

Wednesday 16 October 2019

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

TABLED PAPER

Tasmania's North East Railway Corridor - Final Report

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council)(by leave) - Mr President, I table the Government's response to Government Administration Committee B's final report on Tasmania's North East Railway Corridor.

Report tabled.

SUSPENSION OF SITTING

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

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

This is for the purpose of our briefings.

Sitting suspended from 11.06 a.m. to 12.20 p.m.

RECOGNITION OF VISITORS

Mr PRESIDENT - Honourable members, I welcome to the Chamber all the way from sunny downtown New Norfolk, grade 5 students from St Brigid's School - a very good school. I am sure all members will join me in welcoming you to the Legislative Council today.

Members - Hear, hear.

VEHICLE AND TRAFFIC AMENDMENT BILL 2019 (No. 19)

ROADS AND JETTIES AMENDMENT (WORKS IN HIGHWAYS) BILL 2019 (No. 26)

ROADS AND JETTIES AMENDMENT (VALIDATION) BILL 2019 (No. 25)

Third Reading

Bills read the third time.

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

Second Reading

[12.22 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) -
Mr President, I move -

That the bill now be read for the second time.

I thank all presenters who came this morning. Some of them are way out of their area and we appreciate them coming to brief us.

A key target of the Hodgman Liberal Government is to grow our agricultural sector to \$10 billion by 2050.

As we deliver our comprehensive Agri-Food Plan, we are on track to meet this goal, with the most recent figures from the Australian Bureau of Statistics - ABS - showing a 9 per cent increase in the annual value of agricultural production to \$1.6 billion in 2017-18.

In order to continue this growth, it is essential we maintain and strengthen Tasmania's reputation for producing premium products that are safe, clean and reliable.

Our genetically modified organism-free status is a key part of Tasmania's brand and reputation, offering marketing advantages for our high-quality, high-value primary industries.

That is why the Hodgman Liberal Government has made the decision to extend Tasmania's moratorium on the release of genetically modified organisms - GMOs - to the environment for a further 10 years.

The Genetically Modified Organisms Control Amendment Bill 2019 will give effect to this decision. This bill will extend the expiry date of the Genetically Modified Organisms Control Act 2004 from November 2019 to November 2029.

The act provides for the whole or any part of Tasmania to be declared to be a GMO-free area for the purpose of preserving the identity of non-genetically modified crops and animals for marketing purposes, and for persons to be allowed to deal with GMOs under permits. This is the statutory basis for Tasmania's GMO moratorium.

Section 36 of the act currently specifies the act will expire 15 years after it commences, which will be in November 2019.

Through a simple amendment of this expiration period from 15 years to 25 years, this bill will extend the act and hence the current moratorium on the release of GMOs to the Tasmanian environment for another 10 years.

The decision to extend the moratorium for a further 10 years follows a comprehensive review undertaken earlier this year by the Department of Primary Industries, Parks, Water and Environment - DPIPWE.

The details that underpin the operation of the act are set out in the Tasmanian Gene Technology Policy 2019-2029 and supporting Tasmanian Gene Technology Guidelines.

The updated policy and guidelines retain the longstanding policy of allowing the use of GMOs in pharmaceutical poppy crops not intended for use for food or feed, provided all statutory requirements are met and that markets for Tasmania's GMO-free food products can be maintained and appropriate coexistence arrangements are developed.

The policy also ensures biotechnology research and innovation in Tasmania continues to be supported, with research using GMOs permitted in physical containment facilities, provided all statutory requirements are met.

In our policy, we have committed to undertake a full review of the policy before the moratorium expires in November 2029.

We also recognise gene technology is evolving rapidly and for this reason, the Department of Primary Industries, Parks, Water and Environment will undertake monitoring and review of developments in gene technology, providing a report to the minister at least every three years. These reviews will also consider stakeholder views and changes in market and consumer sentiment.

Consistent with current practice, it is the intention of the Government that these reports on developments in gene technology will also be made public.

DPIPWE will advise the minister if, based on the evidence from these reviews, there are significant developments in these areas that warrant the triggering of a review of the policy before the maximum 10 years.

If such a circumstance arose, the Government would take advice and consider its position on whether to conduct a full review of the policy earlier than the maximum 10-year period.

In addition, the minister will also be able to direct a full review of the policy at any stage during the period of the moratorium.

This is a responsible position that enables government to respond should there be developments in technology or changes in market sentiment that have the potential to significantly benefit Tasmania.

Key industry stakeholders, including Fruit Growers Tasmania, the Tasmanian Farmers and Graziers Association, Poppy Growers Tasmania, DairyTas and the Tasmanian Agricultural Productivity Group, have been directly consulted on and support the review provisions in the policy.

Since its introduction in 2001, the moratorium on GMOs has allowed Tasmania to position itself in the global market as a source of food that is genuinely GMO-free and during this time our agricultural sector has gone from strength to strength.

The fact the moratorium has been in place for most of this century sends a strong message about the consistency of Tasmania's position at a time when domestic markets and international trading partners are placing an increased value on food provenance.

This 10-year extension will strengthen the Tasmanian brand, ensure continued access to valuable markets and will provide our trading partners with assurance in the ongoing stability of Tasmania's GMO-free provenance.

This strengthening of the Tasmanian brand paired with the new biosecurity legislation and ongoing investment in irrigation makes us well positioned to meet our target to grow the agricultural sector to \$10 billion by 2050.

The 10-year extension to the moratorium will also be welcomed by many farmers, agribusinesses, food businesses and members of the wider community.

In the most recent review of the GMO moratorium conducted by DPIPW, a total of 76 submissions were received, with the overwhelming majority in favour of extending the moratorium.

Representatives from the fruit, wine, honey, organics and beef industries highlighted the marketing benefits provided by the moratorium and warned of risks to market access should there be any change to our GMO-free status.

This 10-year extension to the moratorium will provide farmers, food producers and businesses with the confidence to invest in marketing strategies that take full advantage of Tasmania's GMO-free status.

A clear example of the marketing benefits provided by the moratorium is provided by participants in the Tasmanian beef industry who noted that active promotion of the GMO-free provenance of Tasmanian beef has been a key factor in securing valuable markets for beef products in Japan and the United States.

This has helped make beef Tasmania's most valuable international food export in 2017-18, representing \$210 million out of a total food export value of \$740 million.

Another example is the \$8 million honey industry, which actively promotes the GMO-free provenance of Tasmanian honey in both domestic and international markets. Loss of Tasmania's GMO-free status could impact Tasmania's competitiveness in honey markets where countries such as New Zealand are also actively promoting their GMO-free status.

In making our decision to extend the moratorium, we acknowledge some industries benefit less from the moratorium than others.

GMOs may offer some individual businesses potential productivity gains, particularly producers of larger scale commodity products.

However, these potential gains are difficult to quantify and given the well-established benefits of the moratorium, any decision to change would require compelling evidence.

It is noted that the only GM crop currently commercially available suited to Tasmanian conditions is canola and we have strong market demand for our non-GM canola.

Nonetheless, we acknowledge the potential future benefits of GMOs in Tasmania, and emphasise that in the updated Tasmanian Gene Technology Policy, we have committed to regularly monitoring developments in gene technology, markets and consumer sentiment.

We are mindful our GMO-free status cannot easily be restored once lost and any potential use of GMOs would require very careful consideration to avoid negative market or brand impacts.

I note following a recent review by the Commonwealth Gene Technology Regulator, from October 2019, under the National Gene Technology Scheme, organisms modified using a gene editing technique known as SDN-1 will no longer be regulated as GMOs on the basis that organisms modified using this technique pose the same risk as, and are indistinguishable from, organisms carrying naturally occurring mutations.

This national decision does not prevent Tasmania having a moratorium on GMOs.

We are, however, mindful the decision may create issues for businesses that export to markets where SDN-1 modified organisms continue to be considered or regulated as GMOs.

For this reason, the Tasmanian Government will consult with stakeholders to develop a regulation to control the use of SDN-1 modified organisms in Tasmania.

A regulation will be made under section 7 of the Gene Technology (Tasmania) Act 2012, to modify how the Commonwealth Gene Technology Act 2000 and Gene Technology Regulations 2001 apply as law in the state of Tasmania.

The regulation will ensure that SDN-1 modified organisms are regulated as GMOs in the Tasmanian agrifood sector for marketing purposes.

The purpose of the regulation is to control the commercial release into the Tasmanian environment of SDN-1 modified organisms, to preserve the identity of Tasmanian agricultural and food products in the marketplace.

There is currently uncertainty around the national decision not to regulate SDN-1 modified organisms. The regulation will maintain the status quo for Tasmanian businesses and provide a clear and consistent message in the marketplace for those Tasmanian businesses and industries that rely on Tasmania's GMO-free status.

In practical terms, considering there is currently no method for conclusively determining whether an organism is carrying sequence variation of natural or SDN-1 origin, the state would regulate dealings with SDN-1 modified organisms through requirements for importers to confirm products coming into Tasmania are GMO-free, including SDN-1-free, through a non-GMO assurance declaration scheme.

The regulation will be drafted in consultation with industry to ensure it meets import and export market requirements. Consistent with the longstanding Tasmanian Gene Technology Policy provisions, our intent is the regulation does not provide a barrier to the use of SDN-1 techniques in defined circumstances, including controlled research, human health and pharmaceutical applications.

We will also continue to work with exporters and industry stakeholders to address any other potential market or brand implications if they arise.

The updated Tasmanian Gene Technology Policy also outlines the Government will work with agrifood sectors to identify how our competitive advantages can play a greater role in Tasmania's premium brand attributes.

Through the work of Brand Tasmania, which has a strategic role in brand positioning and communication with key markets and through the rollout of the Tasmanian Trade Strategy, the Government will continue to support GMO-free marketing opportunities.

In conclusion, this bill fulfils the Government's commitment to extend the GMO moratorium for 10 years.

Within this time frame, the Government will continue to regularly monitor technological advances, markets and consumer sentiment.

This bill will also enable farmers, agribusinesses and food businesses that rely on the state's GMO-free status to confidently invest in marketing and market development activities to sell their products and to demonstrate the value of Tasmania's GMO-free status. It is a sensible and balanced approach.

Mr President, I commend the bill to the House.

[12.37 p.m.]

Mr DEAN (Windermere) - Mr President, this is a very small but important bill. We heard a great deal about its importance in the briefings this morning. I thank all those people who briefed us. We often have people travelling from around the state to meet with us. Mr Bourke, Jan Davis and David Armstrong travelled down from the north of the state. It is a cost to them, and some may have come down last night. I thank them very much for what they do and their interest in these matters. I might not always agree with all the information we are given at briefings, but I welcome it. It gives us a better insight and a more informed position in moving forward with these bills.

Currently, the only places that are GMO-free or GMO technology-free in this country are Tasmania and Kangaroo Island, which is part of South Australia. The moratorium here is a ban on growing or importing GMOs into Tasmania for the next years, although the minister indicated that he would review the position if circumstances change, which I will refer to later. Few GMOs are available for immediate use in Tasmania. I am not about opposing the moratorium. I do not think we heard anybody in the briefings this morning say they are opposed to the moratorium. It is not what they are about, which needs to be understood.

Few GMOs are available for immediate use in Tasmania. There are GMOs on the horizon, for example, genetically modified - GM - varieties of rye-grass with the potential to increase productivity in the grazing industry. Why would we not look closely at that, with the so-called climate changes we are having and our drier regions? If you have a rye-grass such as this - I think there is some proof that it be a much hardier product in dry climate areas, grow more quickly and provide more feed for stock and so on - why would we not consider it in the immediate future?

Importing GM-free canola is precluded because extremely strict testing is required. Testing for adventitious contamination with GMO seeds requires that imports must have less than one GMO seed in a sample of 10 000 seeds with 95 per cent reliability. It is clearly impractical; it is just not possible. Although the growing of GMO poppies is said to be permitted, the regulatory

requirements are so onerous that their use is effectively prohibited. We heard that this morning at the briefing. It is so onerous that nobody is prepared to go down that path.

