



**PARLIAMENT OF TASMANIA**

**HOUSE OF ASSEMBLY**

**REPORT OF DEBATES**

**Wednesday 24 November 2021**

**REVISED EDITION**



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**Wednesday 24 November 2021**

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

## **QUESTIONS**

### **COVID-19 - Requirement for Testing for Travellers**

**Ms WHITE question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.02 a.m.]

The federal health minister has announced travellers who require a test due to a health order, as are in place in South Australia, Queensland and Western Australia, will be able to obtain these tests free of charge through Medicare. Will tourists visiting Tasmania who require tests before returning home to these states be able to obtain them at Tasmanian government testing clinics? If so, and with thousands of tourists expected to arrive and leave each day over the peak summer period, how will our testing clinics be able to cope with the demand? What plan is in place to ensure the state's entire testing capacity is not taken up by interstate tourists?

## **ANSWER**

Mr Speaker, I thank the member for her question. Today I can advise the House that following further discussions with the federal government, PCR tests which are required for entry by travellers from those current high-risk destinations for up to the first four weeks after our borders open on 15 December will be able to be conducted in state-run clinics in those states and, importantly, at no cost to the traveller. The costs will be jointly met by the state government and the federal government in accordance with national partnership arrangements.

To be clear, people coming to Tasmania from any other state and territory will be able to get a PCR test at a state-run clinic and they will not be required to pay for the PCR test knowing that under the COVID-19 MPA, the cost would be shared 50:50 between the state and federal government. This represents a very good outcome for the state's tourism industry, removing any potential barriers to travel and for those wanting to come home to visit families and loved ones.

I commend all those in our state clinics, and all the resources being put into our state clinics; our vaccination clinics, as well as our testing clinics. As I said yesterday, in terms of that effort, it is over 400 full-time equivalents, so it is 700 people who engage within our clinics and our vaccination program across the state. I commend them for it. I thank the member for the question and highlight to the people of Tasmania that today, if my memory serves me correctly, is the opportunity for a first jab and the first dose of the vaccination and to have that second dose by 15 December.

**Ms WHITE** - Point of order, Mr Speaker. The minister has not gone anywhere near answering the question, which is about how the state will deal with the testing that will be necessary to meet your obligations, and will it take up our entire state's testing capacity.

**Mr SPEAKER** - There is no point of order.

**Mr ROCKLIFF** - Travellers will be required to have a negative test 72 hours before they enter Tasmania.

**Ms White** - This is leaving Tasmania.

**Mr SPEAKER** - You do have the opportunity for another question.

### **COVID-19 - School Year Start Date**

**Ms WHITE question to MINISTER for EDUCATION, Ms COURTNEY**

[10.05 a.m.]

Parents, teachers, principals and even your department were shocked yesterday to hear the Premier announce the school year might be delayed to enable time for primary students to be vaccinated. When were you briefed? Why did it take a question in parliament for the Government to communicate something that could impact on so many Tasmanians? When will school children, parents and school staff have certainty about when school will return next year?

#### **ANSWER**

Mr Speaker, I thank the member for the question. As the Minister for Education, my expectation is that we will see young people returning to schools on 9 February. However, this Government will continue to take Public Health advice every step of the way. It is important to put on the record for Tasmanian parents what we have already done and are doing at the moment in our schools so that we can ensure we have the safest environment possible. It is disappointing that the Opposition Leader comes in here to politicise an evolving situation.

The Premier has stood up, multiple times a week, for 20-months now to outline for the people of Tasmania the fact that we are responding to Public Health advice. We will continue to do that and that has kept Tasmanians largely, very safe. As we progress towards opening our borders, and young people returning to school next year, that will continue to happen. In line with preparations for our state plan to transition to our border opening, we are implementing through the Department of Education, a range of measures to reduce the potential transmission of COVID-19 in schools and other sites, in close consultation with Public Health. Our measures are consistent with those being implemented in other states. We are seeing young people returning to school in other jurisdictions, so we are able to take the learnings from those places.

I will be clear that Public Health's advice is that the best place for children is to be in school. It is important they are able to learn but we need to make sure that they are learning safely, which is why we have been taking action. We will look at all measures to support young Tasmanians and their families to get vaccinated, and to remain engaged in learning and to ensure our schools are prepared. Work is well underway to ensure measures are fully in place for the return of school on 9 February next year -

**Ms White** - What are you talking about? It is very vague.

**Mr SPEAKER** - Order.

**Ms COURTNEY** - noting there will be one day of school for students this year, following the reopening of borders, so the risk profile on the community is unlikely to change much in that time. We are using this time wisely and we are on the front foot.

Work underway includes natural ventilation improvements, with window assessments and repairs underway; mechanical ventilation, repairs and maintenance; air conditioning maintenance, which includes filter replacement; purchasing air purifiers - we now have 1500 on order; and promoting and encouraging all outdoor learning through enhanced facilities. This includes installation of shade structures, nature-based play areas, outdoor seating, court surface upgrades and refurbishment of common areas, continued physical distancing, additional cleaning, density requirements and personal hygiene and face masks.

It was a delight to be able to visit Riverside Public School late last week and see their young students keeping up their COVID-19 safe behaviours. It is a timely reminder that it is not only for our school students, it is for our whole community as we move towards our borders opening on 15 December. We all need to remember those COVID-19 safe behaviours. It was great to see young people taking the lead after their lunch break of coming back in and lining up and very effectively washing their hands. These measures together with our high vaccination rates in the community will continue to keep our students safe.

As the Premier has said, we will rollout vaccines for the younger cohort as quickly as possible based on Public Health advice. We need to ensure that we are looking to the Australian Technical Advisory Group on Immunisation (ATAGI) and we are looking to Public Health advice to do what is in the best interests of our young people.

In addition to these strong preventative measures, our planning is well-advanced based on Public Health advice for when we do face COVID-19 in our schools, which we will next year. We will continue to engage with our school communities. We have dynamic plans, which they need to be to ensure that we can respond to COVID-19 as we see it emerge in our state. Our parents, teachers and school communities would expect us to have a range of scenarios planned that are dynamic, that are responding to the needs of the day and that will happen. We will continue to engage with our school communities, school principals and parents so that they understand, so that they can stay informed through this time.

### **COVID-19 - Vaccine Mandate for Teachers and Childcare Workers**

#### **Dr WOODRUFF question to PREMIER, Mr GUTWEIN**

[10.11 a.m.]

When you open the borders on the 15 December, nearly a quarter of Tasmanians will not be vaccinated. This includes all children under 12 who will be vulnerable to COVID-19 Delta infection. The minister said just then that we will have COVID-19 in schools. In Tasmania, education and support staff who work with children with disabilities are all required to be vaccinated but teachers are not. Every other state and territory in Australia, except Queensland, has already enforced a vaccine mandate for teachers and childcare workers.

Is your reluctance to take this obvious Public Health safety measure due to widening fractures in the Tasmanian Liberal Party? Senator Eric Abetz has spoken in his defiance of

Public Health mandated vaccines just today. Will you safeguard children and the people caring for them from COVID-19 by mandating vaccinations amongst these public employees?

**ANSWER**

Mr Speaker, I thank Ms Woodruff, the member for Franklin, for that question.

**Ms O'Connor** - Dr Woodruff.

**Mr GUTWEIN** - Dr Woodruff, thank you for reminding me, Ms O'Connor.

Let me deal with the public service. I clearly announced two weeks ago, and I know that you are aware of that, that we are conducting a risk assessment -

**Dr Woodruff** - Three weeks ago.

**Mr GUTWEIN** - You have been aware three weeks? So, you know the answer?

**Dr Woodruff** - You have not given us the answer.

**Mr GUTWEIN** - We are conducting a risk assessment across all the public sector. Currently, consultation is underway of that risk assessment. When that is finalised we will have more to say. I expect that will probably be next week. We are taking Public Health advice, which is what you have stood behind me on every step of the way. As I said three weeks ago, the Public Health advice was to conduct a risk assessment. The Public Health view was that we should put in place a mandate in terms of vaccination for the aged care sector, the health sector and the disability sector, which came into play last Sunday.

**Dr Woodruff** - You have two classes of people in schools.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - The risk assessment is underway and we will have more to say when that is completed.

Regarding the other matters the member raised, Senator Abetz has his views; I strongly disagree with them. I very strongly stand behind the mandates we have in place, based on Public Health advice. Dr Veitch has been exceptional through this period. He is cautious but he is responsible; he is learned. Importantly, he has been prepared to make some pretty tough decisions as we have worked through this. I will continue to act on his advice.

You touched on schools. The minister has provided an update on where we are heading on schools. School will reopen on 9 February. Let me provide that certainty for our parents.

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - There are a number of people here in the parliament today who know from day 1 this is not linear. We know that things change. Plans put out by the Victorian



government and the New South Wales government have changed on multiple occasions. In terms of where we are heading, the one constant that we are absolutely clear on is that we will act on Public Health advice. That advice, right now, is that schools will reopen on 9 February.

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - It is safe, as I said yesterday. I refer you back to the *Hansard* in terms of what I said yesterday.

**Mr SPEAKER** - Premier, if you could just cease for a moment.

Honourable members, standing orders tell us that when a minister or a member is on their feet, no one else is to speak. The question has been put to the Premier. It is an important question that the Premier is answering. I am sure that everybody, including Hansard, would love to hear the answer and not have to put up with the mumblings coming from my left.

**Mr GUTWEIN** - Thank you, Mr Speaker.

As I was saying, we will continue to act on Public Health advice. This is not linear. I do not think that there is anybody, apart from the Opposition on that side of the House, who does not quite get this. By last count, I think Victoria has had 12 changes to its opening plan. New South Wales has had a similar number of changes. In fact, the new premier was changing things almost daily when they started.

We will continue to act on Public Health advice -

**Dr Woodruff** - So far it has been silent on children. We want to hear more.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - Dr Veitch has not been silent on children. Dr Veitch has said, and I can almost quote him verbatim, that the best protection for those kids under 12 is to ensure that their siblings and their family unit is vaccinated. I encourage people to turn up and get vaccinated. Dr Veitch's advice, based on empirical evidence, is that the virus is not as severe on children. We know that and that is what is rolling out across the country and across the world.

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - Let me be clear, we will continue to act on Public Health advice moving forward.

Regarding the views of federal senators both in Tasmania and across the country, let them knock themselves out. At the end of the day we will act on Public Health advice. That advice has been put in place; vaccine mandates for those three high risk areas and there is a risk

assessment underway right across the public sector at the moment. We will have more to say about that next week.

### **Age of Criminal Responsibility**

**Ms JOHNSTON question to MINISTER for CHILDREN and YOUTH, Ms COURTNEY**

[10.18 a.m.]

Prominent organisations such as United Nations, the Commissioner for Children and Young People Tasmania, the Law Society of Tasmania, the Australian Medical Association, the Law Council of Australia, TasCOSS and Tasmania's community legal centres have all strongly recommended that the age of criminal responsibility should be raised to 14 years. The Australian Human Rights Commission has found that children have not developed requisite level of maturity by the age of 14 to form a necessary intent for full criminal responsibility.

Adrienne Picone from TasCOSS recently said:

Expert evidence shows that many children who end up in the criminal justice system have experienced trauma, abuse and neglect. These children need our care and protection, not imprisonment. The decision of the Attorneys-General flies in the face of evidence and is in nobody's best interest.

Will you stand up for these vulnerable young Tasmanians and ask the Attorney-General to reconsider her position in the best interests of Tasmania's children?

### **ANSWER**

Mr Speaker, I thank the member for Clark for her question. That is a question on a very serious topic. I note that it is a most unusual question where I have been asked a question to ask a question of one of my colleagues when the question could have been directed to the Attorney-General. However, given the fact that this is an important topic, I will reiterate for the member responsible what has been occurring through the meetings of the Attorneys-General and the work the Attorney-General has been doing in collaboration with other jurisdictions.

We have said on a number of occasions that we want to work in a nationally consistent way. We were pleased that at the meeting on Friday 12 November, the Attorneys-General agreed to support the development of a proposal to increase the age of criminal responsibility from 10 years to 12 years, which will include consideration of carve-outs and timing, as well as a discussion of implementation supports.

The age of criminal responsibility is a separate issue from the age from detention, which will be considered separately as part of our new approach to custodial youth justice in Tasmania.

I have, in response to other questions in this place, outlined for members the work that we are doing on youth justice. It will be out in the public in the near future with both a plan and a further discussion paper so that we can progress these important reforms.

The Attorney-General and I have said on a number of occasions that this is the right process to be able to look at that, particularly the fact that the age of criminal responsibility and the criminal age of detention intersect different issues. We need to understand by engaging with communities, which we will do through the blueprint, and with experts, to understand what the evidence is and how we can make a pathway forward.

I am proud to be part of a government that is making progress in this space. It was my predecessors who originally set up the commitment around a blueprint. The work is being progressed with high priority. The centrepiece of that concerns the announcement we made about the closure of the Ashley Youth Detention Centre and the development at two other sites. I am very proud to be a part of a government that is tackling head-on such an important issue for the community, in a way that engages the community, stakeholders, providers, and young people more broadly. We will have more to say on that soon.

### **Securing Tasmania's Future - Update**

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

[10.22 a.m.]

Please outline to the House how this majority Liberal Government is delivering our plan to secure Tasmania's future, delivering our election commitments and responsibly managing the state's finances? Are you aware of any alternative approaches to managing the state's finances?

#### **ANSWER**

Mr Speaker, I thank the member for Clark for her important question. Not only was the election a humiliating defeat for Ms White but we saw some extraordinary changes within the leadership in a very short period of time - a matter I do not think is fully settled on that side of the House.

During the election campaign we said that we would keep Tasmanians safe. We said that we would build our economy. We said that we would attract investment. We said that we would provide an opportunity for Tasmanians, regardless of their circumstance or background, to get the training they need to grasp the jobs in the economy.

In terms of keeping Tasmanians safe, I will update the House this morning on the vaccination program being rolled out, especially the five-day blitz underway. It is important for parents of 12- to 15-year-old children to get them vaccinated. We have the blitz running for the 12-to-18s at the moment.

For those who are 18 who want to attend a concert, go to a festival, dance or drink, it is going to be important that they have the vaccine because we are mandating that. If you have not, you will not be able to attend those sorts of events. Staff in those venues will need to be fully vaccinated as well. I say to that younger cohort - and I was young once, I know what it is like to have a dance, albeit not that well - get vaccinated.

The other point I make, in terms of that group, with the Oils coming to Tasmania, if anybody misses that because they have not bothered to get vaccinated, they have rocks in their head.

I am pleased to announce that yesterday in our state-run clinics - this does not count GPs or pharmacies - more than 1400 vaccinations were conducted. Pleasingly, of those, 500 were administered to 12-to 18-year olds, the current target group, and I encourage them to turn up and get vaccinated. Those across our community who have had the first dose, turn up and get the second dose and get fully protected before we reopen on 15 December.

At the moment the vaccination figures for Tasmanians 12 years and over are closing in on 92 per cent first dose and on 84 per cent second dose. Let us keep going.

I encourage other members in this place, on all of your social platforms, I know some do more than others, but I encourage you to get that message out. We are going to open on 15 December. It is important that people get protected, and there are opportunities every single day.

I was asked about our other election commitments and I am very pleased that we are delivering all our election commitments in full. The Budget delivered all those election commitments. It included changes to legislation to land tax, to the threshold to encourage more investment, to build more houses, and see more jobs created. It increased stamp duty concession threshold for retirees who are downsizing and for first-home purchasers.

We boosted the First Home Owners Grant again, underpinning a significant investment into ensuring that we can get houses out of the ground. We are rolling out the \$600 million-odd Affordable Housing Strategy, the largest that this state has ever had under construction. We have recruited more paramedics. We are supporting Incat to build a boat, to support the employment of those people at the Incat factory and to also support apprentices.

Our election commitments are all being rolled out and, importantly, we have a pathway to return the Budget to surplus. In fact, the most recent Treasurer's annual report indicated that we have significantly improved the bottom line.

On that side of the House, they mention the word 'deficit' because we know that they are practised at that. They are experts: the language of deficit and debt.

I must point out that while I do not agree with everything in the Greens' alternative budget - I can see by the look on her face that she knows what I am going to say - it is kooky, there are some ideas in it that I find difficult to grasp but at least they have the courage of their convictions to explain to Tasmanians what they would do, how they would do it and, importantly, how they would pay for it. They have a go.

On that side of the House, zip. No alternative budget. No alternative plan. The drum is starting to beat pretty loudly in terms of the future of the Leader of the Opposition. I would say, watch this space.

## **COVID-19 - Preparing Schools**

### **Ms WHITE question to MINISTER for EDUCATION, Ms COURTNEY**

[10.29 a.m.]

The Premier yesterday made a shock announcement about potential delays to the next school year. Today, he has contradicted himself and you, and said that schools will open on 9 February. At a time of great uncertainty, this flip-flopping by your Government on such an important issue is very unhelpful.

Hundreds of schools have been closed on the mainland in recent months. During that time, you have coldly dismissed issues Labor has raised about the ability of our schools to operate safely once you reopen the state's borders and COVID-19 re-enters Tasmania and, as you confirmed today, enters our schools. What measures were recommended by the audit into ventilation and other necessary school upgrades? Will you release that report? Will you guarantee that all rooms in all schools will be COVID-19-safe next year for the start of term 1? What specific funding have you allocated to make sure that classrooms are safe for children returning to school next year?

### **ANSWER**

Mr Speaker, I thank the member for her question. I will make it very clear that we will spend what we need to. I have had discussions with the Premier. We have a significant COVID-19 provision - up to \$300 million I understand - and we will spend what we need to, as I have said on multiple occasions. The only person in this Chamber causing confusion for school communities and families is the Leader of the Opposition. All they are trying to do is create fear and confusion.

**Ms White** - That's not true. Talk to your Premier. You did not even know about it yesterday.

**Mr SPEAKER** - Order.

**Ms COURTNEY** - Mr Speaker, this is so disappointing at this time when we know it is going to be one of our challenging periods through COVID-19. As we do re-open, we do look to Dr Veitch who has made strong decisions this entire way and we continue to back the advice that we get from Public Health, and that is what we will do. We have done that this last 20 months and will continue to do that as we go forward to keep our community safe and, importantly, to keep our young people safe.

With regard to natural ventilation improvements, the department is undertaking a rolling program of assessment of asset condition that ensures the department has up-to-date information at hand to inform remediation by local contractors. With regard to natural ventilation, I am advised that this assessment work is complete for 60 per cent of schools and is expected to be fully complete by mid-December.

This follows the earlier collection of amenity information including heating, cooling and ventilation data on every department-owned building from which the department's asset management system was updated to inform capital works. To be clear, we are not waiting. Where issues are found they are being immediately addressed where possible with the school

principal being informed of works as they progress. Contractors are being progressively engaged where remediation works cannot be addressed immediately.

The department is working closely with school communities to ensure they are supported to implement local solutions based on what is appropriate for that school. I am advised that work to ensure we are ready for 2022 is progressing well. The Department of Education will have appropriate measures in place by the return of school in early February 2022 to maximise the safety to students and staff. Furthermore, we have set up a working group with representatives from the Independent Schools Tasmania as well as Catholic Education and we are working with them on funding provisions to ensure that, with the envelope for funding that I outlined earlier, we can extend that support to those other schools so that we have a multi-sector response to COVID-19 for our young people.

Tasmanian families can be assured that we will do what we need to, to keep them safe based on Public Health advice.

### **Securing Tasmania's Future - Health Initiatives**

#### **Mr STREET question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.33 a.m.]

Can you update the House on how the Liberal Government is delivering our plan to secure Tasmania's future, particularly in the area of health but also across the minister's other portfolio areas? Is the minister aware of any alternative approaches?

#### **ANSWER**

Mr Speaker, I thank Mr Street for his question. I know of his interest in this matter, particularly health and mental health and wellbeing.

During 2021 we have worked hard to deliver key initiatives as part of our plan to ensure Tasmania's future. In health, ensuring Tasmanians get the right care in the right place at the right time is of major priority to all of us, and that is not necessarily in a hospital bed. We know that when people are treated in the community, if that is appropriate, they can recover sooner. We have permanently funded the community rapid response service across the state to support people who need short-term intermediate care, safely delivered in the community or in the home.

Since its inception, the community rapid response service has managed more than 4500 referrals across the state. We are also making it easier for Tasmanians to access care closer to home by providing \$8 million towards our after-hours initiative. Round 1 of the initiative was focused on general practitioners and pharmacies who could apply for support to provide their local community with after-hours service, while round 2 of the initiative was extended to general practice and those primary care services to apply for grants to establish and operate urgent after-hours care services.

We have made a major focus of ensuring more Tasmanians get their elective surgery within the clinically recommended times. We will deliver around \$30 000 extra elective surgeries over the next four years, supported by a clinician-led, patient-focused statewide

elective surgery plan. The overall number of people waiting for elective surgery has reduced by 1500 since January this year, which is an encouraging sign.

While all our emergency departments have seen an increase in demand, the ED at the Royal Hobart Hospital has, in particular, seen extraordinary levels of emergency presentations throughout 2021. On advice from clinicians we have approved an increase in the medical staffing of the ED of at least 15 per cent. This equates to around 10.5 additional FTE. We are also super-sizing and fast-tracking an expansion of the emergency department. As I have said many times, the best asset in our health system is our people. So far this financial year, we have recruited more than 185 FTE, including nearly 60 FTE nurses or 130 nurses in head-count terms. That is on top of an additional 655 paid FTE last financial year.

