer. This is just one of a number of measures that we are implementing.

Last week I announced further measures to reduce congestion in Hobart, particularly for Kingborough and Huon commuters. We called for tenders for a consultancy to develop detailed design options for a fifth Southern Outlet transit lane to link with bus priority measures on Macquarie and Davey streets.

**Ms Butler** - Have you spoken to the family with the children? Have you spoken to the children who were in that crash?

**Madam SPEAKER** - Order, Ms Butler it is warning number two.

**Mr FERGUSON** - This will help city slickers like Ms Butler. The consultancy also includes concept designs for a park and ride facility in Kingborough.

**Ms Butler** interjecting.

---

**Member Suspended**  
**Member for Lyons - Ms Butler**

**Madam SPEAKER** - Order, Ms Butler, that is warning number three. Thank you, goodbye, until the end of question time.

**Ms Butler withdrew.**

---

**Mr FERGUSON** - Preliminary planning work has already begun on these projects. The next round of community consultation starts soon. We want to listen to the public and make sure our plans are fit for purpose. The Southern Outlet transit lane is part of the Hobart City Deal. That is part of the blueprint for the Government's coordinated plan for improved transport across Hobart.

**Ms O'CONNOR** - Point of order, Madam Speaker. Standing Order 48, again. Each one of the Dorothy Dixers, where Government backbenchers are asking ministers to tell us how terrific they are, has run over five minutes today on the public purse. I bring that to your attention.

**Madam SPEAKER** - Thank you.

**Mr FERGUSON** - If I may continue, Madam Speaker, to ensure I give a proper answer. These are important measures. I am coming to the end of my answer.

**Madam SPEAKER** - Thirty seconds.

**Mr FERGUSON** - Our announcement was warmly welcomed by the Mayor of Kingborough, Dean Winter, who described this project as -

An opportunity to make it a big impact on traffic congestion. If we can use the project to promote public transport or even carpooling during peak periods, along with investment in park and ride infrastructure, I think we can make a real dent in congestion.

Our approach to congestion can be contrasted with the policy void from members opposite who went to the last election without a commitment to improving transport infrastructure and congestion. At least they are consistent.

**Ms WHITE** - Point of order, Madam Speaker. The member should correct the record. He has misled the House again.

**Madam SPEAKER** - That is not a point of order.

### **Port of Burnie - Government Support**

**Ms DOW question to PREMIER, Mr HODGMAN**

[10.56 a.m.]

You are a part-time premier who seems oblivious to the jobs emergency that is getting worse under your watch. People are calling you half-time Hodgman because you have left the field at a time when the state desperately needs leadership on jobs.

**Government members** interjecting.

**Ms O'BYRNE** - Point of order, Madam Speaker. I cannot hear Ms Dow, the member for Braddon, over the interjections of Government members. Could she repeat that question?

**Madam SPEAKER** - She has a lovely soft voice. Perhaps she could speak up.

**Ms DOW** - Premier, you are a part-time premier who seems oblivious to the jobs emergency that is getting worse under your watch. People are calling you half-time Hodgman because you have left the field at a time when the state desperately needs leadership on jobs. Businesses have told us that capacity constraints at the Port of Burnie are costing them thousands and jeopardising new jobs and investment in the mineral sector. Your Government has not committed a cent to the Burnie port expansion, outlined in the TasPorts master plan.

**Members** interjecting.

**Madam SPEAKER** - Order, through the Chair, please.

**Ms O'BYRNE** - The member is trying to ask a question. She is being interjected on.

**Madam SPEAKER** - Thank you. I have made that point.

**Ms DOW** - Your Government has not committed a cent to the Burnie port expansion, outlined in the TasPorts master plan. Why has your Government completely abandoned the Burnie port?

## ANSWER

Madam Speaker, I thank the member for the question, although a disturbing pattern is now forming. I assure anyone who might believe what Opposition members are saying that my Government and I are working 110 per cent to keep our economy strong.

It does not happen by chance to have the best performing economy in the nation, to have 13 000 more jobs in our state - not the 10 000 that were lost when your colleagues were in government. To have the best business conditions and the highest levels of business confidence happened because of hard work and because we understand business and how the economy works. This is not a revelation to us although it is apparently for the Labor Party, as is regional development.

I was pleased to be in Burnie recently to meet with Tasmanian businesses and hear from them about the efficiencies in getting their product to the world. We now have the state's highest rate of export growth. We are one of the best performing export states in the country. A lot of it goes out of Burnie port in which Government, including the Commonwealth Government, has made significant investment. I congratulate the Morrison Coalition Government and new MP working his tail off on the north-west coast, Gavin Pearce, who successfully turfed Justine Keay out of parliament because she too, presumably like the rest of the Labor Party, was out of touch with what is happening.

We welcome the Morrison Government's commitment of \$40 million.

**Members** interjecting.

**Madam SPEAKER** - Order. I am just reading Standing Order 118 and using a few words out of it. This is inviting the House to reflect on its behaviour and proceed in an appropriate manner. It is a warning that suspensions will continue. I have to warn this side of the House that there are many of you on warning number two. If there are any more disruptions of this nature you will be leaving the House, and not for the end of Question Time, but for at least two hours.

**Mr HODGMAN** - Thank you, Madam Speaker. There are not as many of them, but they are still damn noisy. In fact, you talk about part time or half time, this is half an Opposition now sitting opposite, but still offering zero.

The facts are, for the member who asked the question, the former mayor of Burnie, that the Morrison Government has committed \$40 million in the federal campaign to replace the minerals concentrate ship loader operated by TasRail. That is an investment that is notable also for its non-support by the Opposition. The port is significant for our growing forestry industry, and it is great to see more exports from our forest sector. The home of Toll Shipping, too, has invested \$200 million into larger, faster, low-emission vessels. I was thrilled to be with the Prime Minister for the launch of those vessels, showing the true levels of confidence in our state's economy, but also the port of Burnie.

Burnie is now an important destination for cruise ships with 39 vessels going into the City of Burnie. Our booming tourism industry, the level of interest in our state as a destination, including into regional Tasmania, is in large part due to the excellent work that is done by Tourism Tasmania, our Access team and the investments that we are making.

**Ms DOW** - Point of order, Madam Speaker, Standing Order 45, which is relevance. The question was, why have you abandoned the Burnie port?

**Madam SPEAKER** - That is not a point of order, and I urge you to listen.

**Mr HODGMAN** - Thank you, Madam Speaker. If they actually listened to the answer, rather than just rattle off these puerile one-liners, which no-one believes or cares less about, you would hear all the work that is being done at the port.

We welcome the Leader of the Opposition's new-found interest in the port, and Burnie as well. It is great to see the Leader of the Opposition up there too. But I want to correct the Leader of the Opposition. You have to wonder if it is deliberate misleading and lying, or the telling of mistruths to Tasmanians, or is it just pure ignorance, because the Leader of the Opposition said in that speech to the Labor state council that the Government's 10-year infrastructure pipeline includes no investment at the Burnie port, and that Government is 'not planning to spend a single cent on the Burnie port'. If you even looked at the pipeline document you would see expenditure of \$35 million in a new high-capacity -

**Ms WHITE** - Point of order, Madam Speaker. Standing Order 45. The Premier might like to think very carefully about his words because spending other people's money is not state Government spending.

**Madam SPEAKER** - That is not a point of order. For that, I am going to ask the Premier to restart that whole statement because it was interrupted.

**Mr HODGMAN** - These are investments in our Burnie port and supported by this Government. The pipeline document to which we refer, if the Leader of the Opposition bothered to read it or at least quote accurately, she would have noticed Project 205, \$35 million into a high-capacity minerals concentrate ship loader -

**Members** interjecting.

**Madam SPEAKER** - Ms Standen, warning one.

**Mr HODGMAN** - \$6 million expansion to the mineral concentrate shed, Project 180 at the port. The Tasmanian Minerals, Manufacturing and Energy Council strongly supported our endeavours. They appreciate the fact that we are working constructively, including with the Commonwealth, to make these important investments. The point is you simply cannot trust the Leader of the Opposition, because in a set-piece speech to her -

**Ms WHITE** - Point of order, Madam Speaker.

**Madam SPEAKER** - Is this another frivolous point of order? I am really getting frustrated with these.

**Ms WHITE** - It is important because the Premier is misleading the House and misrepresenting what I have said. Everything I said is true. All of that money is federal money.

**Madam SPEAKER** - The point of order is declined.

**Mr HODGMAN** - I will conclude by also referring the Leader of the Opposition to our investment in the mooring dolphin at the Port of Burnie, 2017 investment, 315 metres in length, so that vessels can now berth at the port. That is one of the reasons why we are seeing that significant investment by cruise ship industries coming to our state, using the port. It is an important asset.

It is not true for the Leader of the Opposition to mislead this place, or indeed her members, which points to the fact that you simply cannot trust Labor or the Leader, Rebecca White, to tell the truth.

**Ms White** - Everything I said is true and you have just proven it.

**Madam SPEAKER** -Thank you. I hear your point of order. There are two questions left. I will take Mrs Rylah. She jumped first. Last question for the Liberals. Please proceed.

### **Housing - Supply and Jobs**

**Mrs RYLAH question to MINISTER for HOUSING, Mr JAENSCH**

[11.05 a.m.]

We all know the supply of more affordable housing is critical to addressing the housing shortage. Could the minister please provide an update on the progress of the Hodgman majority Liberal Government's plan to increase the supply of homes and deliver more jobs for Tasmanians?

#### **ANSWER**

Madam Speaker, I thank my Braddon colleague, Mrs Rylah, for her question and her interest and support in this important topic. Indeed, increasing supply is crucial if we are going to meet the increased demand for housing and put downward pressure on rental prices for housing in Tasmania. Demand has grown over recent years because fewer Tasmanians are leaving, more are coming here to work, to grow businesses, and to do business under the Hodgman Liberal Government, than ever before, and they all need somewhere to live.

I am focused, and the Hodgman Liberal Government is focused, on delivering for every part of the housing market, including releasing more land for homes to be built on. This is why the 2018 Housing Land Supply Act was drafted and then passed unamended by both Houses of this parliament, because all members here recognise the need for us to pull all the levers we have available to us to improve housing supply in Tasmania.

To date, this act has allowed four housing land supply orders to be passed by this parliament. This has seen land rezoned for housing in Rokeby, Moonah, Devonport and Newnham. Today I am pleased to advise the House that I will be tabling the Housing Land Supply Order for Huntingfield for consideration of both Houses of this parliament. The proposed order would see a further 34 hectares of land become available for housing, yielding around 450 dwellings, open space, and local business zones to serve the needs of this new community and its surrounds. This will mean more jobs, initially, in the building and construction phase, and more business and employment opportunities across multiple industries once the vision for the site has been fully realised.

This site has been earmarked for residential development in the Southern Tasmania Regional Land Use Strategy since it was first developed. It is referred to repeatedly throughout the Kingborough Council's own land use strategy, which was endorsed unanimously by the council earlier this year.

I recognise that there is significant public interest in the project, but it is important to acknowledge that the order I am tabling today only relates to the rezoning of the land, and while it is informed by an overarching plan that is being developed, it does not provide, in itself, for the subdivision of the land, or the development of any buildings. The future subdivision of the land and development of houses will be subject to the normal development assessment and consultation processes administered by Kingborough Council under the Land Use Planning and Approvals Act 1993.

As required under the Housing Land Supply Act, a draft order was presented for consultation and feedback.

**Ms Standen** - For a handful of people.

**Madam SPEAKER** - Order, Ms Standen.

**Mr JAENSCH** - We received a total of 52 submissions of which 11 were from interested persons as identified and defined in the Act, and a further 41 submissions from the broader community. The feedback received has been very useful to us in refining the order that we will be presenting to the parliament today.

The order I will table today responds to concerns raised by the community through that consultation, to more clearly address the density of development possible under the inner residential zone where it is applied, the location of the local business zone and its proximity to existing residences and schools, the traffic flows, both within the site and beyond it, and the need for infrastructure upgrades in order to accommodate future development, the need for open space buffers from the Peter Murrell Reserves and existing development, and provision for the delivery of affordable housing on the site.

**Ms Standen** - And what about access to services?

**Madam SPEAKER** - Ms Standen, that is warning number two. It should have been warning three, but I am giving you two.

**Mr JAENSCH** - Thank you, Madam Speaker. To address concerns around density, in particular, we have adjusted the zoning in the final order, to more clearly reflect the intention that we have to deliver a diverse range of lot sizes and housing types, not high density across the entire site, as others have claimed and which was the subject of a number of submissions we received. Indeed, the average housing density across the site will be similar to adjacent residential areas under this order.

I am confident that through good urban design and planning during the next master planning phase that a mix of housing types and tenancies can be achieved that meets demand in the market, including provision of social and affordable housing of various kinds. The choice of zoning in the order simply provides the flexibility we need to achieve that outcome.

In response to concerns regarding transport and traffic implications, the Tasmanian Government has committed to a corridor planning study for the Channel Highway between Margate and Kingston. The Greater Hobart Traffic Solution will assist to develop passenger transport solutions for the Kingborough area, and this is in addition to the measures being progressed under the Hobart City Deal to improve southern access via the fifth Southern Outlet lane and the ability to manage peak demands, including an additional inbound priority lane, new park-and-ride facilities and priority lanes for Macquarie and Davey streets, as outlined by my colleague, Mr Ferguson.

I am confident that the proposed order delivers on the Hodgman Liberal Government's commitment to deliver affordable housing options with innovative and good urban design without compromising important planning considerations and processes, and I look forward to this House supporting the order.

### ***Spirit of Tasmania - Delivery of New Vessels***

#### **Dr BROAD question to PREMIER, Mr HODGMAN**

[11.11 a.m.]

The new *Spirit of Tasmania* vessels are vital to maintaining growth in the tourism industry and the broader economy. Your Government has undermined confidence in the biggest infrastructure project in the state's history as a result of your secrecy and lack of leadership. First, the German shipyard contracted to build the vessels, FSG, went into receivership. Then there have been massive delays in the delivery of vessels from FSG. The head of TT-Line's vessel replacement program has quit and now we hear that other FSG clients are looking to China to build their ships. Premier, you were very quick to stand next to TT-Line when you announced the new ships would be delivered in 2021. Will the vessels be delivered as you promised in 2021 and what have you done to deliver on your commitment?

#### **ANSWER**

Madam Speaker, I thank the member for the question. He is not only auditioning for shadow treasurer but is also having a shot at Mr O'Byrne's job now that he is conveniently out of the room. That is another thing the Leader of the Opposition still does not have a position on. Who is going to be her next shadow treasurer? I have to wait until the recount. Does that mean Maddie is in the running?

**Ms O'BYRNE** - Point of order, Madam Speaker. I do draw the Premier to the question. It has been a long question time.

**Madam SPEAKER** - It has been a long question time and many of your points of order have been extending it but thank you, I agree with you. Please proceed.

**Mr HODGMAN** - I thank the acting shadow minister for infrastructure for the question. We know he is not shy to pump up his own tyres. They perhaps need a little retread but it is an important issue and it deserves more than the tone of the question asked because it is an important investment.

Under this Government the performance of the TT-Line and the *Spirits*, by increasing capacity and voyages across Bass Strait, has increased not only visitors but also freight to and from our state. Thank heavens that when we came into government one of the first things we did was put the brakes



on a Labor-Greens policy, or perhaps just the Labor policy - it was certainly Mr O'Byrne's - to add to competition.

**Dr BROAD** - Point of order, Madam Speaker, under standing order 45, relevance. This is a very important question. Can you guarantee that these vessels will be delivered in 2021?

**Madam SPEAKER** - Thank you, that is not a point of order but it has been recorded on *Hansard*. Please proceed.

**Mr HODGMAN** - I again remind members opposite and the broader public of Labor's track record on the *Spirits* because they have never had a stronger future than now and it is a credit to the company and to other operators on Bass Strait, our freight carriers, who are able to operate without the competition that you wanted to put onto Bass Strait by adding an additional TT-Line freight ship.

---

**Member Suspended**  
**Member for Braddon - Dr Broad**

**Dr Broad** - What about 2021 - yes or no?

**Madam SPEAKER** - Order, Dr Broad, that is warning number three, so I suggest you leave the Chamber for an hour.

**Dr Broad withdrew.**

---

**Mr HODGMAN** - We stopped that in its tracks and it has been the reason why not only have we been able to see increased business for the TT-Line - again, a credit to its board and management and all its staff - but also to ensure that we can get replacement vessels operating on Bass Strait as soon as possible.

It is well understood that there is a contract for the building of these RoPax vessels with FSG, the German shipbuilder. It has been widely reported, so there is no secrecy here, that FSG has a difficult financial situation. We are in very regular touch with the company. To avert the nonsense from members opposite, I spoke, as it happens, with the chair of TT-Line very recently in relation to this, who confirmed that, as you would expect, there is ongoing and regular contact with FSG and the Government is being briefed on a regular basis by TT-Line on this matter.

While media reports regarding the financial state of FSG are concerning, we are advised that TT-Line still has solid contracts in place with FSG to build new *Spirits* and the detailed ship design work is continuing. When there is any update on the contractual arrangements or their capacity to fulfil them or to adhere to terms, we will make public statements with respect to that, but importantly as well and to again avert dishonest claims by members opposite, no payments have been made to date by TT-Line to FSG and no money will change hands unless a refund guarantee is in place to protect taxpayers.

Not only will the ships continue the great work that the current vessels are doing but they are planned to be 30 per cent larger than the current *Spirits*, carrying up to 1800 passengers and 600 passenger vehicles.

**Ms WHITE** - Point of order, Madam Speaker, under 45, relevance. Given the significance of this topic, can the Premier guarantee they will be delivered in 2021?

**Madam SPEAKER** - It is not a point of order and we will let the Premier continue.

**Mr HODGMAN** - The Leader of the Opposition is either not listening or deliberately choosing to misrepresent matter. I have said very clearly that, in the event that there is a change to contractual arrangements, we will advise as to that. I can confirm that in the event of any delay, the current *Spirits* are also able to continue operating and will be emissions compliant from 2020 and can operate well past 2021.

The *Spirits* have never been stronger than they are now. They are performing an important role for our visitor economy and for our exporters, the freight-carrying task is largely supported by the TT-Line. I acknowledge the chair, Mike Grainger, the board and the excellent management of Bernard Dwyer and his executive team but also the wonderful staff who are now operating on the *Spirits* to the extent that they always should have been. Under the former government not only did they face a threat of increased competition but they were not performing as well as they now are. We have every confidence that TT-Line management will continue to ensure that Tasmania's capacity on Bass Strait is well supported by our state-owned company. They do an excellent job and if there is anything further to add, we will do so.

**Ms O'CONNOR** - Madam Speaker, point of order, under standing order 48. That is another question where we have had an answer run to five or six minutes. That is why it is 11.20 a.m. and we are still in question time.

**Madam SPEAKER** - Yes, I know. It has been a long and painful road today but I will give you some comfort. We are now moving onto petitions.

**Time expired.**

## PETITION

### Sustainable Timber Tasmania - Guidelines for Apiary Values

**Ms White** presented a petition signed by approximately 846 citizens of Tasmania praying that the House direct the Minister for Resources to ensure that Sustainable Timber Tasmania adheres strictly to the recently agreed Planning Guidelines for Apiary Values when it plans for the extent of leatherwood retention in all coupes to be harvested in the next three years, in particular Coupe TN005D near the Florentine Road, and that STT ensures its contractors comply with those plans.

**Petition received.**

## TABLED PAPERS

### Estimates Committee A - Additional Information

**Mr Shelton** presented a further report of additional information provided to the Estimates Committee A by the Minister for Human Services, Minister for Housing and Minister for Planning.

**Public Works Committee -  
Stage 2 King Island Hospital Redevelopment**

**Mrs Rylah** presented a report on Public Works Committee on the following reference: Stage 2 King Island Hospital Redevelopment, together with the evidence received and the transcript of evidence.

Madam Speaker, I move -

That the said report be received and printed.

**Motion agreed to.**

**WORKERS REHABILITATION AND COMPENSATION  
AMENDMENT BILL 2019 (No. 20)**

**ELECTRICITY SUPPLY INDUSTRY RESTRUCTURING (SAVINGS AND  
TRANSITIONAL PROVISIONS) AMENDMENT BILL 2018 (No. 64)**

**FOREST PRACTICES AMENDMENT BILL 2018 (No. 61)**

Bills agreed to by the Legislative Council without amendment.

**RIGHT TO INFORMATION AMENDMENT (APPLICATIONS  
FOR REVIEW) BILL 2019 (No. 14)**

Bill returned from the Legislative Council with amendments.

Motion by **Mr Ferguson** agreed to -

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

**PUBLIC WORKS COMMITTEE AMENDMENT BILL 2019 (No. 32)**

**First Reading**

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

**LEGAL PROFESSION AMENDMENT (VALIDATION) BILL 2019 (No. 34)**

**NEIGHBOURHOOD DISPUTES ABOUT PLANTS  
AMENDMENT BILL 2019 (No. 35)**

**First Reading**

Bills presented by **Ms Archer** and read the first time.

---

**Member Suspended**  
**Member for Lyons - Ms White**

**Ms White** - Maybe you just have a pay rise, rather than this one.

**Madam SPEAKER** - I am very unimpressed with that comment, Ms White. That is a reflection on the Speaker, so I will ask you to leave the House for an hour.

**Ms White withdrew.**

---

**GENETICALLY MODIFIED ORGANISMS CONTROL**  
**AMENDMENT BILL 2019 (No. 33)**

**First Reading**

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

**MATTER OF PUBLIC IMPORTANCE**

**Regional Infrastructure**

[11.28 a.m.]

**Ms DOW** (Braddon - Motion) - Madam Speaker, I move -

That the House take note of the following matter: regional infrastructure.

It is my pleasure to rise today and speak on this matter of public importance, that being regional infrastructure.

I am incredibly disappointed by this Government's lack of leadership and commitment to investment in important regional infrastructure projects and more importantly regional jobs. Tasmania has the highest unemployment rate in the country. My question to the Government is what are you doing about it? You claim to be spending record amounts on infrastructure, despite a number of key regional infrastructure projects stalling. This weekend it was fantastic to hold our state conference in the 'City of Makers', my home city of Burnie, a city with proud industrial heritage, a city in a region that relies heavily on a trade-based economy.

The Burnie port is a centrepiece of our city, the economic heartbeat of the region, and the Government has acknowledged Burnie is the containerised shipping port for the state. What an incredible economic asset for the state, that disappointingly is yet to reach its full potential. This potential, if realised, will drive significant economic growth and lead to greater business investment and confidence and the employment of more Tasmanians, particularly across regional Tasmanian communities.

TasPorts has called for an investment of \$80 million to increase the capacity of the port, improve ship-loading capacity, and to construct an international container terminal, but this

Government is very quiet about the Burnie port. Despite the federal government's commitment for ship loading, nothing else is forthcoming from this Government and I ask, why is this so?

The other important aspect of job creation I will talk about today is the diversification of our regional economies, which is critical to job creation and continued economic prosperity. Tourism provides a great opportunity for economic growth right across Tasmania, and it is fair to say that the incredible growth in tourism experienced by some parts of the state is not being felt in the same way in other regional centres.

The north-west coast has beautiful coastlines, iconic mountains and tremendous natural beauty that international and national visitors truly appreciate. This leads me to the next important regional infrastructure project which has stalled under the lack of leadership of this Government.

The revitalisation of the Cradle Mountain Visitor Experience, and investment in this iconic site, is critical for the growth of our regional economy. The project will create much needed regional jobs in the short and long term and also, very importantly, will encourage visitor dispersal out into regional areas and much-needed extended visitations to the regions. Labor is committed to the revitalisation of the Cradle Mountain Visitor Experience and this important regional development project.

Labor is a big supporter of sustainable tourism development and the jobs that it will create. The local community and the tourism industry need certainty regarding the progress on this important project, namely the Gateway Precinct. The Government has failed to stick to its promised time lines for the expression of interest process. How far behind schedule is this project, and why are the names of the investors for the Gateway Precinct development not revealed by this government when they clearly promised in their glossy agenda documents that investors for the project would be announced by mid-year? To date there has been no announcement, and this is another regional infrastructure project that appears to have stalled.

The final project I will speak about today on this matter of public importance is the Coastal Pathway project between Cooeee and Wynyard, a project I have been involved in over many years, and a project I passionately support. This project is not only an important tourism project, but an important community recreation project, connecting our coastal communities, encouraging health and wellbeing, and showcasing our beautiful coastline.

The Burnie and Waratah-Wynyard Councils are to be commended on this project. It has been on the drawing board for more than 10 years, and this Government committed to fund it on the eve of the state election. They stood alongside the disused rail corridor and espoused the merits of this very important community infrastructure project, and indeed they funded it through their community infrastructure fund. That rail corridor is now overgrown, unkempt and an eyesore along a major arterial road on the north-west coast. Two years or more have passed and this project has stalled. Now the Government wants councils to pay for and take on the future liability for the coastal erosion which has subsequently occurred at points along the rail corridor. This could be up to about \$11 million in costs.

The Government has also gone as far as to suggest that funding allocated to other components of the Coastal Pathway be reorientated to the immediate and ongoing remediation of the erosion. I ask you, how is this fair? The councils along the coast have been working diligently on this project for a number of years. It is an important community infrastructure project for our region, it is important for our economic growth, and it is important for connectivity between our communities.

Councils are unable to accept liability for protecting land from erosion that they do not own. This expectation is completely out of touch, and the transfer of the corridor management has not even taken place yet.

The erosion and the Pathway are two separate issues. What is this Government's plan for mitigating future coastal erosion? This problem is not going to be unique to the north-west coast. How will this erosion also affect the stability of the parallel road network, the Bass Highway, which is also the state Government's asset and responsibility?

The Government's undertakings and discussions with councils have been less than consistent, with mixed messages and commitments being given over a period of time, and of course a change of ministers. Is the Coastal Pathway project under threat, and why has it stalled? Has the Government walked away from this really important community project; a project that has tremendous community support and community benefits, and which has been advocated for by many over a very, very long period of time?

What is this Government's commitment to regional infrastructure? Local government and others are calling out for leadership across regional Tasmania to drive jobs growth, fix water and sewerage issues, and invest in regional amenities, including toilets, roads and other essential infrastructure.

I have discussed today three really important regional infrastructure projects. Regional Tasmanians deserve a Government that keeps its time frames and invests in important economic drivers.

**Time expired.**

[11.36 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Deputy Speaker, I was quite surprised not to hear my colleague, the member for Braddon, Ms Dow, talk about the Greens policy that was adopted at the Labor State Conference, which is the royalties for regions policy, formulated by former member for Braddon, Greens member for Braddon, Paul 'Basil' O'Halloran, which aims to return some of the profits from royalties from mining back into regional communities. Congratulations, Ms Dow, for picking up on that Greens policy.

Also, congratulations to Labor and Ms Dow for getting so firmly behind the Coastal Pathway project, which again is an idea that was initially put forward by Paul O'Halloran as the Greens member for Braddon. Good on Labor for adopting those two Greens policies.

Regional infrastructure - you would not know from the Labor Party state conference on the weekend that there was any particular concern or focus for regional communities or infrastructure. What you do know from the Labor Leader's speech is that the best she had to offer was an attack on the Greens after adopting a couple of our policies, and then putting forward a vision for Tasmania, which comes down to in essence: going for a fish, camping out in a swag, or spotlighting for a few wallabies. That is the best that the Leader of the Opposition could offer in terms of a vision for Tasmania at Labor's state conference.

Those activities are part of the Tasmanian way of life and the Tasmanian identity, but they do not go to the heart of the significant issues that are confronting Tasmania today. It is interesting to have a look at some of the garbage that was debated and voted on at the Labor state conference.

Would you believe that Labor acknowledges that modelling suggests that climate change is happening? Well, there is a revelation for Labor. They are committed to national action. What that means is complete apathy and inaction on the climate emergency at a state level. When they talk about national action, they are talking about a federal Labor Party which has thrown its full support behind the Adani coal mine, which has signed itself up to the parliamentary 'friends of coal', and whose Queensland Labor colleagues on the weekend revoked native title on the Carmichael mine site.

There is a sickness and a rot at the core of the Labor Party federally, and in Tasmania. It is manifest every single day. In the motions that went to the state Labor conference, they have committed to federal Labor's policy, which is not to protect any more of the extraordinary carbon-banking forests that were set aside under the Tasmanian Forest Agreement, with the agreement of the forestry industry. They have backed in the Regional Forest Agreement, which is driving species towards extinction and continuing old-growth logging right across Tasmania. Of course Labor ardently backs in the logging of rainforest species inside conservation areas and regional reserves. That will do nothing to deliver long-term sustainable jobs to the regions. There was no meaningful mention by the alternative premier of what Labor will do to prepare Tasmania for the climate emergency, no mention of Labor's plan for making sure our infrastructure, whether it is in the city or in the regions, is resilient to a changing climate. What is Labor's plan? We had some lip service from Ms Dow about coastal pathways and sea level rise, but what is Labor's plan for climate-ready infrastructure? What is Labor's plan to make sure that our roads and our bridges along our coastline are resilient? What is Labor's plan to make sure that our social infrastructure, affordable housing, is climate-resilient so we are not consigning poor people to living in ovens in summer and iceboxes in the winter time? None at all.