The minister is also aiming to include new breeding techniques that do not involve the transfer of genes from one species to another. These new varieties are regarded in some markets as GMOs and not in others. They are not regarded as GMOs by the Australian Gene Technology Regulator.

The objective of the moratorium is to provide Tasmania with a marketing advantage in interstate and overseas markets. A number of submissions in the recent inquiry claim that they are promoting their export produce as GMO-free and this provides them with a marketing benefit. For example, Greenham, the Smithton beef abattoir, claims the GMO-free beef, a component of its NEVER EVER Beef Program, provides an additional value to producers of \$125 per head of stock. Where is the evidence to support the claim? I ask some of these questions on the way through. The underlying assumption seems to be that Tasmania, in its entirety, needs to be GMO-free for specific produce to be marketed as GMO-free. That is not the case, and I will refer to that in a moment.

The minister and the Government have concluded that the state, and particularly the farmers, will be better off by banning GMOs. That is, that the marketing advantages and the resulting higher prices for their produce will more than offset the loss from lower productivity in the use of GM-free varieties. What is the evidence to support this conclusion? Maybe the Leader might be able to provide some of that evidence.

There is very little evidence to support that position. A report commissioned by DPIPW in 2012 and conducted by Macquarie Franklin was mentioned in the briefing. The member for Hobart asked some questions about that. 'Market Advantage of Tasmania's GMO-free Status: Current and Potential Future Benefits and Costs' was the title of the document, and it concluded that Tasmania's agriculture sector has suffered a net loss of \$4 million per year because of the moratorium with little tangible benefit to the state in return.

Mrs Hiscutt - How did they get that figure?

Mr DEAN - A more recent report by Macquarie Franklin concludes -

- On balance, Tasmania's food and agricultural sector has been disadvantaged by the state moratorium on GMOs introduced in 2001.
- There is a small group of producers using the state's moratorium to market GMO-free products.
- There is a small, yet larger group of producers prohibited from growing GM products.
- Current gene technology research (e.g. high energy ryegrass), suggest GM crops may offer large gains for Tasmania's food and agricultural sector into the future.
- Tasmania's food and agricultural sector needs to determine how GM and GMO-free producers can coexist before advocating future changes to the moratorium.

They can coexist. There is no reason they cannot. It is happening throughout the country.

The Greenham NEVER EVER Beef Program was established in 2012 to source, certify and promote premium-quality natural grass-fed beef from producers across southern Australia. From its inception, the Greenham NEVER EVER Beef Program has sourced beef that is 100 per cent grass-fed, with no added hormones, no antibiotics, which is free-range, never confined to feedlot, free from genetically modified organisms and is certified by Meat Standards Australia.

Greenham says that it pays \$125 more per beast if it qualifies for the program. All Tasmanian livestock products are currently GM-free, so at present none of this premium can be attributed to the GM-free status.

Greenham is able to source beef for the NEVER EVER Beef Program in South Australia. Will it continue to source beef for the program from Victoria where GMs are allowed as well? How will they do it if they do?

Ms Forrest - Did you talk to Peter Greenham?

Mr DEAN - No.

Ms Forrest - It might have been a good idea.

Mr DEAN - No, not that it was not a good idea - I did not need to at that stage. Maybe you did and others did, and good on you if you have done that.

Several companies promote their produce as GM-free based on the moratorium, including honey and cherry producers, claiming a marketing advantage. They are labelling their produce as GM-free. For these businesses, GM-free status costs them nothing because the state Government has precluded GMOs in Tasmania.

The current benefits of the moratorium need to be determined. The moratorium has been in place for 15 years. Surely that is sufficient time to objectively measure the benefits. How can a decision on the continuation of the moratorium be made without reliable, objective and up-to-date evidence?

The minister says that a comprehensive review would be undertaken before the 10-year expiry. I have taken that from *The Examiner*, 27 September 2019. I think he has made a statement elsewhere as well. He also said the moratorium would be reviewed every three years as technical advancements and community sentiments could change. I interpret this to mean that the government would conduct a review each three years if changes were brought to its attention. I expanded a bit on that this morning in the briefing and I will refer to what came out of the briefing shortly.

In my opinion, a comprehensive review should be undertaken and completed within the next five years. In fact it should be done within the next three years, in my view, in extending that period of time. The review should be conducted by an independent panel with expertise in plant and animal breeding, particularly future developments in breeding, the marketing of Tasmanian produce and Tasmanian agriculture generally. There should be a comprehensive review because of what is happening in this area.

Within each sector of Tasmanian agriculture - for example, red meat, dairy, wool, stone fruit, fresh and frozen vegetables, poppies, pyrethrum and salmon, the financial benefits of the moratorium to Tasmanian agricultural producers and processors is what the review should be looking at.

Whether allowing GMOs in Tasmania automatically precludes the production of GM-free produce in the state, this position is certainly not proven. There will certainly be organic production which must be GM-free. In other Australian states where GMOs are allowed - that is, after national approval - coexistence will occur. I mentioned that previously. The review should determine whether coexistence is feasible in Tasmania.

Whether current zero tolerance for adventitious contamination is reasonable given that the allowable levels are much higher in other jurisdictions, it is noted that New Zealand imports GM foods but the contamination has to be less than 5 per cent, otherwise it will be labelled as GM. There is a different position in New Zealand.

Would allowing the production of GMOs in non-food crops jeopardise the GM-free status of other crops? For example, would allowing GM poppies jeopardise the GM-free claims of beef and stone fruit producers? What would be the cost to specific producers to demonstrate GM-free status if coexistence were permitted? How would current overseas markets of the main products react to GMOs being allowed in Tasmania? Would it be feasible for exporters to establish cost-effectively that their produce is GMO-free, while other producers of the same or other species use GMOs?

Tasmania's definition of GMOs appears likely to differ from the national definition. That is, varieties bred by new breeding techniques will be regarded as GMOs in Tasmania, but not elsewhere in Australia. That is my position on that. Is this appropriate if that is the case? I am interested in whether any information comes back on that.

What promotion has been undertaken to capitalise on Tasmania's GMO-free status? What promotion should be undertaken in the future?

The state Government has previously promised to promote the state's GM-free status. The minister stated on 27 September 2019 that Brand Tasmania would play a role in pushing the state's GMO-free products in key markets. The question is: why has this not occurred already? We have been GM-free in this state going on for 15 years.

I flag that I will be moving an amendment in the Committee stage to reduce the 10 years to five years; that is, reduce 25 years in the bill to 20 years. That continues the five by five by five that we have seen in place now for some time.

When you talk about gene technology, we have gene technology all around us in this state. I said to some guy the other day who was talking to me about it, saying, 'We can't allow GMO stuff in this state', et cetera, 'We've got to be absolutely free of it all'. My comment to him was, 'Have you kids?' 'Yes.' 'Have your kids been vaccinated?' 'Yes.' 'What do you think about the injections, the fluids those children have been vaccinated with? Has there not been gene technology involved in that?' There has, in many of them.

Mr Valentine - He probably will not vaccinate now.

Mr DEAN - Well, they have.

Ms Forrest - It is a different thing - an attenuated virus is different.

Mr DEAN - It has genetic modifications. I am just showing that he was saying to me that we have no place in this state for anything that has been genetically modified. It was the point I was trying to make.

What do we know about GMO products? Not a lot. I admit I was in that category when I started trying to find out what it meant and the impact it could have on the state. I agree that, like others, I have learnt quite a bit about this subject since this bill came up.

In the briefings this morning, we heard from Jan Davis and from David Armstrong - both involved in agriculture for many years and considered to be extremely knowledgeable and expert in the area. They gave us a fairly good summation of their position in relation to this bill and what should happen. They made it clear they were not about not supporting a moratorium - they made that perfectly clear. There is nothing I understood them to say in this area that they would like to be brought in tomorrow. I think that is the word they might have used - there is nothing there at present that should be with us, that we should embrace and that we should move forward with tomorrow. There is nothing there at present, but much work is being done in this area and many changes in technology are occurring, and that is happening almost daily.

Either Mr Armstrong or Ms Davis mentioned that if we go down this path, we need to have contemporaneous information to ensure we are doing it right and have the right processes in place. It needs to be up-to-date information.

Mr Bourke spoke to us about his important industry - the honey industry. We all accept that. While it is not a large industry in this state, it is an important industry - and not too many of us do not like honey in its many forms. It is a great industry, and I commend Mr Bourke and all those others engaged in this industry and the great work they do in promoting Tasmania. We do not want that to be underestimated in any way.

A number of interesting things came out of the department briefing. They said that out of all the submissions they received, 83 per cent supported maintaining the moratorium at this present time. I am surprised it was not 100 per cent.

There were some questions around the report completed at the end of a three-year period and that report would be based on up-to-date information. I understood, and hope, that it will also entail feedback from stakeholders. I am not quite sure how the department will do this, whether towards that time they will seek information and further evidence on a position in relation to a GMO moratorium and gene technology. I guess that is what will happen. It will be interesting to see where it goes after the first three-year period. That report will obviously be available although I am not sure whether it will be tabled in the parliament.

Mrs Hiscutt - It will be on the website.

Mr DEAN - It will be on the website and available for all of us, so we will be able to get a copy of the report.

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

QUESTIONS

Medicinal Cannabis - Clinical Trials

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

[2.31 p.m.]

This question on medicinal cannabis is supplementary to the question and answer provided on 15 August 2019. Would the Leader please advise -

- (1) Have any Tasmanians been included in the clinical trials undertaken?
- (2) On how many occasions have unproven medical cannabis 'products' been prescribed for Tasmanian patients in the last two financial years that is, 2017-18 and 2018-19?
- (3) How many suitably qualified specialist medical practitioners are authorised under the Tasmanian Poisons Act 1971 in Tasmania?
- (4) Where are they located?
- (5) Why would Tasmania Police not keep any records relative to decisions made not to prosecute an individual for possession of and/or administering an unproven medical cannabis product?
- (6) Few police would have the authority not to prosecute such cases. What records are maintained within Drug Investigation Services - the drug squad - relative to these decisions?
- (7) Has/have the drug squad(s) been asked to provide details relative to the number of cases where prosecutions were not taken for possession of and/or administration of medical cannabis?
- (8) Are there any known cases within the department where a decision has been made not to prosecute an individual for having possession of and/or administering cannabis or a cannabis derivative?

ANSWER

Mr President, I thank the member for Windermere for his question. Before I answer his question, I have a response to a question raised by the member for Elwick in a debate on a motion for NAPLAN on 10 September that I took on notice. The member's question at the time was: data suggests almost 50 per cent of trained teachers leave the profession after five years. Can that figure be disputed?

Mr Willie - No, that was not my question. It was the member for Rosevears' question.

Mrs HISCUTT - I beg your pardon, member for Rosevears.

The question is: what is the figure regarding Tasmania of teachers leaving the profession after five years? The answer is that, as of March 2019, resignations of teachers in government schools in the first five years was 6.7 per cent.

In response to the question asked today by the member for Windermere, the answers had to come from two ministers. The first four answers have come from the Minister for Health, the honourable Ms Sarah Courtney, while the rest have come from the Minister for Police, Fire and Emergency Management, the honourable Mr Mark Shelton.

The first four answers from the Minister for Health are -

- (1) The opportunity to participate in clinical trials is highly dependent upon the inclusion and/or exclusion criteria set by the clinical trial investigators. There are no regulatory or legal barriers to a Tasmanian patient participating in a clinical trial researching unproven medicinal cannabis products.

In order to be allowed to conduct clinical trials, investigators are required to seek ethics approval when conducting human research. An important component of this process is ensuring confidentiality of participants' details, which essentially precludes specific patient details being shared outside the confines of the trial design. Therefore, where a patient has been enrolled in an interstate clinical trial, there is no requirement for this information to be supplied to the Tasmanian Government.