In my Mental Health and Wellbeing portfolio, we have released the Rethink 2020 implementation plan in partnership with Primary Health Tasmania. We have also recently appointed a peer workforce coordinator as a joint initiative with Primary Health Tasmania. A new youth mental health program for young people in Circular Head has been launched with referrals being taken from 30 November. It was a pleasure to launch that just the other day in Smithton. Recruitment has begun to establish a trial of three Tasmanian community health and wellbeing networks in Ulverstone, Huonville and Scottsdale to deliver health and wellbeing-focused services to meet the needs of locals and those communities.

In my Community Services and Development portfolio, it is pleasing to see that the Neighbourhood House community care adviser pilot is now well under way. Up to 11 FTE positions have been recruited to and based in eight host houses to address more complex issues presented to houses, such as mental health, addictive behaviours and relationship breakdowns. We have also made many other major investments in food security and supporting community organisations to support Tasmanians. We have been able to achieve this, whilst also managing a pandemic. I commend all those across government for their work in this area.

In my Advanced Manufacturing and Defence Industries portfolio, I am today looking forward to announcing the successful recipients of the first round of the Advanced Manufacturing Accelerating Growth Grants, eight local companies -

**Ms O'Connor** - That's got nothing to do with Health or the question.

**Mr ROCKLIFF** - Of all my portfolios, thank you, there are a number and I am proud to hold them all.

**Ms O'Connor** - You have just clocked four minutes.

**Mr SPEAKER** - Order.

**Mr ROCKLIFF** - Thank you - and their applications, resulting in a potential investment of over \$5.3 million into our economy and, importantly, generating 57 new manufacturing jobs here in Tasmania.

We have big plans for 2022, including delivery of a new statewide palliative care plan for Tasmania. Pharmacists will be able to deliver vaccines under the lip for the first time, to Tasmanians 65 years and older. We have an extensive reform agenda across mental health

services, including the commencement of construction for the St John's Park Integration Hub, which will provide 15 mental health beds and co-located services.

We are delivering on our plan and we are doing what we said we would do. There was another part to the question around alternative plans, I will keep that short: no, there are none.

### **Electoral Law Reform - Corporate Donations**

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

[10.39 a.m.]

Sometime today, the legislation which was bought and paid for by the gambling industry will pass the Legislative Council and come back to this House, largely thanks to Labor's capitulation. The debate on your future gaming markets bill has demonstrated to Tasmanians the toxic, corrosive influence of corporate donations on both the Liberal and Labor parties, which allowed their conscience and votes to be bought against the public interest.

Premier, in this context -

**Mr Barnett** - That is defamatory.

**Ms O'CONNOR** - Sue me. Go on, sue me for telling the truth.

**Mr Barnett** - Say it outside. See how you go.

**Ms O'CONNOR** - No, I would be happy to be sued for telling the truth because it is a statement of fact that your conscience and votes were bought by the gambling industry.

**Mr Barnett** - It's offensive.

**Ms O'CONNOR** - Please, sue me.

Premier, in this context, can you explain why, after dragging your heels on electoral reform for years, your Government's proposed changes to electoral laws will still leave Tasmania with the weakest donations disclosure framework in the country with no caps on donations or expenditure, no ban on corporate donations and every opportunity for vested interests to keep corrupting our democracy?

#### **ANSWER**

Mr Speaker, I thank the Leader of the Greens, Ms O'Connor, for that question. First, let me reject very firmly all that rubbish. I reject all those assertions. They are not facts and my conscience is clear.

We took a policy to the last election, in fact, to the 2018 election - this has been around for a while. It has had a very good going over by the upper House. Some would say that perhaps time has been wasted, but that is a matter for the upper House. The policy has been out since 2018. It has been through two election periods. As you know full well, the state will get more money from it and we will invest more into harm minimisation and other matters.



We will invest more money because we are getting more money as a result of the deal. Pubs and clubs will have more revenue themselves which will mean that they can employ more staff and invest in those facilities.

The monopoly has gone. We have smashed the monopoly and the revenue that the state receives. The revenue that flows to the pubs and clubs, is as a result of Federal Hotels losing \$20 million.

**Ms O'Connor** - Cry me a river.

**Mr GUTWEIN** - The Leader of the Greens knows that this is good deal for the state.

**Ms O'Connor** - I am completely misrepresented and you should withdraw that. I am interested in people having happy, productive, successful lives, not blighted by addiction.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - My conscience is clear. I hope your conscience is clear.

**Ms O'Connor** - Do you want to go to the question?

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

**Mr GUTWEIN** - With regard to electoral reform and donations, I am proud that I am the first Premier to actually introduce state-based electoral legislation reform. You were in government and never went anywhere near it.

**Ms O'CONNOR** - Point of order, Mr Speaker. The Premier has misled the House.

**Members** interjecting.

**Mr SPEAKER** - Before you start, I will allow everyone to calm down so that I can hear the point of order.

**Ms O'CONNOR** - So that the Premier does not mislead the House, we passed electoral reform in this House in 2013. It was blocked upstairs.

**Mr SPEAKER** - It is not a point of order. The Premier has the call. Other voices should not be heard.

**Mr GUTWEIN** - We remain today, as we were then, under the federal legislation. That is a statement of fact. With regard to electoral reform, that matter will be progressed next year. Prior to the next election, there will be a state-based system in place. That is a statement of fact.

I am not sure what point the Leader of the Greens was trying to make -

**Ms O'Connor** - Why do you not have caps on donations?

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - I expect that legislation will be passed by this place next year and will be in place for the next election.

**Ms O'Connor** - We will still have the weakest laws in the country.

**Mr SPEAKER** - Order.

**Mr GUTWEIN** - With regard to the laws, we have taken a balanced approach to this. My understanding is that the federal laws are at around \$14 300 or thereabouts; they may have even gone up a little bit from that with regard to electoral disclosure. We have proposed \$5000, which is in line with South Australia. That legislation will come through this place next year and everybody will have the opportunity to have a say.

### **COVID-19 - Under Utilised Vaccinations**

**Ms DOW question to MINISTER for HEALTH, Mr ROCKLIFF**

[10.45 a.m.]

Yesterday the Premier said he believed all Tasmanians have had sufficient opportunity to be vaccinated. However, in some metropolitan and regional areas in particular, it is not clear everyone has had sufficient opportunity to be vaccinated. For example, students at Rosebery District High School were provided with a letter to get vaccinated at the youth clinic being held in Devonport, which is a four hour round trip for them and their families.

With vaccination rates still low in some metropolitan and region areas, it is clear what you are currently doing is not enabling enough people to access appointments. If there are 2000 unfilled appointments in clinics each day, as the Premier said yesterday, would it not be sensible to send underutilised vaccine workers out into these areas to take the vaccine directly to our suburbs and communities with low vaccination rates?

### **ANSWER**

Mr Speaker, I thank the member for her question. I reinforce the importance of vaccination and all the work that has been going on for months with vaccinations across our state clinics, vaccination clinics and GPs. Pharmacists have come on board as well. Everyone is working very hard.

I repeat the Premier's call for parents, carers and young people to ensure they either book, or attend a state clinic that does not require a booking, to ensure they get their first jab, if they have not done so. My latest information is that up to 8000 young Tasmanians between the age of 12 and 15 have not yet taken up that opportunity for the jab.

An enormous amount of work has been done when it comes to vaccinations, and particularly on getting that message out there to young people. We are completing a program vaccinating high school students aged 12- to 16-years old in selected regional high schools. We are continuing to open additional pop-up clinics in regional areas of Tasmania and also in niche locations, such as the recent University of Tasmania and Bunnings clinics, to support vaccination uptake and support primary care.

We are offering a targeted program of free buses in partnership with Metro Tasmania. Thank you, Metro. For example, two buses were offered from both Rocherlea and Mayfield to the Door of Hope Clinic and return on 17 November and again in three weeks with those two locations. We continue to provide specialist clinics to support vulnerable individuals within our community, opening extra days and extending hours in all state community clinics statewide to target our 12 plus three year old again. I reinforce that message. I have mentioned supporting pharmacies offering Moderna to Tasmanians over the age of 12. We have the small towns vaccination bus tour, in conjunction with the Royal Flying Doctors Service. I thank the RFDS for the work they are doing; a tremendous job. We are continuing our main clinics in our major centres in Hobart, Launceston, Burnie and Devonport.

The member mentioned underutilised staff within our vaccination clinics. I recently met a number of staff, in the south, and they were very busy and have been working very hard. I would not say they were underutilised.

The member put forward a suggestion, notwithstanding all the work we are doing when it comes to regional areas and educational settings. I will take the member's idea forward and verify her question. We need to do all we can to ensure we get the message out about how important vaccinations are as the best line of defence in protecting ourselves, our family, our loved ones, and our community from COVID-19 - and making it accessible across the state, towns and regions. I was in Smithton the other day to launch the mental health initiative for our youth and, across the road, the RSL club was a clinic. We are doing all we can and will continue to do so. One, advocate the message. Two, communicate very strongly the importance of vaccination where we can.

I am getting calls from regional areas of Tasmania. I had a call from the mayor of Dorset the other day about Winnaleah and Scottsdale and the importance of ensuring the bus and other services are available there. We are responding to need, to reinforce that message, take the member's idea on board and commend, once again, all our very heavily utilised vaccination staff working around the clock for the work they are doing.

### **Petrol Prices**

#### **Ms BUTLER question to MINISTER for WORKPLACE SAFETY and CONSUMER AFFAIRS, Ms ARCHER**

[10.51 a.m.]

Petrol prices are out of control. Residents on King Island are paying \$2.14 a litre and prices across the state have climbed more than 50 cents a litre in the past year. You have repeatedly said, including on your website and in the northern papers just yesterday:

Should further action be required to support Tasmanians to access cheaper fuel prices, including the introduction of legislation we will consider it.

Tasmanian families are seeing more and more of their pay go on fuel costs. Can you please outline for the House, specifically, what legislation you are considering, or was this just another false promise to Tasmanian families?

## ANSWER

Mr Speaker, there is bit of theme here from the member for Lyons, who likes to throw away those comments. Our Government remains committed to reducing the cost of living for all Tasmanians, including fuel pricing. Historically, Tasmanian retail fuel prices have been far too high when compared to other parts of Australia. That is why we acted. Tasmania had not seen effective retail competition in the petrol market and it was obviously an issue, compounded by difficult economic conditions due to the COVID-19 pandemic.

We know the price of fuel is a cause of frustration for many Tasmanians. Difficulty in knowing the best available prices can significantly increase the impact of fuel purchases on many Tasmanian household budgets. Motorists want to improve the availability and clarity of fuel price information to make an informed choice when they fill up at the bowser.

To address this, our Government has implemented FuelCheck TAS. FuelCheck TAS is a fuel reporting scheme -

**Mr Winter** - We know that. The question is about the legislation, okay.

**Ms ARCHER** - I will get to that. It is important, as minister, I be given the opportunity, Mr Winter, to explain the significance of the FuelCheck TAS app and the global market, which I will inform you about also, because the small matter was just glossed over by the member for Lyons.

To address this, I am very happy to advise our Government has implemented FuelCheck TAS already. FuelCheck TAS is a fuel-reporting scheme that delivers a more transparent and competitive retail fuel industry by helping Tasmanian motorists find the cheapest fuel in their area, in real time. There is a lot of muttering on the other side. I hazard a guess that many of them have not actually looked at the app. It is an amazing app that shows and keeps companies competitive in their local areas. People can shop in real time and make that decision for themselves.

As at 7 November of this year, 265 service stations across the state are registered to update fuel prices to the public FuelCheck TAS website. Over 63 400 downloads of the two available apps, or visits to the website have been done, that is both with respect to our FuelCheck TAS app and the RACT app. Consumers have access through the app to shop around for fuel. I recommend all Tasmanians get on board and download that free app and use it to their advantage.

In relation to current prices, according to figures from the Australian Institute of Petroleum, the average price of unleaded petrol in Tasmania in late-2021 was 156.7 cents: lower than Brisbane at 165. Melbourne was 159.4 and slightly higher than the national average of 155.4. Oil prices have been rising globally and have recently reached some of the highest prices that have been seen in several years across Australia, something that is out of control for our Government. We acknowledge this. We encourage Tasmanians to use the FuelCheck TAS app to put downward pressure on fuel prices and improve the price transparency for motorists as much as possible.

Fuel prices will continue to be determined by market forces. However, providing real time fuel price reporting allows Tasmanians to make informed choices as to where to direct their purchases.

The other side expect us to have a silver-bullet resolution.

**Members** interjecting.

**Mr SPEAKER** - Order. Listen to the answer, please. Order.

**Ms ARCHER** - What is happening at the moment is as a result of global prices. Nobody can control global prices. Why would we instigate legislation against companies that are complying with the current rules in the market? Yes, we have said that if needed, if there was not competition, if we did not see prices decrease as a result of market competition then we would look at legislation.

I have established that the current price increase is due to the global market. A number of factors are impacting the cost.

**Dr Broad** - What legislation? What would you look at?

**Mr SPEAKER** - Order, member for Braddon.

**Ms ARCHER** - Mr Speaker, the Opposition is not listening. They do not want to know the answer to the question. They just want to attack. They are not interested in this issue. If they were they would acknowledge what the real problem is at the moment. It is as a result of global prices. If it was as a result of the local failure of market and there not being fair competition, then we would act. We have said that we would act in those circumstances. At the moment it is very obvious what is causing an increase across Australia.

### **Securing Tasmania's Future - Agricultural Industry**

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

[10.57 a.m.]

Can you update the House on how our majority Liberal Government is delivering our plan to secure Tasmania's future by supporting sustainable growth in Tasmania's agricultural industry?

**ANSWER**

Mr Speaker, I thank the member for Lyons for his question and his strong support for agriculture over a long time.

There is no stronger supporter for agriculture in this state than the majority Liberal Government. We have a track record; we are delivering on that and we will continue to do so. Agriculture is the life blood of our rural and regional communities and the jobs that are provided there. It is providing premium produce that is the envy of the world.

Today, I am very proud to release the Tasmanian Agri-Food ScoreCard 2019-20. It is good news for Tasmania. It has outstanding results and I will share some of them with you. The scorecard shows that we have broken a new record in Tasmania. Gross farm-gate value of agricultural production in Tasmania has exceeded \$2 billion for the first time. Our agricultural farm-gate value has increased 13 per cent to a record to \$2.15 billion. The state's overall agri-food value grew to \$3.22 billion and the value of food produced after packing and processing grew to \$5.27 billion.

The farm-gate value: dairy increased 10.6 per cent with record milk production volumes. Fruit increased 22 per cent: raspberries, strawberries, blackberries, blueberries. Vegetables increased some 13 per cent: potatoes, peas, cauliflowers and the like. Meat, 20 per cent increase.

This is good news for Tasmania. We must remember that agriculture, forestry and the fisheries sector is Tasmania's second largest sector, employing some 14 500 Tasmanians, nearly three-quarters of them full time and accounting for 9.1 per cent of our growth state product in 2019-20.

Strong agricultural performance recorded on the scorecard demonstrates why Tasmanian agriculture continues to lead the nation and remain securely on track to achieve our target of \$10 billion, farm-gate value, by 2050. It is fantastic news.

**Ms O'Connor** - At what cost to our rivers? You're draining the rivers, poisoning them.

**Mr SPEAKER** - Order.

**Mr BARNETT** - There is further good news - record food exports.

**Ms O'Connor** - According to your own scientists anyway.

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

**Mr BARNETT** - The scorecard shows that the value of Tasmania's international food exports reached a record \$954 million. The value of total agri-food exports increased 23 per cent up to \$1.01 billion, accounting for some 29 per cent of Tasmania's total merchandise exports. Further, Tasmanian farmers have produced over five times more food than is consumed in Tasmania. That is also a record. We produce for the mainland and for our export markets.

Of course, exports mean jobs: jobs, jobs, jobs in those rural and regional areas. Rabobank's latest confidence survey showed 100 per cent of Tasmanian farmers either expect the same or improved conditions. That is fantastic news for Tasmania. This is now the second consecutive quarter where that confidence survey indicated those results. Our Tasmanian farmers, producers, our businesses and organisations and the like have all helped grow that sector and deliver outstanding results.

In terms of investment, it is \$157 million from this Government over many years backing agriculture. There is no stronger supporter of agriculture than our majority Liberal Government with 70 initiatives in the agri-food plan. We have worked with the key stakeholders, shoulder

to shoulder, during the COVID-19 pandemic, during the challenges, grabbing the opportunities and addressing the challenges.

It has been a team Tasmania approach. I thank all those stakeholders, and all those involved in the industry because it has been a team Tasmania approach. Now we have just backed it in the latest Budget with one of our most visionary and comprehensive budget initiatives of \$50 million. A key part of that is water - \$30 million in water and irrigation. What about water in Tasmania? Water is liquid gold. It is delivering. That is one of the key ingredients to our success.

We are going to continue to deliver. We are excited about that and we are backing agriculture to the hilt.

### **Petrol Prices**

#### **Ms BUTLER question to MINISTER FOR WORKPLACE SAFETY and CONSUMER AFFAIRS, Ms ARCHER**

[11.03 a.m.]

Two months ago you issued a self-congratulatory media statement claiming petrol prices were heading in the right direction. You said that Tasmanian fuel prices have not been subjected to sharp price spikes and high prices and that your policies will continue to put downward pressure on retail fuel prices and discourage significant price increases at the bowser.

Petrol prices have been subjected to sharp price spikes and there have been significant price increases at the bowser. How can you defend putting out such a misleading statement when Tasmanian families are struggling with soaring costs? How high will petrol prices have to climb before you finally introduce this legislation you keep telling us is about?

#### **ANSWER**

Mr Speaker, I thank the member for her question. Let me make it very clear: if it is as a result of failure of market competition, we would act. What I have made very clear today is that we are seeing the increase of petrol prices around Australia as a result of global increase.

I put a question to the member for Lyons: has she read the September 2021 report of the Australian Competition and Consumer Commission? I suggest that the answer is no. The report on the Australian petroleum market was dated 14 September. I would like the member to listen to this because I have not misrepresented the situation at all. The report, in its petrol snapshot, shows that Tasmania's annual average retail petrol prices have decreased by 15.7 cents per litre compared to the previous year.

**Opposition members** interjecting.

**Mr SPEAKER** - Order. Members on my left should not be interjecting on the minister. Please, listen in silence.

**Ms ARCHER** - This is contained in the ACCC report. This 15.7 cent decrease was the largest annual average decrease captured within the ACCC report with decreases of 3.4 for Sydney, 2.7 for Melbourne and 3.2 for Brisbane. No-one is suggesting that across Australia we have not seen increases, but we are talking about decreases; the petrol snapshot from the previous financial year. That is what I reported on.

It was not a self-congratulatory media release. It was reporting on those facts: what the FuelCheck TAS app had achieved for Tasmanian motorists so they can shop around and get the best available, cheapest prices possible in their area, and if there is a market failure, we will legislate.

### **Southern Outlet Fifth Lane - Homes on Dynnyrne Road**

**Ms HADDAD question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON**

[11.06 a.m.]

You are planning to demolish homes on Dynnyrne Road to build a fifth lane on the Southern Outlet, despite the fact that the project will not ease traffic congestion. Today I will be tabling a petition containing more than 2500 signatures showing the vehement opposition to your plan. Today in the Chamber, as well as the public gallery, are some of these residents who fear losing their homes to your flawed plan. How many homes have you earmarked for demolition? How many has the Government already purchased? How many have you also entered negotiations to purchase?

### **ANSWER**

Mr Speaker, I thank the member for her question. I welcome, if that is the case, to the parliament, any residents in the gallery with an interest or a concern in this matter.

The Government has a plan. We are seeing significant growth in residential developments in places around the greater Hobart area, like Sorell, where because of that growth we are adding extra capacity onto the Tasman Highway coming into the city of Hobart. We are seeing significant growth in Brighton and we are developing more lane capacity there with the new bridge, to connect them to their capital city -

**Opposition members** interjecting.

**Mr SPEAKER** - Order.

**Mr FERGUSON** - and inner southern suburbs of Kingston and at the Huon Valley, we are seeing some remarkable growth there as well, and why wouldn't you: it is a great place to live, isn't it Mr Winter? A lot of development is occurring down there and the infrastructure is not keeping up.

Even without the growth that is predicted over the next 10 years, the infrastructure is not coping with today's demands. That is why the Government has a plan: a shared plan and a shared vision that has been signed up to by the federal government, together with the four



greater Hobart councils, including signed by Mr Winter, in the Hobart City Deal, that this is good for Hobart -

**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr FERGUSON** - that this is good for Kingborough. It surprises me that Mr Winter remains silent on this when, as a member for Franklin, it is his community that will be the beneficiary of extra lane capacity. It is not only a plan for more lanes. It is a plan for changed behaviour as well as we implement public transport services -

**Members** interjecting.

**Mr SPEAKER** - Order. It is disrespectful to the standing orders and to everyone in the Chamber who is trying to listen to the answer with members continually interjecting. There are only a few minutes left for question time. Please, listen to the answer. Allow the minister to answer it and take his seat. One more question to go.

**Mr FERGUSON** - Thank you, Mr Speaker. I emphasise the point that infrastructure alone is not the answer, and I have never said that. It needs to be an integrated solution and it needs to involve not only the extra lane capacity but how you then use that lane. It is the first lane in Tasmania that a Liberal Government will be placing priority on for public transport and vehicles that are being used to the full. Buses, taxis, car pooling, innovation - which is what some of the left side of politics would normally be calling for, but not on this one.

**Ms White** - How many houses are you going to demolish?

**Mr SPEAKER** - Order, Leader of the Opposition.

**Mr FERGUSON** - I remind the House that the Labor Party, at the last election, seemed to agree with us, because they published a map of Hobart with a big amount of money with a drop pin on the bottleneck at that joint road that joins Davey to Macquarie. They did not describe what they would do, but they let people believe they were going to fix that bottleneck, which I will just let you know, Ms Haddad, is also part of our plan.