**Mr O'Byrne** - More energy from wind farms would assist in that challenge.

**Ms O'CONNOR** - Your time will come, Mr O'Byrne, I predict probably within about six months. Clearly you are snipping away at Ms White's heels, as ever. It is exactly what you did to Lara Giddings when she was the Premier. We know your form, Mr O'Byrne. We have seen it all before.

Unlike the Leader of the Opposition and in fact the entire Labor Party, we have a set of policies and a vision for Tasmania which we know, if implemented, will hold this state in good stead for the future. I recommend to Labor yet again our alternative budget, the same thing we do every single year, a fully costed alternative budget that has at its core quadruple-bottom-line accounting - society, economy, environment, democracy and human rights. Labor does not have the courage to do that so when Labor talks about the so-called jobs emergency there is not one single tangible idea they have put forward that would grow jobs in the regions. Not one.

Pardon the cynicism of Dr Woodruff and I but we have heard the sort of garbage that came out of Labor on the weekend before. It is the natural cycle of things where Labor veers and tilts a bit towards the left and then auto-corrects and lurches back towards the right. It is part of the natural political order of things. We have seen it in Tasmania and federally. Labor is lurching to the right. They are Liberal-lite. Any party that can revoke native title of Aboriginal people over their own lands in order to enable a toxic climate nightmare coalmine to proceed deserves the condemnation of this and future generations, and they will be condemned. They will be condemned by their own children as the climate emergency accelerates and accelerates, yet here they sit fiddling and playing childish politics while the planet burns. They are an utter disgrace and Tasmanians deserve better.

[11.43 a.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Madam Deputy Speaker, I will speak on this matter of public importance but at the outset I want to say that we hate it when Labor and the Greens fight like this. It is most unlike you.

**Ms O'Connor** - They are so much more like you than us.

**Mr FERGUSON** - You vote together 90 per cent of the time but every now and then you choose to chuck a wobbly - like a ceremonial wobbly - to try to fool the community that you are different. You are not - you are the same.

**Ms O'CONNOR** - Point of order, Madam Deputy Speaker, under standing order 144. The Leader of Government Business has used offensive words against us. We hold Labor today in utter contempt, Mr Ferguson. That is a matter of public record as I put in my contribution to the matter of public importance. That is where we stand.

**Mr FERGUSON** - Today is a 10 per cent day, that is my point. Today is just the one in 10 and the other nine you will be back together. Who could forget the disastrous days of the Labor-Greens government as they took Tasmania into a very bad place.

**Dr Woodruff** - You've really improved the health system, haven't you, minister?

**Ms O'Connor** - Yes, you did a great job in health.

**Madam DEPUTY SPEAKER** - Order.

**Mr FERGUSON** - I remember sitting in opposition with Timmy Morris standing at the dispatch box there warning all of us during the happy days of the Labor-Greens government that there would be a pretend divorce about six months before the upcoming election for the Labor Party to try to be seen to be different from the Greens members they joined forces with. One thing I have to agree with the member for Clark about is her very correct and faithful representation of history that Labor does this left swing, right swing thing for convenience and it is all about sucking up to the electorate but is actually not what is in their DNA at all.

Regional infrastructure is a great subject for us to be discussing. This Government is committed to both city and regional infrastructure across our state. I am talking about not just roads and bridges but health infrastructure, school infrastructure, irrigation infrastructure and hydro infrastructure. We are investing a record \$3.6 billion over this Budget and forward Estimates, much of which is to be spent in the regions, which I know Ms Dow would say is important.

It was the case that the Government was rubbished by members of the Opposition at the May Budget for the structure of it where we accepted that, rather than reducing our spend on infrastructure during challenging budget times, we wanted to double down on infrastructure and spend more so we could create more job-creating projects but also jobs that will underpin future economic prosperity. The Labor Party rubbished us for accepting a modest level of debt on our budget but was unwilling to produce an alternative budget. The only alternative budget in this place is from the Greens, who are just two members compared to Labor's nine or 10 and yet they have had the courage of their convictions to document what they would do differently.



One thing we can agree on is that investment in our regions is vitally important. It is something that this Government holds very dear because the infrastructure investment is part of helping our economy to grow more and to have an eye on not just the current needs but on the future needs of our towns and our country areas, our cities, our suburbs and our regions, and we are demonstrating that.

The Port of Burnie has been particularly singled out. Congratulations to the Labor Party on visiting Burnie at the weekend but your statements on the Port of Burnie have been wrong. The Port of Burnie is of great importance to our Government and our GBEs and it is demonstrated with the highest volume of trade, which includes both in-bulk and containerised goods. Burnie is critical to Tasmania's growing mining industry which we support in government, unlike the Labor government. We have also welcomed the Morrison Government's commitment of \$40 million at the federal election to invest at the port at the minerals concentrates ship loader which is operated by Tasrail, an investment notable only for its non-support by the Labor Party. Can you believe that the Labor Party would say such an incorrect and dishonest statement at the weekend where they claimed that not one cent would be spent? It is in the pipeline document released only a week or so ago.

The Port of Burnie is also highly significant for our growing forestry industry which the Labor Party under Mr O'Byrne tried to destroy, as well as being the Tasmanian port for Toll shipping and Mr O'Byrne as minister for infrastructure at the time tried to smash the private trade across Bass Strait with his TT-Line policy which we stopped. It was also the case that the Opposition Leader and I think Ms Dow as well clearly did not read our 10-year infrastructure pipeline document before declaring there was no investment at the Port of Burnie. If they had been honest about it they would know that they need to correct the record.

As the Premier outlined this morning, the Government has just completed a very successful project at the Port of Burnie and that is the dolphin that was lobbied for, including by Ms Dow when she was the Mayor of Burnie, and this Government has invested in that. I do not have the figure to hand but I think it is in the realm of \$1.8 million, which has been a fantastic addition to the port of Burnie. You overlook that.

You also overlooked the fact that TasPorts recently completed an important project at the port of Burnie, but because it has just been finished you try to create a spin narrative that there is no work occurring there. That is very dishonest. The Tasmanian Minerals and Energy Council supports the upcoming \$40 million investment by the Morrison Government in Burnie Port and so does the federal member for Braddon.

### **Time expired.**

[11.50 a.m.]

**Mr O'BYRNE** (Franklin) - Madam Deputy Speaker, it is remarkable that on this important matter of regional infrastructure the member who just resumed his seat spent more time talking about Labor and the crossbenches and talking in platitudes about the need for investment in regional infrastructure than he did about things his Government was doing. The only thing in substance he talked about was another government's investment - the Morrison Government's investment into the Burnie loader. Not one project he mentioned was Tasmanian Government investment. The things that you did talk about in the infrastructure pipeline that was released last week are beyond your budget estimates and timeframe.

The shallowness, the emptiness of that contribution from the former failed Health minister and very green infrastructure minister illustrates the lack of vision and the lack of strategies that this Government has.

One of the first actions of this Hodgman Government was to sack what had been to that point a bipartisan cross-industry, cross-sectorial, infrastructure advisory council. That council had all the key government business enterprises and all the key industries and peak bodies represented. It was working through and finalising a long-term infrastructure strategy for the state. Very important work. It was working with not only the state government but also local and federal governments and identifying a range of projects that the government business enterprises had in front of them. The state had an infrastructure strategy.

Your first act was to get rid of that organisation and replace it with a senior bureaucrat, Mr Allan Garcia from the Local Government Association. What have we seen since? Every three months the Government rolls out its infrastructure pipeline. That is not a bad thing but it is not a strategy. It is a list of things other people are doing. It is a list that was compiled by the previous government. It is about cherrypicking what is in the media, what other people are doing and what is in the agenda for local and federal governments. It shows a lack of strategy.

You can list all the projects you want but a number of those projects are way in the future. You have to be sceptical about whether some of them will be realised. Under pressure, after five years of being in Government, the previous minister, Mr Rockliff, said, 'We will launch, by the end of 2018, our 30-year infrastructure strategy'. Well, they went quietly into the night on that one. Nothing - crickets and frogs. They then said it would be delivered by the end of March of this year. They have missed that deadline. Everyone was hoping that the Government finally, after five-and-a-half years, would come up with a strategy and it would be announced in the Budget. No, crickets and frogs. The excuse from the Government - 'It's a bit complex'. That is why we had an infrastructure advisory council with all the key groups at the table working with all the tiers of government to do it. You played politics and got rid of that committee. You appointed a bureaucrat and all he can do is list a series of projects, most of which are beyond the forward Estimates and most of which are nothing to do with the state Government.

The community is sick and tired of this Government taking credit for other people's work. The Infrastructure minister took credit for a federal government investment. The only thing they can hold a feather to is the Midland Highway strategy. That was a Labor strategy established under the previous Labor government, working with Mr Albanese at the end of 2013.

The TT-Line is close to the largest, most important infrastructure investment in the state's history. It is more than half a billion dollars in investment. There are serious question marks raised. We are not reflecting on the leadership of TT-Line. We are reflecting on the lack of support for the TT-Line and the secrecy and lack of transparency of this Government. We belled the cat in February when we said something was going on. We were told there was nothing to see, everything was okay, we were only causing trouble. We know how this story is going to end. At what stage over the next six months will the Government realise that forcing the TT-Line into accepting the 2020-21 date is a major issue?

No responsibility. They are like a rat up a drainpipe to stand next to TT-Line and other people doing other good work, to cut the ribbon and get the news story. When the seas get a bit rougher, they are nowhere to be seen. You cannot trust them with anything important.

Look at the investment with pumped hydro. We are hearing from this Government about Tasmania First, pumped hydro, Project Marinus, all systems go. They cannot explain what that \$56 million gets them. This is one of the most important decisions for a state government. They will not say how they are going to fund it. They will not even turn up to a COAG meeting in December to argue Tasmania's case to change the rules on pricing and cost allocation for that infrastructure.

You failed to turn up to all the key moments in the state's history. You spend most of your time disrespecting the regional communities by not referring to them in terms of what they need. You spend more time on us, more time on politics and claiming credit for other people's work.

Cradle Mountain - what are you doing there? Again, another massive fail. How many more important moments are you going to miss because you do not have a vision, do not have a plan and you list other people's work and take credit for it? It wears thin. When it gets a bit tough, you are nowhere to be seen.

### **Time expired.**

[11.57 a.m.]

**Mrs RYLAH** (Braddon) - Madam Deputy Speaker, our economy is the fastest growing in the nation. Investment in our regional infrastructure has been a feature of this Government. That is why we are the fastest growing economy in the nation. Over the past five-and-a-half years we have built a stronger Tasmania, delivering on our long-term plan of jobs, stronger opportunity, more prosperity and more services in our regions.

Let us look back at the achievements that you said we do not talk about. Here are some of them to remind you, Mr O'Byrne, of the infrastructure that we have delivered: the Midlands Highway, Bass Highway, Wynyard Junction, Oldina and Wilkinson streets awaiting council closure of Wilkinson Street. Major and important infrastructure, as you know Ms Dow, on the Bass Highway that will save lives. Richmond Road stage 1, Bass Highway-Gilbert Street junction at Latrobe. The airport roundabout - interim improvements. The upgraded six bridges to facilitate wind farm construction at Granville Harbour and the Central Highlands. We are focused on our regions, our future and our current needs.

Stage 1 of the Roberts Point Bruny Island ferry terminal upgrade. Major road upgrades have commenced, including the Midlands Highway. Five contracts have been awarded to build a \$2 million overtaking lane on the Great Eastern Road at Cranbrook. Sealing of the Hastings Caves, Prosser and Waterhouse roads and the King Island freight solution, an important and very significant development and infrastructure that we have undertaken in Braddon.

The 10-year infrastructure pipeline has been talked about. The TT-Line upgrade and refurbishment has resulted in record passenger and freight numbers and volumes of fresh freight into this state.

Labor knocked back and laughed at the investment we were making in the TT-Line profits back into the TT-Line investment for the boats.

Regarding Metro, 100 new buses have been built in Wynyard. That has never been done before. It is the biggest single public transport investment in this state, and we are delivering. This

created significant jobs, diversified jobs across the north-west and provided componentry and all sorts of other opportunities for small businesses on the north-west coast.

With Tasrail, there is the \$120 million tranche 1 investment in rail revitalisation. Much of that is on the north-west coast. With TasPorts, as we have already talked about, we have the launch of the \$200 million 15-year Port Master Plan.

On the Burnie port we need to correct the comments that were made about the dolphin. It was all our money and it has been significant. It was completed in 2016-17 and it allows ships up to 317 metres long to come into the Burnie port. That is as big as the ships that can come into Hobart. It is significant. There will be 36 ships coming into Burnie this year and I know that the cruise ship passengers love to see our vibrant port. They love to see the woodchips and the logs in the round. They love to see the Toll ships. They love the people of Burnie.

There is plenty more to look forward to in regional infrastructure with our program ramping up over the next year. Let me just reflect on the Burnie port. The other day the Premier said we were at Epiroc for their new IKEA piece of equipment that was completed. They and BHP volunteered to say that the Burnie port is outstanding in the delivery of that equipment to them, so the Burnie port is significant. We are investing in the Burnie port with over \$40 million, \$35 million into the minerals loader and we know that the Tasmanian Minerals Council is fully supportive of that. It is significant for mining development on the west coast. We are also upgrading the ship loader shed with \$6 million.

The Tasmanian Government is committed to significant road and bridge works in addition to the existing road and bridge works infrastructure program. To name just a few, there is the roads package to support the Tasmania visitor economy including the upgrades to the iconic Great Eastern Drive, the Tarkine road, Hastings Cave road, Glenora Road and Evandale Main Road. There are state road upgrades of the southern, northern, north-western and west coast regions, including projects such as Richmond Road, duplication of the East Derwent Highway, Channel Highway diversification at Huonville, overtaking lanes on the Tasman Highway, Myrtle Park and Bass Highway-Leith overpass, Deloraine to Latrobe and the west coast roads package. There will be a new Bridgewater bridge and we are continuing our commitment to the Midland Highway upgrade program.

The total infrastructure package committed for the Tasmanian state road network amounts to over \$500 million, and for the Bass Highway west of Wynyard the Tasmanian Government has committed to commence a range of upgrade projects along the highway through to Marrawah, approximately 112 kilometres. The upgrade projects will include road widening, overtaking lanes, intersection improvements, some road realignment, shoulder widening, road resurfacing and general road safety measures. The Bass Highway between Smithton and Burnie is the highest volume freight feeder route connecting the Burnie to Hobart freight corridor. Current freight volumes are close to 2 million tonnes per annum or 200 laden trucks per day, all of which are carried on the road. Freight volumes are expected to increase up to 2.7 million tonnes per annum by 2034, a 42 per cent increase. The Bass Highway between Wynyard and Marrawah is a key link for freight, tourism and passengers between the north-west coast and both key ports of Burnie and Devonport. Substantial funding has been allocated to infrastructure improvements on the Bass Highway and officers of the department and consultants, as I can attest, are working on that right now.

**Time expired.**

**Matter noted.**

## CONDOLENCE MOTION

### Honourable Timothy Andrew Fischer AC

[12.05 p.m.]

**Mr HODGMAN** (Franklin - Premier) (by leave) - Madam Deputy Speaker, I move -

That this House expresses its deep sadness at the death of the Honourable Timothy Andrew Fischer AC, former Deputy Prime Minister of Australia, and places on record its appreciation for his significant achievements and, further, that this House respectfully tenders its sincere sympathy to Mr Fischer's family at this sad time.

Madam Deputy Speaker, on behalf of the Tasmanian Government and the Tasmanian Liberal Party I rise to honour and to give thanks for Tim Fischer AC. He was indeed a great Australian politician who was held in the highest regard. He was described by John Howard as 'the epitome of a good bloke' and on his departure from the Australian Parliament he famously received a standing ovation from all members and also the press gallery. Kim Beazley, the Labor leader, said he was genuinely loved in our nation's parliament. It is unlikely that those scenes would occur these days but it was very fitting for someone of the stature of Tim Fischer.

While it is often observed that he was a fascinating character in so many respects and some felt perhaps not ideally suited to the political arena, he was an extremely thoughtful, persuasive and committed advocate who held firm to his beliefs and his actions as a senior member of our country's Government. It is often said that he epitomised the quintessential Australian, unaffected, with his Akubra hat. He was a larger-than-life character and certainly far from ordinary.

His occupations took him from war in the jungles in Vietnam as a 20 year old conscript to the Vatican as a senior Australian diplomat. He was naturally a strong campaigner for veterans. He took a very progressive and outward-focused approach as a National Party member and a senior coalition government minister in actively arguing for increased trade with partners across the globe. One eulogy from *The Spectator* noted:

In a party wedded to ... protectionism ... he emerged as an energetic champion of free trade. ... the protectionist policies of the past were no longer appropriate in a world where the globalisation of national economies was inevitable. Staring down resistance from the protectionist elements of his own Party and One Nation, Fischer embraced the Howard government's vision of strengthening Australia through enhanced competition, self-reliance, higher efficiency and productivity, and the privatisation of government-owned enterprises.

He was a very strong champion of our trade and a wonderful coalitionist and member of that great Howard Government. In fact, he said that protectionist policies were just plain stupid.

On the foreign policy front he was also very forward-looking and strongly advocated for Australia's developing interests in Asia. It is said that having served in Vietnam planted a seed of great interest in Asia personally but also a strong commitment by Tim to foster greater cultural and social connections as well as pursue our economic ties in the region. I read that as trade minister he visited every Asian country with the exception of Sri Lanka and certainly viewed the region as

a great untouched opportunity for Australia to expand trade. That strong leadership, and a legacy that successive governments have since followed, is largely a credit to the vision of Tim Fischer.

Here, his legacy will last long in courageously supporting gun control laws following events at Port Arthur. He has indeed, in Tasmanian history, stamped his leadership, and the brave policy position taken by the Howard government. Tim Fischer also demonstrated a great commitment to arguing for the case, which for his constituency - and in communities right across Australia that he visited to advocate for his strong policy position - he did so not only with some political risk, but also with the threat of some risk to him personally, but he endured.

Notably, too, he is regarded as one of Australia's most famous train enthusiasts. Back when my father was on his way out of our federal parliament and Tim was coming in, my father had a fair bit to do with him, and held Tim in the highest regard. My interactions with Tim Fischer were almost exclusively around Tasmania's train and rail assets and opportunities. He would often inevitably call in, usually carrying one of his books, and speak passionately about trains and rail in Tasmania, notably about the opportunity for light rail in southern Tasmania, but also the strong commitment for our regional rail networks across the state, with which he was extremely familiar. Due to his immense political acumen, he had me cornered not only in government but also in opposition as to what more we might be doing to support investment in our rail asset. He was a genuine enthusiast, and that was well reflected at this memorial service.

By the time he had entered the New South Wales parliament in 1971, as the state member for Sturt, at just 24, he had already served in the Australian Army as an officer and platoon commander. He was a very highly regarded member of Australia's defence forces. It was noted at the time that he was the youngest person and first Vietnam veteran to be elected to parliament. It was something he wore very proudly, and rightly so, but he was always cognisant of the fact that Australia's involvement with, and response to, those who served in Vietnam was not always positive. He chose to look at what he could do to ensure that our veteran communities would never suffer such things again. He was a very committed member of the RSL and our returned services, and covered the country visiting RSL clubs and other service organisations across the nation during his term as a member of parliament, but also outside of it.

After 13 years as the state member for Sturt and then Murray, he made the move to Canberra and won the federal seat of Farrer - interestingly, it is the only time it has been held by the Nationals; it has otherwise always been a Liberal seat - as Leader of the National Party from 1990 to 1999, and Deputy Prime Minister in the Howard government from 1996 to 1999. He was an extremely important figure in that government - and highly respected, I believe, across our community, but especially so in that government. He was a dependable, trusted and significant contributor to policy development and implementation. He was good at getting things done.

As trade minister he took our country to the world, and argued very strongly for our exporters, and travelled extensively during his time as trade minister.

I also want to acknowledge the significant contribution he made to Tasmania's landscape, and at Port Arthur, and to honour that, but also to reflect on the courage that he showed during that debate. It is indeed an incredible legacy, and one which no doubt has saved many lives. Australia is a safer place, and Tasmania certainly, for it.

From Boree Creek near Wagga Wagga, from a young age he was obsessed with railways. I am told he is affectionately known as the nation's most famous trainspotter, and a great champion of

heritage railways. He was very supportive of not only our rail infrastructure and our assets, but also other rail enthusiasts often saw Tim in their community. He was a frequent visitor to heritage railways, and also for example to Sheffield's amazing SteamFest festival, which was the perfect place for Tim.

He had a strong commitment to regional Australia and to Tasmania. The Devonport Chamber of Commerce and Industry President, Stacey Sheehan, recently wrote to *The Advocate* following Mr Fischer's death, to acknowledge his contribution to an event they held, the Devonport 2030 Forum, where Tim had said you need communities pulling together - business, government and those within a region - pulling in the same direction. It was, I am told, great leadership and direction for the Devonport community, but also an indication of his strong commitment for us to work together to improve outcomes for people across our nation and across Tasmania.

He certainly understood the experience, or the power, of tourist attractions in regional communities - to drive them, and to create local jobs - and he often aligned them with his interest in trains. He was very keen to see investment in rail tourism in Tasmania as well. In 2012 he offered to act as a mediator between the Redwater Creek Steam and Heritage Society and local farmers over disputes to lay a four kilometre heritage railway track through farming land in Sheffield. After hearing about the stalled project while researching his book, he said, and I quote:

It is one of the potential crown jewels of inland tourism in Tasmania and it has been locked away.

He wrote three books on railways. He also hosted ABC local radio's 'The Great Train Show', in which he shared his enthusiasm with listeners across the country, and his immense knowledge of railways and their history.

He held positions with Tourism Australia, and that is another area in which I often had interactions. He was very keen to express his views, not only on the importance of tourism, but also its key role for driving economic growth and development across our country and for supporting small businesses.

He was a keen supporter of the Royal Flying Doctor Service.

Before his life of public service was capped off, in one of the world's holiest places at the Vatican, he was appointed Australia's first resident Ambassador to the Holy See by then Labor prime minister Kevin Rudd in 2018, and served that position with distinction. During his 1000 days as a diplomat, he spearheaded the campaign to canonise Australia's first Catholic saint, Mary MacKillop and, as a train enthusiast, managed to reactivate the tiny papal railway as well. He had an impact in delivering and pursuing his passions in such a meaningful way, but also an impactful way, including during his time as Ambassador to the Holy See.

He was described as one of parliament's genuinely loved people - no less by one of his adversaries Labor leader Kim Beazley, but also Liberal and National parliamentarians of the highest standing including John Howard, who has spoken similarly about Tim Fischer's remarkable character, his commitment, his temperament in being able to absorb a lot of the political argy-bargy in a disarmingly comfortable way, and often with a touch of quirky humour which caught people off guard. Whether it was deliberate or not, it was part of his style.

On behalf, I suggest, of not only this parliament but all Tasmanians, I acknowledge a remarkable contribution by a great Australian and say thank you to Mr Fischer for his advocacy, courage and inspiration for making our state a better and safer place and our country a better and more prosperous place. We thank Tim's family, his wife Judy and his sons Harrison and Dominic, who he put first when it mattered, and we respect him greatly for that but we thank them for allowing our nation to have so much of Tim as a husband and father.

Madam Deputy Speaker, I move -

That a copy of the foregoing resolution be forwarded to the family of the late Mr Fischer, to whom we send our deepest condolences.

[12.21 p.m.]

**Ms O'BYRNE** (Bass) - Madam Deputy Speaker, I am pleased to be able to add the voice of Tasmanian Labor to the condolence motion for Timothy Andrew Fischer who, as we know, died at the age of 73 after what was a difficult 10-year battle with cancer.

As the Premier said, he was a politician and a diplomat. He served as National Party leader from 1990 to 1999 and was Deputy Prime Minister in the Howard Government from 1996 to 1999. He served in the Vietnam War. He served in the New South Wales Legislative Assembly from 1971 to 1984 and was elected to the federal House of Representatives in the 1984 election representing the division of Farrer until he retired in 2001.

My first three years in parliament were his final three years in the federal parliament so I had a bit to do with Tim Fischer over that time. He was always quite delightful to my young child and as everyone would realise he was very fond of young children. The Premier referred to the speech he gave when he decided to step down as National Party leader when he said it was so he could spend more time and be more present in the life of his two young sons. He was very aware of the impact of politics on Harrison and Dominic and the parliament responded positively to that. Those of us members here who have served in the federal parliament recognise the amount of time you spend away from home, let alone what that impact is when you have the responsibility of being leader of the National Party.

I want to talk about what I admired about him. It was not long before he retired from parliament that he gave his overwhelming support for a republic. He was a very strong supporter of Australia becoming a republic. I cannot ignore the disagreements we had - the Labor Party and the Liberal Party - particularly Tim Fischer's commentary around the Wik decision where he was going around the country talking about and boasting that there would be 'bucketloads of extinguishment' in their response to the Wik decision that would have impacted horrendously on the rights of our indigenous people and their land ownership entitlements. I have to put on record that that is something we differed significantly on, but I want to talk a little more about some of the things he did that were quite brave during his political time.

Tim Fischer spoke out very strongly against the rise of nationalism and hatred that was being spread by Pauline Hanson. He spoke out far more strongly than any of his colleagues in the Liberal Party and was in fact the only government minister to back the parliamentary code of race ethics. That was a significant step for him to make.



The other issue he is most famous for was his work around gun law reform. I want to rely on a lot of work that Andrew Leigh provided in relation to some of the impacts of gun law reform and what it meant. Andrew said that with hindsight political reform often looks easy but when the government of John Howard and Tim Fischer set about reforming Australia's gun laws after Port Arthur, there were plenty of opponents. Opposition Leader Kim Beazley gave his full support but Bob Katter and Pauline Hanson criticised the National Firearms Agreement. Tim Fischer recalled as Deputy Prime Minister being hung in effigy complete with Akubra, but to his credit he went out to those regional communities across the country to explain the policy. The result was a tightening of gun licensing and firearms registration and a buy-back that saw one in five guns handed back to police for compensation.

What is really interesting and is probably not understood enough around this is that we talk a lot about the fact that we did not have any more massacres but we do not talk about the other phenomenal impact this legislation had. Many of the weapons that were handed back were .22 rifles and many of those were usually sitting pretty much unused in the back of wardrobes or in garages; they were not things that people were using on a day-to-day basis. As a result, the number of gun-owning households halved.

In 2010 economist Christine Neill and Andrew Leigh published a study that analysed the effect of the package of reforms initiated by Howard and Fischer. Gun massacres, which is five or more victims, had been an annual occurrence in the decade leading up to Port Arthur and in the decade afterwards there was not a single one, but the biggest impact of the National Firearms Agreement did not come up from reducing massacres, it came from fewer gun suicides. In Australian states, when more weapons were handed back, there was a larger drop in firearm suicides than in places where fewer guns had been handed back. In their report Neill and Leigh found no evidence that suicide by other means increased during that time. Similarly, when they looked at gun homicide, they found the biggest reduction in those states that had seen the largest impact of the firearms buy-back. With fewer guns in homes, domestic disputes tend not to turn deadly. When teenagers do not have access to a gun, testosterone-fuelled feuds are less likely to end in tragedy. Combining the suicide and homicide effects, Neill and Leigh estimated that the Howard-Fischer gun law reform saved around 200 lives a year. To date, this means there are around 4000 Australian lives saved by the National Firearms Agreement since it was first implemented.

In politics we make many decisions, and whilst I disagreed on their position on Wik - and I believe Keating referred to him as vicious and racist at the time and afterwards - no-one has anything but the greatest respect for the work he did in gun law reform. When it came to that, he did the right thing and thousands of Australians are alive today as a result.

Tim Fischer loved his family, loved his community and loved trains. I do not recall him ever referring to himself as a trainspotter and I am pretty sure he was not keen on being called one, but he was passionate about trains and the role they played in economic activity and support. Most people are probably not aware that during his time at the Holy See he set up the Caritas Categorical, a steam train adventure from the Vatican Garden to Tuscany. He took his love of trains with him there.

As I said, Tim loved his family and I extend the sympathy of Tasmanian Labor to Judy, Harrison and Dominic and note that no National Party leader has been held in the level of respect by the community that Tim Fischer was and perhaps may never again. Vale Tim Fischer. We extend our great sympathy to his family and commend the Premier for bringing on the motion.

[12.27 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Deputy Speaker, on behalf of Dr Woodruff and me, I also want to take a moment to reflect on the life of, and pay tribute to, Tim Fischer. When I was looking at the stories of Tim Fischer's life I felt nostalgic for a time in Australian politics where integrity, decency and humility were core to political purpose. They are the qualities Tim Fischer brought to public life. We can disagree with some of his positions on issues, but no-one would argue against describing Mr Fischer as a man of great integrity, honesty, kindness and humility.