- (2) There have been 11 approvals under the Controlled Access Scheme - CAS.

- (3) and (4)

Any relevant specialist medical practitioner with expertise specific to the condition being treated may apply to CAS.

The rest of the answers have come from the Minister for Police, Fire and Emergency Management, Mr Shelton.

- (5) A person in possession of cannabis provided under the Medical Cannabis Controlled Access Scheme does not commit an offence and this would not be recorded. A person in possession of cannabis outside the Medical Cannabis Controlled Access Scheme would be in possession of a controlled plant under the Misuse of Drugs Act 2001. Such instances would be dealt with on a case-by-case basis. This may include prosecution or, where appropriate, diversion of minor drug offenders away from the criminal justice system as part of the Tasmania Police Illicit Drug Diversion Initiative which enables adult minor drug offenders to receive drug counselling and treatment. Tasmania Police does not keep statistics on persons who claim medicinal reasons to explain their possession of cannabis.
- (6) Decisions to prosecute or undertake a diversionary arrangement are made operationally within police districts and would not necessarily involve Drug Investigation Services.
- (7) As noted above, these decisions would not necessarily involve Drug Investigation Services.
- (8) Tasmania Police does not keep statistics on persons who claim medicinal reasons to explain their possession of cannabis. Decisions to prosecute are dealt with operationally and on a case-by-case basis.

Blueberry Rust - Recent Incursion

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

[2.37 p.m.]

Given the Government's support for recommendations made by the Government Administration Committee B inquiry into blueberry rust, the key recommendation being that Biosecurity Tasmania should act to eradicate the disease from this state, I have a number of questions -

- (1) What has Biosecurity Tasmania done to action this recommendation?
- (2) With the recent warnings about a new incursion, where infected blueberry plants had been detected at six nurseries in the state's north, north-west and south, what action has Biosecurity Tasmania taken to address this incursion?
- (3) Following investigation, what action has been taken against the supplier of the source of affected plants?
- (4) Why were Tasmanian blueberry growers not advised directly of this latest outbreak?
- (5) Given the significance of the industry, why would a DPI spokesperson cite privacy reasons for not advertising the Tasmanian industry of this outbreak?
- (6) When is the department and Biosecurity Tasmania going to take the eradication of blueberry rust in our state seriously?

ANSWER

Mr President, I thank the member for McIntyre for her questions. I am sure with question (5), the member was not talking about advertising, but about advising the Tasmanian industry.

Ms Rattray - Certainly; I even have my glasses on today.

Mrs HISCUTT - We have some quite lengthy answers here -

- (1) Biosecurity Tasmania continues to manage blueberry rust through a regulated containment strategy as outlined in the Tasmanian Government's 'Response to the Legislative Council Government Administrative Sub-Committee B Report on Blueberry Rust in Tasmania' (May 2019).

A regulated containment strategy was adopted by Biosecurity Tasmania because the second incursion of blueberry rust was of a different scale to the previous incursion eradicated by Biosecurity Tasmania 2014.

The current regulated containment strategy involves a suite of measures that include property quarantine, property inspection, industry partnership and maintaining market access.

The containment approach is based on evidence, including that of the Tasmanian Institute of Agriculture and the New South Wales Department of Primary Industries scientific assessments, and sound biosecurity principles outlined in the Tasmanian Biosecurity Strategy.

The approach allows for further research and development on options for treatment and potential eradication of blueberry rust to be undertaken while managing the risk. The Government is investing in research into new treatments for blueberry rust by the Tasmanian Institute of Agriculture.

- (2) Biosecurity Tasmania recently responded to a reported detection of blueberry rust on a small number of blueberry plants in a small number of retail nursery outlets across the state. The infected plants originated in Tasmania and there is no evidence of any breach of Tasmanian biosecurity import controls.

Biosecurity Tasmania immediately acted to mitigate biosecurity risks and undertake diagnostic work -

- Biosecurity control measures were immediately implemented at the initial store. These measures included the withdrawal from sale of all blueberry plants, pending trace back and trace forward activities.
- Biosecurity Tasmania confirmed the presence of blueberry rust at associated Launceston and Hobart outlet and at an independent nursery, which were then also subjected to biosecurity controls.
- Biosecurity Tasmania's trace back investigations identified a single source of the affected plants at a north-west nursery supplier.
- Biosecurity measures were immediately implemented at that supplier's site to prevent further movement of any blueberry rust host plants.
- All quarantined blueberry plants at the retail outlets with stock from the infected supplier, along with other blueberry plants that were at risk of cross-infection, have been collected for biosecure disposal.
- Biosecurity Tasmania's trace forward investigation has determined there has not been any other product distribution from the supplier to any site other than those already subject to controls, including commercial orchards.
- Biosecurity Tasmania continues to work with the supply nursery to try to identify the source of infection.
- Affected quantities of plants involved are small, and corresponding levels of infection very low, which work together to mitigate the risk of this incident.

The incident was managed using an incident management team operating from Biosecurity Tasmania.

- (3) The source property has been subject to a direction notice requiring the small number of blueberry plants on site to be removed and destroyed.

- (4) Advice was provided directly to the blueberry industry via an email as well as information provided to the broader industry ahead of media announcements. This was provided as soon as possible after the facts of the incident were established. The facts of the incident informed that advice.
- (5) The assertion is incorrect. Advice was provided directly to the blueberry industry as soon as possible after the facts of the incident were established. The privacy reasons related to the naming of the businesses involved and had nothing to do with industry advice that was provided.

Where it was not clearly in the public interest, businesses are not identified by name. In this case the number of plants was low and the level of infection was very low.

A single-point source was identified and a limited number of businesses had been supplied. At each site all plants were removed and sites were decontaminated, mitigating any risks.

Concurrent to this was the awareness activity calling on members of the public to report any signs of blueberry plant ill health. This awareness approach is part of the broader blueberry containment strategy.

- (6) The Government rejects the premise of the question. Blueberry rust and all other threats are treated with the utmost seriousness by government. The regulated containment program operated by Biosecurity Tasmania offers the opportunity to eradicate in the long term, subject to future research developing practical and feasible methodologies for eradication.

Serious Events Review Team

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

[2.44 p.m.]

The Serious Events Review Team - SERT - was established in 2017 to independently review practice and system improvements of Children and Youth Services when a child death or serious incident occurs.

During budget Estimates it was stated that 17 reviews had been completed for matters occurring between 2011 and 2018. It was also stated that six reviews were currently in progress.

- (1) Have the six reviews been completed?
- (2) If not, how many remain ongoing?
- (3) Of the completed reports, how many have been provided to the Coroner?
- (4) How many new reviews have been initiated since budget Estimates 2019?
- (5) Of the new reviews, how many of those children and families were supported by the Intensive Family Engagement Service prior to the serious event?

ANSWER

Mr President, I thank the member for Elwick for his question. Some of the answers are quite short, which you will appreciate.

- (1) Yes.
- (2) Nil.
- (3) Of the six SERT reviews in progress as at June 2019, five have been provided to the Coroner at the Coroner's request.
- (4) It is noted that SERT undertakes reviews of child death and serious injury where a child or young person (or their family) has been known to Children and Youth Services within three years prior to the event.

Not all reviews that relate to a death or serious injury relate to a child or young person in the care of the Child Safety Service.

Noting the above, three new reviews have been initiated since June 2019.

- (5) Nil.

Oral Health Services Tasmania - Mobile Dental Units

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

[2.46 p.m.]

Oral health outcomes for people on low incomes are alarming. I am aware there are two fully equipped mobile dental units - MDUs - within Tasmania. Could the Leader update the Council as to -

- (1) The age of both vehicles?
- (2) Do these vehicles have an expected life span for service delivery? If so, what is this life span?
- (3) What would the replacement costs be for these vehicles?
- (4) Where are these vehicles located when not in operation - that is, not engaged in service delivery?
- (5) How many people were provided with services using these vehicles in the 2018 calendar year?
- (6) What was the location of sites visited by both vehicles in June and September 2018?

ANSWER

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

- (1) In February 2010 and August 2011, Oral Health Services Tasmania - OHST - purchased two mobile dental units to improve access to children's dental services.
- (2) The expected life span for service delivery is 10 years. The MDUs primarily service rural areas in the north, north-west and south of Tasmania, or fixed OHST clinic locations where increased capacity is needed. These are always located at a designated site to ensure required power, water and waste services are available.
- (3) No answer provided.
- (4) There may be times throughout the year when the MDUs are not engaged in service delivery. That would be due to servicing, staff rostering, relocating to another location or other unforeseen circumstances.
- (5) In 2018, 983 people were provided services using both mobile dental units.
- (6) In June and September 2018, mobile dental unit 1 was located at Exeter Primary School in the north of the state. Mobile dental unit 2 transitioned from Oatlands to Kingston during June, where it remained in operation until September 2018.

Mobile Dental Units - Replacement Cost Supplementary Question

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

[2.49 p.m.]

Mr President, I wish to highlight that one of those questions was not answered in the Leader's response -

- (3) What would the replacement costs be for these vehicles?

I am not sure whether the Leader has that information available. If not, could the Leader please take that as a supplementary question?

Mrs Hiscutt - Through you, Mr President, I will resubmit that.

Uber - Operations and Security Issues

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

[2.49 p.m.]

My questions relate to the taxi industry, which is in disarray and has many problems, and to Uber's operations and security issues.

In Melbourne, fake rideshare providers are pretending to be Uber drivers and are preying on people to ride with them. In some cases, they are harassing people who have not ordered a ride. Will the Leader please advise -

- (1) Is the Government and/or the department aware of the security issues evolving in Melbourne regarding fake Uber drivers?
- (2) If so, what is the department doing to provide protection to users of this service?
- (3) What is the law here regarding those falsely using the Uber label to pick up passengers?
- (4) Is the Government and/or the department aware that drivers are hiring vehicles to conduct Uber services?
- (5) Is this a lawful action?
- (6) If not, what action will be or can be taken where there is evidence to support this behaviour?
- (7) What is the extent of policing in the rideshare industry - for example, Uber?
- (8) If none, is it expected that the taxi industry will do the policing to protect its own industry?

ANSWER

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

- (1) The Department of State Growth keeps a close watching brief on trends in other jurisdictions of noncompliance with regulatory activities, including reports of fake Uber drivers in Melbourne.
- (2) State Growth is not aware of any complaints regarding fake Uber drivers in Tasmania. Ride-sourcing is subject to a range of regulatory controls to ensure the safety of those services, including -
 - (a) drivers and vehicles must undergo a series of initial and regular checks;
 - (b) drivers can only accept passengers booked through the ride-sourcing platform, and they cannot perform work for cash or electronic payment that is outside the ride-sourcing platform; and
 - (c) the ride-sourcing software must provide safety protections - compulsory cashless payment; tracking and automatic recording of driver, vehicle and journey information; and an online rating system for drivers and passengers.
- (3) Under the interim arrangements that allow for the lawful operation of ride-sourcing in Tasmania, ride-source drivers are exempt from operator accreditation under the Passenger Transport Services Act 2011, subject to certain conditions. Where drivers operate outside the conditions of the exemption and are not otherwise providing regulated taxi and hire vehicle services, they are likely to be in breach of section 91E of the Taxi and Hire Vehicle Industries

Act 2008 and the PTSA. Significant financial penalties can be imposed for successful prosecutions of offenders under both acts.

- (4) Currently, Tasmanian ride-source drivers must be the registered operator of the vehicle. Processes between State Growth and ride-sourcing companies ensure that the driver and the vehicle approved by the ride-sourcing platform provider have been appropriately authorised.
- (5) The same as the answer to question (4).
- (6) The same as the answer to question (4).
- (7) State Growth actively maintains a watch list of registered ride-sourcing drivers and their nominated vehicles, which it routinely shares with Tasmania Police and the Transport Inspectorate to assist with compliance monitoring and enforcement.
- (8) The same as the answer to question (7).