**Ms HADDAD** - Point of order, Mr Speaker, standing order 45, the question was about numbers. It was a very specific question about how many houses have been purchased, how many has the Government entered into negotiations on, and how many have been earmarked for demolition?

**Mr SPEAKER** - As far as the point of order goes, the question had significant points to it. As you well know, the minister is allowed to answer how he sees fit. I cannot put words into people's mouths. Please allow the minister to finalise his answer.

**Mr FERGUSON** - Thank you, Mr Speaker. It should be emphasised that it is an integrated set of projects. The most exciting part of it is the boost in public transport to support that changed behaviour with the traffic prioritisation that can then occur, and actually start to make the bus option look attractive.

In relation to the way the Government is going about this, Infrastructure Tasmania is doing a great job, and I support them in that. I have been subject to accusations by Ms Johnston and by Ms Haddad, that we are demolishing 17 homes. I have been very clear, as far ago as after the Budget, during Budget Estimates Committee Hearings, where I made it very clear that there would be far fewer than 17 homes. When I have finalised information and advice from Infrastructure Tasmania we will be sharing that with the parliament and with the broader community.

Finally, I advise the House that Infrastructure Tasmania is negotiating privately with people in relation to property. I am not going to provide that information today. They are privately treating - despite the fact that I was called upon by Ms Johnston to serve notices of forced acquisition on those residents which I would have to say would not be my first option at all. That is why I support Infrastructure Tasmania engaging in the way it is, so that we can give Tasmania the infrastructure that it deserves and we can treat any residents who may be affected, decently and generously.

### **Securing Tasmania's Future - Environment**

#### **Mr ELLIS question to MINISTER for ENVIRONMENT, Mr JAENSCH**

[11.12 am]

Can you update the House on how the majority Liberal Government is delivering our plan to secure Tasmania's future in the area of the environment as well as the minister's other portfolio areas? Is the minister aware of any other alternative approaches?

#### **ANSWER**

Mr Speaker, I thank my Braddon colleague, Mr Ellis, for his question. The Gutwein Liberal Government is getting on with our clear plan to reduce waste and build Tasmania's circular economy, including significant investment to improve organic waste collection and reprocessing infrastructure right across the state.

Earlier this year, this Government committed \$3 million to support Dulverton Waste Management to establish a state-of-the-art industrial scale organics composting facility, to serve the north of the state, receiving municipal kerbside organic or FOGO waste, as well as organic waste-streams from a wide range of food processing, agricultural and industrial waste treatment industries, reducing greenhouse gas and leachate emissions and producing commercial compost products for use in agriculture, landscaping and rehabilitation.

Today, I am pleased to announce an expression of interest process to establish or upgrade a regional organic waste processing facility with similar capabilities to serve the south of the state. We are making up to \$3 million in seed funding available for this initiative which we expect will attract significant investment from other sources. Expressions of Interest will open today and close on 31 January 2022. We have a target to reduce the volume of organic waste sent to landfill by 50 per cent by 2030 and investments like these will help us achieve this target as well as our statewide emissions reduction target.

These initiatives complement our commitment to establish a container refund scheme for Tasmania and to implement a waste levy that when delivered will underpin ongoing investment

in our overall plan to reduce waste, protect our environment and build Tasmania's circular economy.

Tasmania is a leader in addressing climate change with our state achieving nett zero emissions for six of the last seven years. Since early this year our climate change legislation and target have been under independent review, including being subject to detailed economic and emissions modelling and significant consultation with industry, business and the community.

With strong support for Tasmania to be more ambitious on climate change, I announced that the Government would accept, in full or in principle, all seven of the review's recommendations. In doing so, we committed to legislate a target of net-zero emissions from 2030, which will be the most ambitious legislated target in the nation and one of the most ambitious in the world. A whole-of-economy target provides a flexible approach that recognises different sectors have different opportunities to reduce their emissions and some will require more time, support and technology than others while we all work to a common goal.

Delivering on our election commitment to finalise the new climate change act and target this year, today I will table the Climate Change State Action Amendment Bill 2021. The new act and nation-leading target will guide our Government's actions over coming years, in partnership with all sectors of our economy to reduce emissions, increase resilience to climate change and grow our economy and jobs.

On 4 November, at a special general meeting of the Local Government Association of Tasmania, I outlined the Government's new proposed collaborative approach to local government reform to the attending mayors and general managers. I outlined a three-stage, 18-month program of review, which will engage directly and transparently with local governments, communities and the users of local government services and facilities to develop a suite of reforms that will secure the future of local government in Tasmania.

I am pleased to be able to report to the House that I have received very positive feedback from the sector, which is supportive of the Government's new approach and the level of engagement and transparency that our proposed review process will provide. The performance and long-term sustainability of local government is vital to the future of the Tasmanian economy and the wellbeing of our people, and I look forward to finalising arrangements for the review process by the end of the year.

It is only this side of the House that is focused on doing the hard work needed to secure Tasmania's future. That is what our plan is all about, and that is what Labor does not have. No plan and no hard work. There is no better or worse example of that, Mr Speaker, than what we saw here last week. Labor said they supported a container refund scheme for Tasmania, they voted for the Government's bill, they did not raise one issue on the committee stages of the bill but they announced they will send it to an inquiry in the Legislative Council, so someone else can do the work.

On the waste levy bill, someone wrote Ms White a very angry little speech and gave her a can of Red Bull, and sent her in here. She came in and abused us for 15 minutes and then went to sleep in the corner. Again, it was the Greens who supported the bill, who scrutinised every clause right through the Committee process. Nothing from Labor.

On local government reform, we offered Labor a seat at the table, an equal share in the responsibility for the process and the outcome but, again, they could not commit. They always want someone else to do the work. Former Labor prime minister, Paul Keating, had a brilliant line for this, 'All tip, no iceberg'. That is what he used to say. I love that line and it is absolutely appropriate here today.

Tasmanians can count on the Liberal Government to work hard to deliver our plan to secure Tasmania's future.

**Time expired.**

## **PETITION**

### **Hobart Traffic Congestion - Solutions**

[11.19 a.m.]

**Ms Haddad** presented an e-petition from approximately 2 529 citizens of Tasmania, requesting that the House call upon the Minister for Infrastructure and Transport to consider more practical and immediate solutions to solve Hobart's traffic congestion.

**Petition received.**

## **CLIMATE CHANGE (STATE ACTION) AMENDMENT BILL 2021 (No. 63)**

### **First Reading**

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

## **MATTER OF PUBLIC IMPORTANCE**

### **Southern Outlet - Fifth Lane**

[11.23 a.m.]

**Ms HADDAD** (Clark) - Mr Speaker, I move -

That the House take note of the following matter - Southern Outlet fifth lane.

I rise today to speak about the Gutwein Liberal Government's proposal to build a fifth lane on the Southern Outlet. This is something they have put forward, they argue, to deal with the greater Hobart problem of growing traffic congestion. Unfortunately, their project will not address this. I would love to say this debate is about fixing traffic congestion, but it is not.

I would love to say that it is about innovation, great ideas and new thinking but it is not about that either. It would be good to be able to stand here and say the debate is one about fairness and representation and listening to community. Again, that sadly is not the case. None of that is what has been experienced by the residents of Dynnyrne Road over recent months or the greater Hobart residents who use the outlet every day.

There is no denying that traffic congestion is an issue in the greater Hobart area, and no doubt that this is something that Governments at all levels should be working on in smart, strategic and innovative ways that actually address the problem. However, the proposal put forward by the Liberals, simply will not. The plan is to knock down houses in Dynnyrne Road to build a transit lane from Olinda Grove to Macquarie Street. That is a span of roughly 5 kilometres, a relatively short distance when the Government keeps telling us, as we heard from the minister just now in question time, that the project will fix traffic issues in Kingston, the rest of Kingborough, the Huon Valley and beyond.

One of the main problems with the project is that it does not address the biggest elephant and that is the intersections at the bottom of the outlet, which is actually what Labor's policy addressed at the election - the policy which the minister so roundly criticised just now in question time - the intersections at the bottom of Davey Street and Macquarie Street. Anyone who uses the outlet knows that it is those two intersections that bottleneck and cause delays. It is inconceivable that any plan to address congestion on the outlet would totally ignore the biggest problem of them all and that is the bottlenecks at those intersections.

Even by the Government's own modelling, the new lane will only save motorists between two and three minutes at peak times. I am not saying that two or three minutes is nothing, but is it worth the significant cost that comes along with this plan? I would argue not. Is it worth the \$35 million price tag that could be put to far smarter use with other low cost and no cost alternatives that would impact traffic congestion, many of which have been put forward by the community and totally ignored? I would argue not.

The other significant cost of this project is a human one. Dozens of residents in Dynnyrne Road face losing their homes because the Government will need to demolish them to make way for the extra strip of road. Some of the residents are in their eighties; they have lived there for decades. Most have put blood, sweat and tears into their home at great personal financial cost and now stand to lose all that. They face the very real possibility of being thrust into the most inflated housing market that Tasmania has ever seen. It is seriously frightening for these residents. They can see the homelessness crisis that is gripping Tasmania right now and they do not want to find themselves part of it. They are losing sleep. They are crippled with anxiety. They have been treated disrespectfully.

I want to recognise the residents who joined us earlier in the Chamber today. Some have gone to move cars and get on with their days at work. I commend the hard work they have put in to fight this plan over the last few months. I know they have taken tangible, workable, alternative solutions to Government and been ignored. I know they have asked to see documentation that supports the Government's proposal, such as a cost benefit analysis or other options that the Government considered and they have been ignored. I know they see through this just as the parliament does and the rest of the public does too.

They have been treated with contempt and they deserve far better. They were coldly told by letter that they should expect to be out by Christmas. Since then they have been given very little information about what to expect. They were told there would be consultation but on a decision that had clearly already been made, signed and sealed. It is not community consultation when residents are told that their only option is to negotiate with the Government on a settlement price.

In particular I commend Meg Smith for establishing SOS Hobart. Meg's house is one of the houses affected by the project. In the midst of the stress that this comes along with, a full-time job and raising a family, Meg has rallied her neighbours, organised letter-box drops, met with Mr Ferguson, organised several community meetings, met with many politicians and organised a very large, well-attended town hall meeting that more than 300 people attended to hear innovative, useful and tangible traffic solutions from people who have worked all over the country and the world in this area.

I also recognise Simon Wright who coordinated an open letter to the Premier, signed by dozens of people including people from all levels of government which, so far, has gone unanswered. These residents are not simply making their voices heard; they are not simply objecting to the demolition of their homes. They are doing much more than that. They have researched and put forward dozens of low-cost and no-cost options for Government to look at, which would not only save their homes but would also deal with the very problem that this Government is professing to be solving with this project, and that is traffic congestion.

I sincerely hope that the Government will stop and listen to these residents, not just for the sake of those residents but also for the safety of people of Greater Hobart who are looking for tangible traffic solutions that will work.

[11.29 a.m.]

**Mr FERGUSON** (Bass - Minister for Infrastructure and Transport) - Mr Speaker, I thank Ms Haddad for bringing on this subject today. It is really important. From the outset, I respect those who are not happy with the prospect of a project that will impact on their property. I am very familiar with this territory because we are building more infrastructure around Tasmania than ever. We are, and I am, very familiar with it.

I am involved with many communities around Tasmania that have different opinions. Some communities are affected by infrastructure improvements in different ways. I can appreciate this particular one. I put myself in their shoes and wondered how I would feel. That has guided my actions on this. I acknowledge members of the community, particularly those from Dynnyrne who have joined us today. I thank them for their attendance. They are always welcome here. I have met with quite a number of people involved, including the SOS group. They have not been ignored. That is a false statement from Ms Haddad. We have spent significant time with people, including those whose houses will not be acquired, but who have concerns. It is fair to say that it was as long ago as March, I think, when quite a number of people were written to as a heads-up about this project, including people whose property might potentially be impacted by the project. It cast a wider net.

Consequently, lies were told by some with a politically vested interest who then ran around and told people, 'This means you have been given notice to acquire your property, and your house will be demolished'. That was a lie. It is not true. We understood that it caused insecurity.

The timing of the election literally disrupted that process and I understand that people have had worry in their life. That is why we have been acting through Infrastructure Tasmania, on my instruction, to deal with people one on one, to be open with them, to share with them the designs - which I have here and that I will table in a moment - and what they mean for their property in particular and would they like to begin a process of discussing the sale of their property to the Government, on a voluntary basis, rather than the forced acquisitions process.

We are not done with this process yet. We still do not have final advice from Infrastructure Tasmania about the final designs. That is why I will continue to be open with the community as much as I possibly can be, but we will not be talking to politicians and others who do not have an interest in a particular property. We will be dealing with people on a one-on-one basis. In some cases, they have asked us to do that and to not be interrupted and interfered with by outsiders. However, for the wider community there is a big public interest here.

It disappoints me that Ms Haddad is running the negative on this, when she has made a false statement to this House, just in her six-minute contribution where she said :

That the Government's plan totally ignores the bottleneck intersections at Davey and Macquarie.

That concerns me. It has caused me to ask my advisers to bring the designs in, so I can table them because it appears that Ms Haddad is not familiar with the designs. They specifically treat those intersections. The fact that you do not know that and you have brought this motion to the House today concerns me about your level of being informed. There is a new lane proposed for that specific street, between Davey and Macquarie Streets, Ms Haddad. It bothers me that you do not know that.

**Ms Haddad** - But you are not removing the intersections. I do know that.

**Mr FERGUSON** - It bothers me that you said, 'that the bottleneck is not part of the solution' when it is. It has to be, because we do not want a new lane that terminates in the existing bottleneck.

**Ms Haddad** - Yes it has to be, but you are not removing the intersections.

**Mr SPEAKER** - Order. This is not a two-way conversation. Members have had their chance.

**Mr FERGUSON** - The ignorance that is displayed worries me a lot on what ought to be a serious debate on an issue of public importance. It bothers me. Ms Haddad, you ought to be very embarrassed about what you have done. You have misled the community and this House today. For the benefit of the House, I table three copies of the designs. I table them so that we can have an honest debate.

**Ms O'Connor** - An honest debate. That is a bit rich coming from you when you will not be open about this.

**Mr SPEAKER** - Order.

**Mr FERGUSON** - Not only does it propose to go through the existing bottleneck, but a bus lane down Macquarie Street, which usually the Greens would be cheering, but not today, because it is a Liberal government doing it.

**Ms O'Connor** - No, because you are whacking more roads onto the Southern Outlet.

**Mr FERGUSON** - No, you have been called out. The claim that people have been written to saying that they will be out of their homes by Christmas: I have never seen such a letter. I invite you to send it to me, if it exists, Ms Haddad.

I have never seen a letter that contained those words and you have said that in parliament. I invite you to share that with me so I can be informed. If you have information about what my department has been up to that I am not aware of, I would like to see it. If it turns out that there is not such a letter, Ms Haddad, I will be calling on you to correct the record in this House.

We are seeing significant growth in the southern suburbs, Kingston and Kingborough and the Huon Valley, so much so that the mayor of Kingborough at the time, Mr Winter, wrote his signature on this deal in disappearing ink. Mr Winter, who is a representative for Franklin, as is Mr Street who will speak shortly, it is your communities that will be the primary beneficiaries so that they can deal with the congestion issues. It is not just the minutes saved now which can be dismissed by people criticising what is only a few minutes. During a congestion event, it will potentially save 15 to 30 minutes. Mr Winter, you have tweeted the long line of traffic and you have stated that you have been stuck in traffic for 20 and 30 minutes.

**Mr Winter** - More than that.

**Mr FERGUSON** - More than that, Mr Winter? How long? Forty minutes?

**Mr Winter** - More than that.

**Mr FERGUSON** - More than 40. Adding the infrastructure and creating the integrated solution with the extra buses is about shifting behaviour while also adding capacity. If we are going to have an honest debate, can we get some real facts and some real debate?

**Ms O'Connor** - Where is the business case?

**Mr FERGUSON** - The Government has a plan. We are working through the plan, we are treating people decently, honestly and generously. There have been lies told and that is regrettable but we will continue to work with integrity and deliver infrastructure.

In my final 13 seconds, I point to the fact that the Labor Party dropped a red pin on that bottleneck but they have not told people what the design would be. We have. We have a plan and we will continue to conduct ourselves to support the needs of all of the communities around Tasmania. I look forward to seeing that letter, Ella.

[11.36 a.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I am very glad we are having a reasonably long debate on this issue today. It is the first time we have heard anything like a measure of openness from this minister. I recall the Estimates process, which was not that long ago, where a number of members for Clark were asking this minister about the plan, about how many home owners had been approached, about how many homes were planned to be demolished and where was the business case? There was no information of any depth or substance provided. We were fobbed off. That has created a lack of trust from the community affected by this proposal.



The minister has not made his case to put a fifth lane on the Southern Outlet. You only have to look at some of the big cities of the world like Los Angeles, for example. What you know is that if you build more roads or you widen the roads, you will have more cars and more congestion.

We have had eight years of the Liberals in government while congestion has only worsened. There have been no integrated traffic solutions put forward. The best that this minister and this Government can come up with repeatedly all over Tasmania is road projects. We are tired of hearing about road projects. We have not heard the minister, for example, talk about the integrated traffic solutions put forward by the RACT about two years ago, which were all about mode shift, passenger transport, active transport and putting infrastructure in that is genuine 21<sup>st</sup> century infrastructure.

Widening roads is a 20<sup>th</sup> century approach to a 21<sup>st</sup> century problem. What happens when the population of Kingborough and the Channel increases more in five years' time so that the fifth lane, should it ever be built on the Outlet, becomes useless? More roads, wider roads, more cars, more congestion.

The minister can get up and speak platitudes about the way that the residents of Dynnryne have been dealt with, but the frustration they feel is because they have been treated with disrespect. They have been kept in the dark on key elements of this road-widening proposal.

We have here a letter to the Premier signed by many people, including Mr Winter, Ms Haddad, Ms Johnston, myself, Mr Willie, Alderman Thomas, Alderman Burnett, Alderman Harvey and Huon Valley Mayor Bec Enders, along with residents, that laid out the deep concerns, frustration, the lack of information, and pointed to all the alternatives that have not been explored by this minister or this Government. I am not sure that the Premier has responded to this letter, which was sent some two-and-a-half or three months ago. The letter starts:

Dear Premier,

We as a group of community representatives and leaders reach out to you as Premier. The process in relation to the fifth lane of the Southern Outlet and the failed communication that the community has attempted with minister Ferguson has been disappointing to say the least.

For a decision that was originally made in 2018, there are significant developments that have entirely changed the rationale, if there was such for a fifth lane, to disrupt the lives of the residents and detrimentally impact the purse strings of the Government.

While negotiations may be underway with affected residents, we believe that the working-life patterns of Tasmania have changed to such an extent that a review is essential. What was predicated at the time, a standard resort to peak-hour travel, no home office arrangements and no staggered working hours, has changed dramatically and could, with a rapid review, save both the money and the loss of productivity that construction will cause.

Bus interchanges, ferry services and targeted economic growth in Kingborough and the Huon dramatically swing the scales against this construction.

Let us not forget that this Government has, at its fingertips, one of the simplest, most critical quick fixes that they could put in place. That is to stagger the working hours for public sector workers. That would change things on the Outlet almost overnight and cost nothing. That has not been considered because what this Government loves more than anything else is a nice bit of bitumen.

Towards the end of the letter, the residents and those of us who signed it said:

We urge you to intervene to stop this misguided project. As public comment on the project has just closed, this is an excellent opportunity to call an 18-month moratorium on implementation while other measures, such as improved bus services and Kingston park and ride being introduced, can be evaluated.

There are several valid reasons for reconsidering the plan overall, particularly that the \$35 million allocated from the City Deal is manifestly inadequate to the task and would have to be found from elsewhere.

Consideration will be needed to adequately compensate the residents of Dynnyrne Road for needless trauma and the ongoing threat that will forever devalue their homes.

If, however, you actually believe the project should proceed, we request that the Government release full traffic modelling, detailed costing and the business case for the project to demonstrate how this project could be in the state's best interest.

Also, we request details on other approaches to finding solutions to traffic congestion that were considered and why they were rejected.

This letter was put forward in such good faith. It is a statement of a series of facts, concerns, questions and then, towards the end, reasonable requests to the Premier of Tasmania. No answer to the residents of Dynnyrne and those of us who stand with them in asking this Government and this minister to rethink this proposal.

It is ill thought-out. COVID-19 has changed everything. There are many more people who have flexible working hours, many more people working from home. What the research tells us, nationally and overseas, is that we are seeing a shift in working patterns that has been catalysed by work from home during the pandemic. That is a good thing because it means people have a better work-life balance and there will be less congestion.

We call on this minister to engage with this more openly and honestly.

**Time expired.**

[11.43 a.m.]

**Mr WINTER** (Franklin) - Mr Speaker, I heard the minister for Infrastructure's contribution and it is a repeat of the contribution he has made twice before, which are the allegations that I have supported the fifth lane in any way, shape or form at any point. The truth is I have not, and the minister knows this very well.

I would not normally have done this but because the minister continues to misrepresent my position on this, I will clarify what I did as mayor in relation to this matter. That was to go and see the minister for Infrastructure soon after he took that position and urge him to reconsider his position on this very project. I said to the minister, 'the \$35 million you are allocating to this will not happen for years and we have very critical pieces of infrastructure that need upgrading right now in the Kingborough area that can alleviate congestion', which was a huge issue for my community, particularly at that time.

He made the decision, and he is entitled to make that decision, that he would continue with the previous minister's project with the fifth lane. I am disappointed that he did that because this project does not represent good value for money and I do not think the minister has the information available to him that could satisfy him that this is good value for money.