When great people like former prime minister Bob Hawke and former deputy prime minister Tim Fischer die, it should give us, as leaders in our community, an opportunity for self-reflection. What was it about those two great characters that people loved and respected so much? What should we be seeking to emulate in public life? I think more kindness, please, as the Dalai Lama has said, authenticity, integrity, being a humble person and always having time, as Tim Fischer clearly did, to listen to other people's stories. He had an incredible wide-ranging life and it was very clear that he just loved people and was really interested in the lives of not only his constituents but of all people in Australia, and particularly in regional and rural Australia.

He was a gentleman of Australian politics who is remembered very fondly across the political spectrum. I was listening to the Premier talking about when Tim Fischer left parliament and there was a standing ovation, even from the press gallery. That is the mark of the man and how deeply he was respected.

From a Tasmanian's point of view, as others have mentioned, we owe Tim Fischer an enormous debt of gratitude after the Port Arthur massacre, when it became clear that Australia needed stronger gun laws. The then prime minister John Howard committed to strengthening gun laws. He had a conversation with Tim Fischer about the need to change the policy. It is reported that Mr Fischer said, 'This is going to be a hard sell in the bush, but I am up for it'. He had the courage to go back to country towns, into regional Australia and argue for stronger gun laws. It created, for the Nationals particularly, real difficulties because people in the bush felt that something was being taken away from them.

Tim Fischer's legacy, along with John Howard - I have to say it was the single great thing he did as prime minister - was to make sure that we are a country where people do not have to feel afraid of sending their children to school because there is such a proliferation of lethal weapons in our community.

Tim Fischer was born on 3 May 1946. He is a boy from Boree Creek in the Riverina. He was public school educated at primary school then went to the Catholic Xavier College. The event in his life which perhaps shaped him more than any other was his conscription to Vietnam in 1966, where he met his duty as an Australian soldier without doubt. He came back from Vietnam injured in a way that was not obvious at first but which affected him for the rest of his life. It was the widespread use of the exfoliant Agent Orange that Mr Fischer attributed to his later life battles with leukemia.

He was an unusual and outstanding advocate for understanding the lives of people with Asperger's or who were on the autism spectrum. His son, Harrison, was diagnosed with autism while Mr Fischer was serving in Canberra. It reminded me of the climate activist Greta Thunberg's statement recently that she believes autism is a superpower. There is a lot to be said for a deeper understanding of the gifts that people who are on the autism spectrum can bring to our community.

I acknowledge that the Australian political landscape has lost a very good man. He died too early. He was 73 when cancer took him. He had a lot more to give. From a personal point of view, anytime I saw Tim Fischer on television or heard him on the radio I wanted to listen to what he said because he had a uniquely honest view of the world and a way of expressing himself that was direct, quirky and empathetic. Even though he was fiercely opposed to improving the human rights of gay people and fought some of the native title policies at a federal level, I never felt that came from a dark place inside Tim. He was clearly a devout Catholic, a person of faith, and his views on some of those issues were reflected by that background.

His job was to defend regional communities and the pastoralists in regional communities. That is why he opposed native title. It is interesting that later in life he was clearly a man who was not driven by a desire to discriminate or be a bigot or a racist. Every part of his public contribution following his departure from federal parliament was designed to be inclusive.

Vale Tim Fischer. We need more people in political life with the courage and the integrity and the humility of Tim Fischer. I had to disagree with what the Premier said about Mr Fischer not being suited to the political arena. I believe if we have more people in politics and in public life with the courage -

**Mr Hodgman** - Out of context. I did not think that. Some said that.

**Ms O'CONNOR** - Yes, okay. I will take that on board. If we had more people in political life with the courage, integrity and empathy of Tim Fischer, Australia would be a much better place. In these hard times, when it seems like the country is tilting towards the right and a police state, we would all do well to reflect on the qualities of one of the great conservative politicians who was loved and respected across the political spectrum.

Even as we move past this condolence debate in which people say all the right things, I hope that members of this House reflect on the qualities that make for a very positive contribution to public life. Tim Fischer, in his many years in public life from the New South Wales parliament to the federal parliament to the Holy See, has made a very positive contribution to the fabric of this country.

On behalf of the Tasmanian Greens, I say vale Tim Fischer, and pass on our love and condolences to his wife, Judy, and his sons, Dominic and Harrison.

[12.37 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries) - Madam Deputy Speaker, I also pay a tribute to Tim Fischer and to associate myself with the remarks of the Premier, the Deputy Leader of the Opposition and the Leader of the Greens.

As a member of the Coalition Government and the federal Coalition for nine-and-a-half years, starting in February 2002, I was proud to be part of the Coalition and to know that Tim Fischer stood before me and before my role in federal parliament as a man full of respect and admiration. He resigned suddenly in 1999 as party leader, but I got to know him over many years in the lead up to my role in the Senate with my involvement in the Liberal Party. I met Tim Fischer on many occasions, most recently in 2016 at the opening of the Sheffield SteamFest. I will refer to that shortly. He was one of Australia's great train enthusiasts.

As an Australian politician, diplomat, soldier and farmer he was much loved. He served as leader of the National Party from 1990 to 1999 and deputy prime minister under John Howard from 1996 to 1999. He was the first resident Australian Ambassador to the Holy See, appointed by the Labor prime minister, Kevin Rudd, in July 2008. He retired from the post in January 2012.

He is most remembered for his key role in securing national gun laws. There has been much said about that. It was a very challenging time for members of the National Party, and indeed all of us. He stood firm with John Howard in his leadership to get those reforms implemented. As a Tasmanian member of parliament and representing the Tasmanian community we are indebted for that leadership.

He was a man who loved trains, a train enthusiast to the last moment when the train brought his casket where we could then celebrate his life a week or so ago. I would describe him as a very strong advocate. He was courageous, he was inspirational, he was affable, he was gentle in nature, and he had a wonderful sense of humour, quite quirky in parts, but he was also humble. That is quite a wonderful ingredient, particularly for a politician of any colour or persuasion or of any federal, state or local level.

He was born at Lockhart, New South Wales and attended Xavier College in Kew, Melbourne.

I would like to reflect for a few moments on his role in Vietnam. He was conscripted; it was compulsory in 1966. What he has done and the advocacy he has displayed and demonstrated for our veterans' community has been fantastic. He was the youngest member of parliament as a Vietnam veteran to be elected. He was conscripted in 1966 and served in the 1st Battalion, Royal Australian Regiment. He was a second lieutenant, and was involved in the Battle of Coral-Balmoral, a very famous Vietnam War battle, in May and June of 1968. He was wounded in that battle. He was wounded for us and for our sake in that battle. As a member of the 1st Australian Task Force he was awarded the Unit Citation for Gallantry for his actions in the Battle of Coral-Balmoral. He was entitled to wear that citation insignia for the rest of his life.

He was a wonderful advocate and supporter of our veterans. It was just a few weeks ago, on 18 August, that we had Vietnam Veteran's Day, and I was proud to be able to host representatives from Vietnam veterans all around Tasmania here in this parliament. The message to those Vietnam veterans was 'We thank you for your service', because that is exactly what did not occur when they came back from Vietnam. That is why having Tim Fischer in the state parliament of New South Wales at the time was so important in 1971, during that very challenging period in Australia's history where we did not pay our respects or honour our veterans in the way we should. We had Tim Fischer there flying the flag saying we should. There was no better advocate or ambassador for our Vietnam veterans and Australia's veterans. We have 11 000 veterans and their families in Tasmania and we should always pay them honour and respect.

On this day 80 years ago Robert Gordon Menzies declared that Australia was at war for World War II, so we remember this day. This is a very important day for Australia and indeed for Tasmania. I pay respect and admiration to Tim Fischer for what he has done for our veterans.

He has held many different portfolios and was deputy prime minister and minister for trade and did so much, but he was a wonderful advocate for our veterans. As Minister for Veterans' Affairs, and I know on behalf of all of us, I thank you for your advocacy. He was also a member of the RSL and visited RSL sub-branches all around Australia, including in Tasmania.

He was 13 years in state parliament as the member for Sturt and then Murray, and then made his move to Canberra, winning the federal seat of Farrer, and became Leader of the National Party in 1990. He was like a hand in a glove with John Howard. That Coalition was so strong. They had a big challenge at the beginning of 1996 to pay off the Labor debt in terms of \$96 billion of debt over that period of time. Economic management was very important to the Coalition and they achieved that over a nearly 10-year period under the Coalition government led by John Howard, my leader and Prime Minister when I was in the Senate.

He was a man who nearly had permanently affixed to his head an Akubra. You always remember the photo of Tim Fischer with his Akubra and he would be taking it off and on greeting people. He was a quintessential National Party member and leader and was certainly a formidable grassroots campaigner; there is no doubt about that. He was renowned as 'two-minute Tim', because he kept up such a frenetic pace wherever he went and whatever he did.

He was a wonderful advocate, as the Premier and others have indicated, for our trade and our exports, visiting more than 60 countries in three years helping to open up markets in China, India and even Iran.

In 1999 at the height of his political career he abruptly announced his resignation as party leader. It shocked everyone and his answer was that the schedule was killing him. We know that at the time one of the key reasons for that was his family. He married late in life to Judy Brewer and as has been indicated, had two children, Harrison and Dominic, and Harrison's autism diagnosis was undoubtedly a key factor in that thinking. He was a true conservative. He loved his family and that should be forever remembered. We pay special condolences and sympathies to Judy, Harrison and Dominic today in particular.

John Howard described him as 'the epitome of a good bloke', and he was held in high regard by all his opponents. Indeed Kim Beazley, then Labor leader, described him as one of the 'very genuinely loved people in this place'. In Peter Rees' biography he wrote that in the press gallery at the time you could have heard a pin drop when Mr Fischer made that shock announcement. He wrote:

There was a melancholy air because there was a sense that here was someone decent, very decent, leaving the parliament.

He had a love of trains and in 2016 he opened the Sheffield SteamFest. Eric Hutchinson was there, my former colleague and friend, federal member for Lyons at the time, and I am pretty sure Mark Shelton, my colleague, and Rene Hidding were there as well. It was a wonderful day and Tim Fischer just loved it. You could see; it was pouring out of every pore of his skin. He was just so into it and people could get that love and passion he had for trains; it was so obvious and he just loved it so amazingly. Last year there were 10 000 visitors to the Sheffield SteamFest over those three days so congratulations and thanks to the Redwater Creek Steam Heritage Society and Chris Martin, the president, for his leadership, but that 2016 Sheffield SteamFest will certainly be remembered for Tim Fischer's presence.

In addition to that, he loved the Royal Flying Doctor Service. That is very relevant and important here in Tasmania but we know that there are more statues of John Flynn in Australia than anyone else. He was also involved with Tourism Australia before his life of public service was capped off in one of the world's holy cities, the Vatican, appointed by Labor prime minister Kevin Rudd in 2008. During the time he was ambassador he spearheaded the campaign to canonise

Australia's first saint, Mary MacKillop, and met with Pope Benedict XVI and, ever the train enthusiast, helped to reactivate the tiny papal railway at the Vatican. His enthusiasm knew no bounds.

In conclusion, I pass on my condolences and sympathies to Judy and his sons, Harrison and Dominic, and his family and say thank you for your service to our country.

[12.48 p.m.]

**Mr JAENSCH** (Braddon - Minister for Disability Services and Community Development) - Madam Deputy Speaker, I did not know Tim Fischer the way others here would have. I have not worked with him but I met him on several occasions throughout my adult life and he made a big impression on me. I want to briefly reflect on that. Others will eulogise his career achievements with a bit more authority than I but I want to talk about the man.

I met Tim Fischer first in 1998 in Carnarvon, Western Australia. He was deputy prime minister at the time and trade minister and was barnstorming tiny places in the outback around Australia talking about, amongst other things, the new wonder of the CDMA phone network and what a boon it was going to be for people in rural and remote areas. He had with him a phone, and I do not know what phone it was but he would pull it out and wave it around. Everyone wanted to see what this new and special phone was like and how it was going to transform their lives and fill in great spots of the highway and the distances between rural centres that had previously not been possible so that people living in the bush could have access to similar services as people in the cities.

The deputy prime minister was in Carnarvon talking to a group of wool growers and mango and banana growers at the Fascine Lodge about the CDMA phone. This was at a breakfast meeting at around 7.30. After he talked about the CDMA phone and answered people's questions about it, he threw open to other questions about government and affairs more generally, which he answered enthusiastically.

He then ran a bit of a Q&A session and workshop on Carnarvon's narrow-gauge railway, which he had been out walking at 5.30 that morning to confirm some details that he could not find for his research, to satisfy himself as to how it worked, because it was a bit of a special one. It was designed to take wool that came from the inland, Gascoyne-Murchison - some of it on camels, in bales - and transferred to this narrow-gauge railway, which took the wool out to the end of the mile-long jetty at Carnarvon to be loaded onto ships to be sent around the world. Tim Fischer was fascinated with how this worked, and the particular gauge of railway chosen, which was built around the loco that they chose, which was designed to take the wool bales that fitted on the side of camels. That was the story he was able to relate to us. He spent as much time talking about that as he did talking about everything else he was there to discuss as minister for trade, deputy prime minister or advocate for the new CDMA network.

As he was leaving, we thanked him and introduced him to a young fellow who was a Rotary exchange student from Europe. Tim Fischer sat down and spent half an hour with him, talking about the experience of visiting this country, recommending places to go and see, and things to read and do while he was here. He was an absolute enthusiast for everything he took on.

That was the impression I had of the man as I watched him then, and over the years from then, until now. An enthusiast for life. He lived life absolutely thoroughly. I got the impression he did not sleep very much. That he was, to the point of eccentricity, engaged thoroughly in the work at hand and things that interested him. He could turn his prodigious mind to many topics, sometimes

within the same breath and for the same audience - the phones, international trade, the railway, the exchange student. Whenever I saw him, that was what he embodied for me.

For someone in public life, a politician in a country that loves to hate politicians, he was consistently authentic as an individual person. His hat was for his head and the sun, not for show. It was not flashy. He was individual, but not a personality. He had an integrity to the way he conducted himself, and he came across that his message was more important than his polish or his spin. It had a deep, penetrating effect whenever he spoke. He was not there for the points, not playing the man, but always the ball. I took a lot of notice of that, and it is something that I value deeply. I had the opportunity to see him again as a member of an audience and to meet him personally every two or three years after that in various capacities and different locations. He remained the same person.

There came a time, particularly when I was here in Tasmania and involved in regional development, when I had the opportunity to be with him in smaller rooms. I introduced myself and we had discussions. He always went to my name tag when we were at a chamber of commerce or tourism event, and he had been chair and ambassador for many things, so there were many capacities in which we met.

I remember back to one of those meetings in the early 2000s where he had been casting a glance at me while he was speaking. Afterwards he came up and said, 'Jaensch. Is that how you say your surname?', and that was quite remarkable for me because not too many people even attempt it. I said yes, that is my name. He said, 'Where does your family name come from?' I said that I had been told it was from Prussia, and he said, 'That makes perfect sense because Sir John Monash's surname was originally spelt Monasch, and I think he had an umlaut over the "O" to indicate that you could use an "E" there instead, or "OE".' He said Monash simplified and changed his name to make it slightly less German, particularly given his career, and he was Jewish, but they came from Prussia. 'When did your people come out?' I said around 1850. He said that only about four boats left from there at that time, and he said we had to work on this.

It must have been two or three years later that I was in a room with him again. He walked in, and I did not have a name badge on, but he said, 'Jaensch, I have found a list of boats, and there were two or three places they could have come from, and the Jaenschs with the "AE", as opposed to the Monashes with the "O" umlaut, come from slightly different places, but you want to have a look at this.' And he gave me a copy of his biography of Monash. Again, he does not do things a little bit. He is not a 'little' bit interested in John Monash; he has written a book on it - he has become a scholar on it.

Somewhere in that brain - with all the other things that occupied every two minutes of his day of his career, and as an ambassador for Australia and leader in a number of roles - with all the stories that he was across, there was room to remember me in Tasmania, and the link I had to a thing he was interested in. Again, it was just another thing that made an impression on me.

Others here and elsewhere over this period will be listing all his various roles and achievements. I do note that honours were bestowed upon him apart from and in addition to his roles as ambassador, chairman, leader of political parties, our country, industry organisations, tourism, the Royal Flying Doctor Service and patron for the UNHCR. He has received awards: Companion of the Order of Australia; Australian Active Service Medal 1945-1975; Vietnam Medal; Queen Elizabeth II Silver Jubilee Medal; Centenary Medal; Australian Defence Medal; Anniversary of National Service 1951-1972 Medal; Vietnam Campaign Medal (South Vietnam); Grand Cross of

the Order of May (Argentina); Grand Cross of the Order of Bernardo O'Higgins (Chile); Grand Officer of the Order of the Southern Cross (Brazil); and Knight Grand Cross of the Order of Pius IX (Holy See). They are all notable things.

The image of him and the honour that stands out for me was - we have seen a bit of footage over this last week or so since his death - of the whole House of parliament rising to applaud him and honour him on the occasion of his announcement of his retirement. For someone who had led at the level he had, and had been so deeply involved in important and tough decisions for governments and for our nation for so long, to have maintained through that the respect and affection of people from all sides of politics was impressive.

It was said to me, at the time it happened, that there is a hope and a chance and a role in the game of politics, which we are often as a nation so very cynical about, for integrity; for an individual who works as part of a team, but maintains his own clear purpose and identity. You give as good as you get, and Tim Fischer gave his all to his roles and to the parliament and to his country, and that was well respected and appreciated in return.

There is room for that in this game, which can otherwise sometimes be so ugly. That was quite an inspirational thing for me, as someone who later drew on that when I was deciding to enter politics. His was one of the lines of evidence that I took that good people are needed and can survive, and their integrity is important in this game.

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

## **CONDOLENCE MOTION**

**Honourable Timothy Andrew Fischer AC**

**Resumed from above.**

**Mr JAENSCH** - Madam Speaker, I will wind up my contribution.

Tim Fischer retired from politics and that part of his public life at a time of his choosing, after a career of great achievement and commitment, with the genuine, well understood ambition to spend more time with his young family. As it turned out he did not get as many years of doing that as he would have hoped for. I hope that they were good years for him and for his family. He certainly deserved them.

[2.31 p.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Madam Speaker, I wish to associate myself with the generous comments that have been made around the Chamber in reflection of the life of the late Honourable Timothy Andrew Fischer AC, a wonderful Australian and a wonderful humanitarian. It is important for members across the political divide, but particularly on our side of politics, to make our bereavements and our acknowledgements for a life well lived, and to reflect on the great affection and endearment that Tim Fischer had in the mind of the Liberal Party.

He was well known as a successful leader of the National Party of Australia. That is a different party from the Liberal Party of Australia but they are sibling parties and work closely together as



part of the Coalition. He was a towering figure in politics; in public life in Australia. As a university student I remember the elections of 1993 and 1996, as a new school teacher actually, and listening to some of the debates on my Walkman while studying in the library. He was in the thick of it as a strong advocate not just for regional Australia but for the policies of the then Coalition opposition in the lead up to the 1993 and 1996 elections, which we ultimately won in 1996.

He rose to become not just the leader of his party, formerly known as the Country Party, but also deputy prime minister as part of the very successful Coalition government in partnership with prime minister Howard.

He was a great advocate for the bush. He did not talk about rural Australia. He talked about 'the bush'. He was also a strong advocate for the family unit. He was a strong advocate for dispossessed people and people who were suffering on the margins of society. He spoke throughout his life to support their aspirations and that government needed to keep a mind to the everyday lives of regional and rural communities; the bush. He spoke to support individual families and individual people, particularly when industries and communities were going through wholesale change, indeed turmoil, through economic change and the ups and downs, particularly in the recession of the 1980s when interest rates were placing such a heavy burden on the daily lives of Australian families. Many people in this Chamber are of an age group that well remember what our parents had to live through. He was pivotal in strengthening the bonds between the Liberal and National parties. Today we take it almost as a given that the Coalition is a strong unit. It has not always been that way. With that strong sense of teamwork and loyalty, noting the respective traditions of those two parties, Tim Fischer deserves as much credit as anyone for the tight bond that continues to exist between the Coalition parties today.

I pick up the point here about the excellent contributions made in this Chamber about Tim Fischer's contribution to the national uniform firearms laws.

Tim Fischer and his National Party paid a particularly heavy political price for the right decision to support the Howard Government's strong, national, unified firearms laws which brought together the federal government and all the states and territories. To quickly recount, the Howard Government was elected in early March 1996. The Port Arthur massacre occurred less than eight weeks after. It was still a brand-new government. It had only just got to its work. It was an early test of the strength of the Coalition but as much as anything, a test for the conviction of members of the National Party of Australia, then led by Tim Fischer.

It was a bipartisan reform supported by the Labor Opposition of the time. It would have been desperately easy and tantalising for the National Party of Australia to quietly oppose those reforms, to stand on the other side of the Chamber, knowing it would go through and not be part of that important reform. It could then have argued, as sometimes political parties might, to their base, that it did not support the bill, so its supporters could still vote for them. He did not do that. This would be one of the great testimonials one can offer to a leader of a party. Can you imagine the party room discussions going on? He held the line, clearly because of the strong linkage and the belief of the Coalition team. His consideration and that of his senior colleagues and his party room was above the political opportunism, or even the benefit of keeping in close with the Coalition.

I choose to believe it was conviction. It was the right thing to have contemporary and uniform laws around our country in the wake of the largest firearms massacre the country had ever seen. That is a great testimony to him that I pull out in this contribution in the short time I have.

Much has already been said in our debate. It is a well-known fact he was a conscript and a veteran of the Vietnam War. It is a little-known fact that Tim Fischer, having served his obligatory two-year compulsory service period, volunteered for a further nine months to do a tour of duty in a conflict zone in Vietnam. He chose to continue on in the service of his country. Everyone will agree that was a very courageous and generous act of service to his country.

Following his retirement, as the Premier has said, he returned to his roots at Boree Creek farm and became heavily involved in charity work, assisting organisations right around the country. While he would never have claimed to have made a major contribution to Giant Steps in Deloraine, he gave a significant moral boost to Giant Steps with his occasional visits, the small acts of service that he would perform for that community, informed by his own family's journey in coming to terms with autism and the way in which it has been maybe a challenge and certainly a blessing for their family. He shone a light on the need to de-stigmatise autism on the children that it affects and who have developmental challenges that need to be supported. He played a singular role in bringing Australia to a deeper understanding, not only as a challenge but indeed as an opportunity and as an asset, that people with autism have a unique and positive contribution to make to our community.

Tim Fischer, I cannot source it, said that when he looked back on his own role as a father to Harrison as part of his journey and his decision to leave the federal parliament, to leave the high office of deputy prime minister, and his own great love for trains and trams which went back to his school days, 'I might even have autism spectrum disorder myself'. He self-diagnosed. Through those statements he made, he has actually helped families in Tasmania.

I appreciated what Ms O'Connor had to say about Tim Fischer's character. I totally support those comments and that we, Liberal, Labor and Green members, can aspire to adopt the same character traits that Tim Fischer displayed with humility. It was about integrity, it was about conviction, but ultimately it was about service to our country.

He was a farmer, he was a soldier, a politician and a diplomat, but I cannot go past the man as a family man, as a statesman for his country and for his community, but also as a complete gentleman. He passed the baton on to John Anderson in quite a father-to-son type of personality trait. John Anderson led the National Party after him with great grace, and has also been warmly endorsed and loved across Australia.

In 2005 Tim Fischer was honoured as a Companion of the Order of Australia. That is a very fine honour. His citation reads that it was for service to the Australian and New South Wales parliaments, to advancing the national interest through trade liberalisation and rail transport development, to supporting humanitarian aid in developing countries, and to fostering openness and acceptance of cultural difference in the community. I believe that was well earned when his country acknowledged him.

On his Christian faith, he was not a person who went around evangelising or banging a bible over people's heads. That never serves in public office. He said, however, that his Christian faith was his guiding light throughout his life. His humble self-assessment was as a less than perfect Catholic and Christian, but his Judeo-Christian foundations influenced his many stances in politics and diplomacy, including on issues such as food security, human trafficking and justice.

I conclude by saying thank God for the life of Tim Fischer. We are thankful for his life of service and dedication to his bereaved wife Judy, his dear sons Harrison and Dominic, to the National Party, to the Liberal Party, to his state of New South Wales, and to his wonderful country of Australia, which he loved so much. May we remember him as one of the great and worthy names

of this country, and seek to emulate his character and life of integrity and service and humility that we have come to love so much. Vale Tim Fischer.

[2.42 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Education and Training) - Madam Speaker, I thank colleagues of all sides of the Chamber for their very warm reflections and tributes to a wonderful Australian, Tim Fischer, who had a very long and distinguished career, both in the state parliament of New South Wales and the national parliament as well.

I only met Tim Fischer once, and that was in Devonport. I believe it was a Devonport Chamber of Commerce and Industry event, centred around regional tourism and the opportunities of the economy through regional tourism. If I recall correctly, Tim spoke about the opportunities of rail tourism, and our Tasmanian railways. The Premier has reflected on some of the passionate conversations that Tim had with the Premier about Tasmanian railways and the opportunity in terms of our regional economy.

It struck me, as having not previously met Tim Fischer, that with the way he conveyed such warmth, genuineness, empathy and good humour, you felt as though you had known Tim Fischer for a very long time. Many people at that particular function - it was probably around six or seven years ago - felt the same way: a very genuine approach to politics, which is not perhaps particularly easy federally, in terms of the leadership position Tim had during his time in federal parliament. On that, it would be remiss not to reflect on the enormous courage and leadership that was needed at that time, in terms of the 1996 tragedy right here in Tasmania in Port Arthur, and the very real need for strong leadership then by our Prime Minister, the Leader of the Opposition and, of course, the Leader of the National Party and the Deputy Prime Minister.

At that time there was unity amongst the Liberal and Labor parties when it came to national gun law reform - a very needed and appropriate response to such a tragedy. The support across the Parliament was there within the Liberal and Labor party in terms of those gun law reforms.

**Ms O'Connor** - Hang on a minute. The Greens Leader at the time, Christine Milne, played a key role in working across all parties to deliver those gun law reforms. Thank you.

**Mr ROCKLIFF** - Thank you, yes, of course, Ms Milne was in the state parliament at the time. That is right. I was reflecting on the federal parliament as well, particularly in this case, and so the National Party constituency was probably the constituency that was most impacted when it came to the gun law reform changes, and for Tim Fischer to stand up united and face incredible opposition from within his own constituency. I reflect on a public meeting at the time, I think in Gympie, when there was quite a hostile reception around those national gun law reforms, and Tim was prepared to stand up to that constituency and say that this was absolutely the right thing to do, and that took enormous political courage.

Also, reflecting on Tim's courageous leadership, another great example is the challenge that was faced then by the One Nation Party and the rise of Pauline Hanson at that time. It was quite a divisive time in Australia and Australian politics, and there was no better or greater person who stood up against Hanson at that time on the conservative side of politics than Tim Fischer. Tim Fischer called out Pauline Hanson, denouncing her racially charged rhetoric as divisive, dumb and wrong. It was a good call in that sense because his constituency was under threat from Hansonism at that time, and he stood up to that. He challenged Pauline Hanson and what One Nation stood for head-on, and actually did not suffer for that. They might have lost one Senate seat in Queensland, and his courage shone through when it came to that.

What Tim has achieved throughout his life from the very beginning to the very end - including his service for his country, indeed the Vietnam War - does not do justice to the enormous contribution that Tim Fischer made: a true leader, very strong in his convictions, but also a person who had deep respect for people, and even those who disagreed with his point of view. He truly believed that the stronger the disagreement, the more respect was needed in order to see the debate held with empathy and regard for all sides.

I thank Tim for his service to this country and pass on my sincerest condolences to his wife Judy, his sons Harrison and Dominic, and his extended family. May he rest in peace after a life well lived and of service to others.

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

## **HISTORIC CULTURAL HERITAGE AMENDMENT BILL 2019 (No. 31)**

### **Second Reading**

[2.52 p.m.]

**Mr GUTWEIN** (Bass - Minister for Environment, Parks and Heritage - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

Tasmania's historic environment is a vitally important feature of our island state. It helps to give our local communities their character, charm and distinctiveness, it contributes much to the visitor experience on offer and it is an important part of our growing visitor economy.

On 1 March 2014, some of the most important amendments to the Historic Cultural Heritage Act 1995 since its inception 22 years ago came into effect. The changes aimed to better integrate Tasmania's historic heritage and planning legislation. Feedback received on the impact of the amendments has been very positive. These changes have delivered greater clarity, consistency and certainty in the statutory management of places of historic cultural heritage significance by the Tasmanian Heritage Council and created a single integrated discretionary permit application process.