Education - Reporting, Assessment and Certification System

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

[2.53 p.m.]

External assessments for years 11 and 12 start in November.

- (1) Has the testing of the new Reporting, Assessment and Certification System - TRACS - student database system finished and been approved?
- (2) If not, what issues remain with the system?
- (3) Does the Minister for Education and Training still have confidence in the TRACS student database system?
- (4) If TRACS fails, what systems are in place to ensure the integrity of student outcomes is not compromised?

ANSWER

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

- (1) All released TRACS database modules have been tested extensively and approved.
- (2) Minor bugs have been identified as part of the system testing and these are currently being resolved.
- (3) The minister does have full confidence in TRACS. The response from users has been overwhelmingly positive.

- (4) TRACS is a robust and secure system built with best practice technology. The Office of Tasmanian Assessment Standards and Certification's business continuity plan allows for quick response and action based on incident-specific response scenarios, including risk mitigation for TRACS.

Aboriginal Tasmanians - Treaty and Representation

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

[2.55 p.m.]

- (1) Given that federal moves on reconciliation seem bogged down, what is the state Government doing to progress a treaty with the original Tasmanians?
- (2) If lower House seats are increased from 25 to 35, will the Government consider a permanent Aboriginal seat?
- (3) Has the Government looked at the New Zealand model for Maori representation?

ANSWER

Mr President, I thank the member for Rosevears for his question

- (1) When it came to government in 2014, the Hodgman Liberal Government committed to resetting the relationship with Tasmanian Aboriginal communities.

Our reset agenda is guided by five priority areas. First, a new approach to Aboriginal eligibility; second, a focus on Tasmanian Aboriginal history and culture in the delivery of the Australian Curriculum in Tasmania; third, the constitutional recognition of Tasmanian Aboriginal people; fourth, exploring joint land management arrangements and land return with Aboriginal communities; and, last, increased efforts to close the gap of disadvantage between Aboriginal people in Tasmania and the wider community.

Since then, among other great initiatives, we have amended the Constitution Act to acknowledge the Aboriginal people as Tasmania's First People, are reviewing the model for returning land, have introduced a more inclusive approach to eligibility and have brought Tasmanian Aboriginal voices into Tasmanian schools via the Orb.

Additionally, we recently signed the partnership agreement for the refreshed Closing the Gap and are working closely with all Aboriginal organisations to achieve better outcomes for all Tasmanian Aboriginal communities.

We understand some community members wish to pursue treaty and that is why we are watching with close interest the national conversation and current findings from other jurisdictions and models, and listening to the views of all Tasmanians on this issue.

- (2) The Tasmanian Government will look closely at recommendations contained in the final report of the Select Committee on House of Assembly Restoration Bill.

The Government welcomes and encourages people from all backgrounds to stand for parliament.

3. See the answer to question (1).

Removal of Children from Foster Carers

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

[2.57 p.m.]

- (1) How many children in care have been removed from their foster carer in the past 12 months?
- (2) Of these children, how many were reunited with their families?
- (3) Which non-government organisations - NGOs - were these foster carers placed with?

ANSWER

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

- (1) Reunification with families is one reason a child may no longer be in foster care placement. It is incorrect to refer to this as a child or young person being removed from their foster carer.

It is difficult to ascertain exact numbers of children moving from carer to carer, other than for circumstances when a child may need to be placed with another carer for reasons relating to the needs of the child or young person, and/or the capacity and preparedness of the carer.

Noting this, in terms of removal for reasons other than reunification, I am advised the number is so low that there is high probability reporting it publicly would lead to the children and carers being identified, which would risk infringement of section 103 of the Children, Young Persons and their Families Act 1997.

- (2) I can advise that in the financial year 2018-19, 73 children were reunited with their families.
- (3) Refer to the answer to question (1).

The following NGOs provide out-of-home care and family-based care in Tasmania - Key Assets, Glenhaven, Kennerley, and Life Without Barriers.

Removal of Children from Foster Carers Supplementary question

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

[2.59 p.m.]

Mr President, this is a supplementary question. I was not asking to identify children. The question was 'How many children have been removed from foster carers?' A number would not identify any child, so I would like to put the question again to the Government.

ANSWER

Mr President, the member for Elwick can certainly put his question again, but the response did just say that identifying numbers may identify the identity of the children and carers.

School Bus Services - Lilydale District School

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

[3.00 p.m.]

- (1) How many students from the Rocherlea, Ravenswood, Waverley and St Leonards areas attend school at the Lilydale District School?
- (2) What is the annual cost to the department and/or government of transporting these students to and from school, past other high schools to Lilydale and back again?

ANSWER

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

- (1) In the last three months the bus service from Launceston to Lilydale District School carried an average of 85 students to and from school each day, according to data provided by the operator.
- (2) This service cost approximately \$170 000 (ex GST) in 2018.

**School Bus Services - Lilydale District School
Supplementary Question**

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

[3.01 p.m.]

Once again, Mr President, a supplementary question.

- (1) How many students living in those areas - Rocherlea, Ravenswood, Waverley and St Leonards - are being picked up and conveyed to the Lilydale District School in the morning and back at night?
- (2) What is the cost to the department?

Mrs Hiscutt - We will check on that, Mr President.

SUSPENSION OF SITTING

[3.02 p.m.]

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

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

This is for the purpose of a briefing on NAPLAN - National Assessment Program - Literacy and Numeracy.

Ms FORREST (Murchison) - Mr President, I am somewhat concerned that we are rising for a briefing on NAPLAN when I understand the information sought was as a result of a debate in this place. So much of the information we gain in this place is through briefings which are not on the record. We are going to a briefing that is not recorded. There is no avenue to accurately report what was said to this place.

My preference is that Government Administration Committee B, which has education as part of its portfolio areas, conducts a brief inquiry into the follow-up from that. There is no other way of putting this on the record unless the Leader is willing to give us a full report that includes all the information we glean at the briefing.

I raise this as a concern. I am not complaining about the briefings - they are good and helpful. When this is about the matter raised by the member for Elwick, one which many of us spoke on, we raised our concerns, but we are now going to a private room with no recording and no actual information will be put on the record in response to that motion. I am concerned and it does bother me we are doing this, particularly in this case.

Personal Explanation

Mrs HISCUTT - Mr President, by way of personal explanation: during the briefing we had during the member for Elwick's motion, the department offered to give a briefing. That offer was accepted and the briefing is today. If the member for Murchison feels there needs to be an inquiry, that would be your call.

Sitting suspended from 3.05 p.m. to 4.30 p.m.

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

Second Reading

Resumed from above.

[4.30 p.m.]

Mr DEAN (Windermere) - Mr President, earlier I was talking about the extension to 10 years. It was indicated in the briefing that this provides certainty for markets. Lindsay Bourke said that it provided him with far more comfort and a capacity to use this in his labelling of his product, which would give purchasers of his product more comfort that he would be able to sell to them from a GMO-free country for a much longer time. That is not right. It was suggested in the briefing that if advancements are made, we should seriously consider moving towards some gene technology, some changes in that area. That could happen. The statement was made that it would happen if

there were some strong moves or changes. It could be rye-grass or poppies, for instance. That 10 years could become three years, five years, seven years or what have you, not necessarily 10 years.

Looking at poppies, for instance, David Armstrong gave some evidence that advancements in that area are fairly strong. David talked about the current poisons, sprays and so on that he used on poppies. I have a family member who grows poppies as well. I know very well what he has to do to control the weeds and poppies. With gene technology, it will be possible for there to be a strain of poppies - or whatever it might well be - for which hardly any poison will need to be used, and probably there will be no need for any sprays. Why would you not go down that path? If you look at the environment, I would say that many of those environmentalists with big issues about sprays being used would welcome that. Hence, I grow my own vegetables - it costs me more to grow my own than it would to buy them, but I know what is on them. I know that no poisons or sprays have been used on them and that they have been grown naturally.

Mr Finch - How does it manage to cost you more? Wouldn't you be saving?

Mr DEAN - There is the time and effort you put into it and the watering, all of that. For the amount of vegetables you use from what you grow yourself, it costs far more to grow my own than it would to buy them. I give a lot away.

The 10 years is not necessarily a 10-year period before this, and we could see changes made in this area. My view is that the 10-year situation is a feel-good thing for some markets.

I spoke two days ago to a gentleman who used to run a survey. Some people in this place would know Buzz Green, who is a scientist in his own right with a background in this area; he understand exactly where we are going with GMOs and gene technology.

It is disappointing when you talk to a person like that who has a strong position and regard for this, saying we should be embracing it, we should be making changes and we should be moving forward. He says he has made a number of submissions and has talked to the Government about this, but in most cases he has had little acknowledgment, or no acknowledgment at all, of what he has tried to do in this area.

There is a man with more scientific background in this area than probably anyone else in the state. He was the managing director and owner of Serve-Ag, a big company at Devonport that was involved in all the herbicide sprays. He is saying that some advancements in this area are so great we could do away with many of the poisons we are currently using. It is disappointing when you hear that he has had little result from the Government in relation to the areas he has put forward and taken up.

I flagged that I intend to move an amendment for five years. It was five plus five plus five years previously, and I do not see any real reason to change that. The Tasmanian Farmers and Graziers Association has made two or three different changes in this area, which I will comment on further when I move my amendment. In its original submission, the TFGA wanted five years; it said in a document to me on 7 October that it wanted five years, but in a document on 11 October it said it was happy with 10 years. I have that in writing to support that.

Having said that, I support the moratorium, but I have doubts that I should support the 10-year position at this time.

I do not really understand why we have moved in that direction. It does not confirm to those people involved in the markets - the honey people, for instance - that for 10 years there will be absolutely no changes; that it is in concrete. That is not the case as I understand it.

[4.38 p.m.]

Mr VALENTINE (Hobart) - Mr President, I thank the Leader for arranging the briefings. It is important that people who are affected by this, or possibly affected by this, whichever way it goes, either for or against, are given the chance to have a say.

Today we have certainly heard some very passionate feelings about whether this is a good way to go. One person we had a briefing from sees the loss of opportunity in the cropping market and possibly \$4 million per year of opportunity that could not be taken advantage of. Jan Davis said contemporaneous benefits need to be identified for this to be extended. The other comment was from Mr Bourke, a small business owner who, in his eyes, stands to lose significantly. He is the President of the Tasmanian Beekeepers Association. I talked to him after the briefing, and he said, 'I forgot to mention a couple of things. The average price of honey in Australia is about \$5 a kilogram, versus \$12 a kilogram for the GMO-free honey.' That is a significant difference. I was trying to understand what the quantum was and what he was telling me today. For him, it is a significant thing because he has to employ people. He was telling me that in respect of employment - I do not have the figure here; it is probably in my notes somewhere.

He pays about \$1 million in wages. It is in the order of a \$3 million turnover. If these GMO plants are allowed to come into the state and pollen from those plants gets into his product, he can no longer say it is GMO-free. This will bring its price down to the \$5 mark and that will make it very difficult for him. He still has to spend \$1 million a year employing his staff to do the processing.

He said, 'Even this year with the fires' - was it this year? I cannot remember.

Ms Rattray - Yes, it was this year.

Mr VALENTINE - Yes. 'Even with the fires, production was right down because of the lack of access to leatherwood'. But he still had to pay his workers. Anything that interrupts either the volume they produce, or indeed the price they get for their product, is really significant to him. It is important that while we can see, on the one hand, allowing genetically modified plants such as canola to be grown for cropping as a possible benefit, he sees it as a direct disbenefit. Indeed, he shared two documents with us, but this is the document he provided about the sales of Blue Hills Honey.

The countries with GMO prohibitions are listed and they include Algeria, Austria, Azerbaijan, Belize, Bhutan, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Ecuador, France, Germany, Greece, Italy, Netherlands, Russia, Switzerland and a whole heap of others. We are not talking about something that possibly might be affected - it is something that will be affected if his product is identified as being GMO and he cannot spruik it as GMO-free.