This project is a thought bubble, a 2018 election promise by the Liberals. It is not clear to me what evidence they relied on when they put this project forward and the only evidence that I have been able to find is the summary report of traffic impacts of southern projects which appears to have been authored sometime later. All it does in one-and-a-half-pages is tell you that this project could shave one-and-a-half minutes off a car transit through that stretch of road.

The minister might be able to provide more information but as far as I can tell that is the only information relied upon by the Government to go ahead with what they say is a \$35 million project. Interestingly, and I am happy to be corrected, in the Budget papers I cannot see a specific allocation of \$35 million in the budget for the project. Perhaps it comes in a larger pool of money but I suspect very strongly that this project will cost a lot more than \$35 million and I suspect the minister is aware of that.

Regarding the cost-benefit analysis, it is no wonder they are not doing one because they do not know what the costs are going to be, or at least they are not admitting what they are going to be. The benefits are a minute-and-a-half according to the one-and-a-half-page summary. Not good enough, Mr Speaker. Not good enough for a project of this size.

The constructability that the minister speaks so fondly of worries me for my community in Kingborough. What is life going to be like for Kingborough commuters whilst this is being constructed, while they demolish homes - we do not know how many because the minister will not tell us - what is commuting from Kingborough and the Huon Valley going to be like while this project is being built? What is that going to do to commuter times? That is the sort of thing that could be considered as part of a cost-benefit analysis but of course that has not been done.

I also want to go into the City Deal itself and what it was like to negotiate the City Deal. Ms Johnston, member for Clark, the former mayor of Glenorchy, will remember. I have the media release from 24 February 2019. The minister for State Development was not in that position at the time so he might not be aware, but the mayors at that time were given the final document for signing at about 3 p.m. the day before, on Saturday 23 February -

**Ms Johnston** - It was 4 p.m.

**Mr WINTER** - 4 p.m - so we saw the final document that we were expected to sign with the Prime Minister at the airport, less than 24 hours before we actually signed it and now the minister wants me and other signatories to take responsibility for all the projects in it.

Of course we had differences of opinion on many projects. I remember many discussions about this but the ultimate reason why Kingborough signed was because we had \$20 million for those southern projects and we appreciated it very much -

**Mr Ferguson** - Yes, and there has been a lot more added on since, as you know.

**Mr WINTER** - Minister, I can see you are smiling about that but here is the problem with that \$20.8 million. Where is it? The long-promised new buses? Now, my recollection is they were supposed to be here by the middle of this year. They are not there. The park-and-ride. I saw the new mayor of Kingborough - who has also publicly stated she does not agree with the fifth lane on the Southern Outlet - made an announcement recently that there have been further delays on the new park and ride at Huntingfield. Once again, more delays and if -

**Mr Ferguson** - Aboriginal artefacts. Hello?

**Mr WINTER** - Minister, it is up to you and your department to ensure you have the relevant checks done on these matters. I look forward to the project finally getting underway. Like so many other projects the minister for Infrastructure is overseeing at the moment, this is the minister that delivers half of his infrastructure budget every year and, at the moment, as far as these projects are concerned, nothing. We are not even at the 50 per cent mark. We are well behind time on those projects.

**Mr Ferguson** - We hit a state record last year.

**Mr WINTER** - The minister goes with state record. He promises \$1 billion in infrastructure spend, then spends half a billion dollars and wants to celebrate it. Makes the big promises and does not deliver. He is not delivering for Kingborough. These infrastructure projects are very important for the Kingborough area because they are struggling with congestion. It has been almost four years since the fifth lane was announced.

The minister has just finished consultation and he tells us today that we still do not have advice from Infrastructure Tasmania about the final design. Almost four years after the announcement, still no final design, just finished his consultation. He comes in here and has the gall to accuse others of not knowing the final designs. He does not have the final designs. It is almost four years, he delivers half his budget, and nothing for Kingborough. Just more disappointment for commuters from Kingborough and the Huon Valley.

[11.50 a.m.]

**Ms JOHNSTON** (Clark) - Mr Speaker, I thank Ms Haddad for bringing this matter of public importance to the attention of the House this morning.

It has been a privilege to get to know the residents of Dynnyrne Road in particular, but I wish it had been under happier circumstances. I have sat in their living rooms, I have been to

their barbecues and their functions and events, and I know Ms Haddad has as well, and heard the distress of these residents about how they have been treated by this Government, particularly over the last years.

It is easy to look at this project purely in engineering terms - and I note Mr Winter has identified quite correctly that the engineering plan has not yet been finalised - but nonetheless it is easy to look at it in purely engineering terms. I know it is quite attractive to don a hardhat and a high-vis vest and to cut ribbons to grand infrastructure projects, but what is at the heart of this is the human impact of this particular project.

I recognise that Ms Haddad also talked about this, but it is important that we talk about the human impact. These are not just houses. These are people's homes. This is where families have grown up, where many people have lived for decades. I have heard stories about beloved pets buried in the backyard. I have heard stories about children's heights being marked on architraves. It is where memories have been created. They are people's homes and they are loved.

None of the residents I have spoken to have denied there is a traffic congestion problem on the Southern Outlet. They see it every day from their lounge room and kitchen windows. They know there is a problem and they want to be part of working through a solution. However, they also know that building more roads does not fix traffic congestion and, as the Leader of the Greens, Ms O'Connor has said, 'more roads, more congestion.' That has been proven time and again.

The beautiful residents of Dynnyrne Road and the community that is supporting them have put together a whole range of alternatives for the Government to consider, rather than going down the big engineering infrastructure approach. They have talked about policy changes. They have talked about providing a time during peak hour where heavy vehicles might not be able to go down the Southern Outlet to free-up for commuter movements. They have talked about staggering the public service working times, better investments in park-and-ride facilities and more ways of making bus travel more attractive. They have talked about a whole range of things. They have put forward all these suggestions to the minister and the Government, but the response they consistently get is just an engineering response. It is a cold-hearted response.

There is no business plan. There is no cost-benefit analysis to say that this project is worth the cost, the human cost, to the residents of Dynnyrne. As Mr Winter suggested, that is because they do not know what the cost is and I am sure they do not know what the benefit will be either.

A disappointing aspect of this entire debacle is the way in which the residents have been treated and the lack of communication, or the very poor communication, they have been subjected to. I do not know what it was like for those poor residents to have a knock on the door, I think it was early-March, from consultants who failed to identify themselves, to tell them that the Government planned to acquire their home and knock it down for the fifth lane. From what I have seen, the distress on the faces of those residents, was absolutely heartbreaking. They were sat down in their living rooms, a map put out on their kitchen or dining room tables, and shown where the new road, the new lane, would go over the top of their houses. They were not allowed to keep that map. It was taken away from them. They

were not even allowed to know the name of the person who knocked on their door. They were told, 'this is a Government plan, this is what is going to happen.'

You can imagine in that moment you would have a million questions running through your head but no answers though. No answers from the Government. Then we had a very early election, so everything went quiet because we were in caretaker mode.

The uncertainty that these poor residents had to live with for weeks and weeks is mind-boggling. They got together, they rallied and tried to support one another during these very difficult times and they have been advocating ever since for a better alternative for the Government to adopt. After the election, they managed to get the Government to slightly engage around this particular issue. They had someone talk to them about it in their homes and at a community meeting, but they have had confused messages ever since.

At a recent meeting with Infrastructure Tasmania, residents were pulled aside one by one and given an envelope, which did not have the courtesy of having the name of the resident on it, only the address of their house. Inside it was a Google Maps photograph of their home, their property with a dotted line over the top of it. My son can do that pretty easily on Google Maps. It was not a well produced document. There was no supporting documentation to talk about what it meant for them. It was just a Google Maps photo with a dotted line across their much-loved home and they were told, this would be the impact. They were then led to try to get together and join up their photos to see exactly where the fifth lane would go. You can imagine their distress. Some of them thought that maybe their homes would not be impacted as much. Others were completely uncertain because the dotted line did not match up when you tried to match the photos.

The way they have been treated is appalling. It went to public consultation. When the public consultation was released, the residents of Dynnyrne Road hopped online to find that their houses were not even on the map for public consultation. They were completely missed off. They had specific information about Olinda Grove turn-out lane and they also had information about the intersection at Macquarie and Davey streets but they had no information about the impact on their homes. They felt there was no space for them to comment and talk about this. It was an abject failure of public consultation. They tell me that they firmly believe the Government has already made their decision and they are heartbroken.

In the final few seconds, I acknowledge, as Ms Haddad did, the amazing work of some resilient, wonderful residents, particularly Meg Smith, Tony Dell and Simon Knight. My heart goes out to them because they are facing the loss of their homes.

[11.57 a.m.]

**Mr STREET** (Franklin) - Mr Speaker, this is a 50-year problem that we are dealing with. I have said in this place on many occasions that 90 per cent of the residential development in Greater Hobart in the last 50 years has happened outside of Hobart and Glenorchy and it has caused this problem. We have to find a solution to the problem.

I have heard people talk about smart, innovative solutions, low-cost or no-cost alternatives but they that have not actually detailed what they are.

**Ms Haddad** - The residents have but they have been ignored.

**Ms O'Connor** - It is in the letter to the Premier.

**Mr SPEAKER** - Order.

**Mr STREET** - You only spoke for six minutes on your own MPI, Ms Haddad. You could have spent the last minute detailing for the House the smart, innovative solutions that would fix this problem.

We need to facilitate more public transport south of the city. The fact is that buses are the only viable solution to getting cars off the road south of the city.

In her contribution Ms O'Connor talked about ferries for south of the city. I am not sure where she thinks that ferries are going to land in Kingston, Blackmans Bay. She mentioned ferries for the Huon Valley. I do not think she quite understands how long a ferry trip we are talking about to get from the Huon Valley into the city centre each day. Mr Winter knows full well, having spent time on the Kingborough Council with me, how difficult it has been to get any movement through that council on building a pontoon for landing a ferry at Kingston Beach. He also knows that the river conditions south of the city mean that the ferry is not viable.

The fifth lane has to be built. I really empathise with the residents. I know that is not what they want from me but it is all that I can offer them.

**Time expired.**

**Matter noted.**

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

### **Second Reading**

**Continued from 23 November 2021 (page 91).**

[12.00 p.m.]

**Ms ARCHER** (Clark - Minister for Justice) - Mr Speaker, before yesterday's adjournment contributions I was answering a question from Ms Haddad, I think it was question number 5, about the bill's provisions regarding community standards. Ms Haddad asked what consideration was given to having more generic wording rather than listing specific areas where the public is expected to let courts know what community standards are. Ms Haddad also asked for comment on the Law Society's submission regarding the court giving further weight to the particular examples.

In relation to the proposed section 361AA(7) concerning community standards, the bill has not been drafted in such a way where any of the circumstances are weighted to take on prominence. There are a number of Tasmanian crimes which contain elements that are ordinarily left to the jury to determine; for example, reasonableness, dangerousness, indecency, negligence or obscenity. These concepts are ordinarily left to the jury to determine in line with their understanding and beliefs as ordinary members of the community.

There may be other concepts that are ordinarily left to the jury. The bill's listing is not exhaustive. This approach allows the law to adapt as our criminal code changes. The types of conduct mentioned where jury is the best place to consider what is considered reasonable, dangerous, indecent, negligent or obscene are also in New South Wales, Queensland and Western Australian legislation. This bill includes these types of conduct but is not limited to these. The court may also take into account any other matter or circumstance that it may later consider relevant when determining whether it is in the interests of justice to make an order depending on a particular context of the case.

Our courts can be relied upon to decide what factors are relevant to the interests of justice when determining whether to make an order for trial by judge alone. A more comprehensive list of factors as the Law Society suggested is not desirable as it essentially limits the scope. A comprehensive list may result in the problem that the Law Society actually foreshadowed; namely, disputes about which factors are relevant and what weight is to be given to each factor.

I have a growing concern about our legislation being overly prescriptive. It was always the case that legislation would provide a framework and regulations would provide specifics. In this regard I will refer to comments made by the Solicitor-General in his annual report, on which the media picked up. What he was saying was when - and he did not use these words, these are my words entirely - someone with a brilliant mind such as his finds something difficult to interpret or understand, then we have a bit of an issue with our legislation. I thought I would make that point: I have a growing concern that we are getting overly prescriptive and that we need to be able to rely on our courts to consider, in this instance, the factors that are necessary to determine what is in the interests of justice to make such an order.

The inclusion of objective community standards in the bill was determined after consideration of stakeholder views and other similar provisions in other jurisdictions such as New South Wales, Queensland and Western Australia. Including objective community standards ensures that they are taken into account where relevant. The formation of this bill draws on the successful legislative approach taken by these jurisdictions.

Dr Woodruff asked how a court would make a determination about influencing or threatening the jurors. What sort of evidence would they usually need? What sort of confidence or surety would the court typically need when making a decision about whether there has been influence or jury tampering?

The bill provides that although the court does not have to be satisfied as to the consent of an accused person in such a situation, the court must not make an order unless it is satisfied of two things. The first is that it is in the interests of justice for the order to be made. The second is that there is a significant risk that an offence under section 63 of the Juries Act 2003, namely, influencing or threatening juries, may occur if a person is tried by a jury. The relevant test is significant risk, which is a high threshold. The bill does not prescribe what sort of evidence the court would need to be satisfied of there being a significant risk - there are a few words missing. I will repeat that sentence. The bill does not prescribe what sort of evidence the court would need to be satisfied of there being a significant risk. The preferred approach is to leave it to the court to determine what evidence is needed to satisfy that high threshold. This means that evolving facts and circumstances can be considered. I repeat my earlier comments about being overly prescriptive.



I recall having a number of conversations about this type of issue and it can be pretty obvious when there is this type of threat. Again, I think we can trust our judicial officers to make that correct judgment. For example, an accused person could be compelled to have a trial by judge alone without their consent where there is a very high risk of jury interference or tampering and all other means reasonably available to the court cannot mitigate that significant risk. This could only occur if a trial by judge alone is also in the public interest.

Again, it is a situation where the court would not order this if, after exhausting all other ways of dealing with the type of situation - it may be increased security or certain procedures they can put in place in a courtroom. If that is not going to resolve the type of issue that may arise with the tampering, then I would suggest that the court would order a judge-alone trial. Again, it is for the court to determine and I believe rightly so in those circumstances.

I believe that has addressed all of the questions. We have another bill to get to before lunch. I thank my department and my office. We consulted on this some time ago. I considered this as a COVID-19 measure. Then it became obvious that other jurisdictions already had it in place. It was only Victoria that had it as a temporary measure. Upon speaking to the Chief Justice and others, I decided that it would be appropriate to have it as a permanent measure and an available option, should there be appropriate circumstances, as I have outlined already within the context of this bill. It gives that opportunity, in circumstances we have outlined, for this to occur and provide even more flexibility within our criminal justice system.

I commend the bill to the House.

**Bill read the second time.**

**Bill read the third time.**

## **JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2021 (No. 60)**

### **Second Reading**

[12.09 p.m.]

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

That the bill be now read the second time.

The Tasmanian Government is committed to ensuring that Tasmanians have access to an effective and efficient justice system. Consistent with that commitment, this bill proposes minor amendments to clarify or improve the operation of a number of acts. As members will note, a number of these amendments were considered in March 2021, prior to the state election in May. This bill is substantially the same, with a few more minor amendments subsequently identified by the Department of Justice. The Department of Justice has undertaken further stakeholder and public consultation on the expanded bill, which was released for consultation on the department's website.

I will now outline the reason behind each of the proposed changes.

Amendments to the Appeal Costs Fund Act 1968: the Appeal Costs Fund is established under the Appeal Costs Fund Act 1968 and its purpose is to assist in the payment of costs incurred by litigants through no fault of their own in certain circumstances, such as when decisions are upset on appeal or proceedings are rendered futile.

The bill amends section 5(2) of the Appeal Costs Fund Act 1968 to replace the words 'other than a complaint in respect of an indictable offence including an indictable offence tried summarily by virtue of that act' with 'other than a conviction or order made in the Supreme Court'. This amendment will mean that there is no distinction in fee payment between indictable offences and indictable offences tried summarily, and any other offence, other than a conviction or order made in the Supreme Court, and will support the efficiency of the Magistrates Court.

This amendment, requested by the Chief Justice, will allow the Court of Criminal Appeal to grant an indemnity certificate to a person who successfully appeals a conviction, except where the person has received legal aid, within the meaning of the Legal Aid Commission Act 1990, in relation to the appeal.

The Court of Criminal Appeal currently has the power to make an order for costs against the Crown under section 414 of the Criminal Code Act 1924 when an appeal against a conviction succeeds and the appellant does not have legal aid. However, as a result of the decision of the Court of Criminal Appeal in *Templar and the Queen*, such orders for costs will not simply be made because the appellant succeeded in the appeal but, rather, there needs to be an additional reason for making the order.

Indemnity certificates can currently be granted under section 10 of the Appeal Costs Fund Act 1968 where an appeal is successful but only if the appellant has not appealed in the lower court or the Supreme Court. An indemnity certificate entitles the appellant to be paid from the Appeal Costs Fund an amount equal to the appellant's taxed costs of the appeal in respect of which the certificate was granted and an amount equal to the costs incurred by the appellant in having those costs taxed up to a maximum of \$300.

Granting an indemnity certificate would allow a successful appellant an additional reason for costs against the Crown as the court, in granting the indemnity certificate, has acknowledged that the appeal has succeeded.

The bill amends section 10 of the act to provide a power for the granting of an indemnity in criminal proceedings but excludes appellants with legal aid from Tasmania Legal Aid. This is consistent with an informal agreement between the Director of Public Prosecutions and Tasmania Legal Aid whereby costs are not sought by or against a legally aided person.

Amendments to the Constitution Act 1934: this amendment provides that the oath of allegiance taken by members of the Tasmanian Parliament is deemed to relate to the sovereign and their heirs and successors so that it is unnecessary for members to take the oath again when a new sovereign is appointed.

Currently, section 30 of the Constitution Act 1934 requires a member of parliament to take an oath of allegiance before they can act or vote in parliament. The wording of the oath in the Promissory Oaths Act 2015 refers to Her Majesty, the Queen. The bill seeks to address an ambiguity as to whether members of parliament need to retake the oath of allegiance on

appointment of the Queen's successor. The amendment to section 30 reflects a similar clause in the New South Wales Constitution Act 1902.

Amendments to the Coroners Act 1995: section 59B was inserted into the Coroners Act 1995 by the Justice and Related Legislation (Miscellaneous Amendments) Act 2017 to allow a coroner to order evidentiary material be rendered safe or inert, or destroyed or disposed of, prior to the conclusion or adjournment of an investigation.

The bill repeals section 59B(2) and amends section 59(3) to allow the section to operate as originally intended by permitting the coroner to dispose of evidentiary material on their own discretion upon application from the Commissioner of Police. The section retains the requirement for a photographic or audiovisual record of the evidentiary material and, where practicable, samples to be taken before an order of the coroner can be actioned. This amendment was requested by the Department of Police, Fire and Emergency Management and is supported by the Magistrates Court.

Amendments to the Crime (Confiscation of Profits) Act 1993: the bill amends section 28(3) of the Crime (Confiscation of Profits) Act 1993. Part 3 of that act provides for the Supreme Court to make restraining orders directing that property not be disposed of where the defendant has been convicted of, or is about to be charged with a serious offence. Section 28(3) allows for the Supreme Court to make a restraining order on an application without notice but only in an urgent case. It has been identified that issues have arisen regarding the judicial interpretation of an urgent case.

As such the amendment removes the term, 'in an urgent case', to ensure that the provision works as was intended. The restraining order process remains limited by other provisions within the act including the ability for the court to direct the applicant to give or publish notice of the application to such persons in such manner and within such time as the court considers appropriate. The amendment ensures that Tasmanian legislation is consistent without the jurisdiction.

Amendments to the Criminal Code Act 1924: the bill amends section 401 of the Criminal Code. Section 401 provides the right of appeal for a person convicted before a court of trial and a right of appeal for the Attorney-General. The right of appeal for the Attorney-General includes a right to appeal against the sentence. Currently the provision refers to specific orders, namely probation orders, under the Sentencing Act 1997. Under this bill, this is amended to ensure the provision refers to all orders made under this act. The bill also removes the reference to probation orders, a term no longer used following the commencement of the Sentencing Amendment Act 2016.

The Chief Justice has also requested a power be included in the Criminal Code for the Supreme Court to stay or suspend the operation of sentencing orders of all types pending the hearing and determination of criminal appeal, consistent with the powers of the magistrate under section 109(1)(c) of the Justices Act 1959 to stay proceedings on the order or to suspend the operation thereof ab initio, or from the beginning. The bill amends sections 415 and 418 of the Criminal Code to provide this power and allow it to apply both to the court and a single judge.

Amendments to the Dangerous Criminals and High Risk Offenders Act 2021: the bill addresses minor inadvertent drafting errors in the Dangerous Criminals and High Risk

Offenders Act 2021 which has attained royal assent but is yet to be proclaimed. The bill amends the definition of 'relevant offender' in section 24 to clarify that it includes an offender serving a custodial sentence for an offence against a law of this state that is being served concurrently or cumulatively in relation to one or more of the other sentences of imprisonment referred to previously in the definition.

In the current act references to 'this state' were inadvertently omitted. The amendment brings the definition into line with another provision of the act so that the provision captures persons who have finished serving a sentence for a serious offence but remains in custody for another offence under Tasmanian, or another jurisdiction's law, being served cumulatively.