The amendments in this bill align well with our commitment to reduce red tape and maximise certainty under the planning system for property owners, developers and other stakeholders who engage with the Resource Management and Planning System. In our first four years in government, the Heritage Council, Heritage Tasmania and our 29 planning authorities have worked hard to ensure the success of the integrated process, but further amendments are needed.

It has become apparent that a number of additional reforms are warranted to fine-tune the Heritage Act to ensure it better integrates with the Land Use Planning Approvals Act 1993 (LUPAA) and the Environmental Management and Pollution Control Act 1994 (EMPCA).

It gives me much pleasure to bring this bill to the House. In the past four years, the Heritage Council and Heritage Tasmania have worked hard to generate good owner, community and heritage outcomes. This work will continue. They have facilitated the approval of over \$670 million in

works on heritage-listed places and sustained an impressive 99 per cent approval rating for works and exemption applications.

The main driver behind this bill is the need to ensure the act fully recognises and effectively responds to the planning system, the combined permit process and the timing of the assessment of activities by the board of the Environment Protection Authority, and recognises that applications can change after they have been lodged. We have drafted a bill to address these issues and a number of other needs. The amendments have been subject to ongoing consultation with experts in heritage management and land use planning, including the Heritage Council, the Local Government Association of Tasmania and other agencies.

The bill will deliver seven key reforms. I will now provide the House with an outline of each of these.

The first will introduce a provision that ensures if any act, such as the Environmental Management and Pollution Control Act, affects the assessment period under the Land Use Planning and Approvals Act 1993, the period which the Heritage Council has to assess a proposal is similarly affected.

Currently, if an application for a planning permit is forwarded to the Environment Protection Authority and the EPA board determines an assessment is required for their purposes, the assessment period of LUPAA is altered to incorporate the time needed for the board to assess the proposal. However, if the same proposal involves a place in the Heritage Register, the period the Heritage Council has to assess the proposal is not affected.

As a consequence, the Heritage Council may need to make its decision well ahead of the EPA and the relevant local planning authority. This means the Heritage Council may not be able to consider public representations and it may generate uncertainty, as the decisions made may not be consistent or based on the same information.

The bill seeks to remedy this situation. It will ensure the Heritage Council can take into account the EMPCA process, any relevant representations and changes to an application when it makes its decision, and better aligns timeframes and decisions across the planning system.

While the Heritage Council is to receive all relevant permit applications, there is no provision currently in place that allows for a minor or a substantial change to a proposal to be considered by the Heritage Council. The bill will ensure that any additional information, revised plans or amended permits available to a local planning authority are forwarded to the Heritage Council so its views can be taken into account.

The bill will also ensure that additional information or revised plans received by the planning authority are forwarded to the Heritage Council after the council has issued its decision. If this information reflects a substantial change in the proposal, the Heritage Council can revise its decision, as long as the planning authority has not made its decision. This will ensure the information available to both statutory parties is the same and avoids conflicting plans being considered and unnecessary conditions being imposed.

The bill provides for a scenario where, if a planning authority fails to forward a development application to the Heritage Council within five days of the application date, the Heritage Council is given time to consider and, should it deem it necessary, comment on the development application

prior to a final decision of the planning authority. This reinforces the Heritage Council's role in regulating the impact to the significance of a heritage place.

As members would be aware, a proponent may seek to amend a planning scheme and lodge a development application at the same time. Unfortunately, as it stands, the Heritage Act does not enable the Heritage Council to consider combined permit applications. This bill will ensure that the Heritage Act allows for the combined scheme amendment and permit application process and treats combined applications in a manner that is consistent with the assessment of discretionary permit applications.

These amendments will also introduce the capacity to appoint authorised officers who are able to investigate compliance with, or enforcement of, works under this act. These provisions align with the provisions already in place and working effectively under LUPAA and the Local Government Act 1993.

At present, the Heritage Act does not include a provision that authorises a State Service officer to attend, access or view a site for a purpose connected with the Heritage Act, nor does it provide a statutory framework upon which to investigate compliance issues if consent is not given. The bill aligns with LUPAA and will enable an authorised officer to attend a site to investigate a compliance issue where an owner does not consent to their visit. This power will only be able to be exercised if a magistrate has been satisfied that a contravention of, or failure to comply with, the Heritage Act has, is, or is about to be committed.

Finally, the bill includes amendments requested by the Heritage Council to assist it to maintain a focus on contemporary practice and good governance. These enable the appointment of a deputy chairperson, flexibility in meeting formats, and broaden the disclosure of interest provisions.

At present, the act only makes provision to appoint a deputy chairperson on a once-off basis at a meeting where the chairperson is not present. This bill will enable a deputy to step in for the chairperson at other times. This recognises that the Heritage Council's chairperson may not be available to carry out Heritage Council business for a wide variety of reasons, and that the business of the Heritage Council continues both within and between its formal scheduled meetings.

Given that the Heritage Council is a 15-member body and its members come from across Tasmania, it is not always possible for them to meet in the one location, especially if they need to deal with urgent business. Amendments proposed in the bill will validate the use of telephone and video conferencing and provide a mechanism that enables the Heritage Council to consider urgent matters out of session.

The Heritage Act also currently only recognises conflicts of interest as being pecuniary or financial, whereas contemporary practice and the Heritage Council's own policy recognises conflicts of interest arise for a wide variety of reasons of a pecuniary, non-pecuniary, direct or indirect nature. The amendments will address this gap in the legislation.

This bill is important to ensure the sound, considered and integrated statutory management of the heritage places of greatest significance to Tasmania. While the amendments are relatively modest in scale, they are important and add to our reform of the planning system. As Minister for the Environment, Parks and Heritage, I have no doubt that these reforms will help to generate greater clarity, consistency and certainty in the statutory management of Tasmania's historic cultural heritage, and facilitate the delivery of good owner, community and historic heritage outcomes.

I commend this bill to the House.

[2.59 p.m.]

**Ms STANDEN** (Franklin) - Madam Speaker, as shadow minister for environment, parks and heritage I thank the minister's office and officers from Heritage Tasmania for the briefing provided to me.

I indicate from the outset that Labor will be supporting the bill, which we see as mostly administrative in nature. I note changes are aimed towards enhancing heritage protection regime through better integrating Tasmania's historic heritage and planning legislation. In particular, I understand the intent in relation to the combined permit application process is to better align the Heritage Act with the Land Use Planning and Approvals Act 1993 and the Environmental Protection and Pollution Control Act 1994.

Labor supports the maintenance and protection of Tasmania's historic cultural heritage assets and welcomes the seven key reforms outlined in this amendment bill, but I want to make a few points in relation to seeking further clarity and additional information in three areas.

First, in relation to the proposed linkages between the Heritage Act and EMPCA to align the assessment of activities by the board of the Environment Protection Authority and the Heritage Council, can the minister please clarify whether the proposed changes include provisions to require the planning authority to inform the Tasmanian Heritage Council that an application has been referred to the EPA board so as to know that the LUPAA period has not commenced, or conversely that the EPA board has completed its assessment hence triggering the commencement of the LUPAA period? I understand there is a kind of triumvirate of relationships there and I am keen to understand whether there is anything specifically in the bill to address that or how that would be addressed if it is addressed through operational matters.

Second, I understand there are some concerns within the sector about potential over-reach of delegate provisions, so I ask the minister to reassure the House that these amendments ensure that the Tasmanian Heritage Council has a strong governance role and that is maintained - for example, to ensure there is an appropriate balance between expediency and a thorough approach to assessment of applications.

Finally, the minister in his second reading speech referred to amendments to the Historic Cultural Heritage Act 1995 that came into effect on 1 March 2014. Although I was not in this place at that time I understand that, on reflection, there were some mistakes made in the past and reflecting on those mistakes when the 2013 amendments were rushed in, this resulted in errors made by mapping staff in some 850 listings in the Heritage Register. In budget Estimates we also discovered that there had been nearly 5000 certificates of affected place issued resulting from errors in the Heritage Register.

I understand that Heritage Tasmania has been attempting to address these inaccuracies but lack of resourcing has been affecting smooth operations within Heritage Tasmania for some years, with ongoing implications. For example, I understand that in January of this year there were a dozen or more works applications that were automatically deemed approved when the clock ran out for assessment by Heritage Tasmania due to staff shortages at that time, limiting capacity to assess applications.

Could the minister please take the opportunity to update the House on Labor's calls for the Government to provide additional resources to ensure the inaccuracies of the Heritage Register have

been addressed? In particular, of the \$450 million savings sought to recoup through the budget process what, if any, savings will be required of Heritage Tasmania and how will that affect the resourcing and capacity of Heritage Tasmania to continue with this important work? How will the amendments in this bill address resourcing issues if at all?

With that, I wrap up my comments and thank the minister once again for the briefing offered.

[3.04 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Madam Speaker, I am sure we can all agree that one of the most significant values we have in the fabric of our society is our built heritage - our Aboriginal heritage, our wilderness heritage and a remarkable island community character that in significant part comes out of those attributes that make this place quite unique in the world. Members of this place who have travelled to other parts of Australia will recognise that there is nowhere in this country that has such a wealth of built European heritage as Tasmania. I would argue that Launceston, particularly, is one of the most remarkable heritage-rich places in the entire country and certainly something of which we should be very proud and collectively be committed to protecting and conserving for current and future generations, as well as for its own intrinsic value as part of that cultural identity fabric of who we are as Tasmanians.

It has been a patchy and variable record of this Government on the protection of European historic cultural heritage. The previous minister for heritage and state growth, Mr Groom, very shortly after coming into office, like a wrecking ball first of all took apart the Tasmanian Climate Action Council - the first piece of legislative perfidy he inflicted on the people of Tasmania - and then set about a process of gutting the Tasmanian Heritage Register. It was a process that had not been taken to the people at the election. Heritage was not mentioned by the Liberals in the lead-up to the 2014 state election, just as at the 2018 state election there was no mention of this Government's decision to privatise the Treasury Building, one of our absolute heritage icons.

There is a process here, I think, of eroding the heritage fabric of Tasmania by stealth. You had a process that was a ham-fisted removal of places of significance from the Tasmanian Heritage Register that was not consulted on. We lost places from the register and if you have a look at what was taken off the register, we have lost whole streetscapes. It is one of the problems with the Historic Cultural Heritage Act that these amendments do not address. There is no protection in the act for significant streetscapes. While one house, for example, in Balaclava Street, Invermay, may not have those attributes that make it a place of state significance for registration on the Heritage Register, as part of a streetscape that points to a time in our history, that house in Balaclava Street has significant value.

The initial target set by the minister and Heritage Tasmania was for there to be 1683 properties removed from the Heritage Register that had around 5500 properties on it. In the end I think the number was closer to 500, and I like to think that community opposition to the gutting of the Heritage Register had something to do with that. For example, in Launceston, in one fell swoop, 13 houses in Balaclava Street, Invermay were removed from the Heritage Register. One dozen houses in Bedford Street, Invermay were removed from the Heritage Register, and eight houses in Goodwin Street, Invermay off the register, and on it goes.

One of the saddest examples of this incapacity under the current legislative framework to protect streetscapes was what happened to Balfour Street in Launceston. There were close to 40 properties removed from the Heritage Register in Balfour Street, Launceston. Obviously, that street as a streetscape and a place that had an important story to tell about our European history, has



value. If there are 40 houses on Balfour Street that make up a picture of a time in our history, they have a heritage value, and we would argue that is value of state significance.

In Hobart, the gutting continued. We had houses in Battery Point removed from the register: in Bath Street, Colville Street and Hampden Road; in Dynnyrne; in New Town Road, 10 houses removed from the register - Argyle Street, Stoke Street, Commercial Road and beautiful little George Street in North Hobart. Not unlike Balfour Street in Launceston where dozens of houses were taken off the Tasmanian Heritage register in a process that was political, ham-fisted and hamstrung by the fact that the Historic Cultural Heritage Act does not protect streetscapes. We have a diminished register after five years of the Liberal Government. We have arguably one of a handful of our most significant heritage icons now being hawked through the Government's expression of interests process for developing the Treasury building.

I have here the Treasurer's media release. This is a slightly inside beltway comment, but the statement announcing the registration of interest would be open for the publicly owned iconic heritage building came out about 2 p.m. or 2.30 p.m. on a Friday afternoon by way of media release. The Treasurer is part of a Government that will literally turn up to the opening of an envelope, yet did not have the courage to front the people, front the media and answer questions about a process for flogging the Treasury building, which belongs to the people of Tasmania.

The Treasurer, the chief architect of this perfidy, might get up shortly and say, 'We are not selling it. Divestment takes many forms. What we are talking about is up to a 99-year lease'. That is as good as sale. That is privatisation of a public asset without reference to the people of Tasmania. He went to the March state election with not a word about this Government's plans for the Treasury building. We came back and shortly after, in May of 2018, the Treasurer announced they are going to flog off the Treasury building.

The language has changed a little. I like to think that is because the Liberal establishment has beaten a path to the Treasurer's and the Premier's door about the plans for the Treasury building. It has not bought this process, or the plan, anything like a social licence. What we have is Orwellian language. Get this -

The Hodgman majority Liberal Government has taken the view that there is an opportunity to reimagine the purpose of the Treasury building complex for the benefit of all Tasmanians ...

Bollocks.

... whilst enabling improved public access and enhancing the heritage aspects of these magnificent buildings.

The Treasurer goes on to say - not in front of the cameras or the people of Tasmania -

As I have said, divestment takes many forms and the Government will consider proposals, including freehold interest with covenants to protect and conserve the buildings for future generations, as well as long-term leasehold of up to 99 years.

There is another striking sentence -

Proposals must demonstrate tangible benefits to the community and maintain and conserve the site's rich heritage.

How do you define tangible benefits to the community when a heritage asset is being taken away from the community, taken out of public hands? It is likely to go to a multinational corporation or to a company wholly owned by a foreign government. Mr Gutwein knows exactly what I am talking about there. Where is there a tangible benefit to the community if profits are going overseas and if public access is not part of the registration of interest?

The Greens argue that there is absolutely no mandate for disposing of the heritage buildings that are the Treasury building complex. The Treasurer and the Liberals should have had the courage to flag this to the Tasmanian people before the March 2018 state election. Instead they were too busy raking in the dark money from the gambling industry to illegitimately get them back into government.

According to the Treasurer, proponents have until 2 October 2019 to respond and register their interest. My question to the Treasurer, as the alleged minister responsible for Heritage, what level of public scrutiny or transparency will there be about those registrations of interest? Will it be the same offensive dismissal that we get when we seek information on the privatisation of protected areas, for example, through the office of the Coordinator-General and we are told it is all commercial in confidence? I will bet you London to a brick that is exactly what happens this time. Preferred developers will be red carpeted into the office of the Coordinator-General. They will be massaged and poured cups of tea and they will be guided through the process of a registration of interest. That is what the office of the Coordinator-General does. It is a behind-closed-doors exclusive space for monied interests, corporate interests, who are invariably not interested in the public interest.

The notion that a government would not be transparent, first about its plans for a building that is at the heart of democracy and governance in Tasmania, is highly offensive. On this Government's track record we are likely to see the secrecy and lack of transparency about the privatisation of a public asset continue and be embedded into the process. That is what has happened all the time in the past five years under the Liberal Government. Not consulted, no mandate, lack of transparency. It is quite alarming that a government could swan in and say, 'See that public asset, which is a heritage treasure, which is at the heart of our democracy, we have decided - we the Liberals - have decided to divest it. Do not worry, divestment takes many forms. We think it is really important that the owners of that building are given an opportunity to reimagine its future'.

They were not given an opportunity to have any say in the future public ownership and public use of the Treasury building. I am absolutely certain, given the correspondence we get, that this decision to flog the public Treasury building will come back to bite the Treasurer on the backside. Maybe he does not care so much because he is in the north of the state. This decision, as it gets closer to conclusion, will hurt Liberal members in the south of Tasmania. There are a couple of truths in politics; one of them is voters hate privatisation. They hate it because they know they are having something that has been vested in them, that belongs to them, taken away. That is what is happening here. A long-term lease for 99 years is privatisation of a public heritage treasure.

People hate privatisation. That is what this is. We will keep explaining to the Government, and to anyone else who will listen, that this is privatisation. We are dealing with the privatisation of the Treasury building. This Treasurer, particularly, knows the price of everything and the value of nothing. The purpose here is to fatten the coffers before the next state election off the back of a

public asset. This is from a Government and a Premier who said, 'My Government will not be a privatising Government'. That was a lie that he told to the people of Tasmania.

As for the Historic Cultural Heritage Amendment Bill 2019, my first question to the minister is, why was there no consultation whatsoever with heritage groups, with individuals who are ICOMOS representatives in Tasmania and other interested parties who have dedicated themselves to protecting and speaking for Tasmania's remarkable historic cultural heritage? We have asked around and key players, key stakeholders in the heritage space did not know about this bill until it landed in the parliament. That is contemptuous of those people who have dedicated so much of their volunteer time to protecting and advocating for Tasmania's remarkable European cultural heritage. It is contemptuous, utterly contemptuous. There was no harm at all in consulting with heritage stakeholders, but clearly a decision has been made not to ask them what they thought.

Perhaps that is because there are other significant improvements to the Historic Cultural Heritage Act that need to be made off the back of reports that have recommended significant changes. There were some 27 recommendations in a report that came out in 2005 - the 2005 McKay Historical Cultural Heritage Review, a series of important amendments. The concern is that a failure to appropriately amend the legislation to implement some of these recommendations continues to see really significant heritage being destroyed or irreparably damaged, because Heritage Tasmania or the Tasmanian Heritage Council argue that it cannot prevent this because of the constraints of the act. We had an opportunity here to make the sorts of substantial changes to the legislation that are very clearly required.

The other matter is that the National Trust is an organisation that we collectively rely on to look after our most significant heritage buildings, and they are starved of funds: wholly dependent on volunteers to do the works on those heritage buildings, and struggling for the resources they desperately need to keep some of our most beautiful buildings in good health. There has been no extension of the funding the National Trust needs in order to do its work, and it is an indictment on this Government.

In relation to this bill specifically, it makes a number of mechanical changes to the act. In the 2014 legislation my former colleague, Mr Wightman, brought through this place, the new legislation brought together the Historic Cultural Heritage Act and the Planning System. Obviously since it was enacted, there have been a number of bumps within the implementation of the act that need to be smoothed out. They are:

In the event that additional information or revised plans are forwarded to the Heritage Council following its notification of interest or notice of decision and that information reflects a substantial change in the proposed development, the Heritage Council may revise its notice of interest or notice of decision.

We have asked some of our local government representatives and they are supportive of that change. The amendments also provide that:

In the event that a planning authority fails to forward a development application to the Heritage Council, the Heritage Council is provided the opportunity and time to consider and, should it deem necessary, provide comment on the development application prior to a final decision of the planning authority.

The amendments also allow the Heritage Council to be party to the assessment of a combined planning and development application under the Land Use Planning and Approvals Act. The amendments introduce and define the role of authorised officers to investigate compliance.

This is an area of particular concern to stakeholders in the heritage space, and to the Greens, where there are situations where developers or property owners basically take the view that they can demolish first and answer questions about that demolition later. There is a historically significant wall in Launceston that went under the sledgehammer, apparently under just those circumstances. It is all very well to have legislation in place that is designed to some extent protect heritage, but if you do not have compliance and enforcement capacity, the effectiveness of the legislation is substantially undermined.

It is also a cultural issue. If some developers think it is more cost efficient and time efficient for them to bulldoze first and answer questions later, that is a cultural issue that is being created by inadequate compliance with the Historic Cultural Heritage Act in the past.

I need to, on behalf of stakeholders who have expressed concern to us, ask the minister why there was no consultation on this legislation. We have an amendment to put forward to the sections in the act which allow for significant decisions to be made out of session, remembering that the Tasmanian Heritage Council has 15 members while the principal act sets a quorum at seven.

The threshold in this act, under these amendments, for an out-of-session significant decision in relation to cultural heritage, sits at seven, which is less than half the composition of the Tasmanian Heritage Council. We will be moving an amendment that lifts that to eight, so at least you have more than half the council who are participating in significant decisions.

The two amendments we have: first of all, being helpful and useful to government, there is no definition of 'commission' in the legislation. I believe, obviously, it is the Planning Commission, but the word 'commission' is used in the legislation without any definition. We propose a new clause (a) on page 4, before clause 4, which simply inserts the definition of the Tasmanian Planning Commission.

The second amendment amends clause 16, paragraph (a) and proposes that new subclause (1) is amended by deleting (7) and inserting instead (8).

It is not adequate to set up a new process for the Heritage Council to make significant decisions about works on heritage properties or development applications that may impact on heritage properties with less than half of the Heritage Council constituted to make that decision.

There are a couple of other issues that have been raised with us by stakeholders. This is a particularly concerning one. I will read out the concern in a complete form from Anne McConnell, who is a heritage expert and also a representative of the United Nations heritage body ICOMOS. In section 16, schedule 2, section 5(a), the resolutions outside of meetings, Ms McConnell says -

This proposed amendment is of concern as it is a significant departure from how the Tasmanian Heritage Council makes decisions as a council.

While I am not opposed to resolutions outside of meetings per se, I am concerned that this amendment does not seem to make any provision for the full Tasmanian

Heritage Council to make a full and informed decision and for the full council to vote.

As Ms McConnell reads it -

There only seems to require seven members to sign to say they agree with a particular document. There appears to be -

1. No clarity around when an out-of-meeting resolution can be considered.
2. No requirement for the document to be circulated to the full council prior to getting seven signatures.
3. No requirement for the full Tasmanian Heritage Council to vote, and no provision for other views to be recorded, and
4. No requirement for consultation with the Chair of the Tasmanian Heritage Council.

This all seems, Ms McConnell says, very irregular.

There is a risk here that the council - and I am not talking about current council as it is made up, or any particular individuals on the council - but there is a potential here, given that we are lowering the threshold for decision making, for a group of people on the council to form a block, if you like, and with less than half the members, make some very pro-developer decisions. That is of significant concern. That is the major concern.

In relation to the lack of consultation, Ms McConnell says:

It is extremely poor and unacceptable process to not allow public comment and especially heritage profession feedback on matters relating to cultural heritage, as the act deals with matters of public benefit. In this case which potentially directly affects the public in relation to proposed amendment 15, I can see no excuse therefore in relation to this bill for such a lack of openness and transparency about the amendments happening or for denying an opportunity for public review and comment. I believe that the Government should be challenged about the lack of transparency that they have used.

The second point she makes is:

The lack of public openness about the process has meant that yet again, two amendments later Heritage Tasmania or the Heritage Council can fly under the radar and avoid making important amendments to improve the protection of cultural heritage, in particular a number of amendments recommended by the 2005 McKay Historic Cultural Heritage Review. The failure to appropriately amend the legislation to implement some of these recommendations continues to see really significant heritage being destroyed or irreparably damaged because Heritage Tasmania or the council argues that it cannot prevent this because of the constraints of the act.

With something as significant as our historic European cultural heritage there should be the most inclusive and open conversation with the community and key stakeholders who have dedicated substantial parts of their lives to the protection and promotion of Tasmania's European cultural heritage. The lack of openness in relation to this amendment bill is hard to understand and when there is a process that is really untransparent, it raises quite legitimate scepticism about the thinking that went into this amendment bill.

There is nothing in here that is terribly offensive and we hope the minister will accept our amendments, but there is nothing in here that strengthens heritage protections for Tasmania's historic cultural heritage. Nothing in this amendment bill does that. This is consistent with the Government's position on European cultural heritage where they pay lip service to it but by deed undermine protections for our built heritage. I cannot understand why this has been such a secretive process - why the development of this bill was so secretive and why there was no public consultation. When you are talking about an asset base, for want of a better term, that is integral to our cultural identity as settlers, as non-Aboriginal Tasmanians, it is poor form. I look at who the minister is and I am a little less surprised, because this minister -

**Mr Gutwein** laughing.

**Ms O'CONNOR** - You think it is funny.

**Mr Gutwein** - I do because, to be frank, you would look for a conspiracy anywhere. This actually strengthens the act.

**Ms O'CONNOR** - No, it does not.

**Mr Gutwein** - Yes, it does.

**Ms O'CONNOR** - It does not strengthen protection for heritage.

**Mr Gutwein** - It does. It ensures that the Heritage Council is informed, when before it would not have been, in terms of applications passing through the process and it puts in place authorised officers. It strengthens the act and you know that.

**Madam SPEAKER** - That is enough. Through the Chair, please.

**Ms O'CONNOR** - Madam Speaker, I am not going to cop that sort of garbage from that minister because by deed, Mr Gutwein, you are no friend of Tasmania's built heritage or Tasmania's natural heritage. That is what I see when I look at you.

We will be needing to go into Committee in order to put our amendments that will, at the margins, make some improvements to this legislation. We are not going to vote against it, obviously, but we think it is a real missed opportunity to implement some of those recommendations that came through from heritage experts 14 years ago and to be really transparent about what your policy is in relation to European cultural heritage. As far as I can see - and I have looked - there is no strategy for Tasmania's European heritage and we need a plan to make sure it is not trashed within the term of a government and we are not losing significant buildings and attributes.

**Time expired.**

[3.35 p.m.]

**Mrs RYLAH** (Braddon) - Madam Speaker, I am pleased to speak in support of this bill. This bill is about cutting red tape and ensuring, through further integration of heritage and planning legislation that planning processes are streamlined and practical, strengthening our historic cultural heritage.

The amendments go hand in glove without other planning reforms to provide clarity and consistency across the state, including our commitment to deliver Australia's first statewide planning scheme. Furthermore it will prevent issues from arising, as at present the Heritage Act does not allow for combined permit applications or allow the Heritage Council to determine a matter. This undermines the objective of better integration of historic heritage legislation with the planning legislation.

We have also introduced a mechanism to develop Tasmania's planning policies, or TPPs, that provide strategic direction for Tasmania's planning system and regional land use strategies, including principles to support economic development and the future needs of the community.

Our planning system reforms are all about delivering consistency, clarity and integration so that we have a robust and efficient system to guide land use and development across the state. The integration of our planning system with our environment and heritage legislation is just as important in delivering this outcome to the Tasmanian community. The amendments of the Historic Cultural Heritage Act before us today further this by providing clarity and proper and efficient process for assessment of works on Tasmania's important heritage-listed properties.

Importantly, while introducing efficient process, the amendments are designed to give the Heritage Council the time it needs to consider development applications and to also be provided with the correct information should an application be altered during the assessment process.

This bill will ensure the Historic Cultural Heritage Act 1995 is able to deal with combined permit applications, recognise the interplay between the Land Use Planning and Approvals Act 1993 and the Environmental Management Pollution and Pollution Control Act 1994, and enhance the governance arrangements of the Heritage Council.

This bill will enable the Heritage Council to be party to the assessment of a combined planning and development application under LUPAA, and defines the role of authorised officers to investigate compliance with, or enforcement of, works under the Heritage Act, akin to the provisions within LUPAA or the Local Government Act 1993.

This bill is practical, as it enables minor matters requested by the Heritage Council, including to appoint a deputy chairperson, introducing flexibility to meeting formats and broadening disclosure of interest provisions to ensure both pecuniary and non-pecuniary, as well as real and perceived interests, are disclosed.

A major driver of tourism in Tasmania is visiting historic sites and attractions. The Hodgman Liberal Government strongly believes in working with the community to protect and preserve significant historic heritage places in Tasmania. We understand the importance of pragmatic, sustainable and sensitive development of historic heritage places, ensuring they can be used and enjoyed now and in the future.

Tasmania is renowned for its quaint historic villages, early intact convict colonial maritime sites, and rich cultural activities. Tasmania's European history tells a tale of a brutal convict past, maritime adventure, mining and early industrial development. Unlike most places this rich cultural and built heritage is still well preserved today.

The past is always present in Tasmania and stories can be found just about everywhere. Most towns across the state have beautiful heritage precincts that the public can enjoy. It is easy to find fine examples of Tasmania's early architecture in our cities and towns and around the island, with many restored as accommodation, restaurants or attractions.

In Braddon we have the historic township of Stanley. It is a popular tourist destination, a quaint fishing village in which its historic heritage remains largely intact. Its wharves, roads, streetscapes and houses were recently used as the location for filming *The Light Between Oceans*. Locals were engaged as actors and extras, including Richie Wells and his bullock team. The film employed many others as contractors to supply thousands of tonnes of sand that covered the bitumen, to clean up the sand afterwards, to update the façade of the old jetty and many roles. This film has been celebrated by the community as fun, exciting and something of which they are very proud.

The historic site of Highfield, just out of Stanley, holds approximately 30 functions per year as well as a cooking school. Highfield's heritage barn is currently being redeveloped, including the restoration of the cart shed, creating a more appealing visual visitor experience. In Stanley another film production is underway, with recruitment or auditions happening this week, creating a new focus for this historic and heritage town in the area of the arts.

The Hodgman Liberal Government is committed to ensuring every region benefits from a strong visitor economy. We believe there is great value in helping local communities along with hospitality and tourism operators to bring to life the stories behind our history and providing authentic personal experiences.