Some might say: what are they providing to the economy? They are providing \$12 million to the economy. The cropping could provide a lot more than that to the economy. You weigh it up, and think: how do we go here?

At the end of the day it is about brand damage. It might be shown that they can have some side by side, but those who do not accept this will cease to buy product. Why would you want to wish away a competitive edge? This is what we are faced with here today when we are making decisions about whether we agree with this.

Does the Government want a bet each way? You cannot give years of certainty if there is the threat a review might turn that around, as was pointed out by another member. You do not cruel your competitive edge. More places are not able to produce enough grain for a certain purpose. Yes, that means they have to buy it from somewhere else. If they could use genetically modified plants, it might mean greater levels of production and less disease or plants that interfere with that production.

You can go down that path or you can think that little Tasmania at the bottom end of the world is an island that prides itself on being GMO-free. The market, I suggest, is increasing. We have to be very careful about how we deal with this. The Government's approach is a bit of a two bob each way with the reviews, but I am most happy to see this level of moratorium. Reducing the five years may not necessarily be the way to go, but I will listen to debate. We are in a pretty strong situation at the moment. I believe we want to do the right thing.

There are those who call for the hard evidence on the benefits. I point to only one business, the beekeepers, and there is some hard evidence. They are saying their market would be cruelled and their prices would drop. It is only a small business, but there might be other businesses in exactly the same circumstance. We do not want to cruel our pitch, as far as our brand is concerned. Given the number of countries with GMO prohibitions, all in that list that was sent to us by Mr Bourke, it is important that we tread very carefully. I support the bill.

[4.47 p.m.]

Ms FORREST (Murchison) - Mr President, I commend the Government for taking this stand and this approach. It is evidence-based and a review was done. I will quote a number of sections from that review to back my support for the bill as it stands before us.

It is interesting to note that it has been difficult to define what we are talking about. I go back to the Joint Select Committee's Gene Technology in Primary Industries report in 2008, produced by a committee I sat on. The first part of the executive summary helps us better understand this, and I will refer to another document that further clarifies. Reading from the executive summary -

Plant, animal and microbial breeding, regardless of how it is accomplished, typically involves generating genetic diversity, selecting superior genotypes from it and multiplying those for commercial release and distribution.

The key difference between classical breeding and breeding involving gene technology lies in the way genetic diversity is achieved. Whereas classical breeding generates variety from sexual crossing between members of the same species or near relatives, gene technology allows particular DNA sequences (transgenes) from any plant, animal, microbial or synthetic source to be inserted directly into the nuclear DNA of a recipient cell. This is known as transformation. Other modern techniques that do not rely on sexual crossing also produce genetic variation (e.g. DNA mutation induced by radiation, chemicals or through cell culture) however, these do not involve introducing foreign DNA. Therefore, the

defining feature of gene technology is that it facilitates incorporation into a host genome of a far wider range of genetic material than previously possible.

What you see as a result of this is something that could not occur in nature. I go to an article from *Live Science* from February this year. I want to read the beginning of this because it just talks about what genetic modification is -

Genetic modification is the process of altering the genetic makeup of an organism. This has been done indirectly for thousands of years by controlled, or selective, breeding of plants and animals. Modern biotechnology has made it easier and faster to target a specific gene for a more precise alteration of the organism through genetic engineering.

The terms 'modified' and 'engineered' are often used interchangeably in the context of labelling genetically modified, or 'GMO', foods. In the field of biotechnology, GMO stands for genetically modified organism, while in the food industry the term refers exclusively to food that has been purposefully engineered and not selectively bred organisms. This discrepancy leads to confusion among consumers, and so the US Food and Drug Administration (FDA) prefers the term genetically engineered (GE) for food.

It is important we understand we are talking about two different things here. When we go to the section about genetically modified food, the article reads -

There are four primary methods of genetically modifying crops, according to the Ohio State University:

- Selective breeding: Two strains of plants are introduced and bred to produce offspring with specific features. Between 10,000 and 300,000 genes can be affected. This is the oldest method of genetic modification and is typically not included in the GMO food category.

We talked about selective breeding. I will come back to that -

- Mutagenesis: Plant seeds are purposely exposed to chemicals or radiation in order to mutate the organisms. The offspring with the desired traits are kept and further bred. Mutagenesis is also not typically included in the GMO food category.
- RNA interference: Individual, undesirable genes in plants are inactivated in order to remove any undesired traits -

RNA being ribonucleic acid -

- Transgenics: A gene is taken from one species and implanted in another in order to introduce a desirable trait.

The last two methods listed are considered types of genetic engineering. Today, certain crops have undergone genetic engineering to improve crop yield, resistance to insect damage and immunity to plant diseases, as well as to introduce

increased nutritional value, according to the FDA. In the market, these are called genetically modified or GMO crops.

...

In recent years, the widespread cultivation of GMO crops has become increasingly controversial.

'One concern is the impact of GMOs on the environment', Jacob said.

They are quoting Nitya Jacob, a crop scientist at Oxford College of Emory University in Georgia -

For example, pollen from GMO crops can drift to fields of non-GMO crops as well as into weed populations which can lead to non-GMOs acquiring GMO characteristics due to cross-pollination.

It is important to clarify what we are talking about in this debate and what we are actually extending a moratorium for. It is the process that modifies an organism that could not actually happen by a selective breeding process by using the same plants, basically. We are not talking about humans either at this stage, thankfully, I might say.

I noted during the Government's consideration of this proposal - required under the act to undertake a review on why it is being done - that a number of key stakeholders were consulted about this, including Fruit Growers Tasmania, TFGA, Poppy Growers Tasmania, DairyTas, and the Tasmanian Agricultural Productivity Group. I believe others were also involved in that review. I thank those people for coming to brief us. It is important to hear various opinions and sides in this debate, and I welcome that because it challenges all of us to really think about why we would or would not support any particular change or continuation of the moratorium.

I appreciate the views expressed in the briefing that there needs to be some flexibility around the moratorium. I am not sure how you have flexibility around a moratorium - either it is a moratorium or it is not - but I think what was being referred to in that flexibility was the need for ongoing review. That is fine, that is what is happening and what will continue to happen. That is not going to change, and I suggest neither should it in terms of ensuring we are acting on the best available science and looking at all matters to be considered, which includes our markets and where we pitch ourselves as a state.

I note that Ms Davis and Mr Armstrong talked about farmers being put behind the eight ball by the moratorium. That was the term used. I am not sure on what basis they claim that. The interesting thing is that where we see the GM crops, and only a limited number are allowed in Australia, these are predominantly broadscale production areas of cotton, canola, soybeans and safflower. These are big crops. I do not know if anyone has ever flown over some of these farms, but they are massive. Some of them would take up huge tracts of Tasmania if you dropped it in one big paddock or a number of paddocks. They are huge.

Tasmania is never going to be a producer on that scale. We just do not have the land mass, we do not have the great tracts of open land that occur on the mainland. We have always been seen, and I think we will probably always continue to be seen, as having a niche market approach and a higher quality market. It is better to get a premium price for your product and grow a quality product

because we cannot grow a lot of things. While there are some people who put produce into the commodity market, like some of our dairy farmers through Fonterra, it is interesting that Fonterra supports the moratorium. Fonterra is one of the few organisations that does put produce into the major commodity markets.

If you look around, certainly in my electorate, and as anyone else who has rural areas in their own electorate will know, the majority of primary producers are smaller. A lot of them are still big by Tasmanian standards, but they are not big on a world scale or the national scale. We need to look at our point of difference. This is why I think we are seeing such a growth in organic production being promoted around Tasmania: because it is an additional point of difference. Biodynamics is the next, and I think we will see more of that.

I have travelled in the last few years to the United States, Europe and the United Kingdom, which is still part of Europe at the moment. All around the world, the growth in organics is staggering. Where you used to see a small section - tragically enough my husband and I do visit supermarkets while we are travelling; he has a funny obsession with them about seeing what is where and how much is taken up by dairy products - looking at the expansion in organic food is phenomenal. We visited Minneapolis to look at what is going on there. It is amazing. There are massive fridges of organic dairy products, for example.

I believe it is the future for Tasmania in many respects. I acknowledge an interest: my husband and I have an interest in a very small, niche organic dairy in the north-west. It is one of many in this state.

Mr Finch - You are reminding me of the time I went to England and talked about eggs when I came back. I did a presentation here about free-range eggs and I was pooh-poohed. I said that in time people will vote with their feet. You only have to look at the shelves on the supermarkets and the price people pay for caged eggs, \$3.50 for a dozen, and a premium price of \$6.50 for a dozen free-range eggs, but people pay it.

Ms FORREST - Not everyone in our community can afford to pay. We still have many people living in very difficult economic times but we are not only talking about the Tasmanian market. We were talking about the mainland market. We are talking about the eastern seaboard. A lot of our produce goes into Victoria and the markets there.

Mr Gaffney - It is the chickens that are free range.

Ms FORREST - Yes, free range-laid eggs. We also have free-range chicken you can eat, too, from Nichols Poultry. My husband is no longer involved in the company that runs that and has not been for a long time, as a matter of declaration.

Mr Finch - A friend of mine was travelling in England and, for the first time - this is about 30 years ago - he saw a sign that said free-range eggs and he went into to get some for free.

Ms FORREST - They were free? No.

In Tasmania, we have high-value crops; we have niche markets we can sell into and we are trading on the GMO-free status of the whole state. Not only is the north-west coast, or the Huon Valley or the Tamar Valley GMO-free, but the state itself is GMO-free. On a world scale, people think we are about the size of a five cent piece. If you said to people in America that the west coast

was GMO-free, they would think, 'Well, how big is the west coast? It is only a tiny place, anyway.' It is important from a marketing perspective that the state is seen as GMO-free. The more high-value crops we can get out of this state, and they are getting the premium price, the more sustainable our agricultural businesses will be.

Governments past and current continue to invest in irrigation in our state, which is a really important way to boost our agricultural production. It is fascinating to drive through the Midlands, which I do on a regular basis, and see how the Midlands are now being used for agricultural purposes when properties used to simply provide grazing for sheep, and the high value is being added to that.

We need to remember what we are seeking to do in Tasmania, from our state's perspective. The other point Mr Bourke raised was the importance of pollination services from bees. Bees are seriously under threat around the world and if the bees die, we die. End of game, it's over. We need to be very conscious of bee health and what we are doing for bees, generally. I will come to some of these points in the report that talk about that. Mr Bourke talked about the key honey markets - Japan, the EU and the UAE. These markets are predominately there because of the GMO-free status.

Blue Hills Honey is one of the biggest producers particularly of leatherwood honey in my electorate; it is terribly important to them. It would destroy their business to get rid of this status. They would lose those markets; that is the endgame. They have worked so hard to build the business up. It might be not a big industry in the scheme of all industry in Tasmania but surely we can see the importance of it in honey production and bee pollination services run by other beekeepers?

To go through some of these points in the new review. The member for Windermere talked about industry. It says on page 12 -

The dairy industry is Tasmania's largest agricultural industry, with a gross farm gate value of \$429 million. There were mixed views within this industry, with dairy processor Fonterra and the Organic Dairy Farmers of Australia (ODFA) co-operative both expressing support for the moratorium, while the State's peak industry body DairyTas noted the impediments of the moratorium and potential benefits of GM pasture species and animal feed. The Tasmanian Farmers and Graziers Association (TFGA) also noted these potential benefits for the dairy and livestock industries.

There were mixed views in the dairy industry, but some of our biggest producers support it from a marketing perspective. Two submissions were received from stakeholders of the \$337 million beef industry, Greenham Tasmania Proprietary Limited and Tasmania Feedlot Proprietary Limited. Both are strongly in favour of the moratorium and provided substantial evidence to demonstrate how it has provided them with a marketing advantage.