The bill also replaces the references to 'consecutively' with the term 'cumulatively' in sections 24C(1)(iii) and 32(2)(b)(iii). As 'consecutively' is not defined in the act, the amendments will ensure the provision can operate as intended which is to cover situations where further sentences are imposed and are to operate in addition to the first sentence.

Amendments to the Evidence (Audio and Audio Visual Links) Act 1999: the bill amends section 6 of the Evidence (Audio and Audio Visual Links) Act 1999 to broaden the uses of audio link and audio-visual links. The provision is currently limited to taking evidence or making submissions; however, the potential application within the court system is much broader. This has been demonstrated during the COVID-19 pandemic where the limited access to the court has resulted in greater reliance on audio and audio-visual methods to continue to meet the requirements of open justice. The proposed amendment will allow the use of audio link or audio-visual link for any purpose the court directs.

Amendments to the Evidence (Children and Special Witnesses) Act 2001: the bill amends section 3 of the Evidence (Children and Special Witnesses) Act 2001 to include a reference to the crime of carjacking contrary to section 240A of the Criminal Code in the definition of 'affected child'. Currently, if a child is a complainant in or a witness to a robbery, they are deemed by the Evidence (Children and Special Witnesses) Act 2001 to be an affected child and entitled to a number of special measures. However, if they are a complainant in or a witness to a carjacking they are not able to access the special measures despite the clear similarities between the crime of robbery and carjacking. Accordingly, the amendment addresses this apparent drafting oversight that occurred when the crime of carjacking was inserted into the Criminal Code in 2013.

Amendment to the Forensic Procedures Act 2000: the bill amends the definition of serious offence in section 3 of the Forensic Procedures Act 2000 to include references to sections 22A and 27AA into the Misuse of Drugs Act 2001 and section 38B of the Police Offences Act 1935. These summary offences were introduced into the Justice Miscellaneous (Court Backlog and Related Matters) Act 2020 which commenced on 1 July 2021. Currently, as a result of the absence of references to these offences in the definition of 'serious offence' police will be able to use fingerprints, DNA and other relevant material to aid in the investigation and prosecution of the indictable version of these offences but will be unable to use such evidence where they are tried summarily. The amendment will address this omission.

Amendments to the Industrial Relations Act 1984: the bill amends the Industrial Relations Act 1984 to address an inconsistency in appeal rights in relation to unfair dismissal cases. Under section 70 of the act there is a right of appeal in relation to orders made by the commission under section 30(11) after a hearing in respect of the mode, terms or conditions of

employment or any termination of employment. However, there is no right of appeal where an application for unfair dismissal has been dismissed without hearing.

The bill ensures there is an appeal process for such decisions made under the act. The bill also enables the president or other presiding member sitting on a full bench of the Industrial Relations Commission to make procedural orders or directions to facilitate the hearing of an appeal. Currently, such orders or directions must be made by all members of the full bench. In amending section 71, the bill removes the logistical issues and unnecessary delays and the hearing of bills associated with the current process. This bill removes the two-step appeal process under section 72 of the Industrial Relations Act 1984. This process is no longer required as the Judicial Review Act 2000 had simplified the procedures for a review of administrative decision. The bill amends section 72 to allow a person who wishes to challenge a decision of the full bench in respect of an appeal to apply to the Supreme Court for review on the basis of an error of law.

Amendments to the Interstate Transfer (Community-based Sentences Act) 2009: the bill makes minor amendments to section 3 of the Interstate Transfer (Community-based Sentences) Act 2009 to clarify an omission that community-based sentences include community correction orders within the meaning of the Sentencing Act 1997 or a sentence imposed by a court of another state or a territory that corresponds or substantially corresponds to a community correction order.

Amendments to the Justices Act 1959: the bill includes bringing forward three amendments to the Justices Act 1959 that have been requested to assist the Magistrates Court to manage court administrative processes as part of the transition to the Magistrates Court (Criminal and General Division) Act 2019 which is expected to commence in late 2022. The first amendment is to section 55 of the Justices Act 1959 which requires justices to adjourn proceedings after the first appearance for a period not exceeding four weeks where the defendant does not plead guilty to the offence charged or another offence.

The Magistrates Court has identified that this timeframe can result in cases unnecessarily returning before the court multiple times if the requirements to proceed have not been met within the four-week period. The bill amends section 55 of the Justices Act 1959 to include a new subsection reflecting the wording for not yet commenced section 107(6) of the Magistrates Court (Criminal and General Division) Act 2019, which establishes exemptions to the limit of four weeks where either the defendant elects or the Magistrates Court determines that the Magistrates Court will deal with the matter rather than the Supreme Court.

The second amendment is to section 60 of the Justices Act 1959, provides for the circumstances in which a justice must commit a defendant for sentencing or trial in the Supreme Court. The Justice Miscellaneous (Court Backlog and Related Matters) Act 2020 inserted a new subsection (4) to allow justice not to commit the defendant to the Supreme Court on entry of a plea of 'not guilty' if the justice is satisfied that preliminary proceedings have commenced or are about to commence.

The bill amends section 60(4) to clarify that a justice must be satisfied that the preliminary proceedings have commenced or that a preliminary proceeding order is being, or will be, sought and granted. This is to ensure that the provision may be applied consistently and does not present an unnecessarily high threshold.

The third amendment is to section 74B of the Justices Act 1959, which currently provides that where a matter relating to a simple offence or breach of duty is not heard and determined on first appearance and the defendant is remanded in custody, the period of remand is not to exceed 28 clear days at any one time.

The Magistrates Court has identified that this requirement to increase this return appearances of cases and creates a history of administrative efficiency in the court.

Section 31 of the Magistrates Court Criminal and General Division Act 2019 replaces section 70 and section 74B of the Justices Act 1959, providing for adjournment procedures at any time during proceedings, not just for simple offences and breaches of duty. These amendments simply bring forward the changes set to commence next year, under the Magistrates Court Criminal and General Division Act 2019.

Amendments to the Legal Aid Commission Act 1990 and others: the bill amends outdated references to the Legal Aid Commission and similar names to that of Tasmania Legal Aid throughout a number of Tasmanian acts and statutory rules. While the official name change took effect in 2020 as part of the commission's new strategic plan 2020-2023, the relevant legislative amendments were not identified or progressed at the time. The bill therefore addresses this omission and also ensures that any commenced proceedings are not affected by the change of name throughout the affected acts.

Amendments to the Oaths Act 2001: the bill makes an amendment to section 12(2) of the Oaths Act 2001 to reflect updated Commonwealth regulations. Under the current provision, a person is a commissioner for declarations if that person is authorised to practice as a member of a profession listed in a schedule to the Commonwealth Statutory Declaration Regulations 1993. The amendments will update the provision to provide that a person is a commissioner for declarations if the person is a prescribed person under section 7 of the Statutory Declarations Regulations 2018 of the Commonwealth or a member of a group of persons declared by the minister to be an occupational group for purposes of that section.

Amendments to the Police Offences Act 1935: the bill removes section 15C(a)(2) of the Police Offences Act 1935. The current provision allows the court to make an order for community service in accordance with Part 4 of the Sentencing Act 1997. This subsection is now redundant as it relates to community service orders, which are no longer made under Part 4 of the Sentencing Act 1997.

Amendments to the Promissory Oaths Act 2015: the bill updates the Promissory Oaths Act 2015 to reflect legislative changes to the Justices of the Peace legislation. Section 9 of the act makes reference to section 4 of the Justices Act 1959, which has been repealed. The bill replaces these references with the current legislative provision, which is section 5 of the Justices of the Peace Act 2018. The bill also repeals subsections (5) to (9) of section 9 of the Promissory Oaths Act 2015. These provisions have become redundant as they refer to oaths for appointed extraterritorial justices, appointed under repeal provisions of the Justices Act 1959 and there are no equivalent provisions under the Justices of the Peace Act 2018.

Finally, amendments to the Sex Industry Offences Act 2005: this amendment updates the definition of sexually-transmissible infections, or STI, in the Sex Industry Offences Act 2005. The current definition refers to guidelines which are no longer applicable as they do not exist. The definition has been developed in consultation with the Department of Health

and includes diseases that are commonly associated with transmission by sexual contact, to assist in interpretation of section 12 of the Act.

Section 12 establishes requirements for both sex workers and clients to adopt safe-sex practices while providing or receiving any sexual services that involve sexual intercourse or any other activity with a similar or greater risk of acquiring or transmitting a STI. The definition does not affect, or impose any additional obligations in relation to the notification of STI's. The definition is only used for the purpose of section 12 of the act, under which the emphasis and focus is on safe-sex practices to minimise the risk of transmission of STIs between sex-workers and clients. The definition also allows for other diseases to be added, where they are identified as sexually transmissible.

It is important to note that following receipt of formal stakeholder feedback as part of the subsequent consultation on the bill, further changes have been made to remove genital warts and herpes in the prescriptive list to address stakeholder feedback and concerns.

In conclusion, the purpose of this bill is to ensure legislation remains up-to-date and to correct minor errors that have become apparent after legislation has been operational for some time. A number of such minor amendments have been identified in legislation, administered by the Department of Justice, as well as acts administered by the Department of Premier and Cabinet and the Department of Police, Fire and Emergency Management. Accordingly, this bill makes minor amendments to 19 acts, and three statutory rules.

The amendments arise from requests from various stakeholders to clarify or improve the operation for particular legislation. Those stakeholders as well as the legal profession and the public have informed and refined the development of these amendments through consultation. I wish to thank all stakeholders for their valuable input throughout this process.

Mr Deputy Speaker, I commend the bill to the House.

[12.30 p.m.]

**Ms HADDAD** (Clark) - Mr Deputy Speaker, as we heard from the minister in her second reading contribution, this bill contains many of the amendments that were made in a previous Justice (Miscellaneous Amendments) Bill last year or earlier this year. I remember that the debate on that earlier bill was split over two quite separated sitting periods as well, so I do not propose to go -

**Ms Archer** - We did not finish the bill because I wanted to also consider some of the feedback you had given us.

**Ms HADDAD** - Of course and I will address that. Thank you for that contribution by interjection. As I said when we debated the original iteration of this Justice (Miscellaneous Amendments) Bill, nearly all the amendments were non-controversial and administrative in nature.

I did have significant concerns about the method by which the Government had updated the definition in the Sex Industry Offences Act for sexually transmissible infection. I will come to that again a bit later in my comments. However, I acknowledge that that has been significantly changed in the newer version of the bill and that the Scarlett Alliance - the peak body that represents sex workers working in Tasmania and elsewhere in the country - has been

consulted on that new definition and by all accounts are satisfied with that new definition. They are also glad to have had the opportunity to contribute to that definition, which was not the case with the first version of the bill.

Forgive me if my comments today are a little bit disjointed because I thought I would mostly comment on the parts of the bill that I knew were not included in the last version of the Justice (Miscellaneous Amendments) Bill and then if there is time remaining I might return to some of what I said on the parts of the bill that are repeated. Much of what I had to say is already on the parliamentary record when it comes to the amendments to acts made in this bill that were in the previous bill as well.

Turning to the parts of this bill that are new, many of the changes including the first one in the bill, changes to the Commissioner for Children and Young People Act, and I believe five others at least, all relate to the same administrative requirement simply to update the name of the new Tasmania Legal Aid in many acts of parliament. As it would be expected by Tasmanians, the Legal Aid Commission of Tasmania, as it was previously known, is referred to in a number of acts of parliament as a service provider of legal assistance to people in Tasmania. They recently underwent a bit of a change and realignment. They have changed the operating name of that organisation. Instead of being known as the Legal Aid Commission of Tasmania they are now known as Tasmania Legal Aid. That brings with it not only an updated image for the organisation but also the requirement that legislation is amended to remove references to the old name because that organisation does not formally exist anymore under that name and replace them with the name Tasmania Legal Aid, the new name of the organisation.

That is the change being made in a number of these bills: the Commissioner for Children and Young People Act, some of the changes to the Criminal Rules 2006, the changes to the Legal Aid Commission Act, and the Legal Profession Barristers Rules and the Magistrate's Court Children Division Rules and the change to the Retirement Villages Act. I may have missed one or two but that is a necessary change and it is supported.

The next part of the bill that is new when comparing it to the previous bill considered, are the changes to the Crime (Confiscation of Profits) Act 1993. Those changes will remove the words 'in an urgent case' in relation to ex-parte applications for restraining orders and replace outdated references to the Legal Aid Commission of Tasmania, as the previous amendment did.

I believe the change made to the Crime (Confiscation of Profits) Act was requested by the Director of Public Prosecutions and amends section 28(3) where courts are able to make orders for property not to be disposed of where an accused has been convicted or is about to be charged, and it is limited to serious crimes. This change will remove the requirement for 14 days' notice to be given for restraining orders for the retention of property to be made. It was explained to me in the briefing - and I pause now to put on record my thanks to the Attorney-General for her office providing me a briefing yesterday, from Sam, Bruce and Kerry. I know Nat has also been involved with working on this bill. Thank you for the information you were able to share with me about those changes. It was explained to me that this change was required because of the problematic nature of giving notice to somebody who is about to be charged for offences to retain property and that it needs to be dealt with in a different way.



Skipping over the change to the Criminal Rules 2006 because that is simply an update, again, to the name of Tasmania Legal Aid, the changes to the Dangerous Criminals and High Risk Offenders Act 2021 was a lengthy debate held in this place and in the other Chamber in dealing with the important changes that were required in the way that the Dangerous Criminal declaration can be assigned to people who are serving sentences in Tasmanian prisons. It also implemented a second tier of high-risk offender orders which can be applied for by the Director of Public Prosecutions after somebody has been released from prison, either at the end of their sentence or on parole.

There was a drafting error in that bill which meant that the definition of 'relevant offender' needs to be updated. The definition under that bill included 'an offender serving sentences for other offences against the law of Tasmania', but it inadvertently meant that if someone was serving a cumulative sentence for offences committed here and elsewhere that the act did not apply as intended. That change is administrative in nature and needs to be made to make sure that people who are serving cumulative sentences are not treated differently to those who are serving cumulative sentences involving crimes committed here and interstate. That act is also amended to correct references to the word 'consecutively' when the word 'cumulatively' was the intended drafting.

The next part of the bill that is new, I am going to jump to the Evidence (Children and Special Witnesses) Act 2001. As members know, that act puts in place a range of procedures where people who are defined or classed as a special witness, as well as children facing Tasmanian courts are given extra protections and supports in terms of attending court and having to give evidence. This change is broadening the definition of 'affected child' to include the offence of carjacking, which was introduced into the Criminal Code in 2003. As the minister outlined in her second reading contribution, as the act currently stands, if a child was a witness to a carjacking event, which is by all accounts a very similar and traumatic experience to facing any other kind of robbery, they would not qualify for the protections that are included in the Evidence (Children and Special Witnesses) Act at the moment.

This change will mean that children who do witness the crime of carjacking will not be disadvantaged in not being able to access those protections. The changes also expand the definition of 'serious offence' in section 3 of the act to include offences under a range of other sections of the Police Offences Act and the Misuse of Drugs Act. I believe that is to do with the mirror offences of similar offences that exist in other states and territories but I could be mixing up two opposite acts we are changing. Forgive me if that is what I have done here.

The next part of the bill that is new is around the Police Offences Act and the Misuse of Drugs Act to amending the Forensic Procedures Act. Is that right, or have I mixed myself up again? That will change the definition of serious offence in the definition section of the Forensic Procedures Act. It will include references to offences in the Misuse of Drugs Act and the Police Offences Act. As members remember, those summary offences were introduced during the debate on the Justice (Miscellaneous Court Backlog and Related Matters) Bill 2020. That bill has now commenced. Because references to those offences in the definition of serious offence, police will now be able to use fingerprints, DNA and other relevant material to assist in the investigation and prosecution of indictable versions of those mirror offences that parliament created as a result of the changes in that court backlog bill.

The next part that is new is to the Interstate Transfer (Community-based Sentences) Act 2009. Those changes clarify the definition of community-based sentences and its application

to community corrections orders. Those amendments make clear that community-based sentences include community correction orders and includes mirror or corresponding offences in other states and territories to be included in the operation of the Tasmanian act. That was required because our act was quite early on the national scale. Tasmania's act took effect earlier than other states and territories acting on those changes to interstate transfers of people serving sentences. Other states and territories are now starting to legislate in that area. As a result of that, there was a need for this definitional change to make sure that community-based sentences and community corrections orders can be served.

The next part of the bill that is new compared to the one we considered last year are the changes to the Justices Act 1959. That act is going to be repealed, superseded by the Magistrates Court (Criminal and General Division) Bill 2019 - is that right or am I mixing that one up as well? - when that takes effect. What those changes do is deal with when the court needs to call people back after cases have been adjourned. These changes were requested by the Magistrates Court and they will take effect until the criminal and general division bill starts its operations. They were needed in order to avoid basically unnecessary rolling adjournments.

Section 55(5) currently provides that a case can only be adjourned for four weeks. Often four weeks is too early in terms of the preparation of the case for either the prosecution or the defence and bringing an accused person back to court is not necessary at that time. This change will mean that the court can be more flexible for both parties when people are brought back in after a case is adjourned. A similar change is made under section 74B around the determination of periods of adjournments under that section.

The changes to section 60 clarify when a judge may not commit a defendant to a trial in the Supreme Court in relation to preliminary proceedings under that section. At the moment a judge can only commit someone to the Supreme Court if those preliminary proceedings are about to commence. It is a change in the urgency of that definitional part. It means that this change will provide that it will be able to operate as intended as long as preliminary proceedings are or will soon be underway.

I note that all of these changes will be superseded by the Criminal and General Bill when that takes effect and replaces the Justices Act and also puts in place much clearer rules around preliminary proceedings generally.

The next three changes are all updating the name of the Legal Aid Commission to Tasmania Legal Aid. That is an amendment to the Legal Aid Commission Act itself as well as the Legal Profession (Barristers) Rules 2016 and the Magistrates Court (Children's Division) Rules 2012.

The same thing goes for the Retirement Villages Act 2004, which is the final part of this bill which is new, other than the changes to the Sex Industry Offences Act. I will turn briefly to those changes.

I do not propose to read into the *Hansard* everything I said on the bill in October 2020, but I did express some fairly serious concerns around how that definition was arrived at. I did not oppose the fact that a definition was required because the act was currently working at that time. There was a circular issue where the act referred to a definition in another act, the Public Health Act I believe, but when you looked at that section of the Public Health Act, that definition was not there. So there needed to be an update to the act, but unfortunately in the

original attempt to replace that definition, for whatever reason, it was chosen to go with the dictionary definition.

That raised a range of issues. A dictionary definition of a 'sexually transmissible infection' is not necessarily suitable in the context of how Public Health operates and how the Sex Industries Offences Act was intended to operate. In effect, what that meant, is that a whole lot of infections that are sexually transmissible but also non-sexually were included and conditions that are not notifiable under the Public Health Act were included and others that are notifiable were not included. All up, it was a bit of a mess.

I put concerns on the record as did Dr Woodruff. Both of us had been in contact with Scarlet Alliance who felt pretty devastated by the approach that was taken, albeit with the comments from the minister on the way the Sex Industry Offences Act is intended to operate; it is not about notifying, it is about promoting safe sex practices.

For people who work in the sex industry, it can feel like a very patronising and paternalistic approach to their industry. All research points to the fact that sexually transmissible infections are very low in the population who work as sex workers. That is because they are acutely aware of the need for safe sex practices; more aware I would argue, than any other sexually active people in our community.

I was saddened when I spoke to the previous CEO of Scarlet Alliance in Tasmania who felt and shared with me the way that black-and-white definitional change in that bill made her feel personally violated, disappointed and offended and that her body was being criminalised. I doubt that was the intention of the Government but it was important to put those concerns on the record.

I am pleased that as a result of that, and as a result of the consultation on the newly drafted bill, that definition has now been changed. Both herpes and genital warts have been removed from the definition. It now contains syphilis, gonorrhea, chlamydia, HIV, hepatitis and allows for any other prescribed infection. I am not an expert in Public Health, but I am satisfied that Scarlett Alliance is comfortable with that definition. For me, that is sufficient evidence to know that the consultation that needed to happen has happened and that the definition is a workable one for the industry.

As I said at the beginning, forgive me for not having gone through the bill in order. My intention was to speak first just on the parts that were new then to highlight the changes to the Sex Industry Offences Act as I have just done. I do not intend to go back through the parts that were in the previous bill other than to indicate again that we supported them. We supported the changes to the Appeals Costs Fund Act which were recommended by the Magistrates Court. We supported the changes to the Constitution Act. I spoke for a surprisingly long time about that because of the other factors that are out there in the public discourse in Tasmania about the deficiency of our Constitution Act generally and the fact that there are many legal academics and others in the social policy space who would really like to see a full review of our Constitution Act.

I will not put the Chamber through my views on that and Australian republicism and other things that I tend to go off tangent and speak about a lot. Last time we discussed those issues, but of course the changes to the Constitution Act that are being made in this bill are quite simple and procedural in making sure that when Her Majesty Queen Elizabeth is longer

with us - I recognise the fact that she has been quite unwell and unable to attend some fairly significant events lately -

**Ms Archer** - Can I say I started this well before.

**Ms HADDAD** - I know you did. That is true, Attorney-General. I send my well wishes to the Queen. I know she was unable to attend COP26 in Glasgow and there were some other formal events she has been unable to attend due to ill health.

Sad as it is to think about that procedural changes need to be made to prepare for that eventuality and this is one of them: to make sure that members of parliament do not need to re-swear their oaths when that happens.