*The Ship That Never Was* in Strahan is in its 25th anniversary this year. It is listed on Lonely Planet's top choice list. This 90-minute play brings to life the historic and cultural heritage of Strahan.

I strongly argue that this Government is working assiduously to develop and expand our historic and heritage areas and give it a diverse and multifaceted look, enlivening our cultural heritage. One of those heritage assets in Braddon is the Strahan bond store. This Government invested \$300 000 into a restoration project of the Strahan Customs House precinct. The late 1800s warehouse has played many important roles in the Strahan community, including being used as a drill hall during World War I and World War II. The bond store came under management of Parks and Wildlife Service in 2007 as part of the gazetted customs house historic site. In 2015, under the Hodgman Liberal Government, the store was closed to the public when structural issues made the building unsuitable for use. Since then Parks and Wildlife has slowly restored the building.

Stage one of the works was completed in 2017 with the removal of the 1970s concrete amenities block, which was subsiding and taking with it the eastern wall of the building. Once demolished, walls were straightened and stabilised. With the building in good shape works moved to reintroducing windows previously bricked up, extensive joinery repairs to doors and window frames and replacing the non-historic rotten floor. Access to the original plans found by researchers of Heritage Tasmania helped guide this work.



The bond store has served Strahan well since its constructions in the late 1890s when business people in the region began petitioning the Government for a bonded store so they may import from Melbourne direct. Before Federation most ports were equipped with a customs house from which administrators collected import duties and tariffs, not unlike the house we are in today. The bond store was the essential to ensure goods could be stored safely while agents were awaiting payment of orders arranging onward freight or finalising payment of government duties.

With the dawning of Federation, however, there was no longer a need for custom officers in regional ports. By 1906 the collection of customs from the Strahan Customs House ceased along with the need for a bond store. The bond store has had many reincarnations since 1906. It has been the home of the post and telegraph office as well as the drill hall for local soldiers. Between the war it was used for school social functions and from the 1960s as a community hall. It is now ready for its next chapter, to regain its status as a significant part of the Strahan community. I reiterate that this Government is working assiduously on all aspects to develop and expand historic and heritage areas.

In Hobart we can wander around Sullivans Cove, Salamanca Place, Battery Point. Heading north there is Bothwell, Oaklands, Evandale and Ross. Behind Salamanca are the workers cottages and grand homes of Battery Point, making it the best-preserved colonial-era suburb in Australia. The Hodgman Liberal Government recognises that conserving, protecting and reimagining our heritage-listed places is vitally important to their longevity and to the future success of our tourism and hospitality industry.

I am confident that these reforms will help to generate greater clarity, consistency and certainty in the regulatory management of Tasmania's historic cultural heritage and facilitate the delivery of a good owner, community and historic outcomes. There are many heritage buildings in our state. This government understands that buying, owning and modernising heritage to enable full utilisations of these assets is complicated and requires specialist skills and significant capital investment, by either the government, if it is the owner, or by the private investor.

We want to facilitate the opportunity and the better utilisation of our heritage areas and assets. This bill will ensure that duplication of effort is reduced and will create a single application and decision process for works on places in the heritage register.

[3.48 p.m.]

**Mrs PETRUSMA** (Franklin) - Madam Speaker, it is a pleasure to speak today on the bill. I commend the minister and the department for bringing on the bill. This bill will integrate historic heritage and planning legislation while ensuring the protection of our state's precious cultural heritage, it will reduce red tape and it will create a single application decision-making process for works on places on the heritage register. The bill will enhance the governance arrangements of the Heritage Council.

The development of the legislation follows consultation with key stakeholders, including the Tasmanian Heritage Council and Tasmania's local government authorities, who are very supportive of the reforms. Key stakeholders that were consulted included the Heritage Council, the 29 planning authorities, the Local Government Association of Tasmania, the Property Council of Australia, the Planning Institute of Australia Tasmania, the planning policy unit at the Department of Justice, the Tasmanian Planning Commission, the EPA, and Tasmania Police.

That extensive consultation occurred because the Hodgman majority Liberal Government is committed to preserving and revitalising our heritage and history while ensuring that we have an efficient and responsive planning system.

That is why the principal aim of the bill is to further integrate the historic heritage and planning legislation to build on amendments made to the Historic Cultural Heritage Act 1995 that were done back in 2014 that integrated the heritage and planning legislation but also reduced duplication of effort and created a single application and decision for works on places in the Heritage Register.

This bill will also ensure that the Historic Cultural Heritage Act 1995 is able to deal with combined permit applications, recognise interplay between the Land Use Planning and Approvals Act 1993 as well as the Environmental Management and Pollution Control Act 1994 and enhance the governance arrangements of the Heritage Council.

I note that these amendments are very important because if they are not made, at present the Heritage Act does not allow for combined permit applications or allow the Heritage Council to determine a matter after public advertisement, especially if the application triggers engagement with the Environmental Management and Pollution Control Act 1994. This has the effect of undermining the objective of the integration of the historic heritage legislation with the planning legislation. This is why these amendments are needed.

I note there are seven key reforms in this bill before us today, including to provide that if any act, including EMPCA, affects the assessment period under LUPAA, the prescribed period contained in Part 6 of the Heritage Act is similarly affected as well. Currently, if any application for a planning permit is forwarded to the EPA and the EPA board determines an assessment is required for their purposes, the assessment period of LUPAA is altered to incorporate the time needed for the board to assess the proposal. However if the same proposal involves a place in the Heritage Register, the period the Heritage Council has to assess the proposal is not affected.

The bill seeks to remedy this situation to ensure that the Heritage Council can take into account the EMPCA process as well as any relevant representations and changes to an application when it makes its decision and better aligns timeframes and decisions across the planning system.

The bill will also ensure that any additional information, revised plans or amended permits relating to a development application are to be forwarded to the Heritage Council for consideration. As well, it provides that in the event that additional information or revised plans are forwarded to the Heritage Council following its notification of interest or notice of decision, and the information reflects a substantial change in the proposed development, the Heritage Council may revise its notice of interest or notice of decision. This will ensure that the information available to both statutory parties is the same and avoids conflicting plans being considered and unnecessary conditions being imposed.

It also provides that in the event a planning authority fails to forward a development application to the Heritage Council, the council is provided the opportunity and time to consider and, should it be deemed necessary, provide comment on the development application prior to a final decision of the planning authority.

I note that the amendments will allow the Heritage Council to be party to the assessment of a combined planning and development application under LUPAA and it will also introduce and

define the role of authorised officers to investigate compliance with or enforcement of works within the Heritage Act akin to provisions within LUPAA or the Local Government Act 1993.

Lastly, it will address minor matters requested by the Heritage Council, including the ability to appoint a deputy chairperson as well as introducing flexibility in meeting formats and broadening disclosure of interest provisions to ensure both pecuniary and non-pecuniary as well as perceived interests are disclosed.

We are confident that these reforms will help to generate greater clarity, consistency and certainty in the statutory management of Tasmania's historic cultural heritage and facilitate the delivery of good owner, community and historic heritage outcomes because, as the minister has stated, Tasmania's historical environment is a vitally important feature of our island state. It helps to give our local communities their character, charm and distinctiveness. It contributes much to the visitor experience on offer and is an important part of the growing visitor economy as well as to each and every one of us in regard to our own electorates.

I note that recently the Clarence City Council released their Cultural History Plan 2018-23, in which they spoke about why protecting our cultural heritage is so important. The plan includes lines that cultural heritage is the community's inheritance from the past which provides evidence of human occupation or endeavour. Cultural heritage can exist in many forms, including built heritage, cultural landscapes, moveable heritage or artefacts, or intangible heritage, which includes folklore, ideas, customs and knowledge, rituals and ways of life, archaeological sites, and therefore the recognition, preservation and promotion of the cultural history of a community will encourage a sense of pride and participation in a community's cultural life. The conservation of cultural history includes not only the preservation of the old but also the need to acknowledge the evolution of the new. It is this balance between old and new that is the hallmark of a rich and productive culture.

The Cultural History Plan also recognises values and the rich inheritance. It states that through recognising, valuing and sharing the rich inheritance from the past it enables and encourages participation in the cultural history of Clarence. The Cultural History Plan aims to characterise Clarence as a place both today and in the past. It seeks to bring history to life, to encourage active engagement with it and make history both accessible and relevant to the community. Therefore the plan recognises the places, events and objects that reflect the cultural memory and history of the diverse groups that make up the Clarence community and develops a framework for the preservation and promotion of the unique cultural history of Clarence by encouraging the community to participate in the history of their city through valuing the living history of the City of Clarence.

The main historical themes are the indigenous relationship with the land and early European activity, early settlers, farming and townships, the development of Clarence, times of hardship, shipping and transport, industry, significant events in the history of Clarence - for example, the Tasman Bridge disaster, the built heritage and urban character, moveable heritage including artefacts, intangible heritage and rituals and ways of life.

Likewise, the Huon Valley Council has done a lot of work in regard to heritage. As they state in their heritage document:

Cultural heritage is defined in the Burra Charter as sites of 'aesthetic, historic, scientific or social value for past, present or future generations'. Heritage places are tangible expressions of Australian identity and experience which 'enrich

people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences'.

Important cultural heritage places are linked to people's sense of place. Sense of place involves people's emotions towards and sense of connection to place. A community sense of place is often expressed through their sentiment, pride, warmth, care and concern for place. Accordingly, heritage sites and structures within the municipal area need to be seen as an asset and managed in a manner that is inclusive of the community.

As well as being inherent in people's sense of place, cultural heritage places also make a major contribution to the local and State economy through the direct relationship with the tourism industry. There are many heritage assets that attract people to the Huon. Such assets are related to local industries, including the apple industry, forestry and fishing activities.

As well as being linked directly to tourism, appropriate management of heritage assets can also attract investment in the Huon Valley, leading to the creation of additional jobs in the area. Increases in investment and growth in the tourism industry also contributes to economic diversification.

Natural heritage assets within the Huon Valley and its defining landscapes are also important attractors to the area. The municipal area also incorporates a large amount of Tasmanian Wilderness World Heritage area, as well as the other National Parks.

I want to acknowledge that both Clarence City Council and Huon Valley Council have acknowledged the rich Aboriginal cultural heritage in their respective municipalities and the importance of ensuring that sites and artefacts of Aboriginal heritage significance are managed appropriately into the future through an integrated approach to management.

In regard to European cultural heritage in the Huon Valley, the council states that the historic cultural heritage of the Huon Valley is largely based on the forest, agriculture and maritime industries, which provided much of the economic and social life of the district over the last 170 years. Places of heritage value associated with these industries in the settlements they spawned are numerous, and include both built heritage as well as landscapes, patterns of subdivisions and historic transport routes.

The Huon River figured prominently in the Huon's early development, and sites of heritage value related to the use of the river include jetties, bridges, wharves, slipways, machinery tramway formations, et cetera. Many of the landscapes in the Huon reflect the historical land uses in the area, being a product of forestry, farming and land-clearing practices since the first European settlement.

It goes on to say the settlements of Franklin and Cygnet prospered as a result of their location on the Huon River, and are recognised as having particularly good collections of early buildings that are of historical and architectural interest. Franklin, in particular, is recognised as having important heritage values with the Franklin heritage study, which has now advocated for the creation of a heritage precinct with buildings worthy of protection.

It is also recognised that the built heritage within the Huon Valley is diverse, and that reflects the particular processes that have shaped the development of the townships over time. In this sense, heritage value is more than the significance of single structures. It also involves collections of buildings in their landscape or streetscape settings. It is important, then, that heritage is also considered in terms of significant precincts and cultural landscapes within the municipal area.

The Huon Valley Council adds that the built heritage and public spaces of the towns in particular provide much of the character or sense of place that is extremely valuable for both local residents and visitors. It represents what the town once was, and what the community has valued in its heritage sense. The buildings are physical expressions of cultural and community values.

There are many buildings that are recognised as being of significance from a state and local heritage perspective within the Huon Valley municipal area. The Australian Heritage Places Inventory lists 166 sites and artefacts in the municipal area. Of these, there are 124 buildings or artefacts, and these are located in the following areas:

- In Lower Longley to Lucaston and Glen Huon there are 17.
- In Huonville and Ranelagh - 21.
- In Franklin alone - 43.
- In Port Huon and Geeveston - 14.
- In Police Point and Dover - 7.
- In Southport and Loon River - 7.
- In Cygnet, Pelterata and Garden Island Creek - 15.

These numbers indicate in particular the important heritage significance of the Huon Valley, and another important feature is the many houses that are included on the list. These timber dwellings have a stately appearance, and are often linked to former significant orcharding enterprises.

That is why our amendments are so important today. They are not only important to our own electorates, and there are significant townships that are scattered right across Tasmania with significant history in them. The amendments in this bill also align well with our commitment to reduce red tape, and maximise certainty under the planning system for the property owners, the developers, the councils and other stakeholders who engage with the resource management and planning system.

I want to acknowledge the fact that the Tasmanian Heritage Council and Heritage Tasmania have worked hard to generate good owner, community and heritage outcomes, including that they have facilitated the approval of over \$670 million in works on heritage-listed places, and sustaining an impressive 99 per cent approval rating for works and exemption applications.

This bill is important to ensuring the sound, considered and integrated statutory management of the heritage places of greater significance to Tasmania, including for me in the areas of my own electorate. While the amendments are relatively modest in scale, they are important, and do add to our reform of the planning system. As the minister has stated, these reforms will help to generate greater clarity, consistency and certainty in the statutory management of Tasmania's historic cultural heritage, and facilitate the delivery of good owner, community and historic heritage outcomes.

Once again, I commend the minister, and I commend the department and all the stakeholders concerned, for the work on this bill.

[4.05 p.m.]

**Mr TUCKER** (Lyons) - Madam Speaker, as the minister has mentioned, the changes proposed today are delivering on the Government's commitment to reduce red tape and streamline and better integrate the planning scheme. This is another example of this Government opening this state for business, as we have from day one. We have created a more attractive business environment and improved business conditions. Our state is growing like never before - the fastest in the nation - and cannot afford the uncertainty and instability of another Labor-Greens deal. Business just does not trust Labor or a Labor-Greens coalition to maintain the momentum they are experiencing.

We as a Government have committed to delivering an extensive planning reform agenda that began in our first term of government. The central pillar of this is our commitment to deliver a statewide planning scheme to deliver unprecedented clarity and certainty for all Tasmanians who interact with our planning scheme. We have already made a number of carefully considered and broadly supported amendments to the planning system to fix some longstanding problems, streamline processes, and cut red tape where it does not reduce appropriate community involvement and due process, particularly around assessment time frames and the duration of planning permits.

After five and a half years in opposition, Labor still has not come up with a long-term plan for Tasmania. Maybe the party leader, Mr O'Byrne - I mean Ms White - needs to talk to the minister for planning to fix its internal red tape issues. Labor is so out of touch, the leader Rebecca White had to make a desperate trip to New Zealand to try to find a plan. Labor has no long-term plan. The best they can manage is scaremongering on issues like building cladding, and undermining consumer and business confidence in embarrassing failed stunts like doing a media conference in a private resident's driveway they thought was a vacant public housing home.

As we have heard today, previous amendments to the Historic Cultural Heritage Act were developed to align provisions contained in the Heritage Act in the Land Use Planning and Approvals Act (LUPAA). The focus of those amendments was the creation of a single process for planning permits and heritage approvals. The amendments aim to generate greater clarity, consistency, transparency and certainty for owners, developers and local government. Feedback on those amendments has been positive and has been successful. These results have also highlighted the benefit of pre-statutory consultation and pre-application advice, and publishing works guidelines, so owners, developers and local government can better anticipate the Tasmanian Heritage Council's expectations.

The last five years has highlighted the benefits of pursuing these amendments, but has also highlighted gaps and issues that the bill before us will address, better integrating the heritage act with the planning scheme. This bill builds on the previous amendments by ensuring the heritage act is able to recognise and respond to combining planning scheme amendment and permit applications and matters involving the Environmental Protection Act, and better integrate a number of other elements of LUPAA with the heritage act.

Closer engagement with the planning scheme has highlighted the opportunity for further integration, with a primary focus on ensuring the heritage act recognises combined planning scheme amendment and permit applications and the Environmental Management and Pollution and Control Act 1994. Pursuing these changes will now build on and extend the benefit to all stakeholders.

The amendments before us today are a further integration of our historic heritage and planning legislation. They create efficient process, and importantly give the Heritage Council the time it needs to adequately assess proposals before it.

The amendments also fix a longstanding problem whereby the Heritage Council is able to appropriately consider combined planning scheme amendments and development applications, a process which is not currently available under the act.

In summary, these amendments are needed to provide that if any act, including the Environmental Management Pollution and Control Act 1994, affects the assessment period under the Land Use Planning and Approvals Act 1993, the prescribed period contained in Part 6 of the Heritage Act is similarly affected.

Currently, if an application for a planning permit is forwarded to the Environmental Protection Authority, and the EPA board determines an assessment is required for their purposes, the assessment period of LUPAA is altered to incorporate the time needed for the board to assess the proposal. However, if the same proposal involves a place in Heritage Register, the period the council has to assess the proposal is not affected. The bill seeks to remedy this situation. It will ensure the Heritage Council can take into account the EMPCA process and any relevant representations in changes to an application when it makes its decision, and better aligns timeframes and decisions across the planning scheme.

The bill also ensures that any additional information, revised plans or amended permits relating to a development application are to be forwarded to the Heritage Council for consideration. It provides that in the event that additional information or revised plans are forwarded to the Heritage Council following its notification of interest, or notice of decision, then that information reflects a substantial change in the proposed development.

The Heritage Council may revise its notice of interest or notice of decision. This will ensure the information available to both statutory parties is the same and avoids conflicting plans being considered and unnecessary conditions being imposed. It provides that in the event a planning authority fails to forward a development application to the Heritage Council, the Heritage Council is provided the opportunity and time to consider, and should it deem necessary, provide comment on the development application prior to a final decision of the planning authority.

I am confident these reforms will help to generate greater clarity, consistency and certainty in the statutory management of Tasmania's historic cultural heritage and facilitate the delivery of good owner, community and historic heritage outcomes. These changes will have little to no impact on owners of heritage-listed properties. There are no changes to the process of entering places in the Heritage Register, or to the standard process for owners seeking works or development approval for works proposed on their property. Only those who initiate a combined planning scheme amendment and permit applications, or are engaged in an EMPCA process, will be affected. The amendments streamline these processes for these stakeholders.

The changes will also assist the local government sector by building on successful integration of the historic heritage and planning legislation in 2014, welcomed by local government. They simplify and streamline the development application process and generate greater clarity, consistency and certainty by further integrating, ensuring consistency between the Heritage Act, LUPAA and EMPCA.

These measures will help to address the inconsistencies in the way applications under LUPAA are assessed and determined. They will address anomalies that arise from having inconsistent provisions in planning legislation and they will help to generate certainty for applicants, developers and local government.

[4.14 p.m.]

**Mr GUTWEIN** (Bass - Minister for Environment, Parks and Heritage) - Madam Speaker, I thank members for their contribution and support for a bill which, as I have indicated by interjection during the debate this afternoon, is one I believe has strengthened the provisions of the act.

Regarding authorised officers and in ensuring that the council has the time to consider applications, it markedly improves their position.

In terms of questions that have been asked and the amendments that have been proposed, which I will get to in a moment, the member for Franklin, Ms Standen, wanted some information about the interaction with EMPCA. I can advise her that currently level 2 activities under the Environmental Management of Pollution Control Act 1994 that are also of interest to the Heritage Council are determined by the Environmental Protection Authority, but the two acts do not currently reference each other. The amendments will ensure the Heritage Act references and aligns with the EMPCA process and ensures that the Heritage Council has provisions and the time it needs to engage in EMPCA applications that also involve places that are entered in the Heritage Register.

Clause 10 of the amended bill which deals with section 39(5) of the bill requires a planning authority to notify the Heritage Council of referrals under EMPCA or any other act that affect the length of the assessment period, ensuring the council is fully informed of the progress of any application.

In terms of the other matter that she raised about the arrangements and why we are doing this, the bill contains a number of provisions that enhance the governance of the Heritage Council, including introducing the capacity to appoint a deputy chairperson to ensure continuity in its leadership. The bill also ensures that the heritage act has contemporary provisions in place to effectively manage conflicts of interest and expand the definition that applies in the act beyond the focus only on pecuniary or financial interests to encompass actual and perceived conflicts of interest, ensuring broader good governance. I do not think anybody can point the finger at the Heritage Council in terms of it not having met its responsibilities through corporate governance, but this provides further clarity.

The bill also gives the Heritage Council the ability to make statutory decisions between meetings when needed and use technology such as video and teleconferencing to conduct its meetings. The amendments in no way undermine the independent statutory role of the Heritage Council and the integrity of the processes undertaken by the Heritage Council will be maintained.

That has a crossover with the point the member for Clark was raising in terms of the out-of-session arrangements for the bill. In terms of the quorum and the amendment that is proposed to be moved, the Government will not be supporting an increase in the size of the quorum.

**Ms O'Connor** - Why not?

**Mr GUTWEIN** - Principally, since 1997 the Heritage Council has operated quite effectively with a quorum of seven members.

**Ms O'Connor** - Not for making significant decisions out of session.

**Mr GUTWEIN** - Whether making significant decisions in session or out of session, a quorum of seven is what has been required, and that will continue.



**Ms O'Connor** - Well, we can have the argument.

**Mr GUTWEIN** - We will have the debate. I think you are looking for a fight but I do not think there is one there to be had, to be frank.

**Ms O'Connor** - No, I'm looking to improve the operation of the council.

**Mr GUTWEIN** - Are you suggesting that the council has not operated appropriately?

**Ms O'Connor** - I think it's been patchy and variable since you people came to office, yes.

**Mr GUTWEIN** - Our position is that we will not be supporting that. We think that the Heritage Council has conducted its role and responsibilities effectively now for around 22 years. We do not believe that there needs to be any addition to a quorum. We believe that the members of the Heritage Council will continue to act with the same integrity they always have. Obviously you have a different view on that.

**Ms O'Connor** - I'm concerned because so many places were taken off the register and now, for example, in Launceston there is no protection because the statewide planning scheme took away those local heritage provisions.

**Mr GUTWEIN** - In fact, under the codes that are available to all local government areas and will be available under the statewide scheme as well, those protections still remain. In terms of the point you are making in respect of the consideration of the number of properties that were listed, my advice is that there were around 512 to 514 properties that were removed, principally because they did not meet the criteria of state significance under the act. In terms of Balfour Street and Balaclava Street, protections still apply under local government, under the code.

**Ms O'Connor** - No, my understanding is they are not in place because the Launceston City Council hasn't sought to register a heritage precinct with the commission.

**Mr GUTWEIN** - That is a matter for local government and their decisions in what they believe is of significance in terms of heritage at a local level.

**Ms O'Connor** - Yes, so a streetscape like the Balaclava Street one, and Balfour -

**Mr GUTWEIN** - Have you ever been to Balaclava Street?

**Ms O'Connor** - Yes, absolutely. To Balfour Street or Balaclava Street? No, but I have been to Balfour.

**Mr GUTWEIN** - In terms of those local decisions, the tools are available for local government. If you have an argument with local government not utilising the tools, then speak to local government. My role is in terms of those properties which should be listed on the register at the state level, and -

**Ms O'Connor** - You are the Heritage minister and you have councils not putting forward heritage -

**Mr GUTWEIN** - And we have ensured that those that meet the criteria are.

**Ms O'Connor** - You are not concerned that Launceston City Council hasn't lodged a heritage process.

**Mr GUTWEIN** - I do not believe Launceston City Council is running rampant over heritage.

**Ms O'Connor** - I'm not saying that.

**Mr GUTWEIN** - That is the point you are trying to make. The point I am making is that under this act, those properties that meet the criteria in terms of significance are listed, as far as the state is concerned.

In terms of the other matters that have been raised -

**Ms O'Connor** - You have a pretty casual attitude to our heritage.

**Mr GUTWEIN** - Have you ever owned a heritage property?

**Ms O'Connor** - No.

**Mr GUTWEIN** - I have, and it was a pleasure to own that property, and it was a pleasure to engage with the council at the time when we were looking at making some changes to that property. In fact, one thing that I would say to all developers and people who may be concerned, because some in the community do have concerns about owning a heritage property or what a listing might mean for their property -

**Ms O'Connor** interjecting.

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor.

**Mr GUTWEIN** - What I can assure them is that the process is not onerous. It is sensible, it is pragmatic, and importantly, it protects our heritage. I have been through that process, and you have not, but you want to make the point that developers do not care.

**Ms O'Connor** - I am not saying that.

**Mr GUTWEIN** - That is quite clearly the point you are making.

**Ms O'Connor** - No, a lot of developers just want to make a buck.

**Mr GUTWEIN** - What percentage of developers?

**Ms O'Connor** - What is the story of that wall in Launceston that got knocked down without heritage permit?

**Mr GUTWEIN** - Which was not listed.

**Ms O'Connor** - But it is still heritage.

**Mr GUTWEIN** - Which was not listed. The last time I looked, you had zero credentials in terms of assessing whether something was at a standard to be listed or not.

**Ms O'Connor** - I reckon I know more about the heritage fabric of Tasmania than you do because I had the shadow portfolio for years.

**Mr GUTWEIN** - We have just had that discussion. In terms of this debate, it appears only one of us has actually owned a heritage building, and only one of us has gone through the process and that is me.

**Ms O'Connor** - That is irrelevant. If you have money and you can own a heritage building, you have more of-

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor. That comment has nothing to do with this bill.

**Mr GUTWEIN** - I will leave it there. I have dealt with the matter of the register, the streetscapes, the -

**Ms O'Connor** - No, you have not really, because they are not protected in Launceston.

**Mr GUTWEIN** - If a streetscape is viewed to be of state significance it can be entered in the heritage register.

**Ms O'Connor** - No, it cannot. Have a look at the act. That is the problem.

**Mr GUTWEIN** - As a place it can, which reflects the tiered system of heritage protection adopted under the COAG agreement of 1997.

Again, you are not going to agree with anything I raise today, but the amendments you raised in terms of the assessment period, the amendments allow for the assessment period under LUPAA and the heritage act to be better aligned. This is talking about strengthening and providing an opportunity for the council to be engaged, to do exactly what you want it do, and that is to protect and preserve. This will give the Heritage Council the fullest possible time available to the staff, and will ensure a consistent decision is issued on behalf of the Heritage Council and the planning authority.

Regarding consultation, the proposed amendments were subject to targeted consultation with 40 organisations working within the planning system that will be directly involved with their implementation. This reflected the fact that the changes are limited in nature, and they enhance the objectives of the heritage act to identify, assess, protect and conserve places of historic significance to Tasmania. Consultation prior to and during the drafting of the bill recognises the lead role that local government has in supporting the Heritage Council to implement these amendments.

Local government associations coordinate the consultation process with 29 of those 40, being our local planning authorities, in accordance with the long-established protocol with the Local Government Association of Tasmania.

**Ms O'Connor** - Through you, Madam Speaker, can I check which heritage bodies, apart from the Heritage Council and Heritage Tasmania, were consulted?

**Mr GUTWEIN** - The Heritage Council; the 29 local planning authorities; the Local Government Association of Tasmania; the Property Council; the Planning Institute; the Department

of Justice's Planning Policy Unit; the Tasmanian Planning Commission; the Environment Protection Authority; Tasmania Police; the Department of Treasury and Finance; Department of Communities Tasmania; and the Department of Primary Industries, Parks, Water and Environment.

**Ms O'Connor** - There was an internal government consultation, and no reference, not one, in any of the consultation to heritage stakeholders, not one?

**Mr GUTWEIN** - These amendments are chiefly administrative in nature - you understand that - and do not affect directly the heritage-specific features of the act, such as registration guidelines, which will obviously be of key importance to stakeholders.

**Ms O'Connor** - There was an internal consultation and ignore the experts.

**Mr GUTWEIN** - I will provide a bit more detail on the boundary wall in St George's Square in Launceston that was demolished without planning approval. The wall was part of the 'Torkington' property that was subdivided and developed in the mid-20th century. While the wall was considered to have heritage value, it was not listed in the local historic heritage code of the planning scheme, or entered on the Tasmanian Heritage Register. Concerns were raised, as has been mentioned. The Launceston City Council had advertised the development application to demolish a contemporary building at this address, but the wall's demolition was not included in the application. I understand the owner has committed to rebuild the wall, utilising the same bricks, while the Launceston City Council is investigating the matter and considering what, if any, action it may take.

We touched on a quorum. I have said we do not support the proposed amendment to eight. Since 1997 the Heritage Council has operated quite effectively with a quorum of seven members.

In terms of the time frames arising from the 2014 amendments to the act meant that the Heritage Council has adopted new ways of working to help facilitate greater alignment with LUPAA. This has included the practical need to consider some matters out of session. The bill acknowledges this, and puts in place a process that will enable the Heritage Council to conduct its business in the time frames available.