The member for Windermere was asking about the evidence. The evidence was provided to the review. On page 78, there is a section called 'GMO Moratorium Benefits - Case Studies', which talks about Tasmanian GMO-free beef -

The \$337 million Tasmanian beef industry provides several notable examples of the marketing benefits provided by the moratorium. For instance, Greenham Tasmania relies on Tasmania's GMO-free status is a key part of its marketing

program. All of the company's beef production is sold as 'Tasmanian' while three quarters is also specifically marketed as 'non-GMO'.

This provenance branding has enabled Greenham Tasmania to access valuable markets in the United States worth a combined total of \$60-\$80 million per annum.

Greenham Tasmania is in my electorate, so I know what they do and how much this matters to them. Even though all beef in Tasmania may be GMO-free, this is their marketing advantage. That figure of \$60 million to \$80 million per annum is the one the member for Windermere asked about -

These customers actively seek to purchase beef certified as non-GMO, with these products commanding a price premium. This premium flows through to Tasmanian farmers, with Greenham's 1,800 suppliers estimated to receive an additional \$125 per animal over and above conventional animal prices.

Another declaration of interest is that my parents sell some of their beef to Greenham. Dad is 91 and Mum is 82, and they are still selling meat to Greenham -

Tasmania Feedlot, which finishes around 18,000 - 20,000 Angus steers per annum destined for Japanese markets, also relies heavily on Tasmania's GMO-free status and reputation as a clean, green and safe producer of premium beef. They have noted that removal of the moratorium would make it difficult to continue to guarantee that inputs to their beef are free from GM material, which would in turn make it difficult to retain access to Japanese markets.

Access to these valuable markets, made possible by the GMO moratorium, has helped to make beef Tasmania's most valuable international food export in 2017-18, representing \$210 million out of a total food export value of \$740 million.

There is your evidence. In other case studies -

Tasmanian GMO-free dairy

Dairy is Tasmania's highest value agricultural industry, with a farm gate value of \$429 million. While there are a range of views concerning the GMO moratorium within the industry, submissions from the Organic Dairy Farmers of Australia co-operative and Tasmania's largest milk processor Fonterra Australia both advocated extension of the moratorium for marketing reasons.

In New Zealand, Fonterra Australia's parent company recently developed a segregated milk pool for certified non-GMO milk products, which are reportedly achieving greater market share and price premiums in some export markets.

There is your evidence -

Fonterra noted the State's GMO moratorium makes it a potential location for sourcing non-GMO milk products certified through the non-GMO project.

A number of dairy farms within Tasmania are already transitioning toward organic certification, with several processors commencing production of branded Tasmanian organic dairy milk. Extension of the GMO moratorium will help to maintain and build Tasmania's clean and green reputation and provide an environment in which these high-value industries can expand and thrive.

We know there is continual pressure to grow the dairy sector in this state. We are seeing farms I did not think could be converted - because it takes a while and sometimes the land is not in the best condition - being converted to organic. But once you start looking after the land effectively, it does become possible and we have seen this happen. It makes sense when you can see the economic return with the price premium.

The GMO honey members of the \$8 million honey industry also actively promote the GMO-free providence of Tasmanian honey in both domestic and international markets. Countries such as New Zealand - which is the Tasmanian industry's main competitor - also market honey as GMO-free, meaning the loss of Tasmanian GMO-free status will impact Tasmania's competitiveness in honey markets.

Removal of the moratorium could permit cultivation of GMO crops, exposing beekeepers to the risk GM pollen will contaminate honey products. As Mr Bourke said, 'You do not have honey if you do not have pollen'. You will see companies taken to task for that.

Mrs Hiscutt - There was a place here six or seven months ago with fake honey.

Mr Valentine - That \$8 million is now \$12 million.

Ms FORREST - This would impact on access to markets such as Japan, the EU and the United Emirates, which would in turn threaten the profitability and security of honey production in Tasmania. That would have serious implications for pollination service provision in this state at a time when the number of hives required for pollination crops such as berries, cherries and vegetable crops is growing. If we continue to increase our food production particularly of berries, cherries and vegetables, we have to have healthy bees to do the job.

It is amazing when you drive through the Midlands - I cannot believe how many more cherry trees have been planted.

Ms Rattray - That is as much to do with the water as anything.

Ms FORREST - You still have to have pollination; the irrigation has made a huge difference to this, but you still have to have pollination or the trees will not fruit and you need bees for pollination.

Mr Valentine - You can do it other ways but it is very long-winded way of going about it.

Ms FORREST - The bees play a really important part in all this. They are talking about our salmon industry. The \$838 million salmonoid industry is Tasmania's largest single agrifood business and the GMO moratorium presents businesses within this industry with the opportunity to exploit Tasmania's brand advantage. A submission from Huon Aquaculture - a major stakeholder in this industry - supports an extension to the existing moratorium in an open letter to its customers

and wholesalers. The company emphasises it does not use GM salmon stock or GM ingredients in its feed.

Tasmanian agritourism - which is again a little left-field of this, but the GMO moratorium provides marketing advantages not only to Tasmania primary produces and agribusiness, but also to our growing food service and tourism industries. Submissions from significant Tasmanian agritourism business, such as Fat Pig Farm, noted the importance of the Tasmanian brand which attracts visitors to their enterprises and highlighted that the state's GMO-free status is essential to their business models. It is much broader than just our food production. Look at the growth of agrifood businesses in this state - it is enormous and one of the growing areas of our tourism experiences.

The evidence is clearly there on page 16 of the report where there is another testimonial that basically reiterates the one from Greenhams; for example, it says -

For example CHOMPS, an American manufacturer of beef sticks marketed as 'grass-fed' and 'non-GMO', stated that:

'We proudly call out the Non-GMO project [certification] on our consumer packaging and the certification is one of the main reasons we enjoy a rising demand for our products. If we could not source non-GMO material from Greenham, it would have a considerable impact on our business and plans for future growth. We would strongly encourage the Government to maintain the moratorium. It is a unique point of difference for all of Tasmania's natural food products'.

I do not know whose electorate this business is in, but I remember meeting with the people who run this -

The importance of Greenham's provenance story was also reinforced by one of its Tasmanian customers, beef jerky producer KOOEE! -

I do not like the product myself - I am not a jerky eater - but some people love it. They stated -

Any downgrade of the perceived quality of Greenham Tasmania meat would cause complications for KOOEE! and reduce our ability to differentiate ourselves from cheaper offerings made interstate.

This little business grew out of nothing and it has only been going a few years, but they have grown their business on the back of this.

Mr Gaffney - And now you should say, 'It's my favourite product, I really like it'.

Ms FORREST - I am sure lots of people love it. I think I have covered this -

Mrs Hiscutt - I remember the last time we had this debate I was very interested in the wine industry. Is that mentioned there?

Ms FORREST - I think it is, I just have to get to that.

The report talks about niche versus commodity markets and the value of a moratorium. This goes back to my point of us being a niche market -

The potential for GM technology to create productivity gains for large-scale commodity products was acknowledged in submissions both for and against the moratorium. Many Tasmanian agricultural products are sold in commodity markets, as noted by CropLife Australia and Agribusiness Tasmania, where they are not differentiated no market advantage is leveraged from the State's place-based brand. Tasmania does not have a comparative advantage in commodity markets because of its small scale and isolation from key markets, as noted in submissions from Tasmania Feedlot Pty Ltd and John Lord.

I am sure most members would know of John Lord and his experience in this area -

Therefore, it makes sense for Tasmania to focus on its market positioning as a small volume, high quality producer.

This has been reiterated through Brand Tasmania's approach - that is what they are focusing on, even though tourism approach is about that niche high-end market.

I want to go to the issue of bees and honey production. I will read a comment from page 26 about the coexistence about GM crops with honey production. It says -

Tasmania's honey industry presents unique challenges for co-existence because of the potential for pollen from GM crops to contaminate the honey stored in hives. Some submissions claimed the wind-pollinated GM crops, such as poppies and ryegrass, could coexist with non-GM honey production because they are not attractive to bees. One of these cited the poppy industry's long-term success in preventing the spread of pharmaceutical poppies beyond production areas as further evidence that GM poppy production could coexist with non-GM crops.

I am not sure that has really been proven because the poppies you see spread well beyond the areas where they were originally planted as a trial crop -

The submission from the Tasmanian Beekeepers Association, the peak body representing the State's beekeeping industry, opposed any GM crops being grown in Tasmania due to the risk of contamination from GM pollen, including from GM poppies.

It was discussed in the briefing - the member for Windermere might have raised it, too - that they do not tend to go to poppies, but if poppies are around and near where they are, they will go wherever the pollen is. For bees, when they have a fair load of pollen, it is a fair effort to get back to the hive so they are not going to go any further than they need to if they are all loaded up on their little legs.

Mr Valentine - They do actually concentrate on certain crops.

Ms FORREST - They do, yes.

Mr Valentine - The chance of them going outside may be small, but it does happen - being an ex-beekeeper.

Ms FORREST - The quote continues -

It argued that a change to the moratorium could mean that key markets in Japan, the EU and the United Arab Emirates could be lost -

As I already mentioned.

The reality is that this issue around poppies was raised extensively in the last inquiry, and it became clear that many of the advances in the poppy industry have come about through selective breeding and the techniques used by the industry without GMOs. As we talked about in the briefing, they have developed the thebaine poppies without GMOs, which now gives them that niche product in the market, and the codeine poppies that actually produce codeine without having to go through the whole process of synthesis into the final product.

They have developed these products without needing to modify them genetically. They have done it through specific breeding techniques, which some would argue is a form of genetic technology, which in a strict sense it is, but it is not. That is why I read through the definition at the beginning.

Ms Rattray - It is the Clayton's GM.

Ms FORREST - No, it is using the genes within the plant itself - selective breeding, that sort of thing. I just want to talk about what Tasmanian Alkaloids had to say. Going to GM poppies, on page 35 of the report, the submission from Tasmanian Alkaloids Pty Ltd, one of Tasmania's largest poppy processors, noted that -

... the company can continue to operate without any adverse effect on its current Tasmanian operations if the moratorium were to be extended in its current form, including the exemption for pharmaceutical poppies.

Tasmanian Alkaloids estimate that GM technologies could be used to increase alkaloid production in poppies by twenty per cent or more, compared to conventional plant breeding over a one to three year period.

They are saying that there potentially could be benefits, but they see their business not being negatively impacted.

Ms Rattray - They do say 'adverse effects on its current Tasmanian operations'. It said 'in its current form', didn't it?

Ms FORREST - Yes.

Ms Rattray - That is five years - the current form is five years.

Ms FORREST - '...were to be extended in its current form'. They are talking about the process of the extension - I do not have that act in front of me - but it requires a transition period if they change that. That is my understanding of what they are referring to.

Ms Rattray - The Leader may clarify that.

Ms FORREST - Yes, she may.

There is also the point about the use of chemicals the member for Windermere was talking about. It says on page 36 -

While several submissions opposed to the moratorium cited studies indicating that GM crops have resulted in a reduction in the use of pesticides, herbicides and fertilisers, many submissions in support of the moratorium claimed that the use of herbicide-resistant GM crops, including Roundup Ready varieties resistant to the herbicide glyphosate, has increased the use of herbicides.

They have actually increased the use -

Many submissions claimed that glyphosate is toxic, carcinogenic and/or results in adverse health outcomes, several noting recent high profile court cases against Monsanto/Bayer in the US.

There are some big payouts being made there on that issue -

Several also argued that the over-use of herbicides in GM crop production has led to the emergence of herbicide-resistant 'super weeds'.

It is a bit like the antibiotic issue -

One even suggested that the overuse of glyphosate and GM crops leads to land degradation and Colony Collapse Disorder in bees.

We are back to the issue with bees and the importance of bees -

Among the pro-moratorium submissions, the submissions from Gene Ethics, Dr Paull and the Tasmanian Public and Environmental Health Network provided the most in-depth examination of chemical use.