We then amended the Coroners Act and we supported those changes as well. They were about requests that were made by the police department to allow the Coroner to make orders on request by police for the disposal or treatment of evidence. As we talked about in the Chamber last time, often it is dealing with physically large pieces of evidence, like vehicles and boats. We had a long discussion about making sure that there were still protections in place to retain whatever evidence might be required for future court proceedings and to make sure that there needs to be safeguards in place to make sure that an order could not be made and suddenly there is still an appeal right pending and a new court proceeding takes place and the evidence is no longer available. I put on the record last time we were discussing that change, the fact that I think that it is really important to make sure those safeguards are in place.

Changes to the Criminal Code that were made in the last bill clarify the types of sentencing orders that can be appealed and will give power to the court to stay or suspend the operation of sentencing orders. That will ensure consistency with operations in the Magistrates Court where that can occur now. The same rules will apply in the Supreme Court. I believe that was a request from the Chief Justice and the DPP.

Similarly, we supported the changes in the Evidence (Audio and Audio-Visual Links) Act which broadened the use of audio-visual links. We have all become much more accustomed to that in the times of COVID-19. Courts have adjusted and adapted very rapidly to switching to audio and visual links instead of being able to be present in the same place. Again, as long as there are no threats to the interests of justice or threats to access to justice or damage likely to people facing the criminal justice system, I think audio-visual links can be used. It is particularly beneficial to people facing the courts if it is their wish to be able to attend court in a way other than physically.

We also supported changes to the Industrial Relations Act. That is about ensuring that appeal rights are available where unfair dismissal orders have been made without hearing. That is a really important change to make sure people do not have appeal rights closed off to them and are able to appeal an unfair dismissal order that might have been made, or dismissed without hearing.

Finally, we supported the changes to the Police Offences Act that removed the use of the words, 'community service order,' as that does not exist any more. It needed to be removed as it has been replaced with new language, and we supported the change to the Promissory Oaths Act, which also made non-controversial changes, removing outdated references to repealed legislation.

I spoke for longer than I thought I would on a pretty non-controversial bill, but there are many acts of parliament being amended in this legislation. It is important to go through it in detail and record the reasons for supporting or questioning some of those changes. I am glad to see some of the changes that have been made, particularly to the Sex Industry Offences Act, as a result of consultation from the last iteration of the bill.

With those comments I conclude by saying we will support the bill.

[12.56 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, I will wrap up my comments on this bill on behalf of the Greens. I spoke at length on the substantial part of this bill when it was tabled and debated in this place earlier this year and I do not intend to repeat the comments I made on the matters that have not changed. We continue to support the changes in this miscellaneous amendments bill that will improve justice in a number of the acts and improve the rights, opportunities and conditions for people who are affected by those acts.

I note the changes that have been made in this amendment bill. The additions around obvious name changes for the Legal Aid Commission of Tasmania to the Tasmania Legal Aid, is obvious and important. As an aside, the work that continues to happen in Tasmanian Legal Aid is great. I am always deeply impressed when I go to an AGM or an event and hear of the work and passion of people who work in that agency. I thank them for the work they do.

I spoke at length about the changes to the Sex Industry Offences Act 2005. There was some correspondence between the Scarlet Alliance, the minister and me about the definition of 'sexually-transmissible infection', which was unfortunately not consulted with in the first instance with the Scarlet Alliance - the sex-worker organisation that represents sex-workers in Tasmania and around Australia. We raised concerns about the proposed definition. I take the minister's word on the face of it that the consultation has occurred and that the Scarlet Alliance accepts the definition as has been presented, which is slightly changed from the last version. If they feel that is appropriate and it brings Tasmania into line with other states in relation to the prescribed infections, then we are comfortable with that.

We support that change to the section of this bill regarding the Children and Special Witnesses Act 2001, which now enables this change for children to access the special measures in this act if they are themselves a complainant to a witness, or robbery.

**Debate adjourned.**

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

## **ELECTORAL AMENDMENT (INTEGRITY OF ELECTIONS) BILL 2021 (No. 61)**

### **Second Reading - Negatived**

[2.30 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I move -

That the bill be read for the second time.

I can indicate that we will be calling a division at the end of our private members' time.

In a healthy democracy, citizens have a voice and a vote as active participants in society. In democratic societies, all individuals and groups, regardless of race, religion, gender, identity, wealth or sexual orientation, have a role to play in shaping law and policy. In lutruwita/Tasmania, as in many democratic societies, constant vigilance is needed to ensure the foundations of our democracy are strong. This requires a robust, strategic response. It also requires the political courage to drive real change beyond political self-interest and in the public interest.

The proportion of Tasmanians enrolled to vote has been increasing since 2010, from 95.1 per cent to 96.6 per cent last year. Despite this, the number of voters turning up to vote at elections is declining. Tasmanian participation in civic and political groups declined from 12.8 per cent in 2014 to 12.2 per cent in 2019. That said, we have a long and proud history of civil society standing up and exercising its democratic right to peaceful protest in this state.

A 2018 assessment of apathy in Australian politics found 20 per cent of voters are generally uninterested, 25 per cent are not interested in election campaigns and 33 per cent do not care who wins elections. The author, David Campbell, concludes that despite 'an exponential increase' in education and information availability over the last 29 years, it is likely that the extent of citizens' political interest and knowledge has changed little since Athens, which is the birthplace of democracy.

This finding challenges our understanding of what influences people's engagement with politics. Even though the link between education levels and political knowledge and participation is well documented, an increase in the overall level of education in Australia has not resulted in greater participation rates. While other changes to key influences, such as income inequality and age, should be increasing political participation and knowledge, this does not appear to be happening. This illustrates the complexity of civic engagement in our democracy.

The decrease in participation of citizens has, however, been matched with a declining trust in politics. Polling by the Australian National University shows trust in political leaders and government has dropped and satisfaction with democracy has deteriorated. Lack of trust in politics often has a negative impact on civic participation, although this is by no means a simple relationship either.

In 2018, ABC *Fact Check* found Tasmania's donation laws would become the weakest in the country after the Victorian Government undertook reforms. In the years since, Victoria has reformed their laws. New South Wales, Queensland, Western Australia and the Northern Territory also passed reforms enhancing their political donations and expenditure framework.

As we know, in 2018 the gambling industry poured untold, unknown millions of dollars into one of the major parties in this place. In 2021, the gambling industry poured untold, unknown monies into both the major political parties in this place. Because of our weak donations disclosure framework, Tasmanians will not find out how much was declared that went to the major parties at this last state election until after February next year.

So, Tasmania has dropped even further behind the rest of the country than when it was declared to have the weakest donations laws. The Government's proposed reforms would still

leave us with the weakest laws in the country. They certainly are not aspirational. There does not seem to be a desire to lift us from being the nation's laggards to the nation's leaders on electoral integrity. Our bill would position Tasmania as the strongest, from the nation's laggard to its leader. Our bill sets a cap of \$3000 on aggregate political donations from the same source per electoral term.

The argument for a limit on the value of donations is simple. Money buys influence and the larger the sum, the larger the influence. The Senate Committee into the Political Influence of Donations noted that:

Although proving that donations buy political outcomes is difficult, the anecdotal evidence of this link is compelling.

The relevance of the sum of money donated is well summarised by the comments of an anonymous politician in the 2018 study:

If someone donates \$1000, they support you. If they donate \$100 000, they have bought you.

The influence of smaller donations should not be discounted as they can contribute to long-term relationship-building policies in more subtle ways. In 2018, a former Liberal Party treasurer, Michael Yabsley, described habitual soft corruption in the donations process, where donations are tied to a commitment to meet with particular ministers or political leaders. Yabsley called for a cap of \$500.

The Senate committee recognised that any donations cap is relatively arbitrary and, on balance, recommended a donations cap of \$3000 per term, per donor. This is the model we have adopted in our bill.

Regulations to cap donations should have two broad objectives: to decrease the political influence of a donor by limiting the size of donations; and to reduce the imbalance of a person or corporation's ability to support political preferences based on wealth. A \$3000 per term cap on donations in Tasmania would curtail the potential influence of any given donor, as risking the loss of revenue from a single donor would be much more palatable for political parties.

The average amount Australians donated to charity in 2017-18 was \$764. As many members of this place know, Tasmania, per capita, is the highest giver to charity in the nation. This equates to \$3056 over a four-year term, close to the \$3000 donations cap proposed by the Senate committee and adopted in our bill. While this does not completely eliminate the wealth disparity between potential political donors, it does mitigate it.

Various jurisdictions in Australia have banned donations from foreign actors and the property, tobacco and gambling industries. Canadian donation laws go further, allowing only natural persons who are citizens or permanent residents to donate to political parties. We have adopted the Canadian model as a simple, straightforward means to ban corporate donations. It also drastically reduces the prospects of gaming the system by using shell corporations to avoid the donation cap threshold.

Tasmania's donation disclosure framework is currently only covered by inadequate federal legal requirements. Federal laws require reporting by February on the previous

financial year's donations. This means donations can take up to 18 months to be disclosed to the people. There was general agreement amongst submitters to the 2018 Senate inquiry that disclosure in real time was the most desirable approach to donation disclosure. Real-time disclosure means setting a relatively brief timeframe from the time of receipt to the public disclosure of a donation. Under the current system, disclosure is at a fixed date, which could be well after an election, when a report of all donations required to be disclosed must be submitted.

Queensland requires donations to be disclosed seven business days after receipt, except in the seven days before polling day, when donations must be disclosed within 24 hours. This ensures virtually all donations received before an election are publicly available for scrutiny.

Victoria, the only other state to adopt real-time disclosure laws, requires a 21-day time frame which is not optimum for public scrutiny just prior to an election.

The Government's proposal in its draft legislation, which I am sure the Attorney-General will talk about shortly, is for donations to be disclosed seven business days after being received during an election period. That is welcome but it does not ensure Tasmanians would go to the polls with clarity about funds that come into party coffers in the week or the day before polling day. The Queensland model is much better at improving transparency in the last seven days of the campaign. That is why we have adopted this nation's best model.

Tasmania and Victoria are the only Australian jurisdictions without expenditure caps for lower House elections. Federal elections also do not have expenditure caps. This means that an election campaign and contest is not a level playing field because some of the larger parties closer to the corporates can attract many more donations from vested interests. Most jurisdictions impose a cap on spending for independent candidates and a cap on parties. This cap can often be distributed across electorates in excess of a candidate's electoral cap.

Other than the ACT, all jurisdictions differ from Tasmania in that they have single-member electorates. Therefore, the prevailing formula would not work for Tasmania. In 2013, despite the Premier misremembering this morning, the Labor-Greens government's Electoral Amendment (Electoral Expenditure and Political Donations) Bill 2013 passed the Tasmanian House of Assembly but stalled at the first reading stage in the Legislative Council, which we all knew at the time was the work of Liberal-supporting members in the Legislative Council to prevent that bill from passing the Legislative Council because it was in the then opposition's interests for it not to pass. The bill would have imposed expenditure caps of \$75 000 for candidates and \$750 000 for a party, increasing by \$1000 and \$10 000 per year respectively.

Our bill introduces the same model exactly, appropriately indexed since 2013. A key distinction between the bill's model and what occurs in other jurisdictions is the overall party cap is not tied to the number of candidates or the number of electorates in which a party runs. Historically, parties in Tasmania either run five candidates in each electorate or in some cases six, or fall well short of the proposed expenditure cap. For example, in 2018 the Liberals, Labor and Greens all fielded five candidates in each electorate. The other parties to run candidates were the Jacqui Lambie Network, Tasmanians for Tasmania or T4T, and the Shooters, Fishers and Farmers Party. T4T did not spend any money; the Jacqui Lambie Network spent \$93 255; and the Shooters, Fishers and Farmers Party spent \$59 314.



In short, there is no evidence of any need for a party cap to be tied to the number of candidates a party fields in a given election and a given electorate.

The proposed party cap is 10 times higher than an individual candidate cap. The average electorate expenditure would therefore allow for twice as much expenditure as an independent candidate to cover the campaigns of five party endorsed candidates. On an individual level this would provide for lower candidate expenditure for endorsed candidates compared to independents. Given parties have access to professional electoral apparatus, dedicated volunteer workforces and can promote a shared platform, this unproportionate system is justified on the grounds that it engenders more equity between independent and party candidates.

The Electoral Amendment (Electoral Expenditure and Political Donations) Bill 2013 was consulted on at the time by the then attorney-general Brian Wightman. It did not create any controversy other than among the Liberals in this House and their allies in the other place. Given the acceptance of the proposed expenditure cap and the historic, practical irrelevance of adjusting the cap's formula based on the approach of other states, it was not considered to be a need to alter the proposal.

In Australia, public funding of election campaigns operates as a reimbursement of electoral expenditure based on the lower value of a dollar figure per first preference vote or total electoral expenditure. The intent of public funding is to level the playing field somewhat for candidates and reduce the reliance on and influence of private donations.

Every Australian jurisdiction other than Tasmania and the Northern Territory has legislated public funding of elections. Progress has been made in the Northern Territory with a 2018 inquiry recommending public funding. The NT government accepted this recommendation in principle but has yet to enact the changes.

The funding rate in jurisdictions across the country ranges from \$1.97 to \$8.62 per first preference vote, averaging at \$4.38. In determining an appropriate funding level, it is worth noting that the 2011 inquiry into the funding of political parties and election campaigns by the federal parliament's Joint Standing Committee on Electoral Matters found the public funding scheme at the time had not been effective at curbing the increase of election spending. Our assessment of expenditure since then suggests that this is still the case. This suggests that in a vacuum, that is without restraints on expenditure and without controls on who can donate, public funding has done little to curb the influence of political donations. However, the federal scheme has not operated in an environment with strict expenditure and donation caps or with bans on donations from corporate interests.

The effect a public funding scheme would have where other limits are in place remains to be seen but we believe it would help to level the playing field. The committee did, however, recognise that repealing the scheme would have a detrimental effect on minor parties, suggesting that the objective of levelling the playing field has been effective.

Adopting the Australian or Commonwealth rate would provide Tasmania with the second lowest cost after Western Australia of any state scheme while also providing, under our assessment, the highest proportion of electoral expenditure covered by public funding based on projections of 2018 expenditure under proposed new donations rules.

Considering the available evidence of effectiveness, the effect of other reforms, the costs to the public purse and expectations of the general public, tying the Tasmanian public funding rate to the Australian rate was considered to be a reasonable first step. It is certainly much lower than what is proposed by the Government in its draft bill.

Each jurisdiction, where public funding for elections occurs, requires a minimum of 4 per cent of the primary vote for eligibility with the exception of 6 per cent in Queensland. The 4 per cent minimum vote threshold was criticised by the federal parliament's Joint Standing Committee on Electoral Matters which noted that minor parties and independent candidates can attract significant electoral support without passing the 4 per cent threshold for receiving public funding. The only rationale for a threshold canvassed by the committee was cost-saving purposes.

Public funding schemes are based on a monetary value being assigned to a first preference vote. As such, there is a strict ceiling, that is, the number of enrolled voters on amounts payable. Excluding eligibility on the basis of a voting threshold therefore has minimal implications for public cost but may deter potential candidates who are not in a financial position to risk not qualifying for a rebate.

Our assessment of candidates and political parties that receive less than 4 per cent of the vote on aggregate across the electorates they ran candidates in during the 2018 Assembly election, determine that number of votes would have been excluded for payment under a 4 per cent scheme was 12 234 out of 334 871 total formal votes in the 2018 state election. Under a \$2.87 per first preference vote scheme, which mirrors the Commonwealth scheme, a 4 per cent threshold would have saved approximately \$35 000 from a total \$947 684 bill. This is a paltry 3.6 per cent saving.

Many of the reasons for reform of electoral finance laws in relation to political candidates and parties also apply to third parties. Third parties can also be used in an attempt to circumvent electoral laws. For electoral finance regulation to operate effectively, there needs to be appropriate enforcement mechanisms and financing of enforcement activities.

Truth in political advertising laws are provisions which prohibit false statements in political advertising during election campaigns. These laws can establish offences that allow for the removal of statements. South Australia was the first jurisdiction in Australia to introduce truth in political advertising laws in 1985, although the Commonwealth laws were passed in 1983 but repealed a year later.

In 2020, the ACT passed laws modelled on South Australia's truth in political advertising framework. The South Australian provisions, which ban a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent, were found to be the strongest example of such a law by 2019 United Kingdom analysis. Despite some issues with the legislation, the assessment found the laws to be reliable, workable and fair.

The scope of truth in political advertising laws is deliberately tight. They apply to 'a statement of fact that is inaccurate and misleading to a material extent'. In South Australia, the Electoral Commission has to seek legal advice from the Crown Solicitor's office to determine if a statement is misleading, which takes considerable time. The South Australian commission has also received paperwork, some 20 to 25 centimetres high, in the form of supporting documentation. Such tactics could be used to delay a decision until after election

day, particularly during the crucial last days of a campaign. On this basis, we have drafted our provisions to not have appeal rights.

Every member in this place knows the current legal inadequacy around our electoral laws is failing democracy and the Tasmanian people. We have to push back against the corporatisation of democracy that corrupts our governing institutions. As elected representatives, we should always be vanguards of democracy. We should always do what is right, openly, honestly and in the public interest. We should never, ever allow our precious vote to be bought.

Legislation like the Future Gaming Market Bill, which is now back, amended, with this place, should never happen again. That kind of legislation, the context in which it was drafted and debated, the capitulation of the official Opposition on it, has eroded public trust and we need to restore public trust. Democracy is precious. We are privileged to be in this place because Tasmania is a democracy and we have a responsibility to protect the democratic foundations on which we stand and hand them on to those who come after us, even stronger.

Our bill would go a long way to restoring public trust and taking the dark money out of politics and that is what we should all agree needs to be done.

I commend the bill to the House.

[2.53 p.m.]

**Ms HADDAD** (Clark) - Mr Speaker, I am pleased to contribute to the debate on this bill about issues that members understand are key to restoring trust in politics in Tasmania, and ones that Tasmanian Labor has been very vocal on for many years, indeed since we were last in government.

When we introduced our private members' bill last year, in my second reading contribution, I said:

It is not lost on any of the 25 of us who have the honour to fill one of these seats, that we have a huge responsibility to represent the voices of more than half a million Tasmanians. Their values, their hopes, their needs and their fears are distilled and hopefully represented in the laws and decisions that are made in this very room. As I look across the chamber at each of us, I see those half a million people we are charged with the responsibility to represent:

Everyone understands the gravity of the issues before us, covered in this bill. Tasmanian politics needs transparency. The Tasmanian people deserve it and only the parliament can truly deliver it. It is well-known that Tasmania has the worst electoral donations laws in the country. As I have said in this place many times, that is not even a fair characterisation, because they are not technically the worst, they are simply non-existent. We do not have electoral donation laws in Tasmania. We are at the bottom of the ladder in Australia when it comes to a fair and transparent electoral system.

It comes as a shock to most members of the public that in Tasmania, right now, candidates for election to this Chamber are under no obligation to disclose donations they receive, who they receive them from, how they spend them, or how much they spend on their election

campaigns. In fact, it came as an utter shock to me in my first campaign, in 2017-18, that I was not required to disclose donations to anybody; not to my party, not to the Electoral Commission and not to the public. Notwithstanding, I did not personally receive a lot of donations. I ran my campaign on small local fundraisers and small donations from friends and family. I know that this was not the case for many others contesting the same election, for the same seat, including people from my party.

As I have said before, it is no secret that political campaigns cost money. The cost of posters, billboards, flyers and other materials all add up, not to mention the high cost of television, radio and print advertising for those who use it. I suspect the majority of Tasmanian voters have little idea about the contribution that individual candidates make to their campaigns. Many of us borrow against our houses, if we are fortunate to have one and be able to do that, or save for years to fund the high cost of campaigns. The downside is that the prospect of funding a campaign is completely out of reach for many people in Tasmania because of the highly prohibitive cost.

That shows us very clearly that we do not have a level playing field in Tasmania in politics. Parties and candidates can spend vastly different amounts of money from one another and no-one would ever know because there are no spending caps and no requirements for candidates to disclose how much they spend.

Further, in our current regime, donors' identities equally go undisclosed. This matters. It matters to voters who rightfully expect the same level of transparency from the Tasmanian process as voters in other states and territories. At present the only requirement for transparency in political donations in Tasmania comes from Commonwealth legislation, not Tasmanian law. Commonwealth law is quite deficient with only donations over around \$14 000 having to be disclosed. That is a ridiculously high threshold.

In other jurisdictions there are strong and robust regimes in place that mean donations to political parties, MPs and candidates are declared publicly throughout the electoral period. Many of these jurisdictions also place caps on how much money parties and candidates are allowed to spend. Other jurisdictions have schemes in place that allow public accountability that gives confidence to them, which they deserve to have in our political system; that is, to know who donates and how much and how much parties and candidates spend on their campaigns and, indeed, to have a cap on that spending. While they operate in different ways, they have one critical thing in common. They are all about transparency. They are about the fundamental integrity of the political process and the democratic systems that we all rely on.

Something else that is well known to all of us who have the privilege to work in this place is that public trust in politics is at an all-time low. That is not something just affecting Tasmania; it is affecting parliamentarians and parliaments all around the globe. People are fed up with the lack of transparency and lack of accountability that seems to permeate politics at all levels. Governments in contemporary democracies should strive for as much transparency as possible because it allows better citizen engagement. It allows political parties and candidates to claim their ground because their funding is open and transparent. Refusing or delaying progress towards transparency implies that secrecy is acceptable and transparency is not a priority.

I believe elections should be a battle of ideas, not a battle of bank accounts. Contesting an election should be something that is open and available to anyone who seeks to run for

office, not just those who are wealthy enough to contemplate it, in our current, flawed system. It should be our ideas and the strengths of our bonds in our electorates that see us elected here, not the debts of any one candidate's pockets.