In terms of the other amendments, we have not had those amendments circulated yet, but in terms of the 'commission', I can provide the following information, as we will not be supporting that either. The term 'commission' as defined in LUPAA section 32(2) of the heritage act, allows for terms not defined in the heritage act to default to the definitions contained in LUPAA, therefore there is no need for -

**Ms O'Connor** - So there is no need to say 'as defined in LUPAA', for clarity?

**Mr GUTWEIN** - I am advised that there is no requirement. The Resource Management and Planning Appeal Tribunal is similarly treated in that way by the act.

In terms of the Heritage Council and its strategic plan, it is a plan in place which reflects its broad functions and powers as outlined in the heritage act.

I believe that covers most of the queries and certainly the Government's position on the amendments.

**Ms Standen** - What about resourcing, minister?

**Mr GUTWEIN** - I have made it perfectly clear as Treasurer that there will be around a 0.5 per cent efficiency dividend that will be managed across agencies. That has obviously been reduced this year on the basis of an additional \$15 million-worth of revenue being generated from our government businesses. In terms of resourcing, as I have said, agencies will manage these matters either through reducing discretionary spend, managing through vacancy control and ensuring that where spending is on consultants or advertising or other matters like that, that they make appropriate savings where possible.

**Ms Standen** - It is clear that Heritage Tasmania is very stretched and trying to make up for lost time around improvements to the Heritage Register.

**Mr GUTWEIN** - I am sure Heritage Tasmania will be able to manage, as will other agencies. I make the point to the parliament that this is a 0.5 per cent efficiency dividend. When you consider what is occurring across the country where most state and territory governments are introducing efficiency dividends with a 2 and in some cases with a 3 in front of them, we are taking action today with a very light touch to ensure that we do not put the state in a similar position to those other jurisdictions. There is no doubt, as I have said in this place on a number of occasions, there are national headwinds that are buffeting the economy. The economy is not growing as fast as was first expected and certainly the collapse in property prices, especially in New South Wales and Victoria, which has been exacerbated by the impact of what has occurred with apartments and tower properties, means that confidence has been sapped from those two major drivers of our economy and therefore we will see some headwinds.

**Ms Standen** - You can't have it both ways. There are consequences of under-resourcing.

**Mr GUTWEIN** - I point out to Ms Standen that in terms of our budget we brought forward the single largest infrastructure spend this state has ever had before it with a view to ensure we can keep people in jobs. As you would well be aware, we have a transaction-based tax system. We need Tasmanians with jobs who are prepared to engage in the normal transactions that occur within our economy to ensure we can maintain our revenues. If we can keep our economy strong then we have the opportunity to ride our way through this.

**Ms O'Connor** - I asked you a question about consultation on flogging the heritage Treasury building.

**Mr GUTWEIN** - You seem to twist and turn to find a position that suits you best at any particular minute at any particular hour of any particular day.

**Ms O'Connor** - We have been consistent on the Treasury building.

**Mr GUTWEIN** - It is not that long ago at Estimates when you were proposing that we do not sell the Treasury building but go to a long-term lease -

**Ms O'Connor** - I didn't say a long-term lease, did I? Ninety-nine years?

**Mr GUTWEIN** - You said, 'As you know, Treasurer, you could do that through a long-term lease arrangement without selling the farm'.

**Ms O'Connor** - A century?

**Mr GUTWEIN** - You said you could do that through a long-term lease arrangement.

**Ms O'Connor** - Sorry, I wasn't proposing a century.

**Mr GUTWEIN** - That is exactly what is included in the registrations process that we have just gone out with.

**Ms O'Connor** - No - also freehold interest. Are you going to sell it or lease it for a century?

**Mr GUTWEIN** - I make the point that this does not have a lot to do with this particular bill and the mechanisms of this bill -

**Ms O'Connor** - No, the question was how transparent will you be?

**Mr GUTWEIN** - A couple of points have been raised here, and this is your language, that the public is having it taken away.

**Ms O'Connor** - Well, they are. They won't own it anymore.

**Mr GUTWEIN** - I make the point: why don't you provide some credit where it is due? More Tasmanians have been through that building since I have been Treasurer through the open days than have been through in the past three decades.

**Ms O'Connor** - So what?

**Mr GUTWEIN** - You are suggesting that something has been taken away. On one hand you want public access but I am the Treasurer that has provided that public access and allowed people through the building to have a look at that building - more of the Tasmanian public. Some people who in their lifetime had not been through that building were afforded that opportunity. You are suggesting that we will take it away. This is a statement of fact. The Treasury building which is there today will be there in 100 years.

**Ms O'Connor** - But who will own it?

**Mr GUTWEIN** - It is not being taken away.

**Ms O'CONNOR** - Point of order, Madam Deputy Speaker. The Treasurer is actually being misleading because the registration of interest documents make it clear that they are offering either a 99-year lease or freehold interest. So you are either going to hawk it or you are going to sell it, but whichever way it is a privatisation, which means it does not belong to the people of Tasmania.

**Mr GUTWEIN** - I come back to the point you made during Estimates. Your preferred option, in fact you were suggesting it, was a long-term lease, and I have actually put that option -

**Ms O'Connor** - I did not say for a century.

**Mr GUTWEIN** - If it was a long-term lease of 50 years you would have a problem. Let us be clear, you would find a way to find something wrong with this process.

This is the most significant opportunity, I believe, to breathe new life into that building, which no longer in any way, shape or form conforms with any notion of being a contemporary office building.

**Ms O'Connor** - You never took it to the Tasmanian people and it is like any act of theft. You've got no mandate. It's just about the money and you want to make yourself feel better because you let people in there for a day.

**Mr GUTWEIN** - We have always been clear that we reserved our right on that particular building prior to the election.

**Ms O'Connor** - No, you didn't. We have your quotes here. You went really quiet about it before March last year.

**Mr GUTWEIN** - In 2016 we said we would ask for independent expert advice on whether it would be suitable to consider making the building available for other uses, including hotel accommodation. On the basis of that advice and that there are 1500 hotel rooms either under construction or in the planning phase in the Hobart area, the Government made the decision not to proceed with considering an EOI process for alternative uses for the Treasury building at this stage. At this stage.

**Ms O'Connor** - Yes, and then you didn't say a word until after the election. It's cheating. It's an act of political theft.

**Mr GUTWEIN** - I very clearly make the point that through the registration of interest process and right through the process we will be running, Tasmanians will be able to have their say. If they have not been to the website I suggest that they do and express their views. The Government wants to understand what Tasmanians would like to see occur with that building. Not Ms O'Connor; she has made her position perfectly clear. We want to allow Tasmanians to have their say and that is exactly what we are providing through this process.

**Ms O'Connor** - They're not being given a say.

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor.

**Ms O'CONNOR** - Point of order, Madam Deputy Speaker. The Treasurer is being entirely misleading. Having a say on a decision that has already been made about the sale or long-term lease of a building is not having a say on the future public use or public ownership of that building. He is being really dishonest but I am not surprised.

**Mr GUTWEIN** - I make the point that it was only a little more than a handful of weeks ago at Estimates that Ms O'Connor was suggesting we should retain ownership and offer a long-term lease.

**Ms O'Connor** - You are also offering freehold.

**Mr GUTWEIN** - We have offered that as one of the options that people can register their interest in and we will work through the process.

**Ms O'Connor** - Why didn't you announce that you were offering freehold sale in your media statement?

**Mr GUTWEIN** - If you did not support us offering it for long-term lease as we have provided as one of the options, why didn't you say that then?

**Ms O'Connor** - I said long-term lease, which doesn't mean giving it away for a century. Why didn't you say in your media release that there is a freehold interest on offer as well? Sneaky - that's what you are.

**Mr GUTWEIN** - I have always been clear that divestment takes many forms. We will go through this registration of interest, then there will be an expressions of interest process and then a tender process. We will remain engaged and have the process open right through for Tasmanians to have their say so we are fully informed as to what Tasmanians want.

**Ms O'Connor** - No, you have never asked them.

**Madam DEPUTY SPEAKER** - Order, Ms O'Connor.

**Mr GUTWEIN** - One thing I am clear about is that in re-imagining the use of that building we have an opportunity to breathe life back into it. That we take what is a fantastic heritage asset within this state and we provide it with new life.

**Ms O'Connor** - You are privatising it. That is what you are doing, you are privatising it.

**Ms Standen** - Provided you maintain public access.

**Ms O'Connor** - There is nothing in this document about that, Ms Standen. There is no requirement for public access.

**Mr GUTWEIN** - I have always been clear that the public should be able to have access to it. At the moment the level of access they have to that building is zero. If it were to be a hotel or some other configuration then Tasmanians would have the opportunity to go into -

**Ms O'Connor** - They could pay to get in.

**Madam DEPUTY SPEAKER** - Order. Let the minister answer the question.

**Mr GUTWEIN** - They have zero at the moment.

**Ms Standen** - Except that there is public ownership.

**Mr GUTWEIN** - If your view is that that building should sit there and be a museum -

**Ms Standen** - I did not say that.

**Mr GUTWEIN** - If that is your view of public access then set out a policy for it, because that comes at an extraordinary cost to the state.

**Ms Standen** - Will it be open to public access with a long-term lease arrangement?



**Mr GUTWEIN** - If you want to do that then have a policy position on it. You have the same opportunity as anybody else, through the registrations of interest process, to put your ideas in. It would be useful for Tasmanians to understand what the Labor Party stands for on something.

**Ms Standen** - Get your consultation right for once.

**Mr GUTWEIN** - Would that not be fantastic? On one matter you could explain to Tasmanians what you stand for. On nothing else have you provided that clarity. About the only thing they have provided clarity on is one that the member for Clark spends much time in here reminding you of. That is you will backflip on major policies that you took to the election as if they counted for nought. That is the level of integrity you have. If you have a view on the Treasury building come through the registrations of interest -

**Ms Standen** - Why are you trying to make this about me?

**Mr GUTWEIN** - Use the parliament, the platform that you have here to explain what you would like to do with it. I have explained -

**Ms O'Connor** - He is a bit defensive because he knows this stinks, and it stinks in the public's mind.

**Mr GUTWEIN** - I do not believe that. The conspiracies that you are looking for, the view that you take on these matters is breathtaking. You will twist and turn and you will find a way to oppose the Government at every turn, even when I make the point in closing -

**Ms O'Connor** - We are about to support this bill.

**Mr GUTWEIN** - Even when I include the suggestion brought forward by the member for Clark, which was to offer it up as a long-term lease, she still finds a way to oppose it.

**Ms O'Connor** - A lease of one century is privatisation.

**Mr GUTWEIN** - Back to the bill in front of us. I thank members for their contributions. I have made the Government's position clear regarding the two amendments that are proposed. I thank the Chamber, broadly, for its support and I commend the bill to the House.

**Bill read the second time.**

## **HISTORIC CULTURAL HERITAGE AMENDMENT BILL 2019 (No. 31)**

### **In Committee**

[4.45 p.m.]

**Clauses 1 to 3 agreed to.**

**Clause 4 -**

Section 6 amended (Constitution of Heritage Council)

**Ms O'CONNOR** - I rise to speak on our original amendment, which, having listened to the minister, I accept is not needed. I did want to take this opportunity to detail the bodies that were not consulted in the development of the bill.

The International Council on Monuments and Sites, otherwise known as ICOMOS, provides advice to UNESCO on heritage monuments. We have representatives of ICOMOS in Tasmania. Cultural heritage practitioners, the National Trust was not consulted on this legislation, nor was the Institute of Architects, nor were any cultural landscape experts or archaeological bodies.

In the development of this legislation we do not consult the National Trust, but we do consult the Property Council. Does that not tell you everything that you need to know? As the member for Lyons making a contribution as a stocking-filler on this bill, you belled the cat when you made it clear it was really about cutting red tape. This is a pro-developer amendment bill. If it was anything else there would have been consultation with the National Trust, or the Institute of Architects, or ICOMOS heritage experts in Tasmania. But, no, you do not talk to the Institute of Architects, or heritage experts. You talk to representatives for the development fraternity - the Property Council. We do not consult broadly. We do targeted consultation with the Heritage Council, the 29 councils, the Local Government Association of Tasmania, the Property Council, the Planning Institute, and then some nice internals with the Department of Justice, the Planning Commission, the Environment Protection Authority and so on.

The Treasurer can stand in here and accuse me of being a conspiracy theorist. The facts speak for themselves. Anyone with substantive heritage expertise was not consulted about this bill. Perhaps because he answered the questions so poorly last time, the Treasurer could explain why no reference was made to any heritage expert in this state in the development of a bill which is titled the Historic Cultural Heritage Amendment Bill. It is not the Property Council facilitation amendment bill. We are told it is not a developer's bill, yet nobody with heritage expertise was consulted on the development of this legislation.

**Mr CHAIRMAN** - Would the member please clarify if she is planning on moving an amendment?

**Ms O'Connor** - I said I am not moving an amendment. I have asked Mr Gutwein a question.

**Mr GUTWEIN** - I am wondering what you are speaking to?

**Ms O'Connor** - I am speaking on interpretation and following-up on your answers in the second reading response. Are you going to answer the question?

**Mr GUTWEIN** - I am more than happy to provide an answer to that point that you made. During the course of the consultation, there was targeted consultation with 40 organisations working within the planning system, and consultation prior to and during the draft to recognise the lead role local government has. The Local Government Association coordinated the consultation process with the 29 local planning authorities. Prior to tabling, information on the bill was provided to a number of heritage sector organisations and its tabling was promoted in Heritage Tasmania's monthly e-newsletter and its website. Personal briefings were offered to these groups. The offer of a briefing on the bill was taken by the Port Arthur Historic Sites Management Authority and Heritage Council. Prior to proclamation as part of implementing the amendments to the act, regional information sessions and briefings with interested parties will be arranged by Heritage Tasmania and offered on an as-needed basis.

These amendments are chiefly administrative in nature and do not directly affect the heritage-specific features of the act such as registration guidelines.

**Ms O'CONNOR** - You said these amendments better protect heritage. You accuse me of not being consistent in my arguments but you took great offence when I said before that this is not legislation designed to better protect our European heritage. It is really clear from what you just said then that you do not regard it as an amendment bill that better protects Tasmania's European cultural heritage. If it was an amendment bill that dealt with heritage protection, you would think you would consult, for example, ICOMOS or the Institute of Architects or the Battery Point Heritage Society. There is a multiplicity of volunteer-led, committed organisations who, in some ways, are all that stand between our built heritage and their erosion as the playthings of developers.

It is clear that there was no intention to seek expert advice from people in the heritage space and that the voice of developers was prioritised over cultural heritage experts. The only external organisation that was consulted, although I guess the Planning Institute is an external organisation, was the Property Council. The Property Council and the Planning Institute got an inside look at the amendments but the rest of it is all a level of government or another. Even the Port Arthur Historic Site is an extension of government.

It is impossible to form any other conclusion that it was a decision made quite deliberately not to consult with experts in heritage because whoever was working on this bill did not want to hear the voice of people outside Heritage Tasmania and the Heritage Council on the heritage aspects that could be improved in the principal act. A deliberate decision has clearly been made not to listen to people who dedicate their lives to protecting our built heritage. There is no other conclusion to draw.

The consultation went to the Property Council. We understand what this is all about. Mr Tucker belled the cat when he said it was about cutting red tape. It is not about improving heritage outcomes for Tasmania. If it was you would have gone to some of the experts and they might have said, 'Hey, what about the 2005 MacKay review?', where a series of recommendations were made to improve the management and protection of cultural heritage in Tasmania. They might have said, 'How about sticking the prudent and feasible test back into the legislation so that before a decision is made to undertake works on a heritage property there has to be a test of whether it is prudent and feasible to do any other works?'. I know why you did not talk to the heritage experts. It was because you did not want to hear from them.

**Mr GUTWEIN** - I will make a comment, even though experience tells me not to get drawn into a fight when there is no fight to be had.

**Ms O'Connor** - I am disgusted that you did not talk to heritage experts.

**Mr GUTWEIN** - You are simply looking for a fight on this and there is no fight that exists. The administrative processes we are introducing through this bill will ensure that the Heritage Council is afforded the appropriate time to ensure that when planning applications go forward it is not left behind, as it at times could find itself now. In terms of making decisions well ahead of the EPA or relevant planning authorities -

**Ms O'Connor** - It is all in-house, except for your developer mates.

**Mr GUTWEIN** - The Heritage Council now has the opportunity to be fully informed. I would have thought you would have welcomed that.

**Ms O'Connor** - What, they are not already?

**Mr GUTWEIN** - The other thing I would have thought you would have welcomed is the authorised officers.

**Ms O'Connor** - Yes, that's a good part of the bill.

**Mr GUTWEIN** - So that doesn't strengthen the act?

**Ms O'Connor** - Does it strengthen heritage protections? I don't know.

**Mr GUTWEIN** - Oh, for goodness sake. I come back to the point that I made in my earlier contribution. You will twist and turn to find a position that suits yourself and anybody reading this debate will come to that conclusion.

**Ms O'Connor** - You said this is about heritage protection and it's clearly not.

**Clause 4 agreed to.**

**Clauses 5 to 15 agreed to.**

**Clause 16 -**

Schedule 2 amended (Provisions with respect to meetings of Heritage Council)

**Ms O'CONNOR** - This is the amendment we propose to constitute a quorum of more than half of the 15 members of the Heritage Council. Currently the amendment to Schedule 2 of the principal act at 5A(1) states that if seven members sign a document containing a statement that they are in favour of a resolution in the terms set out in the document, a resolution in those terms is taken to have been passed at a meeting of the Heritage Council held on the day on which the document is signed, or if the members do not sign it on the same day, on the day on which the last of the members signed the document.

Other than bloody-mindedness, I cannot understand why we would not make sure there was a meaningful quorum of the council if they are making some decisions or reaching resolutions out of session, so we move -

That clause 16(a) be amended and propose that new subclause (1) is amended by deleting '(7)' and inserting instead '(8)'.

The argument that was made by the minister for rejecting this amendment we foreshadowed is weak. The argument is simply that a quorum in the principle act is defined as seven members of the Heritage Council, but we are changing the process for decision-making of the council and therefore we would argue that to have a quorum of at least half of the council is appropriate, so we table our amendment. This would strengthen the decision-making processes of the Heritage Council.

**Ms STANDEN** - I take the opportunity to reflect on the fact that this bill is intended to enhance heritage protection and better integrate Tasmania's historic heritage and planning legislation and in so doing, it explores options to improve governance arrangements. I believe the Heritage Council has been consulted in this process.

**Mr Gutwein** - Yes.

**Ms STANDEN** - If we are talking about governance, if the Heritage Council had a problem with a quorum I expect they would have raised it through the consultation process.

**Ms O'Connor** - It's a lot easier to pull seven together than it is eight, I guess, so in terms of making life easier for the council, seven is easier.

**Ms STANDEN** - I am entirely satisfied with that but I want to raise the important point here that the Heritage Council and the good people within Heritage Tasmania cannot be expected to operate without the resources that they need to get the job done. This bill raises issues around investigation of compliance, for instance. I expected the minister to raise what the resource implications of that would be. I raised within the debate the significant backlog of work in relation to the errors within the Heritage Register. Heritage Tasmania staff understand what needs to be done. They have the capability to fix things, but they cannot be magicians. If they do not have enough people to get the job done they cannot get the job done.

There needs to be provisions within this bill to ensure proper resourcing as well as the Government's arrangements to ensure there is a pathway to fixing the historic issues within the register. I want to be reassured that Heritage Tasmania has an obligation to ensure the council is well informed of the problems of the past and the resources that it requires to get the job done. The Heritage Council must be across the issues that exist within Heritage Tasmania so it can, as a good governing body, assist the improvements to ensure the enhancement of heritage protection the minister wants within this legislation.

**Ms O'CONNOR** - On the question of resourcing, which is a very pertinent point from the member for Franklin, Ms Standen, there are longstanding issues with resourcing at Heritage Tasmania. These were manifest during the process of stripping properties from the register. There is a letter, which I am happy to provide Ms Standen a copy of, which she may not have already. I believe it has been tabled in the House - I think we tabled it - from the former registration manager at Heritage Tasmania and a very highly regarded cultural heritage expert, David Scott. He wrote in June 2015 of the some of the resource challenges at Heritage Tasmania. I will read a little bit of it into the *Hansard* -

Dear Sir,

I hereby tender my resignation from the State Service, effective of close of business 9 July 2015. Twenty-seven years of experience in heritage management, indigenous, natural and historic and 19 years senior experience in the public sector, including positions managing the ACT Heritage Unit and as deputy manager to the much larger entity of Heritage Victoria, leads me to conclude that my ongoing tenure at Heritage Tasmania is untenable, because this organisation has lost its way as the state heritage agency.

The strategic direction of the organisation, distinct from operational practice and implementation, appears to no longer consider leadership in heritage management across Tasmania and the delivery of high standards of cultural heritage management, project governance or even public administration as worthwhile business considerations.

I pause here because I can hear the Treasurer seeking to have the Chair stop me reading this damning letter into the *Hansard*.

**Mr Gutwein** - I was just wondering whether it is pertinent to the clause.

**Ms O'CONNOR** - It is very relevant to the operations of the Heritage Council, which goes to my amendment to improve the operations of council by increasing the quorum.

**Mr Gutwein** - I think you are drawing a long bow, but I am happy, you can table it. You can read it and you can do what you like.

**Ms O'CONNOR** - I am happy to provide you with a copy too, because you should have one.

**Mr Gutwein** - You are doing it by putting it on *Hansard*.

**Ms O'CONNOR** - Good. Mr Scott goes on, I will not read the whole thing -

After years of working in an environment of industrial democracy with strong support for my team and self, I perceive that in the past 12 months political and personal motives have begun to dominate governance of the organisation, while concepts of open communication, accountability and transparency have all but disappeared.

I have never experienced an organisation in which individual leaders have strived to avoid accountability for initiatives they instigated and shift blame upon other parties, be it the secretary for having to undertake the project or the staff for implementation issues.

This letter is dated 16 June 2015 and it was in the thick of the time when the Heritage Register was being cut. There are also, as I understand it, ongoing issues within Heritage Tasmania, where we have some fantastic people working really hard doing their best to look after the state's built heritage. It is the old fish rots from the head scenario. When you have a new government that comes in that takes a different approach to heritage, where they will consult the Property Council and not the National Trust on the Historic Cultural Heritage Amendment Bill, it does affect the culture and the leadership of that organisation.

**Mr GUTWEIN** - Regarding authorised officers and what this may mean to the Heritage Council, we expect that authorised officers would need to appear before a magistrate on the rarest of occasions. The vast majority of heritage property owners in this state have a good relationship with the Heritage Council. They understand the value of their property. It is there if needed. An authorised officer would likely be a heritage advisor responsible for implementing the works program, the works manager, or the director of Heritage Tasmania. It does not come necessarily with an additional cost.

**Ms Standen** - I was advised in a briefing that there would be provision with those authorised officers for them to do site visits with local government on occasion.

**Mr GUTWEIN** - If necessary. We believe, and I personally believe, most heritage property owners have a good understanding of the value of their property and the role they play as a heritage property owner. They therefore have a good relationship with the Heritage Council and matters with planning. It is only on the rare occasion -

**Ms Standen** - I am not disputing that, I am saying it is an additional -

**Mr GUTWEIN** - I am saying that an authorised officer would likely be already either a heritage advisor who is responsible for implementing the works approval process, the works manager, or the director of Heritage Tasmania. This would only occur on the rarest of occasions and would not be a significant impost in my mind nor in the advice I have received from the Heritage Council. It leaves the opportunity there should they require it.

Regarding other comments, the member for Clark is calling into question the integrity of members of the Heritage Council.

**Ms O'Connor** - No, I am calling into question the integrity of your predecessors and you.

**Mr GUTWEIN** - The member for Clark is not suggesting that we change a quorum as it appears under the principal act, only if they are to meet out of session. She is suggesting that they can act as a quorum, they can act professionally, diligently and in line with their statutory responsibilities when they meet in one circumstance, but in another you cannot expect that same level of diligence from them.

Shame on you for raising that matter. You are simply doing this for politics. The Heritage Council operated effectively since 1997 with a quorum of seven. They will conduct their duties diligently and professionally whether they meet at normal or ordinary board meetings or out of session. I encourage the member for Clark not to call into question the integrity of the member of the Heritage Council, as she has so significantly done in the last few minutes.

**Ms O'Connor** - No, I am not. A quorum is not under half.

**The Committee divided -**

AYES 2

Ms O'Connor  
Dr Woodruff (Teller)

NOES 21

Ms Archer  
Mr Barnett  
Dr Broad  
Ms Butler  
Ms Courtney  
Ms Dow  
Mr Ferguson  
Mr Gutwein  
Ms Haddad  
Mr Hodgman  
Ms Houston  
Mr Jaensch  
Mr O'Byrne  
Ms O'Byrne  
Mrs Petrusma  
Mrs Rylah (Teller)  
Mr Rockliff  
Mr Shelton  
Ms Standen  
Mr Tucker  
Ms White

**Amendment negatived.**

**Clause 16 agreed to and bill taken through the remaining stages.**

**Bill read the third time.**

**RIGHT TO INFORMATION AMENDMENT (APPLICATIONS  
FOR REVIEW) BILL 2019 (No. 14)**

**In Committee**

**Council amendments to new clauses A and B -**

[5.18 p.m.]

**Ms ARCHER** - Madam Deputy Chair, I move -

That the Council amendments to page 5, new clauses A and B, be agreed to.

By way of explanation, and I do not expect that this will take long, it is a minor technical amendment to the bill that the Government moved during debate in the other place. The amendment is an addition required for consistency with timeframes contained within other sections of the act. It was an oversight in the drafting of the amendment bill, without going into too much detail, that was discovered after we debated it in this House, so the Government moved these amendments in the other place.

The act currently provides a prohibition on the release of information where an external party has applied for internal review of a decision to disclose information. Likewise, where the external party has applied for external review following an internal review, but not in circumstances where an external party must proceed directly to external review in the first instance.

While the bill as tabled in this place provided a new ability for a third party to seek external review of a decision by the Ombudsman, it did not include a specific prohibition on the release of the third party's information before the review period for the third party to seek the review is complete.

The Government's amendment changes sections 36 and 37 of the act to extend the current prohibition on the release of information relating to a third party under the act to the new situation where there is an external review right for a third party, where there has not been a proceeding internal review. Specifically, for example, this will apply where a decision has been made to release information relating to a third party under the act, and there is no internal right of review. That is, the review of the decision will be undertaken by the Ombudsman in the first instance. If the third party applies for a review by the Ombudsman within the 20-day period set in the act, the information cannot be released until the review by the Ombudsman is complete.

**Ms HADDAD** - Madam Deputy Chair, Labor will be supporting these amendments, as we did in the upper House, noting that they are Government amendments, essentially fixing a drafting error in the bill as presented to the lower House. I note that my colleague in the upper House, Jo Siejka, sought clarification around whether this amendment in fact reversed the current powers of the Ombudsman to determine when his review should be implemented by. I put on the record that that clarification was sought and given in the upper House. In fact, as the Attorney-General has outlined,



this amendment is around the release of third-party information. This amendment, therefore, makes the parts of this bill concerning review by the Ombudsman of decisions made by ministers and their delegates consistent with other parts of the act.

I take the opportunity, since we are debating this amendment, to put on the record that while Labor was happy to support this bill and, indeed, make reference again to the fact that Labor initiated our own private members' bill this year which sought to do much of what is achieved in this bill and more, in recognition of the fact that we value transparency, and we value the public's right to information, and also the public's right to seek administrative review of decisions made by people at all levels of government.

**Dr WOODRUFF** - Madam Deputy Chair, the Greens will be supporting this amendment. It makes a lot of sense. What makes even more sense is that the Government has finally made the changes that were required, and have been required for a long time, to the Right to Information Act.

We have to put it on the record that the Government has done everything it can to prolong the process of improving the Right to Information Act, and has been well aware formally, since at least 2016, of the changes that needed to be made. Instead of prioritising the legislation that would fix up this loophole and many of the other deficiencies in the act, some of which are fixed by this amendment bill, the Government did everything it could to prevaricate, to pretend that there was nothing that needed to be fixed, and to stonewall on such an important issue.

As I said in my second reading response, it was really only the continual push and public outcry and finally a case made against the Premier to the Supreme Court by Roland Browne that really brought to light this loophole in a formal legal sense. It was quite clear that the Government could no longer hide and pretend that everything was fine.

We are very pleased this has happened. This Government has a long way to go in terms of openness and transparency with people. We are still waiting for the Minister for Primary Industries and Water, for example, to provide us with a briefing on what is happening to seals in Tasmania.

We have constantly asked for more information about how seals are relocated, the welfare issues to do with protected Australian fur seals, and the operations of fish farming. We are refused information from the minister. We do not get letters responded to, we do not get briefings. Basically, the Government continues to be silent, protecting the aquaculture industry from reasonable questions from the spotlight of animal welfare assessments, and the impact on the waterways of the plastics that are used by fish farm companies, and the explosives that are used to keep seals away from their operations.