Dr Paull's submission cited research indicating that glyphosate contaminates water, air, soil, plants and animals, is ingested by humans through food, beverages and other routes, is carcinogenic and can cause multi-generational disease through epigenetic effects. The submission noted that the GM Roundup Ready canola grown in Australia is dependent upon multiple applications of glyphosate.

We are not actually reducing it completely, as has been suggested. That is what I am hearing from people who grow crops like GM cotton. Yes, you might reduce the need for one particular product, such as a pesticide, but you still have to apply herbicides because of weeds and things like that. It does not remove it completely. There is the risk of superweeds developing, as superbugs with the misuse of antibiotics.

The Gene Ethics submission provided an in-depth of the current global controversy surrounding the safety of glyphosate-based herbicides, including ongoing litigation in the United States, and highlighted the potential risk to export

markets if authorities in Europe or China were to impose a zero tolerance threshold for glyphosate residue in imported grain. The submission warned allowing glyphosate-resistant GM canola to be grown in the State would make Tasmania more dependent on glyphosate, lead to a spike in glyphosate use, and expose Tasmania to the aforementioned risks. The submission rejected the conclusion of the Australian Pesticides and Veterinary Medicines Authority that glyphosate does not pose a carcinogenic risk to humans and that registered glyphosate products are safe provided they are used as per the label instructions.

I understand they have rejected that claim. But when we see what is happening in the US, a whole body of pain is coming to Monsanto. It will end up here.

The other point to be used in terms of our marketing advantage, when we look at a summary of findings in this report, the 'Markets, marketing and branding' section says -

Tasmania's GMO moratorium benefits those businesses seeking to claim GMO-free status for their products but is potentially holding back investment and advancement in other business that would like the option to use gene technology.

There are swings and roundabouts here, because the industries perhaps most likely to benefit from gene technology are the big producers that operate into the commodity market. As Tasmanians, this Government does not seem to be focusing on that. We are focusing on the smaller niche markets. Then we have to weigh that against the other. There are two sides to this, I am not denying that for a second. That is why the ongoing reviews are important. We are now using that strategic advantage. While that was a criticism back in the previous committee I was on in 2008, there did not seem to be much promotion of that, but Brand Tasmania and the Government have been doing a lot of work in this space now. It is being used as a marketing tool. Back then, when we had this other inquiry, Greenhams certainly were not using it as a marketing tool. I do not know many others were, but they are now along with our honey industry.

The report says -

- It is not possible for this review to quantify the market (or marketing) advantage or disadvantages to the State of the moratorium. As observed with previous reviews on GMOs in Tasmania and more generally, quantitative evidence around the costs and benefits of maintaining Tasmania's GMO moratorium is limited beyond discrete marketing examples and product offerings.

That is always going to be the case. We found that in the previous inquiry. You do not know what you have missed out on a lot of the time, so how do you put a price on that? What can be achieved through other means, like the selective breeding and other technologies used in the poppy industry, for example.

The report continues -

There is extensive qualitative evidence around the market benefits of Tasmania's GMO-free status as one of the number of attributes that form Tasmania's broader reputation in the market.

That is worth a lot.

A full or partial move of the moratorium presents some risk to the Tasmanian Brand in the market place, due to the potential for such a change to fuel new media exposure and create a negative consumer perception.

- As a small island economy located at distance from any markets, Tasmania is disadvantaged in competing on supply-chain efficiencies.

Ask anyone who is exporting across that body of water to the north, and you will know it really is a challenge -

Lacking a competitive advantage in the commodity market, there is potential for Tasmania to capitalise on products which attract a premium price to improve marketing efficiencies.

Further -

- If the moratorium continues, the Tasmanian Government should continue to work with industry to build opportunities for the Tasmanian Brand.

This is one of the things Brand Tasmania is very focused on. If members have not read through the whole report, I encourage them to. I was looking for the section about the wine industry. So many industries in Tasmania are based in agriculture, are quite diverse and are using this as a marketing advantage. When you look at the agritourism businesses, all our fruits and vegetables, meat, beef, fish - including salmon - grains and canola have a marketing advantage because while it is not GM-free on the mainland, it is GM-free here.

Ms Rattray - We don't grow enough here to service the market.

Ms FORREST - That is what I am saying. It is a niche product, so we can attract a premium price for it because it is a GMO-free product, so you overcome some of those disadvantages of the bit of water to the north and it is enough to make a difference. Otherwise, why would people bother? Why would people be investing? We talk about some of these little businesses like KOOEE! Snacks, because they are a small business that has invested on the basis of what we have.

There are many others, like Blue Hills Honey. They have spent an enormous amount on their facilities in Mawbanna, more recently opening up a restaurant and another tourism experience for the Circular Head region. They cannot afford to do that if their markets are not secure. To say we should only have a two- or three-year horizon on this would mean that anyone already in this area would be reluctant to invest further. Those who are thinking about coming into our state to operate with this current advantage would think twice, particularly when they can pop over the ditch to New Zealand and do it over there. We need to be careful about removing this, as the Leader said. If you remove it, it is gone and you cannot get it back.

The wine industry is another that sees the benefits. There were submissions from the \$49 million wine industry which all indicated support, primarily for branding and marketing reasons. We are seeing more vineyards look at becoming organic. A lot of chemicals - I do not know why any of us would drink wine but most of do on occasion - go onto our vineyards in the process of growing grapes for wine. More and more vineyards are becoming organic. A week or

two ago, I was in Adelaide for the Commonwealth Women Parliamentarians conference. I went to the McLaren Vale area; I did not drink too much wine up there, but it is amazing how many vineyards are becoming organic. You can see that the organic vineyards do not have this completely bare earth under their vines.

Ms Rattray - They've got weeds.

Ms FORREST - They have grass, but they are still producing wine and they are getting the premium price. We stayed somewhere for two nights before the conference and sat down with the owners to talk about their business. Yes, it does require more labour and work but the premium they get from it makes it absolutely worthwhile. It is something that is being promoted more often. While they can claim to be organic wines, they probably cannot claim the GMO-free status of South Australia because it is not.

We have the beautiful natural boundary that goes around our state, being the island we are, which makes it possible to claim that and be believed. If we tried to segregate parts of the state saying this bit is GMO-free and this bit is not, we would lose that. I agree with the Government's commitment to extend the GMO moratorium for 10 years. I appreciate they will continue to monitor it and look at technological advances in markets and consumer sentiment - that is important. But I agree it is a sensible and balanced approach. I commend the Government. I hope others reject the proposed amendment put by the member for Windermere. I think this is the most appropriate approach. I commend the Government.

[5.35 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I certainly have appreciated the contributions by the members so far in regard to this important issue.

From the outset I indicate I support the member for Windermere in his attempt to effectively leave the extension as a five-year extension, as it has been in the past. My point is nobody is asking us today to take away the moratorium, it is just the length of time there is a concern around, given we have this significant, rapid - if you like - advancement in technology that could assist all businesses and might not necessarily be what we see today. Five years is a long time. Members might like to think about what they were doing five years ago.

Mrs Hiscutt - Debating this very issue.

Ms RATTRAY - Yes, well, there was this in 2014. Things have moved on quite a bit. That is the point I want to make, The member for Windermere, who has my support, is not saying remove the moratorium, we are just saying a 10-year moratorium is a long time. I am keen to have members address the fact there are some advantages for Tasmania in having that option. Members may not recall word for word the final report of the Legislative Council Select Committee on the Tasmanian dairy industry, for instance, which was only back in 2017. I know you may and the Leader may recall it because you were both members of that committee.

One of the findings of that committee was that organic and GMO systems can coexist. I quickly found the report, thanks to some assistance in the Chamber. We were clearly told through that inquiry - I will just read out some findings -

Many jurisdictions are using the generic term 'clean and green' in their marketing and consequently, the message is at risk of becoming less meaningful.

Another finding -

The private sector is best placed to build the Tasmanian brand.

That is exactly what businesses have done in this state. They have used the Tasmanian brand, not necessarily a GMO-free brand. Yes, it may be a component. We have heard a little bit about that already today, with the Greenhams NEVER EVER program. Yes, the GMO is a component, but predominantly it is a Tasmanian brand that sells those products.

I expect not many wine bottles actually have 'GM-free' written on them. It is Tasmanian wine that sells the product. Tasmania, that is the brand. I agree absolutely with the member for Murchison that Brand Tasmania has a significant role in promoting the Tasmanian brand and has done so to some extent for some companies and businesses in the past. With a significant increase in their budget, from the allocation of last year, a budget of \$339 000 with a new board and a new structure, I will expect that they will do a lot better in the future in promoting the Tasmanian brand. Exactly that. That is their role.

I will go on. This is finding 3 -

There is a market for organic milk, but producing it is a difficult and expensive exercise.

Again, I acknowledge the member for Murchison has certainly some knowledge and understanding of that area, but we know that it takes three years to gain organic status. Then you have to get yourself into the market, and being able to keep that organic status in itself is a real challenge. If you have one cow you need to give some penicillin to, you have to take it off farm. You cannot risk having that animal with your herd to maintain your organic status. It is a huge commitment. Yes, there is a market for some organic milk, but can people continue to pay that premium price? I do not know.

Ms Forrest - They are.

Ms RATTRAY - As I said, there will be some, but I do not see the future of dairy as an organic product.

Ms Forrest - You need to travel then and you will see it.

Ms RATTRAY - Well, some of us have some commitments around what we do. We all make our choices.

Ms Forrest - Go to some supermarkets in the UK and have a look while you are there.

Ms RATTRAY - Thank you, I will try to do that around my commitments elsewhere.

I am focusing on the Tasmanian situation here. We know some of our wages are the lowest in the country. Even though at times we have had a lower cost of living, many people would say that is actually catching up now. We know the issues people are having around finding affordable housing and the like. People will have to look at price points and although they would probably love to buy some of those higher priced products, at the end of the day they have to make their

budget balance. That is probably getting into another area, but it is a point worth making in this debate.

Another one of the findings from the report, and is really general for Tasmanian businesses, is that consumers want a safe product produced cleanly and sustainably. Tasmania gives you that. It does. It does not necessarily have to have a long-term GMO-free status attached to it. That is what I am arguing today. Yes, we can continue with the moratorium for five years as the member for Windermere has suggested and we can look during those five years at what is being developing in the way of technology and opportunities for businesses.

Mr Valentine - Doesn't that mean people who are investing have a smaller window to get their investment back?

Ms RATTRAY - There may well be other opportunities. Who are we to say what the markets will be for any given product in the future? Some seed markets are being held back because of Tasmania having a GMO-free status. On one hand, you may gain this and on the other hand, you may lose that. Is it not about what the market does? It works itself out, and who survives and who does not. Sadly, some businesses do not survive for whatever reason. I am saying we could miss out on opportunities. I am not saying take away the GMO-free status - I am saying just be careful how long we put it in place. That is why the member for Windermere's amendment is for a five-year moratorium, which gives plenty of time for the necessary reviews or even an inquiry. I know the member flagged it is possibly time for an inquiry.

Ms Armitage - Why?

Ms RATTRAY - To look at what is available.

Mr Dean - Have a real look at what is happening.

Ms RATTRAY - What possibilities there are.

Ms Forrest - Are you suggesting the Government did not do that? Did not look at it?

Ms RATTRAY - No, I am not suggesting that.

Ms Forrest - The member for Windermere just did by inference.

Ms RATTRAY - I feel sure that a lot more information can be gained other than what was in this report. It is quite a comprehensive report and the member for Murchison read quite a bit of it, certainly the supportive parts of the report in regard to the Government's position -

Ms Forrest - I did read some of the alternative views, as well.

Ms Armitage - The bulk of it was in support and that is fine. That is the member's position.

Ms Forrest - No, it backs up what was in the committee inquiry, a similar process but done by a different body.

Mr Dean - It depends how you interpret the inquiry and take the pieces out of it and so on.