After the 2018 election the then premier, Will Hodgman, committed to a review of the Electoral Act. After significant pressure from both the public and the parliament the Government finally released a discussion paper and proceeded with an administrative bill, making some technical changes that were important but failed to address the substantive problems in our broken electoral system. The interim report was released in 2019 and further public consultation was undertaken. The Government then sat on that final report for months. It had to be pulled like teeth from the Government, after a significant period of time and further pressure from the public, the parliament and after Labor tabled our private members bill. The final report was finally released in February 2021.

Earlier this year, the Government produced a draft bill for comment. It has some good bones. There are things in that bill that the parliament should support but there are other areas where the Government's bill does not go far enough and it definitely needs amendment; for example, failing to implement spending caps. Even if it passes in its current form, it will still be the weakest in the nation.

Despite producing that draft bill this year, the Government has clearly demonstrated that donation laws and transparency is not high on its list of priorities. As at 9 November, the parliament had only sent 20 bills to the Governor, the lowest in many years. Most years, the parliament deals, on average, with 40 to 50 bills. The question remains: why are we not dealing with a Government bill here?

The Government is taking a disappointingly go-slow approach, which has become very familiar to most Tasmanians who care about these issues. There is no reason why we could not be here debating a government bill this year. They have been pushed strongly every step of the way to do anything in this area; pushed to do a review, pushed to release the report of the review, pushed to develop draft legislation. Here we are today, with another push, this time by way of the Greens' private members bill. Why is this Government not acting sooner?

When the Government has prioritised other legislation this year, why are we not being presented with their electoral donation laws, especially given that they have brought forward a record low number of bills this year? Here we are, in the last week of parliament for the year. It is four years since that initial promise from Will Hodgman that we would see urgent action to fix our broken donation laws. Still this Government is dragging its feet.

I wonder if that could be because the Government is not committed to this at all and perhaps it is all for show. I wonder, do they still agree with the former Liberal Party state director, Sam McQuestin, who in their party's submission to the first community consultation said:

The Liberal Party supports the current framework. There has been no evidence whatsoever was presented that the current system is failing or needs change.

He said they would be draconian regulations which would be detrimental for our democracy. He said that the Liberal Party would not support any changes to the system and said that the review process itself was:

Nothing more than a flagrant attempt by Labor and the Greens to manipulate the system for their benefit at a time of flagging popularity in the lead up to an election.

Those are the words of the then Liberal Party state director, Sam McQuestin, in 2018, when the initial review was commenced. I wonder if they are words that the Premier sticks by today. I wonder if that is why these reforms are not progressed by government members. Those questions are in the minds of many Tasmanians.

Turning now to the Greens bill before us today, I reiterate my disappointment that we are not debating a government bill and that we are seeing, once again, that this is not a true priority for the Liberal Party in Tasmania. The bill, like Labor's 2020 bill and like the 2013 bill that the Leader of the Greens referred to that was put forward by then attorney-general Brian Wightman, goes to those same core issues: progressing transparency in political donations; transparency in our political systems; transparency in funding and spending in election campaigns. These are reforms that the Liberals committed to in 2018 and for which the Tasmanian people have called and are desperately waiting.

The bill would also put in place spending caps for party room candidates, something I believe is much needed. A major deficiency in the Government's draft bill is having no spending caps but having public funding is an absolute contradiction. You cannot have one without the other.

The bill also limits who can donate to parties and candidates, regulates third party campaign spending and disclosure, introduces truth in political advertising laws, and removes the outdated rules around the use of people's names and images in elections. Much of what is in this bill reflects current Labor policy. For example, we support keeping the donation thresholds at \$1000, truth in political advertising laws, regulation of third party campaigning, limits on foreign and anonymous donations, and reforms of those outdated laws that revolve around the use of opponents' images and names after the issue of the writs. Some parts of the bill might not reflect Labor policy or they are areas that we implement differently such as the timing of disclosures, amounts of spending caps and so on.

While Labor's position might differ on some of the technicalities of this bill, that is not the point. The point is why the Government refused to progress its bill this year. In the absence of the Government taking actions with their laws this year, the Greens have done what they can to push the Government, once again, in an attempt to have them take action just as Labor and others in the community have been pushing, for years, while the Government remains steadfast in its lack of action.

In the interests of moving forward in this vital debate and for not letting the Government sail off into the summer thinking that parliament or the Tasmanian people have forgotten about this important issue, Labor will be supporting this bill.

**Ms O'Connor** - Hear, hear.

**Ms HADDAD** - As I indicated, Mr Speaker, Labor will support the bill in the interest of transparency. I close by reiterating another point that I made in my second reading speech last year on Labor's private members' bill and that was this:

It is sadly the case that the majority of Tasmanians do not see parliament as the vibrant expression of democracy that we who have the privilege to work here do. Their perception of us is not always as the group of community-minded values-driven hard-working advocates that we know ourselves to be. Rather than seeing themselves represented among us, too many Tasmanians see us standing apart. They wonder if parliamentarians are more concerned with our own interests than with those of regular Tasmanians living their lives every day.

Mr Speaker, I believe that the people we represent deserve transparency in our political systems. I believe that we all have a key responsibility in restoring trust in politics in Tasmania and we, as representatives of our communities, are to uphold the trust that they place in us. We should be taking these vital first steps towards transparency in our electoral system.

[3.07 p.m.]

**Ms ARCHER** (Clark - Attorney-General) - Mr Speaker, I have a fair bit to get through. There are quite a few technical issues that I have with the bill. As Attorney-General and Minister for Justice, I do not have the luxury of being able to not look at a bill and analyse it, use my department and take our own legal advice on things.

I can state upfront that the Government will not be supporting this bill, but please do not take that as indicating that the Government is not prepared to reform. The Premier and I have been publicly committed to the draft bills that I have issued for public comment for a period of five weeks, I think it is. I will explain the process that we have gone through and the fact that I had every intention of tabling those bills at least by this week in the parliament. I will explain why we have not done that.

I know that we will differ as both the Greens and Labor have identified in relation to amounts, disclosures, caps and those sorts of issues, but I state very clearly that the Liberal Government is committed to ensuring we have openness and transparency, that people do trust the electoral system.

The primary reason we will not be supporting this bill is that a debate of an hour on a bill, quite frankly on something so technical as this, is not sufficient but, importantly -

**Ms O'Connor** - That's not the primary reason.

**Ms ARCHER** - That is not the primary reason. I am saying an hour to analyse such important legislation is not enough to expect us to take a vote and not analyse the technical issues that I have with it.

The Government, and I as Attorney-General, recently released two draft bills for consultation - the Electoral Disclosure and Funding Bill 2021 and the Electoral Matters (Miscellaneous Amendments) Bill 2021. Our bills already introduce new state-based disclosure requirements that we want to see as a Government, and a funding system in relation to elections in Tasmania that provides for the disclosure of political donations, reporting of

electoral expenditure and public funding at an appropriate level for both administrative and per vote funding.

These important reforms will bring Tasmania into line with all other jurisdictions that have state-based requirements for the disclosure of political donations and expenditures. The bills were available for public comment for a five-week period of consultation through the Department of Justice website. The comment period for this consultation is now closed and the Department of Justice is working through the feedback received to provide advice to the Government for consideration before tabling those bills in parliament. The feedback and submissions have been quite extensive. We have also had the Integrity Commission issue a report.

It is important that the Government considers this in detail before presenting the bills to the parliament. That is a conscious decision that I have made and I recommended to my Government colleagues. It is not a deliberate or flagrant attempt at going slow as Ms Haddad put it. It was certainly my intention to table the bills by the end of this year but I do believe it is important, given that we do not have an election due in any pressing way, that we must ensure that we take the time, amend the bills if necessary, and I imagine that I will be amending those two draft bills in response to the feedback we have received, and then present the bills for consideration as early as possible next year.

It is important that Tasmanians have confidence in our electoral system and we must ensure it applies to everyone who participates in the political process. It is critical we get these settings right for it to be fair for everyone and that includes third parties. Accordingly, it is not considered appropriate to support a bill that seeks to circumvent this process - I know that is not deliberate - and ignore the considerable feedback and work underway to ensure that the most appropriate scheme is put in place for Tasmania.

In the limited time I had to review this legislation and consider the Greens' bill, my department has identified a number of significant issues with the proposed scheme that would prove legally problematic with it in its current form if such a policy framework was to be followed at this stage without considerable analysis and assessment. I will speak to some of the provisions of the bill that are particularly problematic because it clearly demonstrates why it is not appropriate that the bill be supported at this point in time.

The Greens' bill is drafted to commence on royal assent. If this bill was passed by the parliament, the commencement of this bill on royal assent would be problematic for the Tasmanian Electoral Commission as well as for political participants regulated by the bill. Obligations will quickly arise that would be difficult to cost and meet for both the regulator and those regulated under the new regime and may lead to breaches of the act during the early implementation stages.

There are issues with some of the definitions introduced in this bill. For example, the term 'political participant' is defined in the bill as 'a candidate in an Assembly or Council election and an intending candidate in an Assembly or Council election and a party and a regulated third party'. However, there is no reference to member in this definition. In the lead-up to an election it is likely that most members would be covered as 'candidates; or 'intending candidates', which are terms already defined in the Electoral Act 2004. The Greens' bill also aims to cover the year-round reporting of relevant donations as well as annual reporting of all donations. There is, therefore, a significant gap in the coverage of the system created by



the Greens' bill as members will not be political participants until such time as they publicly announce they are running at the next election.

The definition of 'electoral expenditure' in the bill is confusing in its wording or potentially may have been mis-drafted, again, not deliberately so. Regardless, although the definition was not substantially different from the proposed Government bill, it is broader as it explicitly includes opinion polling.

The bill provides for election agents to be appointed by candidates in Assembly elections in similar terms to the current provisions of the Electoral Act 2004 in relation to Legislative Council candidates. There is no concept of 'party agent' in the Greens' bill which is used in the Government's consultation draft electoral disclosure and funding bill 2021 that allows the registered party to nominate a natural person to undertake this role. Rather, the Greens' bill places these obligations on the specified person, the party secretary.

There is a requirement that an election expenditure return must be sworn before a Commissioner for Declarations or a Justice. The reference to 'Justice' is no longer appropriate under the recent reforms to the Justices Act 1959 and commencement of the Justices of the Peace Act 2019 as this would require the swearing to occur before a judge or a magistrate rather than a Justice of the Peace because we no longer use the term 'Justice' as it actually means magistrate or judge.

The Greens' bill provides for a cap on election expenditure of \$82 000 for candidates increasing by \$1000 per annum, and \$820 000 for parties increasing by \$10 000 per annum. It is unclear whether an endorsed candidate can benefit from using their cap as a candidate while also benefiting from the expenditure of their party in their support. The candidate is responsible for lodging their return and the party's secretary is responsible for lodging the return of the party.

The uncertainty, inaccuracies and discrepancies in the expenditure process provides a clear example of why this bill cannot be supported, as it indicates that there has been no proper assessment and consultation carried out to identify what implementation issues may arise from introducing such requirements.

The Greens' bill provides that a third party must be registered for an election if it spends over \$6000 on election expenditure during the expenditure period. Restricting the regulation of third parties to the expenditure period is similar to the Government's draft bill, noting that the periods differ.

However, the next subclause states that 'a third party does not commit an offence against this Act, or another act, only because the person fails to register for an election under subsection (1)'. Therefore, there is no offence provision regarding the failure to register, whereas there is an offence regarding failure to notify of a change of registered particulars.

Third parties are also set an election expenditure limit of \$82 000 in the first year, increasing by \$1000 per annum. This the same amount as an individual candidate's expenditure limit. This is 10 per cent of the expenditure limit of a party. This would seem to be problematic in the face of the High Court decision in Unions No. 2. The department would need to seek legal advice on these specific provisions I note.

In relation to disclosure of donations, the threshold for the disclosure of donations in the Greens' bill is \$1000. This is in line with previous statements from the Tasmanian Greens on the threshold, which I acknowledge. The Greens' bill contains two periods for disclosure: within seven days of a relevant polling day, disclosure is required within 24 hours; outside this period, disclosure is required within seven days, year-round. This is compared to our Government's draft bill which requires disclosure within seven days of receipt within the election campaign period and, otherwise, in a return provided within 21 days after the end of each six-month period.

**Ms O'Connor** - What happens in the week before an election?

**Ms ARCHER** - The Greens' bill provides for a general cap on the amount a donor can give to a political participant -

**Dr Woodruff** - It is the last week of an election that makes the difference.

**Ms ARCHER** - I listened quietly, Mr Speaker, and I really would like to get through because I know Ms Johnston probably wants to give a contribution as well.

The Greens' bill provides for a general cap on the amount a donor can give to a political participant. The general cap is defined in the bill as being a political donation of \$3000 or more and any number of political donations from the same donor within a four-year period that cumulatively amount to \$3000 or more made to the political participant. It is noted that this provision refers to a four-year period. It is assumed that this is to align with the parliamentary term of House of Assembly members. However, as election dates for the House of Assembly are not fixed, the term of Assembly members is often less than four years. In addition, Legislative Council parliamentary terms are six years. This may lead to a confusing and unwieldy system for the Tasmanian Electoral Commission to administer.

In addition, as members are not included in the definition of political participant, the general cap does not apply to a member of either House who is not yet a candidate, or intending candidate, potentially creating a significant loophole. A contribution by a candidate to their own campaign is not included in the general cap. Neither is a contribution by an endorsed candidate of a party, a councillor, a member of the Australian House of Representatives or Senate, or a member of the Council, or the Assembly to a party of which they are a registered member.

The Greens' bill makes provision for funding of electoral expenditure to candidates and parties, as does the Government's draft bills, though the policy settings differ. The funding is provided on the provision of evidence of expenditure, that is, a reimbursement model, which is similar to the Government's draft bill, which caps funding claims at actual expenditure. This entitlement applies to both Houses of parliament, unlike the Government's draft bill, which only applies to the Assembly. As the funding is capped at expenditure demonstrated, the funding for Legislative Council candidates will be limited to their expenditure cap, which is currently \$18 000 per candidate.

The Greens' bill ties the rate of funding to the rate in the Commonwealth Electoral Act 1918, which is currently paid at a rate of \$2.87 per vote. The Greens' bill does not provide for annual administrative funding to parties or members, for which the Government's draft bill importantly provides. This is a whole new regime.

The Greens' bill includes an amendment to section 196 of the Electoral Act 2004, which seeks to limit the prohibition on the use of a candidate's name, likeness or photograph to how to vote cards. There are two differences between the Greens bill and the proposed Government bill, including that the Greens bill does not include the prohibition on keeping on display a how to vote card that contains the candidate's name, likeness or photograph without their consent. The Greens bill also does not include any penalty for breaching this provision, as is also included in the current section 196.

The Greens bill extends the current provisions of section 197 of the Electoral Act 2004 along the lines of the proposed new section 197 in the electoral matters bill, which clarifies that it is unlawful to communicate electoral matters.

The Greens bill also creates a new section 197A titled 'Misleading advertising'. The new section 197A would operate as a truth in political advertising provision, which effectively duplicates the existing provision that prevents the dissemination of misleading information by making unlawful the publishing or distribution of any misleading or deceptive electoral matter.

The maximum fines provided in the Greens bill are generally in line with those in the Government's consultation draft bills. However, the maximum prison terms are generally lower, with a maximum penalty of imprisonment generally of 12 months or less rather than the two-year maximum penalty for the majority of the proposed offences in the Government's consultation draft bills.

These are just some of the things we have identified in the short time available. As is always the case - it is unfortunate that I have to be the bearer of these sorts of deliberations or arguments - we cannot make changes to law without doing thorough investigation and assessment. My department has done that in the initial assessment phases. We cannot support the bill. It is inconsistent not only with our policy position in our draft bills but for the technical reasons that I have so far identified.

As I stated at the beginning of my contribution, we will not be supporting this bill as there are a significant number of major issues with the proposed scheme that would prove problematic if such a policy framework were to be followed without considerable analysis and assessment.

I stress that the Government is totally committed to introducing our two draft bills. As stated at the outset of my contribution, I want to consider the submissions we have received and the feedback as a result of our five-week consultation, and we will be presenting those bills early next year.

[3.22 p.m.]

**Ms JOHNSTON** (Clark) - Mr Speaker, I am mindful of the time left for debate on this and I thank the Leader of the Greens for bringing this forward for debate. It is important that we do it in an election year, particularly when we have community concerns about how elections are conducted in this state, and the influence and impact on democracy, particularly, of third parties.

As many members have already said today, there is a broad disillusionment with the process of democracy and elections, not just in this state but across the country and, indeed, across the world. That is partly because it is perceived that elections are awash with money,

donations and secrecy. In my community, I have had many people express this concern, particularly during the election campaign, when these matters are at the front of everyone's mind.

Tasmanians deserve to have greater transparency and accountability in elections. It is fundamental to them to have trust and public confidence in its institution. This draft is bred because elections have been seen numerous times to be bought, whether that be through donations to parties or candidates or through the big spending campaigns we have often seen, particularly the in-kind assistance and support given by big business to parties.

Again, I talk in relation to the 2018 state election and the influence of third parties in endorsing the Liberal Government at the time. I remind this House again that just about every pub and club with a poker machine had emblazoned across it 'Save our Local - Vote Liberal', and the disgust that many in the community felt about the influence, at how this could actually happen in our state.

With our weak donation and disclosure laws, in fact, absent donation and disclosure laws, it does impact on the diversity that we have in representation in this parliament. I welcome this bill because it is a step in the right direction to ensure public trust and confidence once again in the institution of parliament and democracy. It also assists to broaden diversity and the opportunity for people to stand for representation in this place.

It is an absolute privilege that each of us have to be here. I hope that in future years, through these particular laws, we see an increase in diversity in candidates, a willingness of people to step forward and put their name up for public service and to participate in the democratic processes. What we have at the moment with our weak donation laws, with our poor electoral reform laws, is an unwillingness, a distrust to participate in this process.

In particular, I welcome the introduction of spending caps. That is vital in terms of levelling the playing field for many people standing in the community. Speaking as an independent without the backing of parties and party donations, it is very difficult. I have spoken to many members, particularly members of our multicultural community for instance, who would like to participate, who are so much in love with being a citizen of Australia who would love to participate in the political process -

**Mr Winter** - Why are you opposed to public funding then?

**Ms JOHNSTON** - I will get to that in a minute, Mr Winter. - feel that having a big campaign spend from a party but as an independent with a very modest budget puts them off.

I also acknowledge the truth in advertising and how important that is and the donation disclosure laws. It is no secret that I have been on the public record with concerns about public funding. As the draft bill from the Government indicates, they are opposing public funding without the election cap spending.

**Ms Archer** - Read the final report. That is right. You are not good at doing your research.

**Ms JOHNSTON** - I cannot read the final report because it has not been brought before this House, Attorney-General.

**Ms Archer** - Yes, you can. It is publicly available.

**Ms JOHNSTON** - I am more comfortable with public funding if there are election caps on spending. It concerns me but I am willing to accept that this is a significant improvement on the current situation. I hope that, coupled with spending caps, we will see an increase in diversity.

Once again, I welcome this bill and I will support it. It is an important step forward in levelling the playing field and restoring trust in politics. I note the Attorney-General continues to mutter. You might not like me, Attorney-General, but I sat there quietly listening to you whilst you contributed.

**Ms Archer** - No, I am annoyed because you said that the final report that my department did was not publicly available. It is.

**Ms JOHNSTON** - No, I said it included public spending but did not include spending -

**Ms Archer** - Because the final report recommendation said no caps. Read the report.

**Mr SPEAKER** - Order.

**Ms JOHNSTON** - Your bill has not been tabled in this House, Attorney-General. Despite the commitment from your Government to bring forward reform before the election was called in March, you still have not brought it. We are almost at Christmas and we are still waiting for the bill to be seen here. That is appalling. The community is disgusted about that.

**Ms Archer** - Five weeks public consultation.

**Mr SPEAKER** - Order.

**Ms JOHNSTON** - They are disgusted that yet again we had another state election -

**Ms Archer** - I addressed that. Stop yelling at me.

**Ms JOHNSTON** - where there was an influence of big companies on parties and in particular -

**Mr SPEAKER** - Through the Chair, please. The member should address her comments through the Chair.

**Ms JOHNSTON** - Mr Speaker, I will support this bill. It is an important step forward in levelling the playing field and restoring the trust in politics and, importantly, it is one way of controlling the influence of big companies on parties like the Liberal Party.

[3.28 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, in the brief amount of time left for this debate, I thank all members who contributed. We can have our differences on the substance of the legislation that we are putting forward. I acknowledge Ms Haddad's contribution and thank Labor for doing the right thing on this legislation. It is important that

we set an example to the people of Tasmania of what benchmark, nation-leading electoral reform legislation looks like.

I will have a look at the Attorney-General's contribution afterwards but we stand by the drafting in our legislation. A number of terms or definitions that she thought could be better drafted were taken from other acts in other jurisdictions so we stand by the drafting in our legislation, as we always do. We know it is robust.

I acknowledge the Attorney-General's statement of commitment to electoral reform but I completely appreciate what Ms Johnston is saying about the fact that this was promised in 2018 after that shameful election. The then premier, Will Hodgman, committed to the people of Tasmania that there would be stronger electoral framework and donation disclosure laws. We are now three-and-a-half years down that track and we have had a very long, drawn out consultation process. It makes people ask questions. I hope that members will support the bill.

**Mr SPEAKER** - The question is that bill now be read for the second time.

**The House divided -**

**AYES 12**

Dr Broad  
Ms Butler  
Ms Dow  
Ms Finlay (Teller)  
Ms Haddad  
Ms Johnston  
Mr O'Byrne  
Ms O'Byrne  
Ms O'Connor  
Ms White  
Mr Winter  
Dr Woodruff

**NOES 12**

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ellis (Teller)  
Mr Ferguson  
Mr Gutwein  
Mr Jaensch  
Ms Ogilvie  
Mrs Petrusma  
Mr Rockliff  
Mr Street  
Mr Tucker

**Mr SPEAKER** - The results of the division, ayes 12, noes 12, therefore in accordance with standing order 167, I cast my vote with the Noes.