That is just one example of many I could list that this Government refuses to provide openness and transparency about - issues which, if there is nothing to hide, then why not reveal the information? It is quite clear that so many times decisions are made as a knee-jerk automatic response to ostensibly protect industries or the activities of the Government from public scrutiny.

Probably, what better example could we have than the secret process around the expressions of interest for the privatisation of beautiful, publicly owned wilderness World Heritage areas, and other reserve estates in Tasmania? That is a classic example of secrecy in a tendering process. The whole go, from beginning to end, that really exemplifies the failure of this Government to have fair dealings and provide openness and transparency in, not just the work they do within their own departments, but the work they do on behalf of Tasmanians in protecting wilderness areas.

We hope that this is the start, and that the minister will be doing what she can to improve the processes of accountability and transparency across other parts of the Government, in addition to this small change that is brought in today by the amendment bill.

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

**Resolution agreed to.**

## **ROADS AND JETTIES AMENDMENT (WORKS IN HIGHWAYS) BILL 2019 (No. 26)**

### **Second Reading**

[5.30 p.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport - 2R) - Mr Deputy Speaker,  
I move -

That the bill be now read the second time.

I present to the House today the Roads and Jetties Amendment (Works in Highways) Bill 2019, which amends the Roads and Jetties Act 1935. The state Government is responsible for managing more than 3500 kilometres of state highways. Keeping the state highway network operating safely and efficiently is of vital importance and managing the works undertaken on state highways by third parties is a key part of this role.

The purpose of this bill is to allow the Crown to better manage works undertaken on state highways by third parties by expanding the powers available under the Roads and Jetties Act to deal with incomplete, substandard and informal works.

Currently section 16 of the Roads and Jetties Act enables third parties to apply for a permit to undertake works on state highways. Examples of the types of works commonly completed include the building of a vehicular access by property owners who need to access their property via a state highway and also, but not limited to, maintenance, pathways, vegetation management, fencing, structures, footpath, kerb and channelling and services connections.

While in most cases these works are completed satisfactorily, there are cases where these works remain incomplete or are of a substandard nature. This most commonly occurs with respect to vehicular access works. These incomplete works have the potential to become a safety risk to road users and a financial risk to the Government.

Currently the minister responsible for state highways has insufficient powers to address the problem of incomplete or substandard works. He or she can only require that the third party cease the works or remove them altogether and restore the pavement to the original condition.

The bill addresses these shortcomings by broadening the scope of the minister's powers under section 16 of the Roads and Jetties Act to:

- require the works to be completed by the responsible person to specified standards and within the required timeframe;

- where works are incomplete, impose additional conditions, remove or amend any conditions on a permit holder after consent has been given for the works;
- require a structure or other works to be upgraded where the minister is of the opinion that the works are not satisfactory;
- require a responsible person to cease erecting or placing a structure or doing other works where any condition of the consent has not been complied with; and
- arrange for the completion of the works and for the costs to be recovered from the responsible person where the works are not completed to the required standards or within the required timeframe.

The minister will only arrange for the completion of the works following a written notice to the responsible person requiring the incomplete works to be completed by a nominated date, being not less than 60 days.

The bill also deals with the issue of informal vehicular accesses on a state highway. These commonly occur where a property owner has been accessing their property via a state highway without there being a constructed and approved access in place. This amendment will ensure that access onto the state highway is via a safe location and constructed in a manner that ensures the safety of road users.

I commend this bill to the House.

[5.33 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I indicate our support for this bill. I have a number of questions which I will get to but essentially this is ensuring that the minister, and therefore the Government, has the appropriate powers to ensure that within a reasonable period of time actions are taken to ensure that the safety of our state highway is maintained.

That is important because it has been growing over the last 20 or 30 years and there have been significant upgrades to our state highways, particularly on the Midland Highway. The safety upgrades that have been rolled out by the Government over the last five and a half years were originally identified by work that was done by the then Department of Infrastructure, Energy and Resources with each local council up and down the Midland Highway. Agreements were made between the state Government and the councils and intersections and sections were identified where a safety upgrade could take place. We took that position to the federal government and they have been funding it ever since and there is no doubt a bipartisan view and support for those upgrades.

The one thing I think is crucially important is that the Midland Highway is our main tourism and freight route between north and south and given the nature of industry on state highways but particularly the Midland Highway, you have a mix of commuter traffic heading north and south, you have tourism traffic and they are unfamiliar with our roads and some of the treatments at various intersections or some conditions as you travel through those sections. It is also a major freight route so we have heavy industrial B-doubles, et cetera, travelling on that state highway, but also because of the nature and the number of our state highways we have agricultural vehicles moving in and out and speed and entry and access to that highway are crucial factors in how traffic behaves on our state highways. Having appropriate infrastructure upgrades and capital investment either by the

state Government or on private land entering on to state highways, clarifying the role and the powers of the minister, are very important.

There is a number of questions I want to ask but one of the main thrusts and justifications for this bill is ensuring there is control of access onto the state highway and ensuring the access is constructed in the safest location and to specified safety and construction standards. That is crucially important. It is important to note that whilst this bill will not deal necessarily with this matter, we know that on the southern section of the Midland Highway, particularly at two intersections, the Melton Mowbray intersection and the Mood Food intersection, there have been recent fatalities and considerable community concern about the construction and treatment of those two intersections.

I understand the minister has sought an engineer's report and also a consultant's report on the Melton Mowbray intersection. The minister, when first coming to the portfolio, committed to a review. Given that this is about state highways and moving traffic on and off the site, we would seek from the minister an indication about where that review is at and what are the recommendations, because when you look at the two fatalities at Melton Mowbray and Mood Food, the upgrades and speed treatments of those two sections of the Midland Highway are questionable.

When you look at the Harbacks Road turnoff as you head to Broadmarsh up the hill from Bagdad over the hill towards Kempton, for those people moving from Harbacks Road onto the Midland Highway turning south, they move across two lanes of fast-moving traffic and into a zip lane where they are able with better judgment to assess the speed of vehicles coming south and therefore there is a give way or a merge and zip lane treatment.

When you look at the construction of the Mood Food intersection, the minister may correct me if I am wrong, but I understand he is not proposing to review that intersection. When people are leaving Mood Food petrol station and takeaway and are moving across the two lanes and heading south, there is no such similar treatment to that at Harbacks and therefore you have fast-moving traffic at 110 kilometres per hour and you have traffic coming out of Mood Food heading south basically having to move very quickly across two lanes of fast-moving traffic and then a single lane construction with no merging options, so effectively they have to get in front.

Tourist drivers with a range of experience and ability driving a range of different cars are doing this. Feedback has been provided to the Labor Party and I know to local representatives in that community that it is an accident waiting to happen. There was a fatality there, so we ask the minister if there is a similar review of the Mood Food intersection.

This is our major highway and it is a potentially toxic mix of traffic and if you do not have appropriate merging lanes or the appropriate ability and margin for error, because in a lot of these constructions there is an ability for margin of error to be applied when there is driver error, or where there is a miscalculation in terms of speed and being able to give way. We understand and we are disappointed that the minister, as a part of the Lovely Banks upgrade, refused to consider an upgrade to the Melton Mowbray intersection. It is about ensuring that any construction or infrastructure investment does not make an intersection or a part of our state highways unsafe.

There is prima facie evidence - and I understand a number of local residents and members of the local council, prior to the upgrade, and prior to the consideration of the committee of public works finalising their report into the upgrade of the Melton Mowbray intersection, flagged concerns. It is devastating for those people, knowing that they have raised concern with the

construction and upgrade in terms of sight lines, speed, and the ability for merging and or zip lane treatments in that area. It is of great concern to them that a fatality has occurred, and there has been a number of anecdotal near misses.

You can only record what is reported, but local communities know their roads, they know their intersections, and when they feed back about these issues, it is incumbent on us as policy-makers and parliamentarians and legislators to ensure that we are taking all appropriate steps to ensure their safety.

Any bill that comes in which clarifies the role and the powers of the minister must have come from somewhere, so we have a question to the minister. We know there were significant upgrades recently to the Mangalore straight, between Pontville and Bagdad. There are a couple of issues, because there are a number of homes that move directly onto that highway. Is this where the problem was identified, and was there a particular case in which there was a dispute between the Government or the department and a responsible person as defined by your legislation, or a land owner? Was there a trigger?

It is important to know if it was along here, and did those safety upgrades trigger those kinds of questions and concerns over the ability of the Government, or the Government through the minister in the department, their powers to ensure that either remediation or an upgrade or a finalisation of construction work would occur?

When you are talking about giving powers to the minister to give 60 days notice to the responsible person to take action, or for the government to take action, and then seek recompense or reimbursement from the land owners, when you are talking about that kind of ministerial power, it is important that natural justice is applied, and people are able to have their say, and that if they disagree, or if the issue is flagged, then they have adequate time to resolve it in a manner that is satisfactory to those people.

I would ask how is the matter raised with the resident or the responsible person? What is their ability to respond, or to dispute, or to say to the Government your decision or your view that the driveway or the access to the highway should be treated in this way creates an unintended consequence for that person as a resident, or an owner of that land?

What we want to hear from the minister is what process will he go through to ensure that the affected persons will have an ability to either negotiate, or have a discussion with the Government around either design or upgrade, or resolution of that. If this bill gives the minister an absolute right, I know there will be recourse to courts, and maybe the minister might outline what the appeal rights are, and the ability to seek compensation or address or relief via the court system. It would be good, for the purposes of *Hansard*, for the minister to put that on the record, but also what steps prior to, because as soon as you go to courts, there are a number of people who live on our state highways who may not have the capacity to go to court. They may not have the financial wherewithal or the ability to seek compensation, and big brother/small brother stuff. They would be concerned that they are taking on the Government and they will not have the ability to have their case heard fairly, because they do not have the capacity to fund a legal battle against the State of Tasmania, or against the Crown. We are concerned about that and we seek to hear from the minister.

To clarify, minister, what are the steps of consultation? What is the ability for the responsible people, as defined, to negotiate and have a response from the Government? We know from time to time these things get lost, and what is the ability for an aggrieved responsible person or persons to

take action for relief from what they would see as a deleterious or an aggressive act by the Crown in terms of their land and their access to their properties?

In your second reading speech, you talk about informal vehicular access on a state highway. It is important that all accesses to a state highway are legal and appropriate. There are clearly, and potentially, a number of informal accesses that have been allowed over time. Can the minister outline what residual rights those persons may or may not have, and how you would resolve that, given that potentially there are many years where people have had informal access to the state highway? We are not endorsing that, but it is an existing situation, it is an inherited situation, and custom and practice potentially could apply. Can the minister clarify his actions or steps or abilities from that perspective?

You also mentioned 60 days. Could you please inform the House of why the 60 days was met? Is there a rhyme or reason to it? Is that just a number of days - two months or thereabouts - where you think it is appropriate? Is there a precedent that has triggered that? Is it too long? Is it not long enough? If the minister could outline to the House the reasons for that.

In doing so and in summing up, we broadly support the bill, pending some responses to ensure that natural justice applies, and that people have the right and the ability to negotiate with the Government to try to find a satisfactory outcome for them should there be a dispute.

[5.48 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, I rise to make a brief contribution on the Roads and Jetties Amendment (Works in Highways) Bill 2019, and to indicate from the outset that we will be supporting this legislation.

It is not a particularly complicated bill, but when you go back and have a look at the principal act, it does provide significantly more administrative powers for the minister to be able to control and to an extent enforce his decisions in relation to structures around the state highways. I was also wondering, minister, what the genesis of the bill was. Obviously there have been lot of roadworks lately, and clearly there has been a case for such a specific amendment bill to arise. I am sure there is a whole suite of people who it will impact, including farmers, landowners, contractors, and potentially people who have a small stall or something on state highways and construction works, I would have thought, too. Is that correct, minister?

**Mr Ferguson** - I am sorry. I missed the last part of your point.

**Ms O'CONNOR** - The bill applies to everyone I would imagine, so there would be farmers and landowners, but also contractors and construction workers who are undertaking construction work on the part of government, and who may have left a structure in a place on a state highway.

**Mr Ferguson** - Correct, or unfinished works there?

**Ms O'CONNOR** - Yes, thanks. Hopefully it will allow you to make sure that our state highways are free of structures that should not be there, and structures, of course, include signage or a billboard.

I noted that the language has tightened up in relation to the capacity for the minister or the Crown to recoup costs for a direction to correct works or remove structures. It tightens up the

provisions that enable the Crown to recoup any costs incurred. The principal act at clause (7), which has been deleted in the amendment bill, says:

If the Minister takes any action under subsection (5)(d), the Minister by written notice provided to the person who is erecting or placing or has erected or placed a structure, or is doing or has done other works, in a State highway or subsidiary road may require the person to pay the reasonable costs of that action, and those costs -

- (a) are a debt due and payable to the Crown; and
- (b) may be recovered in a court of competent jurisdiction.

The amendments remove the word 'may' and instead inserts:

- (10) If the Minister under subsection (7) or (8) authorises a person to take action, the reasonable costs incurred in taking the action -
  - (a) are a debt due and owing by the relevant person to the Crown; and
  - (b) may be recovered in a court of competent jurisdiction.

I simply note that is a reasonably significant change in the administration of the act, where before there was possibly a capacity for discretion in terms of whether or not the relevant person would be required to pay costs and now the legislation makes it clear that the relevant person will be required to pay costs if there are any costs incurred.

This is not a contentious bill. It is not particularly complicated. I believe it has been drafted in the interests of safer highways and subsidiaries, so Dr Woodruff and I are very comfortable supporting the bill.

[5.52 p.m.]

**Mrs RYLAH** (Braddon) - Mr Deputy Speaker, I am pleased to speak on the Roads and Jetties Amendment (Works in Highways) Bill 2019. The Hodgman Liberal Government is committed to investing in infrastructure, with our 2019-20 Budget delivering \$1.6 billion in partnership with the Commonwealth Government to build the transport infrastructure our growing state needs.

This legislation is designed to amend the Roads and Jetties Act 1935 to allow the minister administering the act to address the issue of incomplete or substandard work and informal access onto highways that have the potential to become a safety risk to all our road users and to damage the road pavement.

The bill also enables the control of an access onto state highways, ensuring that access is constructed in the safest location and to specified safety and construction standards. This is of critical importance to road users, whether they be freight haulers, students, tourists, or us as locals. It is not only critical for road safety but for productivity and amenity for road users.

In my time as a member, I have worked for many years on the Public Works Committee, and as a farmer it has always been a concern of mine regarding the recognition and licensing of minor access points onto properties. This is a balancing act. Up and down the highway we are encountering challenging circumstances in relation to existing property access points. The Midland Highway, in particular, is a limited access highway, meaning we cannot allow too many access

points, or vehicles entering onto the highway. This is partly because it is a national highway and due to current legislation it has limited access, meaning we need to limit the number of vehicles that enter onto it from a perpendicular direction. Every time that happens there is a possibility of or potential for an accident, so we limit the number of accesses properties can have. Further, as we know, there are often slow travelling vehicles entering a high-speed environment, which makes it even more dangerous.

This bill also enables the minister to require a structure or other works to be upgraded where the minister is of the opinion that the works are not satisfactory. This amendment allows the minister to address the issue of incomplete or substandard work that has the potential to become a safety risk to all road users and to damage to pavement. Like many members, I find myself on the road a great deal of the time and I take particular interest in my role on the Public Works Committee in the state roads in my electorate.

Let us take a look at some of the issues in my electorate in regard to roads. One of the most productive regions is Braddon, where people know their highway like the back of their hand as they commute from work, school, training or university study and to connect with family and friends. The Tasmanian Government has committed to commence a range of upgrade projects along the Bass Highway west of Wynyard through to Marrawah, approximately 112 kilometres. The upgrade projects will include road widening, overtaking lanes, intersection improvements, some road realignment, shoulder widening, road resurfacing and general road safety measures, including limiting access.

The Bass Highway between Smithton and Burnie is the highest volume freight feeder route connecting to the Burnie to Hobart freight corridor. Current freight volumes are close to 2 million tonnes per annum. That is 200 laden trucks per year, all of which is carried by road. Freight volumes are expected to rise up to 2.7 million tonnes per annum by 2034, or a 42 per cent growth over the next 15 years.

The Bass Highway between Wynyard and Marrawah is a key link for freight, tourism and passengers between the north-west and the key ports of Burnie and Devonport. This single carriageway between Wynyard and Marrawah has an inconsistent road environment with many uncontrolled intersections, narrow road widths consistent with a road designed for a much lower volume of traffic, and different vehicle types than currently uses this highway, in particular, B-doubles.

These projects will improve travel time reliability. Substantial funding has been allocated to infrastructure improvements on the Bass Highway west of Wynyard. Officers of the department and consultants have established a working group with Circular Head and the Waratah-Wynyard Councils, RACT, the Tasmanian Transport Association and the Cradle Coast Authority to develop the Wynyard to Marrawah corridor strategy.

The identification and prioritisation of the areas for improvement within the Bass Highway corridor will be based on the information collected to date and from stakeholder and community feedback. These works are being scoped following consultation in June and July of this year with the community, key stakeholders and a review of the key road parameters, such as the geometry, crash history, travel time and road user data.

The department consulted with the community in July 2019 on the safety upgrades to the Boat Harbour Primary School. The upgrade works are expected to commence in late 2019 early 2020.



The department is also working with the Rocky Cape Hall committee to develop a grant deed to undertake the necessary work for safety improvement at the Rocky Cape Hall.

I would like to make mention of the support of the Morrison Government and its co-funding of projects across the length and breadth of our state. Federally co-funded projects rightly require the highest national standards and that is why this bill is so important for the major projects under construction in the planning and design process. Fundamentally, for the Midland Highway that is towards RAP 3 standard. Australian Government funding for road projects is funded under the National Partnership Agreement on Land Transport Infrastructure Projects, with a new agreement taking effect from 1 July this year. The Australian Government has committed \$117 million in the 2019-20 financial year, \$520.17 million over the foreshadowed Estimates to 2022-23, and \$1.164 billion in total road funding under the current schedule over the forward Estimates and beyond.

**Debate adjourned.**

## **ADJOURNMENT**

### **Mr Robert Webster - Appointment as Magistrate**

[6.00 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Mr Deputy Speaker, I rise on the adjournment tonight to make an important announcement to this House. I have released it by media release earlier today and that is the new magistrate for southern Tasmania to fill the vacancy brought on by the retirement in August of magistrate Sam Mollard, of whom I paid tribute following his last day.

Mr Robert Webster has been formally appointed, pursuant to the provisions in the Magistrates Court Act 1987 that are required. The appointment was undertaken in accordance with the official protocol for judicial appointments. I consulted with all representatives I am required to do so as part of that process. It is a lengthy process but that is openness and transparency in terms of advertising for a role, calling for expressions of interest. There is a short list and an interview process. It is a very robust process needing approval through Cabinet, the executive council, being with the Governor and then the final appointment.

Mr Webster will begin as magistrate on 7 October 2019. He needs to transition to that role. They do go to magistrate's school, believe it or not. He needs to transition from his current roles. If members are not already aware, Mr Webster has been the Chief Commissioner of the Workers Rehabilitation and Compensation Tribunal since 2016. He is also currently the chairperson of the Health Practitioners Tribunal, the Anti-Discrimination Tribunal, the Motor Accidents Compensation Tribunal and Asbestos Compensation Tribunal as part of that role.

He previously practised law in Hobart for more than 20 years and is very well respected within the legal profession. I have worked at various firms and I know he is very well respected. He has significant experience in an early practice in criminal law and subsequently in civil litigation and particularly workers compensation.

He will be across all divisions in the Magistrate's Court. He rose to be partner within his own firm. He started as the associate to the then Chief Justice. He has an enormous breadth of experience in the legal profession. He has held many senior roles with professional bodies. He will

take on that role in an extremely respectful manner. He has a very calm and measured manner. He is a very calm and measured person and this will serve him well. He has an obvious commitment to the proper administration of justice and access to justice for Tasmanians. He will certainly be an asset to magistracy in Tasmania.

I thank Mr Mollard for his very distinguished and lengthy service to the administration of justice in Tasmania. To update the House, consistent with our Government's commitment to our justice system, expressions of interest for an additional magistrate for Tasmania, funded in the 2019-20 state Budget will soon be called for.

### **Surf Life Saving Awards of Excellence**

#### **Kingston Beach Surf Life Saving Club**

[6.04 p.m.]

**Mr O'BYRNE** (Franklin) - Mr Deputy Speaker, I rise tonight on the adjournment to acknowledge some excellence that is occurring in our community.

The surf life saving clubs across Tasmania play an important part in many communities. There are 22 clubs across the state, with more than 2300 volunteers who are committed to saving lives and doing great things in their community.

I was privileged to attend the Surf Life Saving Awards of Excellence night on 11 August 2019. I acknowledge the president, Stephen Godfrey, and the CEO, Tony van den Enden, and his team for pulling together a fantastic acknowledgement of the work of the clubs across the state. I was fortunate to present some of the awards with the Minister for Police, Fire and Emergency Management. On the night Kingston Beach Surf Life Saving Club won two awards: the best premier club and community education program of the year. It is wonderful to see in my electorate a community sporting organisation achieve and be acknowledged for their community engagement. It is wonderful to see them recognised by their peers.

The Kingston Beach Surf Life Saving Club was formed in 2009 but they are rapidly expanding. They had a 207 per cent increase in membership in the last five years. Over 2500 hours were clocked by the wonderful volunteers last season and the surf life saving club took 705 preventative actions last summer. Those actions would have had a significantly positive impact on the community but a profound impact in those people that were the benefit of those actions. On top of that the surf life savers of Kingston hosted 15 community outreach and education events. This means that more people can get involved with the club and more people can learn essential beach safety. The club is constantly working to be better. A first aid room is under construction in anticipation for this summer. The club's vice-president, Philippa Lohrey, describes the club as all heart.

It is not just the buildings that keep them going but the people. We know there have been issues with buildings down at Kingston Beach. We wish them all the world in getting appropriate facilities. The Kingston surf life savers not only work on the beach but they also work in the greater community. They work with primary and high schools. They facilitate education programs, including migrant water safety education. They work with after school programs and competitions.

I thank the club's vice president, Scott Ragg and Philippa Lohrey for coordinating such an important group community activity. I also thank Bridget Fasnacht, the training officer, for training

all the volunteers who are the lifeblood of the organisation. I acknowledge other people involved in the club, including Michelle Neill, Eddie Jager and Lynda Dyer. Most importantly I acknowledge all the volunteers and people who work with the Nippers who keep the club going. I wish them all the very best for the coming season.

I have had a work experience volunteer in my office the last couple of days, Ella Jensen, who assisted in pulling together this contribution. I acknowledge Ella.

## **Questions on Notice - Unanswered**

### **Dorothy Dix Questions**

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Deputy Speaker, it is almost an annual event to bring to the Government's attention that there remain a number of questions on the notice paper that date back many months. It is a responsibility of Government to answer questions on notice, preferably in a timely way. Timeliness is one issue but the fact that questions often do not get answered is the more serious issue.

Ms Butler has a question on notice to the Minister for Health about non-urgent emergency patient transport. That question was put on notice by Ms Butler as the member for Lyons on 2 May 2019. When that question was put on notice we had a different Health minister. Ms Courtney, I hope you will pick up the notice paper and see that there are three questions that have been put on notice by Ms Butler relating to the administration of the Health portfolio on behalf of her constituents from 2 May 2019. For four months these questions have been sitting on the notice paper.

In June this year I asked the Premier on notice which ministers are on the expenditure review committee of cabinet. That question was put on notice on 12 June 2019 after budget Estimates in which we asked a series of questions of ministers about who was on the expenditure review committee of cabinet because no government in the history of this parliament has tried to keep that sort of information secret.

We also asked the Minister for Housing a question that I put on notice with respect to the office of the Residential Tenancy Commissioner in relation to the Residential Tenancy Act and Housing Tasmania's evictions policy. That was put on notice on 7 August 2019, so a little under a month ago.

I simply encourage ministers and minders, because it is minders who bring this sort of stuff to ministers' attention and make sure that an answer is prepared by the department, to recognise that it is a really important part of the Westminster system that we are able to put questions on notice and seek information that way, and it should be honoured by the government of the day. We put these questions on notice in good faith and we hope and trust that they will be answered, or we used to. We do not trust that so much anymore, so I am hoping there is a change of practice after five years of neglecting questions on notice.

I also wanted to highlight one of the deepest frustrations of question time, which is the serried ranks of government backbenchers that ask the Dorothy Dixers. I have complained about this before because I believe we are in here for and on behalf of the people of Tasmania and each of us manifests that in our own way according to our values and our party's policies. We are really not in here to do shameless self-promotion and waste taxpayers' money on having government

backbenchers ask the minister of the day to tell us how terrific they are. The tedious repetition on the first two Dorothy Dixers this morning was again frustrating and a transparent waste of time.

I went back and counted how long the ministers' answers were on Dorothy Dixers. The question from Mrs Rylah to the Premier was beautifully written and I want to share it with the House. She asked:

Could you outline to the House how the Hodgman majority Liberal Government is delivering our long-term plan to keep Tasmania's economy strong and to support job creation? Are you aware of any alternative approaches?

It is poetic, isn't it? It is just sweet. We then had that same question a little bit later, but that question was asked at 10.11 a.m. and the next question was asked at 10.17 a.m., which means it was a little over five minutes on that Dorothy Dixer, which is again on the public purse. Then we had another gloriously written - just so much talent - Dorothy Dixer from Mr Tucker to the Treasurer, Mr Gutwein, who asked:

Can you update the House on the state of the economy and jobs in Tasmania under the Hodgman majority Liberal Government's economic plan? Is the Treasurer aware of any alternative economic plan for the state?

Again, just a masterful use of the English language. The question was asked at 10.34 a.m. and the next question was from Ms O'Byrne to the Premier at 10.40 a.m., and on it goes.

Each of the four Dorothy Dixer questions this morning were running at just under six minutes. So, in question time that is supposed to be an hour, we have 24 minutes of Government backbenchers asking ministers they have actually had a cup of coffee with that morning or been in the party room with to tell us how terrific they are, on the public purse.

The New South Wales parliament has moved on Dorothy Dix questions because in this day and age they are impossible to justify as they have become such distortions of the original idea of getting backbenchers to ask questions, which was that they could represent their constituents, not their political party. The New South Wales parliament has moved on Dorothy Dixers, and the Commonwealth parliament is now conducting a review of question time and Dorothy Dixers are on the table. It is something this parliament will need to grapple with. It might not happen this week or next week but it will happen, because we have to look the people of Tasmania in the face and hand on heart say we are doing our best for them in here. Being a backbencher who asks a scripted question of a minister who has a scripted answer in order to fill time to avoid scrutiny is not doing our best by the people of Tasmania. It is not something that the Greens practised when we were ministers and we do not believe it should be practice.

We did not get those shallow Dorothy Dixers and if we were asked a question by a colleague, particularly someone like Mr Booth, we had no warning whatsoever. At the Estimates table when Paul O'Halloran asked me a question, I did not know what he was going to ask me.

**Dr Broad** - You are talking about DDs in here? You are saying that they didn't know what the DDs were going to be in here?

**Ms O'CONNOR** - No, we didn't.

**Time expired.**

## **Brian Inder - Tribute**

[6.15 p.m.]

**Mr JAENSCH** (Braddon - Minister for Disability Services and Community Development) - Mr Deputy Speaker, for the member who has just resumed her seat, the question she referred to me should be on its way back to her after being redirected to the appropriate minister, I think the Attorney-General in this case for the Residential Tenancy Act. That is on its way.

**Ms O'Connor** - Do you think I will get an answer to that question? It was about Housing Tasmania's evictions.

**Mr JAENSCH** - Mr Deputy Speaker, there was a farewell party in Sheffield today for the late, great Brian Inder, who attended the party in a rainbow-painted coffin decorated by his friends, surrounded by spring flowers in the Mural Park he founded in the part of the world he loved and made famous. He was the creator and founder of Tasmazia and the village of Lower Crackpot, the International Mural Festival, Blooming Tasmania, West/North-West Regional Tourism, which later became Cradle Coast Tourism, which is where I met him, amongst other things.

I met Brian in 2000 when I first arrived and became involved with Cradle Coast Tourism. He was a man who did not suffer fools and he made fools of lots of people who thought he was a dreamer. I was probably one of them for quite a while. I understand that Tasmazia was a childhood dream of his to create a full-scale hedge maze and he brought a childlike ability to dream and conceive of the absurd, the unique and the original to everything he did. That made Tasmazia a magical place for kids that was magnetic to them and a place, when we arrived and disgorged our kids out into his mazes and his village of Lower Crackpot, they just disappeared and enjoyed it to their hearts' content and then had massive pancakes with too much cream, which never made it home contained in the same little bodies they entered earlier on.