Mr Valentine - It was at 76 per cent in support, wasn't it?

Mr Dean - You can support your argument by taking bits and pieces out of it.

Ms RATTRAY - It always generates a good debate in this Chamber. Finding 5 stated -

A single food safety incident has a potential to undermine consumer confidence in the Tasmanian brand.

You only have to look at the strawberry incident - just one incident can completely unravel an industry. You cannot always believe that a particular pathway will guarantee you success.

I asked a question without notice about blueberry rust today. We have an industry that is desperate to have an eradication, yet the Government is saying, 'No, we are happy with containment because we have large industries that do not necessarily need an organic status', yet we have smaller organic blueberry farmers who are very keen to hold on to their organic status. You have that juggling act. How do you look after everybody? The Government has decided in this case that containment is how you look after the blueberry industry.

I am asking for some consideration in supporting the member's amendment to have a five-year moratorium, which is what we had in the past, and look at it again in five years. Nobody is asking for it to be taken away. A five-year plan for any business is pretty reasonable. I expect that most people would probably do a three- to five-year plan. Through that process, you have an opportunity to have a review or a more detailed inquiry. Again I am not saying this one was not, but there might be some new information in 12 months time. That is what we do in this place. We provide as much up-to-date information as we possibly can.

I am mindful that the member for Windemere has shared quite a bit of this paperwork with members. We received a letter, which was put in the review, and it is worth reading the TFGA's response because it stated to be a supporter of the moratorium. I also support the moratorium. I will read from the letter submitted to the moratorium review; I will not read it all. The TFGA said -

During this current review we have again consulted with our members, across commodities, to determine their views on continuing or removing the moratorium. After this consultation, we believe that the GMO moratorium should remain in place. This is due to the economic benefits to Tasmanian agriculture of a unique GMO-free status, including Tasmanian beef that is currently marketed as GMO free.

We have had that discussion -

However, the advantage of being GMO-free is not being utilised across all agriculture industries in Tasmania.

They go on to say -

We recommend the State Government increase its investment in marketing and promoting our GMO-free status to allow Tasmania to fully benefit from the unique status of being GMO free. This is vital if we are to retain the moratorium to ensure that while we are losing access to some gene editing and GMO

technology, we are able to gain a premium price for our produce. To continue the moratorium, hard evidence will be needed on the marketing advantage to Tasmania. We do, however, realise that the Department of State Growth is currently undertaking a review of interstate and overseas markets for Tasmanian food products and we look forward to the results of this review.

I am interested in whether that marketing is included in this report. That was asked for by the TFGA. They have asked for the overseas and interstate results in regard to that.

They go on with some more, but further in the letter they say -

Therefore, we do support the GMO moratorium in Tasmania on the condition that it is utilised and marketed correctly. We also recognise that this is a continuously evolving area and believe the moratorium needs to be reviewed regularly and monitored constantly, and if the benefits no longer outweigh the gains, removed.

They are asking for that review process, but at that time, I am interested to know whether they understood it was going to be for 10 years or not the normal five years.

We received another piece of information from the TFGA, which was a smaller letter. The Leader might have the answer to this: when that piece of information was provided, was the TFGA of the understanding that it was going to be a continuation of the five-year moratorium? I would be interested in receiving that.

Mr President, the member for Windermere has also made some comments about what came from Brian Hartnett, who was unable to come to the briefing -

Mr Dean - I did not relate a lot about Brian, so it would be good if you could.

Ms RATTRAY - Brian's background is in the general management of pharmaceutical production, including in the poppy industry, and he is retired now. He provided some information dated 14 April 2019, fairly recent. He talks about the impact on long-term research and development -

Research and Development is a long term activity requiring significant investment and long term objectives over decades. It cannot be seen as a short term activity able to be turned on or off at will. Under the current Moratorium there is no incentive to invest for the long term. The impact will be felt in the future when Tasmanian industry will be at a competitive disadvantage and relatively low productivity.

It says further -

In effect there is no exemption for the poppy industry or other medicinal crops as raw material for processing. The conditions attached to the Moratorium are so onerous even for a small field trial crop that they completely block any commercial project.

This industry is the world leader and must be given the opportunity to be competitive in the future.

No investment in GMO will be made under the Moratorium. At some stage, there will be competitors elsewhere in the world who introduce GMO crops and thereby close down the industry in Tasmania. The loss of income and employment would be catastrophic for the State.

Poppy is not attractive to bees and does not rely on them for pollination. There is no issue for honey production.

Poppy is well contained in this State after many decades of the industry with no significant chance of a GMO crop spreading further than the paddock.

Then it goes on to say, 'A real exemption must be provided for medicinal crops if the Moratorium is removed.' Is the Government considering that particular aspect for medicinal crops, and potentially for poppies, if the moratorium is put in place for 10 years? That is certainly a significant issue that will be front and centre of the poppy industry's mind, I expect, as we move forward.

It is worth going on. It says -

Nobody in agriculture wants to use chemical spray for weed control but their use is essential for economic production of crops.

We have heard about what happened with poppies -

A GMO plant which is resistant to a relatively safe herbicide would obviate the need for the wide range of chemicals currently used. There are health benefits and cost savings for everyone in the industry.

The member for Windermere already touched on that. It goes on to say CSIRO developed a herbicide-resistant poppy, but it had to be abandoned due to the moratorium. Again, that is a lost advantage -

The state wide Moratorium makes life easy for some producers who wish to claim GMO free status.

They just have to say they are in Tasmania -

Their advantage becomes a disadvantage for other producers who may wish to apply GMO technology.

The producers who wish to be GMO-free can do so on their property and in cooperation with other likeminded businesses. They can go through the certification for their property.

Producers who wish to use GMO technology would be able to do so under the control of the national office of the gene regulator.

Mrs Hiscutt - Can I remind the member that only four crops are GMOs, only one crop of which is suitable for Tasmania, being canola. You can only be speaking about canola.

Ms RATTRAY - Well, if we could grow -

Ms Forrest - You are talking about it being in Australia.

Ms RATTRAY - I am relaying what has been presented -

The claimed marketing advantage of GMO crops is small and restricted to a few businesses. They are holding back investment and advances in all other cropping industries. This bias should not be allowed to continue. Farms or areas which wish to be GMO free can do so in segregation from GMO areas. This has been shown to work well in other jurisdictions.

Victoria allows GMO to be used and they have no problem promoting themselves as a source of wholesome food in local and overseas markets.

It goes on to say -

The moratorium should not be extended any further and needs to be ended.

Tasmania should harmonise with nationwide regulations agreed by the Gene Regulator and other States. We do not need another set of burdensome regulations and restrictions.

This is certainly a person who knows what he is talking about. I have the greatest respect for Brian Hartnett.

The minister is certainly very supportive of the comprehensive Agri-Food Plan. He has said in the past that he is on track to meet this goal. The most recent ABS figures show a 9 per cent increase in the annual value of agriculture production, to \$1.6 billion in 2017-18.

I am interested in the comprehensive Agri-Food Plan. It would be very useful to see the amount of growth that has occurred in recent years. Is that growth put down to our GM-free status or is it more about water development? That has certainly increased the dairy industry in Tasmania and made that a significant industry player. Most of the grain used in the dairy industry is not grown in Tasmania and reliability of its availability is a problem. You only have to be at Devonport or Burnie wharf on any given day to see the number of containers that come into our state, providing all different types of grain, but they are from the mainland and they do not have GM-free status.

We are very fortunate at the moment. We have the highest ever price for both wool and lamb and many farmers are very happy about it. There has also been a significant increase in the value of cherries and the export value they have brought to Tasmania. We have Reid Fruits cherries at Jericho and the salad lettuces et cetera grown by the Houston family and others in the south, and that is related to the supply and availability of water, particularly from those new schemes. We are very fortunate to have that.

There are some winners from the GM-free status and there are some losers. I am not convinced that we receive a premium on those products because it does not come through to the farm gate. We have some niche markets -

Ms Forrest - Did you read Greenham's evidence? They clearly showed \$125 per head extra.

Ms RATTRAY - It is not only the GM component.

Ms Forrest - No, that was based on their marketing as a GM-free product.

Ms RATTRAY - I think you will find that the NEVER EVER Beef Program has more to it than the GMO-free.

Ms Forrest - That is their marketing. They also sell meat that is not labelled GM-free and they do not get the premium on that. You should talk to them.

Ms RATTRAY - I will go back to my notes. The Greenham NEVER EVER Beef Program was established in 2012 to source, certify and promote premium quality, natural grass-fed beef from producers across southern Australia. From its inception, the Greenham NEVER EVER Beef Program has proudly sourced beef that is 100 per cent grass fed, with no added hormones, no antibiotics ever; it is free range and never been confined to feedlot; it is free from genetically modified organisms and meets Standards Australia certification requirements. It is one of six standards. It cannot be completely attributed to GMO because it clearly says that it is grass-fed beef from producers across southern Australia. Whether there is some from Victoria and South Australia wrapped up in the Tasmanian lot -

Ms Forrest - No, they market it separately.

Ms RATTRAY - I am absolutely certain it is not reliant on GMO only.

I will finish off with that for completeness. Requirements for Never Ever Program include -

- Livestock never being fed a diet that includes grain or grain by-products.
- Livestock must never have access to genetically modified crops.
- Livestock must never be fed any finishing diets that include therapeutic antibiotics or steroids.
- Livestock must never be administered hormone growth promotants or ionophores.

I have not heard that word before -

- The use of genetically modified and/or cloned animals and their offspring is prohibited.

To quote from their website -

Greenham can source and process cattle that fulfils the obligations of the one of the strictest non-GMO protocols in the world based in the USA.

Beef exported to the USA under the non-GMO Project Verified label is underpinned by the requirements of the non-GMO Project Verified licensing agreement.

That is a quote from the NEVER EVER Beef Program booklet. It goes on to say that it pays \$125 more per beast if it qualifies for the program.

What happens to the program if there are no GMO-free cattle in Tasmania what does Greenham do then? It believes that the beef producers are required to certify that their beef cattle meet these requirements and may well be audited. The requirements could still be met if GMOs were allowed in Tasmania. It would simple mean that beef producers would not feed them to their cattle. Each producer could decide whether to aim for the added value per animal or with GMO pastures increase their productivity and lower their cost of production. Each beef producer should be able to decide.

Again, there are options in regard to what a farmer can do. In other words, you can have a GMO-free status and get the extra money, or you can actually grow a bigger beast by having a different feed and you will get a bigger animal, so you will get more weight per kilogram, because you are paid on weight.

Mr Dean - Isn't that what David Armstrong said?

Ms RATTRAY - That is my understanding as a country girl. You breed them bigger and you get more money.

Mr Dean - Grow them faster.

Ms RATTRAY - Grow them faster, turn them over quicker and get them off your grass and get them to market. That is what it is all about. I finally found the TFGA letter I was looking for.

Mrs Hiscutt - Respectfully, member for McIntyre, I am aware members have commitments tonight. Do you have much more to do or would you like to adjourn?

Ms RATTRAY - No, I am happy to adjourn, Leader, because I have a few more papers here. There could well be something very compelling to members that might indicate they were willing to support an amendment for a five-year moratorium. We are not taking away the GMO-free status, we are only asking for a five-year moratorium.

In light of that and the fact the Leader asked so nicely, Mr President, I move -

That the debate stands adjourned.

Debate adjourned.

ADJOURNMENT

[6.09 p.m.]

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

That the Council at its rising adjourns until 11 a.m. on Thursday 17 October 2019.

Mr President, before we adjourn, I remind members that at 9.30 tomorrow we have Kin Raising Kids. That has been on the books or quite a while. Then Chris Arnold, Chief Officer, Tasmania

Fire Service, and Darren Hine, the Commissioner of Police, will be in Committee Room 2 at 10.30 a.m. to brief us on the pre-bushfire season.

The Council adjourned at 6.09 p.m.