He really was the Willy Wonka of Tasmanian tourism and made a huge impression on our industry. That is why he was awarded the Tasmanian Tourism award for outstanding contribution by an individual in 2005. He has also been awarded and named lots of other things in his time. He called himself the 'Laird of Lower Crackpot'. He has been called a tourism pioneer, larger than life, a genius ratbag and one of a kind. We certainly will not meet anyone like him ever again and we will never forget him.

In typical fashion, Brian Inder made sure of that by putting these words in bronze on a stone at the edge of the world. It says:

I cast my pebble onto the shore of Eternity.  
To be washed by the Ocean of time. It has shape, form, and substance. It is me.  
One day I will be no more. But my pebble will remain here.  
On the shore of eternity.  
Mute witness from the aeons.  
That today I came and stood At the edge of the world.

Thank you and farewell, Brian Inder. We send our deep condolences and our happy memories to your wife, Laura, and your family.

**Violence Against Women**  
**Reclaim the Night - Launceston**  
**Specialist Family Violence Services**

[6.18 p.m.]

**Ms O'BYRNE** (Bass) - Mr Deputy Speaker, I will add my voice to that as well. Brian was a delightful human being and I really enjoyed the times I spoke with him.

This week is Women's Health Week and I want to speak briefly on the single biggest preventable cause of death, disability and illness in women aged 15 to 44 years, and that is the fact that women die violent deaths, quite often at the hands of someone they know and trust.

It is three weeks since parliament sat and I stood in this House and talked of the 31 women who had died already this year. In the three weeks we have not been sitting three more women have been killed. Michaela Dunn was 24, Kayla Rose Halnan was 26, and just last Saturday the remains of Danielle Easey were found. She was 29.

It leads me to talk about the movements that have worked so hard to raise the issue of violence against women and their obligations in society. Reclaim the Night was a common feature in Launceston for many years and one of the challenges has become that over the years the women's sector groups responding to many of these cases are so overwhelmed that they no longer have time to organise a march. They cannot organise a rally because they are too busy picking up the pieces of women who have been hurt.

Recently a most wonderful woman, Jackie Anifandis, took it upon herself as a survivor of violence to restart Reclaim the Night in Launceston. She organised rallies on 7 June and 9 August. Every two months we are going in to walk around the streets of Launceston and take our space back. The next walk will be on a significant day for Reclaim the Night, 25 October, when there will be a dinner, a performance by some fantastic local women - Susannah Coleman-Brown, Penny Feather and Steph, Eloise and Lewis Thetford, and some other big names who at this point are still in negotiation. After dinner and those performances, we will once again walk to reclaim the night.

I am wearing my little 'Reclaim the Night Launceston' badge that people get when they turn up to these events. The numbers of people turning up at the last three event have been fantastic.

This leads me to something that I think is significantly putting women at risk of violence - the Morrison Government's decision that the \$10 million pledge for so-called specialist family violence services will go to a select list of family relationship services to provide a range of services, including couples' counselling and mediation with a whole-of-family approach.

In the grant these services were described as contributing to fill in the gaps in service provision for victims of domestic and family violence. However, Hayley Foster, Director of Women's Domestic Violence Court Advocacy Services New South Wales, has said -

This flies in the face of years of consultation with women's safety experts and survivors of domestic, family and sexual violence. We have set our clear guidelines for reform in this sector, and drawn attention to a number of crucial service gaps, neither of which this funding will address.

The services are said to fall under the 12-year National Action Plan to Reduce Violence Against Women and their Children, yet fundamentally this does not fit with the agreed-upon principles and

actions of the plan. Nowhere, no sensible person other than the - obviously not sensible - Morrison Government members are suggesting we should go back to the days when we recommended couples' counselling or couples' mediation in the context of family violence. Nobody thinks we should put victims of violence at risk by forcing them to be in the room with the perpetrator of that violence.

Except in the case of highly specialised family dispute resolution for family law matters where you have specialist legal and domestic violence services, the action plan explicitly recognises the need for all governments to work collaboratively to build the evidence base, to share the information and to track performance.

This decision by the Morrison Government is a blatant disregard for the advice of women safety experts and domestic violence survivors. The high-quality research body for women's safety, Australia's National Research Organisation for Women's Safety - ANROWS - which informed the three-year plan, is extremely concerned about the risk women are going to be put under.

The grant guidelines for the new services do not specify any requirement for a gender-responsive approach consistent with specialist violence services, nor a requirement to meet standards for men's behavioural change. Indeed, there is no requirement whatsoever that the relationship service has any experience delivering specialist domestic violence services.

As Ms Foster says -

The unfortunate truth is that expanding services which invite families to undertake couples counselling or mediation in the context of domestic violence, outside of a highly specialised environment ... will put women and children's safety at risk ... experts, including men's behavioural change practitioners, know this from work with families. And we along with domestic violence survivors have told the Government this so there is no excuse for this sort of policy-making on the fly ...

The Morrison Government must reconsider this funding and go back to sector experts and their state and territory counterparts for advice as to the most urgent need for this funding. Ms Foster says we cannot muck around. As I said, this is the single biggest preventable cause of death, disability and illness in women aged from 15 to 44 years. Funding is urgent and it should go where it is needed. We should not be running any ideological agenda on women's safety that flies in the face of all the evidence, and puts women and children at risk.

### **Ted Howe - Tribute**

**Smithton Wellbeing Indoor Recreation and Leisure Centre**

**Wynyard Cheese - International Cheese and Dairy Awards**

[6.24 p.m.]

**Mrs RYLAH** (Braddon) - Mr Deputy Speaker, on 17 August 2019, Braddon - indeed, Tasmania - lost one of our true heroes. At 102 years of age Ted Howe was a World War II veteran and the last surviving Tasmanian to have served on the Kokoda Track.

I met Ted at Anzac services in Penguin over several years and chatted with him on each occasion. He was a proud veteran, but also a quiet thoughtful man. His daughter, Mrs Susan Grist, recalled a story her father once told her of a time during the war when the enemy was approaching

and there appeared to be nowhere to hide. He said, 'If I get out of this, I will serve you the rest of my life'.

That he did. Ted returned to live in Penguin where he proudly served God and the community. He held five life memberships, volunteered for Meals on Wheels and was a stalwart of the Penguin RSL sub-branch and the Penguin Footy Club, the Two Blues.

Ted loved his footy. An injury to his legs sustained while he was serving in Syria meant he could no longer play footy when he returned; however, this did not stop him as he trained the Two Blues for more than 60 years. Ted was so loved by the Penguin Footy Club that it was said of him that -

Every single person who's come through this footy club has had some interaction with Ted and they all adore him. He is our hero. He wasn't only a hero in what he did for our country.

Ted was born to Mole Creek dairy farmers. He married Edna Lancaster in 1937 and is survived by his daughter, Susan Grist. He was a local legend and will be remembered as a loving father who served his country, community and footy club until the end.

We extend our sincere condolences to Ted's family and many friends, and thank him for his service to our nation and to our community.

On a brighter note, recently I was delighted to represent the Deputy Premier and to join my federal colleague Mr Gavin Pearce at the opening of the Smithton Wellbeing Indoor Recreation and Leisure Centre, SWIRL; Ms Dow, you were there too.

**Ms Dow** - I was, Mrs Rylah. It was very enjoyable.

**Mrs RYLAH** - The Hodgman Liberal Government was pleased to partner with the Circular Head Council and the Australian Government to develop this important and significant community-based project. This was a jointly funded project, with the Tasmanian Government contributing \$3.5 million to the \$12 million construction costs.

The Hodgman Liberal Government recognises that to improve the health and wellbeing of all Tasmanians and become the healthiest population in Australia by 2025, we need to think differently about how we can deliver a whole-of-community approach to our wellbeing. SWIRL will provide a variety of health and wellbeing programs and facilities to the 8000 people living and working in the Smithton area. This includes both Aquasize and Aquafit classes for all ages, and the GOswim lessons bringing new and effective ways of learning how to swim to the community.

The facility includes a six-lane, 25-metre swimming pool, a program pool and an aquatic play area as well as a multipurpose room. The design and engineering are environmentally friendly, utilising a biomass woodchip boiler heating system with solar water preheating and solar panels lowering the centre's carbon footprint in a first for this state.

The Circular Head community was without a swimming pool for more than three years. The funding applications were lodged with the Australian Government in March 2016 and discussions commenced with us at the same time. Funding was announced by the Australian Government in October 2016 and with the Tasmanian Government in December 2016.



The detailed design process commenced in January 2017; following the tender, Stubbs Construction, a Burnie-based construction company that also completed the Burnie Aquatic Centre, was awarded the work and commenced operations in October 2017. The facility had a soft opening in May after approximately an 18-month construction period. I acknowledge the Circular Head community and congratulate it on its substantial funding efforts in contributing in excess of \$30 000 towards the project. I congratulate Stubbs Construction and all its workers; Whitton Brothers, for developing the new chipping plant; Harts, the Austrian wood-burner, wood pellet manufacturer and its partners in Australia; the Circular Head Garden Club for planting and landscaping the area; the Circular Head Lions Club; and past and present Circular Head councillors.

Finally, it is well known that farmers in my electorate of Braddon produce some of the finest produce in Tasmania and, may I say, the world, so it is no surprise that recently Wynyard Cheese, a division of Fonterra at Wynyard, picked up two gold medals, one silver medal and one bronze medal at the International Cheese and Dairy Awards in the United Kingdom.

The International Cheese and Dairy Awards have been held for 122 years and are considered the penultimate competition for cheese and dairy foods with independent judges from all around the globe assessing more than 5000 cheeses from more than 50 countries. The regional operation manager for Fonterra, Steve Taylor, described the awards as the cheeses' version of the Oscars and these awards were the top recognition of all the hard work that goes into cheese-making products.

This year Wynyard Cheese took out gold medals for their New Zealand MP tasty cheddar in the best Australian cheese cheddar mature category, for their NZ MP mild cheddar in the mild cheddar cheese white or coloured non-UK category, a silver medal for their mild cheddar in the best Australian cheese cheddar mild category and a bronze for their NZ MP extra-tasty cheddar in the best Australian cheese category. I congratulate Fonterra.

### **Chinese Community in Tasmania**

[6.30 p.m.]

**Ms HADDAD** (Clark) - Mr Deputy Speaker, last night I was delighted to attend a dinner celebrating 70 years since the founding of the People's Republic of China. It was quite an historic event because it was in fact the first time there has been a formal celebration of that day held in Tasmania. The dinner was held in honour of the Consul General of the People's Republic of China to Australia in Melbourne, Mr Long Zhou and his wife Madam Chu Wenrong, who attended the event along with several Tasmanian and Victorian dignitaries. Importantly, it was also attended by many and varied associations of Chinese people working, living and studying here in Tasmania. Each of the speakers spoke about the importance of the relationship between our two countries as well as the economic rise of China from a rural country dominated by agriculture to the second-strongest economy in the world in just 70 short years.

Attending the dinner gave me a chance to reflect on the importance of the Chinese community to Tasmania and Australia. The Chinese began to settle in Australia soon after British settlement in 1788 and their numbers increased with the gold rush in Victoria in the 1850s. The first arrivals to Tasmania came from the Australian mainland to work in the gold fields at Mathinna. Later tin mining in the north-east saw the number of Chinese migrants increase. Many in the Chinese community in the 1800s in Tasmania were very successful tin miners and made good business out of it. The Chinese now represent one of the top 10 ethnic origins of Tasmanians.

Looking at the history of Chinese in Tasmania shows many significant contributions. One in particular I thought might be interesting to the House is the story of a man named Thomas Jerome Kingston Bakhap, born in Victoria not to Chinese parents but his father was unknown. His mother, Margaret Hogan, married a Cantonese man by the name of George Bakhap. The family later moved to Tasmania drawn by tin mining. Despite his European origins he was very close to his Chinese stepfather and learnt to speak Cantonese fluently. He identified as Chinese-Australian. He was later elected to the Senate, representing Tasmania in 1913.

Another to note is the development of Launceston's Cataract Gorge which was funded by the proceeds of a Chinese carnival held in 1891 to celebrate the Chinese New Year. At that time it was hailed as the most significant and magnificent pageant in the history of the colony. There were fireworks, 10 000 lanterns, operas and around 4000 spectators on that first day, which would have been a significant crowd back in the 1800s.

What has been consistent since that time is the contribution Chinese migrant communities have made to the economy as migrants and business people, not to mention their contribution to the diversity of food and other cultural influences they have brought to the broader Australian community, for which we are much the richer.

In 2014 an art book was prepared reproducing the work of Chinese-born artist Chen Ping, who is based in Tasmania to present to Chinese President Xi Jinping on his visit to Hobart. The president's visit to Tasmania put Tasmania on the map as a destination for Chinese tourists and was mentioned by all the speakers at the dinner last night as a significant further step in cementing and recognising our strong ties.

Recent years have also seen a steady flow of Chinese students to Tasmanian education institutions at schools, TAFE and the university. Vice-Chancellor Rufus Black was one of the guests at the dinner last night as well as academics from the university and students from a number of Hobart high schools. It is a common experience that students tend to establish enduring connections with the place they study in. Typically it is the children of well-to-do families that can afford to study abroad. The Chinese are no exception and when students return to China they often become leaders of industry and in many fields of endeavour. The connections and relationships they make in Tasmania form a store of cultural and economic wealth in the future, from which Tasmania and Tasmanian life can only benefit.

I will finish by noting that in the last year or so the fact that there is Chinese interest and presence in Tasmania has drawn adverse attention and criticism, much of which has been unfair and unfounded. I recognise the importance and support the need to safeguard against any political interference or improper business takeovers not in Tasmania's interest or the disproportionate purchase of land by any foreign national, whether Chinese or otherwise. Any improper foreign influence on our political or economic landscape must not be allowed. However, I have heard from several members -

**Dr Woodruff** - And the influence of the Chinese Communist Party government officials in Tasmania who are doing that work right here, right now, Ms Haddad.

**Ms HADDAD** - This is precisely why I am making this statement tonight.

**Dr Woodruff** - Just be clear about the facts.

**Mr DEPUTY SPEAKER** - Order, Dr Woodruff.

**Ms HADDAD** - I have heard from several members of the Tasmanian Chinese community who say that merely due to their Chinese appearance they experienced vilification and hostility in our communities, particularly last year when these concerns reached fever pitch.

**Dr Woodruff** - You've heard from the Hong Kong students who have been stalked by China's Communist Party fake cars in our state? Have you heard from those people?

**Mr DEPUTY SPEAKER** - Order, Dr Woodruff.

**Ms HADDAD** - In Australian politics and Australian society we must be vigilant to recognise the fine line between criticism and racism. I believe it is wrong and un-Australian and not in anyone's interest -

**Dr Woodruff** - It's not racist to talk about a foreign government's interference in our state democratic processes.

**Mr DEPUTY SPEAKER** - Order, Dr Woodruff.

**Ms HADDAD** - I respect Chinese-Australians in our community and trust in the respect that we should extend to everyone.

### ***The Rise and Fall of Little Voice - Devonport Choral Society***

[6.36 p.m.]

**Mr ROCKLIFF** (Braddon - Minister for Education and Training) - Mr Deputy Speaker, I would like to speak about the great theatrical experience I had in my electorate in Port Sorell last Friday night when I went to the production of *The Rise and Fall of Little Voice*. It was performed by the Devonport Choral Society and was directed by Emil Djakic, who is well known across the coast, particularly Ulverstone, and produced by Simon Baldock.

It was at the Banksia Performing Arts Centre, which is a terrific venue and one that the person that I was sitting close to, Councillor Gary Simms, is very passionate about developing and investing in and ensuring that that centre adds greater value to the Port Sorell-Shearwater community. Gary spoke very briefly prior to the performance and then handed on to Peter Freshney, the Mayor of Latrobe, who spoke very eloquently about the value of arts in our community.

It was a fantastic performance in a great venue and the Devonport Choral Society does a tremendous job with respect to entertaining throughout the year. There are a number of events coming up soon, as I understand. I want to pay tribute to the cast. It was an incredible cast, I have to say, of talented people. Andrea Hay played Little Voice, Carolyn Harris played Mari Hoff, Mike Brooke was excellent as Ray Say, Ross Hay played Billy, Barbara Gilbery was Sadie, the phone man was played by Robert Hopwood and took me a little time to recognise Mr Boo, who was played by Sid Sidebottom. He was fantastic, I have to say, really very good. We know Sid's contribution to the performing arts has been more than significant over many years. It was a thoroughly great night.

There was a number of local and further afield people there to support the event. I hope that others can continue to go. I think it runs to 14 September, so I would encourage members of the House and the local community to support a great performance in what I hope will be a really great

venue in future in the Banksia Performing Arts Centre. I commend Simon Baldock and Councillor Gary Simms from Latrobe Council for their passion with respect to developing that.

## **Smithton - Regional Jobs and Government Support**

### **Father's Day**

**Dr BROAD** (Braddon) - Mr Deputy Speaker, I rise to talk about a serious issue for the Circular Head community, that is the empty shops that are in the main street of Smithton. I am talking about Emmett Street, in particular, between Smith and King streets.

I was at Circular Head last week, mainly to talk to concerned farmers and businesses about the Government's plan for a farm tax, which they have backflipped on. I was shocked to see there were six or seven shops in the main street closed, empty and with 'For Lease' signs. When talking with community members I learned another couple of shops were also going to shut. Almost half the main street of Smithton will consist of empty shops. This is shocking.

This is a real issue about regional jobs, especially in the far flung corners of Tasmania. We are seeing a retail recession. It is a jobs issue. Each of these shops must have employed two, three or maybe more people. Those people are obviously out of work as these shops have shut. I also heard about business owners who unfortunately had to walk away from their businesses because they had it for sale for a period of time and could not find a buyer. This was very concerning.

The other thing that is concerning is that I have not heard or seen any action from the Government regarding this situation in Smithton. I wonder if they are even aware of the situation in Smithton. It would be very obvious to members going to Smithton that these shops are shut.

What struck me is the Government's rhetoric of a golden age and how the economy is growing. In Smithton there is a retail recession. I would like the Government to put forward some strategies to try to turn this around. If jobs are not available in communities like Circular Head, then people must either drive out of the community every day to find work or leave, which is a very bad circumstance. I urge the Government to take note and to think about putting in place a 'Buy local' campaign to get that community's retail moving. It is a massive problem.

I would also like to talk about something that happened on Sunday - not our state conference - it was Father's Day. To all the fathers in this place, I sincerely hope you had a wonderful Father's Day. We all work long hours and we are often away from home, especially those fathers from the north of the state. Father's Day is a time that we can, for a moment, forget about politics and spend quality time with our families, to not only have our kids tell us how much they love us but also tell our kids how much we love them.

We had the state conference. In my situation the state conference was in Burnie and it was Saturday and Sunday, so probably not planned the best. I still managed to get some cuddles before I left in the morning and then I was back a little bit after lunch. That was pretty good.

The thing I really like about Father's Day, apart from the way the kids react to Father's Day and the love they express, are the little knickknacks they give you: the little things they have made at school that are awesome. I will move them to my office. One of the best presents was from my eldest daughter. She got me, or was pushed to buy, a mug that said, 'Dad's strength is not in his

jokes'. The mug has that written on both sides. It has a muscly arm that makes up the handle. I have been working on the guns lately.

**Members** laughing.

**Dr BROAD** - Jokes - I get a laugh. My kids are a pretty tough crowd so they would not laugh at that. They did think that buying this mug was hilarious. At least I got a laugh out of that, so maybe I am winning.

To all the other 'World's best dads' in this place and elsewhere in Tasmanian, happy Father's Day.

**Brian Inder - Tribute**

**George Christie - Tribute**

**Deloraine House - 30 Year Anniversary**

**Operation Christmas Child Shoeboxes**

**Landcare Action Grants - Sillwood**

[6.45 p.m.]

**Mr BARNETT** (Lyons - Minister for Primary Industries) - Mr Deputy Speaker, I am pleased to pay tribute tonight to two people larger than life: Brian Inder, tourism icon for Sheffield in northern Tasmania and my dear friend George Christie, a larger than life character from Deloraine.

I knew Brian off and on in my parliamentary career, both in my state parliamentary career and also my federal parliamentary career as a senator. He has been larger than life for many, many decades. Brian was born in Manly in New South Wales and moved to Tasmania in 1973. He has, sadly, passed away. Today there was a very special celebration of his life in Sheffield and murals were draped over his coffin.

He was a one-of-a-kind character. He died at the Mersey Community Hospital late on Tuesday night after a battle with cancer, aged 88. He was an industry pioneer who long ago tapped into that quirky and uniquely Tasmanian character that has helped shape our tourism industry.

In 1987 he established the world-famous Tasmazia and the Village of Lower Crackpot at Promised Land, not far from Sheffield, Cradle Mountain and the Lakes District. It is known as the world's largest maze. He was a major tourism icon, not just for that region, but for all of Tasmania and the country.

He established the Edge of the World at Arthur River on Tasmania's west coast. He was instrumental in the establishment of the annual mural fest and the mural park at Sheffield. It is something we are so proud of as Tasmanians. Sheffield has an estimated 140 murals. Mayor Tim Wilson does a great job promoting that.

Brian was a man of vision and did so much to support the local community, including the establishment of the community bank in Sheffield. He was the key driver behind the Mount Roland cable car proposal. He has been working on that for many years.

He was awarded the Tasmanian Tourism Award for Outstanding Contribution by an Individual in 2005. The Tourism Industry Council of Tasmania chief, Luke Martin, said of Brian Inder -

With vision, personality and decades of hard work Brian and his wife Laura have created Tasmazia, one of our state's most popular visitor attractions that will remain an enduring drawcard for visitors into the Promised Land and regional Tasmania for many years to come.

Brian has always had a very strong and logical vision for our industry and speaking with him a few months ago it was apparent he was still as sharp as a tack in his insights on some of the challenges and issues we are dealing with around growth and developing the industry sustainably.

He was a wonderful man, larger than life. I really enjoyed getting to know him and was enthused and responded positively to his passion and his love for his community and the tourism potential of this great state.

I want to also pay a tribute to George Christie. His funeral was last Monday in Deloraine. I attended that with my colleague and friend, Mark Shelton, and many members of his family and friends. He passed away peacefully at Deloraine hospital on 16 August. He was the loved and loving husband of Joyce, who is deceased, and Alison. Alison is a dear friend and has been a long-time supporter with George of the Liberal Party and the Liberal cause in Deloraine and the Meander Valley. He was also the loving father of Ron, Colleen, Glenn, Janeen, who is deceased, Deirdre, Scott, Andrea, Jason, deceased. He was the stepfather of David and partners. He was a Poppy, as I understand, of 31 grandchildren and 52 great grandchildren. He dearly loved the family. He was a wonderful man with a big heart. He was a strong advocate for his local community and was a member of the Western Lyons branch of the Liberal Party.

I also congratulate Deloraine House on its 30-year anniversary celebrations. I was there with my wife Kate on the weekend. We had a great time on Saturday. It was a warm and inviting day. A wonderful spring day and the 30th birthday celebration.

It was opened in 1989 by a group of community members, and Deloraine House has helped to create those connections in the community. It is a real hub for the community. I had my office in Deloraine and they do so much good work.

It was a wonderful celebration. The core goal for the House is to create that space where people can meet comfortably, reduce the social isolation, encourage community involvement, and tackle some of those more serious social problems and challenges that we have in our communities. They are supported by the Hodgman Liberal Government in terms of funding, but they do so much good work and provide those services, whether it is eating with friends, the Heart Foundation Walking group, community groups, child and youth activities, community gardens, produce programs for meals, and they also aid community events.

This week, through Hydro Tasmania, they have some pumped hydro information sessions coming up. As minister for Energy, I would like to promote those sessions for members of the local community to get that education and information.

Finally, Samaritan's Purse at Westbury, again with my dear wife Kate, a high tea to support the Operation Christmas Child Shoeboxes, a wonderful venture and objective. Samaritan's Purse does a terrific job, and it was an absolutely packed church hall at Parklands Baptist Church in Westbury. It was packed to the hilt, with a lot of familiar friends and family members. For \$15 per person

they put on a high tea like you have never seen before. There were sandwiches and cakes, cream cakes - and all sorts, uphill and down dale packed it out. We had singing, talks and messages and the wonderful support that the Christmas Child Shoeboxes provide to people and children in developing countries, including Cambodia. It was a wonderful day.

It was in fact topped off by time with the Landcare Action Grants at Sillwood near Carrick, and I thank both John and Nancy Bell for hosting us there. Landcare do such a good job in promoting and supporting these efforts around Tasmania to keep clean our waterways and riverways.

There are more than 200 Landcare groups around Tasmania, and thousands of volunteers. Making those funds available through the Hodgman Liberal Government, \$200 000 has delivered a \$470 000 benefit of on-ground works, and that will continue. Well done to Landcare Tasmania, TFGA and all those farmers involved.

**Time expired.**

### **Climate Change as a Health Emergency**

[6.52 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, I rise tonight to recognise the leadership of the Australian Medical Association, which has joined with other health organisations around the world, including the American Medical Association, the British Medical Association, Doctors for the Environment Australia, and today has made a strong statement recognising climate change as a health emergency.

Their statement notes that we will have early and very severe health impacts on people in Australia and Pacific, along with people across the world everywhere.

The AMA recognises the evidence of climate change is complete and irrefutable. It shows that there are impacts for patients and communities already, which will continue to worsen into the future, they say.

The AMA President, Dr Tony Bartone, said today the scientific reality is that climate change affects health and wellbeing, and will cause high mortality and morbidity from heat stress. It will cause injury and mortality from increasingly severe weather events, increases in the transmission effect of airborne diseases, food insecurity resulting from declines in agricultural outputs, and a higher incidence of mental health. Dr Bartone notes that these effects are already being observed internationally and in Australia.

The significant health impacts of climate change have been well known for some time now. The AMA has held a position on the relationship between climate change and health in 2004. At that time I was working at the National Centre for Epidemiology and Population Health at the ANU in Canberra undertaking research for the Commonwealth Department of Health on the future climate change impacts for Australia and the Pacific.

I co-produced a report with the AMA at the time, and Greenpeace, that addressed the need to limit global greenhouse gas emissions to 350 parts per million to avoid damaging impacts on human communities. That seemed like an impossible future where parts per million for carbon dioxide

would be 400, but it seems we have already passed that unbelievable future and that is actually two years behind us for the planet.

Levels of heat-trapping greenhouse gases in the atmosphere have reached yet another record high and the World Meteorological Organisation said last October that the concentrations are now 405 parts per million, so beyond what we thought was possible a mere 16 years ago. These have gone up steadily year by year and there is no sign of this trend reversing, the WMO says. There has been a 41 per cent increase in the heating of the planet that is causing sea level rise, ocean acidification and more extreme weather.

The science is clear. Without rapid cuts in carbon dioxide and other greenhouse gases, this will have increasingly destructive and irreversible impacts on life on Earth. According to the World Meteorological Organisation's secretary-general last year, the window of opportunity for action is almost closed. The latest official data released last week confirms that Australia's greenhouse gas emissions continue to rise. National emissions increased by 3 million tonnes just last year and they have been jumping year on year.

This is a trend that is causing damage to human life in Australia now and we call on the Minister for Health, the Minister for Mental Health, the Minister for Energy and the Premier to do everything they can to work with AMA Tasmania to develop a strategy for the state for health and climate change, to work with Doctors for the Environment Tasmania on their plans to have resilience and to help people adapt with the anxiety and stress they are feeling about the failure to recognise the reality of what is happening on the planet and the failure of this Government to recognise we are in a climate emergency.

I plead with the Minister for Mental Health and Wellbeing who is sitting in the Chamber. That is fantastic but we need the whole Government working with the AMA and other health bodies to help us adapt for a future that is no longer the future. It is the present. We have the next summer in front of us. We can be doing more to prepare for that. We know some of the things that need to happen. We learned from what happened last year in Geeveston, Huonville, central Tasmania and on the west coast. Doctors for the Environment Tasmania learned from those communities. They have ideas for what we need to do. Let us not have communities suffering like they did last year when we can do more to help people prepare.

### **Carbon Monoxide Detectors in Dwellings**

[6.58 p.m.]

**Ms BUTLER** (Lyons) - Mr Deputy Speaker, I rise to talk about the concept of regulation and safe installation and maintenance of carbon monoxide detectors in privately owned or tenanted dwellings with internal gas appliances. This was brought to my attention by a lady who is a close family friend of a mother - and I have read the coroner's report, it is quite disturbing - who a few years ago placed her two young sons in the lounge room next to the gas heater because it was a really chilly night. When she came back to check on them they had both passed away.

It is something that in Australia we do not have a standard or regulation for carbon monoxide detectors, but it is standard in Europe. There are lots of inconsistencies with detectors available in Australia, for example placement of them, usage of them, and there is a bit of a short lifespan for a lot of detectors available here as well. There is much work to be done in this area but it was a tragic case of those two young lads. There was also a tragic case of two men in a boat in Tasmania who



had had a few drinks, fell asleep and did not wake up due to carbon monoxide poisoning. There was little ventilation in the boat and it was another tragic case where a detector possibly could have woken them.

**Time expired.**

**The House adjourned at 7 p.m.**