**Second reading negatived.**

**MOTION**

**Tamar Valley Power Station - Ongoing Availability - Motion Negatived**

[3.35 p.m.]

**Mr WINTER** (Franklin) - Mr Speaker, I move -

That the House -

(1) Notes that -

- (a) in 2016, the Tasmanian Liberal Government oversaw an unprecedented energy crisis that cost Hydro Tasmania \$180 million, caused disruption and uncertainty for energy consumers and led to disruption for major industrial customers; and
  - (b) the Tamar Valley Power Station (TVPS) Combined Cycle Gas Turbine (CCGT) unit operated from 20 January 2016 at its full capacity of 208 MW until late May 2016 and was a major contributing factor in getting Tasmania through the 2016 energy crisis.
- (2) Acknowledges the findings of the Government's Energy Security Taskforce and the Public Accounts Committee, which recommended the retention of the TVPS CCGT.
- (3) Notes that -
- (a) Hydro Tasmania has advised Tasmanian Gas Pipeline (TGP) that it does not require gas transportation capacity for the CCGT from 1 January 2022, which effectively mothballs the unit;
  - (b) TGP has informed Hydro Tasmania that it will be forced to shut down and remove physical gas transportation access to the CCGT delivery point if there is no Gas Transportation Agreement (GTA) in place; and
  - (c) should the CCGT be needed after the removal of physical gas transportation access, it could take up to two years to be available.
- (4) Calls on the minister for Energy, Hon. Guy Barnett MP, to intervene to ensure the ongoing availability of the TVPS CCGT.

Mr Speaker, a vote will be required.

Modern energy is the lifeblood of the Tasmanian economy. It has been central to almost every successful economic activity in Tasmania's history over the last 100 years from manufacturing and transport to schooling. It has been integral to Tasmania's development but also right across the world, and that is why energy security continues to be important to Tasmania today. It is about trust, it is about reliability, it is about security. Anywhere in Tasmania our energy security has been built by Tasmanians for Tasmanians. Our hydroelectric dams that have been constructed over those 100 years, the development of Basslink and as recently as Basslink the ongoing development of wind opportunity in Tasmania have led to clean, green, reliable electricity.

That has been part of the success of major industrials in this state like Bell Bay Aluminium, TEMCO, Nyrstar and a whole range of major industrials across the state that continue to rely on affordable, reliable energy. That has not always been the case and the

reason this particular issue has garnered so much attention in particular through the industrial sector in Tasmania has been that we know what it looks like when we do not have confidence in our energy supply.

We know what that feels like because it was only five years ago that we experienced that very thing under this Liberal Government. That is why industry is concerned and Labor is concerned. The parliament is owed an explanation by the Government about what changes it is making to energy security here in Tasmania. The minister's response thus far has not been to say, 'we are mothballing the Tamar Valley Power Station combined cycle unit for these reasons'. It has been to not address the issue at all.

He should address the issue today. I hope he does in his contribution, rather than saying 'we are not selling it', because we know he is not selling it. That was tried in 2015. The Government is not selling it and we have not accused them of attempting to sell it. What they are doing is mothballing the Tamar Valley Power Station's combined cycle unit and we are concerned about that. It is not only Labor, it is industry, and it is important given that background I talked about with energy security, that the Government is fully open and transparent about what its plans are in relation to energy security.

In 2015, we saw dam levels in Tasmania at the very start of the issue, at very low levels, well below 30 per cent at the time the Basslink was disconnected and well below the levels that the Government inherited in 2014. That management of dam levels by the Government at that time, coupled with a dry period and then the disconnection of Basslink on 22 December led to an almost catastrophic situation where Tasmanians could no longer have certainty and reliability about the ongoing ability for generators to keep up with demand.

Part of what happened at that time was that Hydro Tasmania had to negotiate with those major industrials for them to shed load, to slow or stop their operations for a period of time. That is a very expensive thing for them to do. According to the reports, they were compensated and I am pleased about that. The total amount that the Public Accounts Committee reported was that the whole ordeal had cost Hydro Tasmania \$180 million, a huge amount and that involves a number of things, not least of which was the importation of diesel generation into Tasmania to deal with the shortfall.

Who would have thought that in 2016, Tasmania would be reliant on diesel generators to get us through: the scrambling to get units of the Tamar Valley Power Station up and running as quickly as possible because of the reliance at that time it would have had on Basslink, and the reliance we have had on Basslink now for a long period of time. Basslink was established for a number of reasons. It was established in part because of energy reliability but also for the ability for Tasmania to be able to export that clean green power that Tasmania is famous for, to the rest of the country and that has been a hugely successful thing for Tasmania since Basslink was established by a Labor Government in the early 2000s.

Over the last 18 months, we have heard from the Energy minister, through Estimates, that Tasmania has been a net importer of energy over that period of time. Basslink has not been about exporting energy to the rest of the country. Predominantly we have been a net importer of energy during that period of time and that shows that we are still reliant on Basslink.

The minister repeats the claim quite regularly that we are fully self-sufficient in clean energy, but that is not shown by the simple fact that we continue to be a net importer of energy



on Basslink and shows the continuing importance of that asset. Without that asset in place, as we saw in 2016, things did get very dicey for Tasmania. In the end we were lucky to get through with only that load-shedding from industry. The effects were not felt at the more consumer level.

Wind projects have been much discussed by the minister. He has been talking up Robbins Island in particular, but we know there are a number of other proposals coming up. I will not pre-empt what the minister says, but I suspect he might talk about the new wind coming on line. The proponents I am talking to are saying that it is very difficult to get through the red and green tape that this Government has in front of them. They tell me that Tasmania is the hardest place in Australia to get a windfarm approved. I believe we are seeing that through the prolonged approvals process that these proponents are going through.

I have concerns about the way Whaleback Ridge project is being held up through bureaucratic red tape. They have a big ambition at Whaleback Ridge but they do not seem to be able to get the project moving through the Government's bureaucrats and processes to bring online all the new renewable energy generation that the minister is so keen to see.

We are keen to see new energy generation come online as well. Labor had been the party of renewable energy generation, the development of publicly owned assets, of Hydro, of Basslink, of windfarms. We have proudly done that for 100 years. Of course we support the continuation of that increased generation but the issue is that it is taking a very long time for these developments to come online.

We have a minister who loves to find the new, shiny thing to talk about, something to hold. He is talking-up new wind projects but at the same time - although I am very enthusiastic for him to correct me if this is wrong - he appears supportive of the mothballing of the Bell Bay Power Station combined cycle unit. At least he has not opposed it. He has not admitted to it yet, but perhaps he will today. Perhaps he will intervene. That is what the motion today asks the minister to do. It calls on the minister, Guy Barnett, to intervene to ensure the ongoing availability of the Tamar Valley Power Station Combined Cycle Gas Turbine.

Why will the minister not be honest and tell us what he is doing? So far, the answer from the minister has effectively been that it is not true. It has effectively been that the Tamar Valley Power Station will be available. However, the Tamar Valley Power Station combined cycle unit will not have gas supply to it from 1 January 2022 and so it will not be available. It is like having car sitting there in good condition, it has no petrol in it and saying to someone, 'It is ready to go. Drive it off'.

It will not be available if it does not have fuel. It will not be available and it is not as easy to fill up as a car. The operator of the gas network tells us that this could take up to two years. Once the contract finishes and it is no longer obliged to supply gas to the turbine the operator will remove its equipment, remove the hardware associated with feeding the combined cycle unit and it will redeploy it in its network elsewhere across Australia. That is what it needs to do. It is owned by a super fund and it needs to get a return on its assets. Those assets can be used elsewhere in its network and that is what it will do. Without a contract in place, without being able to get a return on its investment, it will remove the equipment. If we do get into another crisis like we did five years ago, it could be up to two years before it is available.

The minister has put a time frame around it of three months. I am not sure where he gets that information. He might get advice from Hydro or from a department but the only organisation that I am aware of that truly knows the amount of time that it would take to get that combined cycle reconnected again is Tasmania Gas Pipeline. They have very clearly made the point that they will have to redeploy equipment. That is what they do, they are a business, and it will take a long time.

I will go back to this point: the minister says he is not selling the power station or the combined cycle unit but what is the point in having a power station when you are not committed to providing any fuel for it? Any gas, in this case. It is not going to be available. It will be of no use. It will not provide generation into the network. You might say, 'I'm not selling the power station', but you may as well be because it will not be available.

There has been not one but two reports about this issue. One was from the Public Accounts Committee and the other was from the Government's own Energy Security Taskforce. The Energy Security Taskforce was established in 2016 in the wake of the energy crisis that hit Tasmania at that time. They made a whole number of recommendations. The recommendation that is relevant to this motion is the Tamar Valley Power Station, particularly the Combined Cycle Gas Turbine (CCGT) should be retained at least until there is a reliable alternative in place to mitigate against hydrological or Basslink failure risk.

The recommendation from the Government's own task force was that this unit needed to be retained. The Government accepted the recommendation. Here we are five years later and the Government is acting against the recommendation from its own Energy Security Taskforce though it will not admit it. It has not admitted it yet. Perhaps the minister will today.

This changes the energy security strategy in Tasmania. The unavailability of this unit means that there has been a strategy change. There must have been a strategy change or there is no strategy. One of those. What is the strategy? Now that this combined cycle will not be available, is the minister going to outline a change in strategy or a change circumstance? We know it is not the addition of increased base-load power, for example, through the proposed pumped hydro projects. We know it is not those new windfarms. They are still stuck in the planning phase with no sign of any of them commencing any time soon.

If it is not increased base-load power generation, what is the minister relying on to make this decision? He has made a decision. He must have made a decision that this report from the Tasmanian Energy Security Taskforce is no longer relevant; that this recommendation is no longer required.

If that is what he thinks, tell us. Tell us the truth, minister. 'We no longer need this.' Explain it. Do not say, as you have been doing, that you are not mothballing. What you told parliament last month was that this will not be mothballed. Now it will be mothballed. There is no gas for the power station for it to generate electricity into the grid. Therefore, it is not of much value as an energy reliability asset for Tasmania - not at all.

This has been well discussed within that major industrial sector and one of the points made in that parliamentary Standing Committee of Public Accounts report on the financial position and performance of government-owned entities from 2017, which also made that same recommendation - that the Tamar Valley Power Station combined cycle gas turbine be retained

in the current supply environment for the purposes of energy security in the state. Government members were on that committee. I believe Ms Courtney sat on that committee.

A point they made in that report was that there was not enough consultation with major industrials about the potential sale of the power station at that time. The major industrials were keen to keep the Tamar Valley Power Station in public hands and available. Both of those things are very important for Tasmania's energy security.

That committee also said that energy security should be the responsibility of government, and I understand legislation was passed after that to clarify some of the roles and responsibilities.

The point is, it is the minister's responsibility. Hydro Tasmania might not want to pay for a gas contract; it might not be commercially viable but the minister should care about energy security and reliability because that is his job. Hydro Tasmania might be keen to drop the contract and not have this availability. Perhaps that is a part of their role and responsibility. This minister's responsibility, his primary role as the minister for Energy, is to ensure that we have energy security here, that we have reliable energy available to Tasmania, not only in the short term but in the medium and long term.

The minister will no doubt get up and tell us that the dams are 53 per cent full, or whatever they are, and that is fine. It is great that the dams are full. It has rained a lot. The Government likes to take credit for a lot of things. It will be interesting if the minister tries to claim credit for the rain. Hopefully he will not. While that is good, that is not actually good planning for energy security, is it? Yes, it has rained but we could just as easily have a drought. Energy reliability cannot be purely about whether it is going to rain or not. The jury is still out on cloud seeding but that is still occurring.

The other relevant aspects of the recommendations are on page 115, where it talks about that Tamar Valley Power Station combined cycle gas turbine unit operating continuously from 20 January 2016 until May 2016 at its full capacity of 208 megawatts. This is the same unit the minister will effectively take away as being available for the Tasmanian energy mix. That was the one providing a huge amount of energy into the Tasmanian grid. That gas generation, with the other generators as well, contributed 745 gigawatt hours of energy at the time, which is equivalent to 5 per cent of total energy in storage.

Hydro Tasmania estimated the cost of that gas generation, as a result of the low inflows and the Basslink outage, to be about \$47 million. Interestingly, as well as doing that, it added 220 megawatts of diesel generation, which was installed and operated over the period of two months from March 2016. That only contributed 55 gigawatt hours, so 745 gigawatt hours from those gas generators versus only 55 gigawatt hours from the diesel generators. The interesting part about that was that the cost of that was actually higher, at \$64 million including leasing and set-up costs of \$50.5 million.

That was \$64 million for the diesel contributing 55 gigawatt hours versus only \$47 million for 745 gigawatt hours of the gas turbine. That was value for money when compared with the other options available to the Government. Not only did it pump out more energy into the network, it was also much more cost-effective to do so.

It also mentions in the report about Hydro Tasmania reaching commercial agreements with Bell Bay Aluminium, TEMCO and Norske Skog for voluntary load reductions.

I am pleased that commercial agreements were reached. I had not realised that until I read the report. Most of us have visited those major industrials and they are always working very hard to keep their costs down to ensure their ongoing financial viability. They work so hard, themselves and the workers in the businesses, to ensure that they can meet their targets because these are the sort of major industrials often being consolidated across the world. In Tasmania we have some natural disadvantages when it comes to operating major industrials, particularly the tyranny of distance and the fact that we are an island, so they need to work really hard. Having to shed load at that time would have really knocked them around.

It also says there was a cost to the major industrials' business and consumer confidence as a consequence of major load reductions during the energy supply event. This is not just about the \$12 million a year for the gas supply contract. The cost of a lack of certainty, of a lack of confidence for major industrials that will occur with the mothballing of the Tamar Valley Power Station combined-cycle unit is immeasurable, particularly if we get into another event.

While we cross our fingers and hope that we do not have any more issues, we now know that Basslink is not fully reliable because we have seen what has happened with it. It has another 20 years or so left in its life expectancy. The odds are that there will be another issue. Hopefully, it is not as major as the last one. The question is, if we do get down to the 30 per cent dam levels likely to occur, we get a Basslink failure, and we have the ongoing impacts of climate change, what will we do?

The availability of this combined cycle unit is really important. It is not just important to businesses but it is also being recommended by the Government's own taskforce. The Tasmanian Energy Security Taskforce report made the following observation:

The arrangements that are currently in place for the supply and transportation agreements supporting the Tamar Valley Power Station result in two key outcomes. They provide energy security for Tasmania by supplying Tamar Valley Power Station so that it can generate electricity when required. They help underpin the Tasmanian gas market and therefore act as an implicit subsidy on other gas users.

It goes on to say:

This provides a form of energy security in that it supports gas as a competitive energy source but also represents an economic development policy objective.

That is a very important point because we know that there are many major industrials who are not only reliant on energy security but also, for example, the Westbury Industrial Precinct. Minister, I know that will be something you are well aware of and the reliance on gas. While the minister is very keen on hydrogen, gas is here. Gas is still an important part of Tasmania's energy mix. It is not just about shiny, new hydrogen proposals and it is not just about new windfarm proposals. We have very important existing major industrials, businesses and residential consumers in Tasmania who rely on gas. The point made in this report is that

this contract, the arrangements in place at the Tamar Valley Power Station, actually underpin the Tasmanian gas market. They act as an implicit subsidy for other gas users.

I wonder if the minister has considered this with his decision to allow the mothballing of the power station. Has he considered the impact of the removal of this contract on other gas users, as flagged in the report? It provides not only a form of energy security, but also an economic policy objective. The alternative to that, as it appears to be proposed by Hydro and the minister in the claim that it will take three months to get back up and running, and I will be very pleased to be corrected - is that the plan is that the Tamar Valley Power Station combined cycle unit will be retained and that it will be available but it will not have an actual ongoing gas supply contract in place and it will not be connected.

I would like to understand from the minister, who presumably has been briefed on this by Hydro, what the actual plan is. Will Hydro, at a point where the unit is required, go back to Tasmanian Gas Pipeline and say, 'I urgently need gas for this,' and expect the company that you have accused of - I have not got the words in front of me - I think you said words to the effect that they were speaking about commercial aspects in public, and expect them to jump and support the reconnection as quickly as possible? They have other commercial interests. Let us face it, this is a business that is committed to Tasmania and they are the Tasmanian Gas Pipeline, but I would like to understand from the minister what the plan is from 1 January. If he is saying that the combined cycle gas turbine will be available, explain how it will be available. Last month he seemed to be saying this was not happening and that we were wrong. I believe he is now accepting that we are right and that the Tasmanian Gas Pipeline is correct when it says that effectively it will not be available.

I have received some correspondence from Tasmanian Gas Pipeline earlier this month and they wanted to provide an update on this issue because of Labor's interest in it and it says:

From 1 January this year Tasmania's energy security will be under threat, due to a decision by the Government to abandon the back-up generation capacity of the gas-fired combined cycle gas turbine. The government has made clear its plans to abandon the Tamar Valley Power Station, requesting through Hydro a natural gas pipeline transportation contract, with TGP, which represents a reduction of 80 per cent of the currently contracted volumes.

It goes on to say :

This will only allow a single gas peaking unit to operate at half capacity and will result in the combined cycle gas turbine being withdrawn from the Tasmanian energy market and mothballed.

**Dr Woodruff** - Their words. They are a business, spruiking a new contract. What a surprise they would be saying something like that.

**Mr WINTER** - To me what the TGP is spruiking is energy security. They are not pointing to anything other than the Government's own reports, to the Government's own energy security taskforce. The Government might be able to explain this if we did not have the report, if it did not have the Public Accounts Committee recommendation, if it did not have the recommendation of its expert panel on energy reliability, but it does. They do exist.

My point in closing is: just come clean. Tell us what the plan is. Tell us the considerations that you have taken into place. Is it about the financial impact of the contract? Is it about something else? Is there another reason why you believe that this combined cycle is no longer necessary? Maybe that the contract is no longer necessary and perhaps it will be fine but at this stage it is not.

I know I said that was my last point but I just remember something else -

**Mr SPEAKER** - That is okay, you have six-and-a-half minutes, Mr Winter.

**Mr WINTER** - The hydrogen plan for Bell Bay is going to take a huge amount of energy -

**Ms O'Connor** - And water.

**Mr WINTER** - and water, thank you for reminding me of that, member for Clark. By my read of the situation, there is no certainty as to where the energy will come from and no certainty as to where the water will come from. So, we have a hydrogen plan that has neither of the two ingredients that you need. They might have the electrolyser because the Queensland government's done the deal with Dr Forrest to start building electrolyzers in Queensland. I understand the New South Wales government has done a deal with Dr Forrest for hydrogen development in that state.

We have not had an update from the minister about Dr Forrest's engagement with the Tasmanian Government of late but we know that because of the deal done in Queensland there might be an electrolyser, but there is no certainty on where the water is coming from and there is no certainty on where the power is coming from. Hydro Tasmania says there is no power available at any price to Dr Forrest. Then it changed its mind or it had its mind changed - we are not sure; we might find out next week - where it now says it can supply power.

At the same time the minister is spruiking a massive user of energy at Bell Bay, the minister is mothballing an energy generator at Bell Bay. Can you believe it? Dr Forrest's proposal, for example, is 250 megawatts. The Bell Bay combined cycle is 208 megawatts and so he is taking 208 megawatts of generation out of the market, whilst spruiking an energy user of 250 megawatts. I will leave it at that but I hope the minister will provide us with some clarity.

[4.11 p.m.]

**Mr BARNETT** (Lyons - Minister for Energy and Emissions Reduction) - Mr Speaker, I am pleased to speak on this very important topic of energy security and to say, 'Here we go again'. For the record, my title is Minister for Energy and Emissions Reduction. Today my colleague minister brought in a bill regarding the 2030 zero net emissions target and emission reduction is a key part of that. That is the title and you belled the cat in point 7 of the motion when you were asking me to intervene, to reach into a commercial-in-confidence agreement between two parties, Hydro Tasmania and Tasmanian Gas Pipeline.

Here we go again. We have had these discussions and debates in the parliament. I will give you a heads up: you have talked for about 40 minutes and I know the Greens would like to share remarks with respect to these important matters and of course, the Government and

I would like to share some remarks. I am going to have to keep it brief and to the point to allow the Greens to contribute.

We have been on this matter this week, two weeks ago, three weeks ago, and here you go again. Let us be very clear: energy security in Tasmania is not at risk. In fact, the energy future for Tasmania and Tasmanians has never been more secure and our prospects for the future are very positive indeed. It is very exciting.

You are attempting to reach into a commercial-in-confidence contract discussion which is underway. It is not appropriate for you, Mr Winter, on behalf of the Labor Party, to continually bring this to the Floor of the parliament. This is bizarre. It is unwise of you. As a fledgling new shadow representative and shadow minister in this parliament, I believe it is the lack of leadership of your leader, Ms White, to allow you to be doing this on behalf of the Labor Party. I believe she is allowing you to be manipulated in this way.

I believe you have not only been influenced, you have been manipulated by people clearly more savvy than you, to encourage you to come to the Floor of the parliament -

**Mr Winter** - Who are they?

**Mr BARNETT** - Well, you belled the cat in your contribution.

**Mr Winter** - Say who they are.

**Mr BARNETT** - The Tasmanian Gas Pipeline. You belled the cat. You read from correspondence. You have had contact with them and obviously those who are involved with them and you belled the cat.

**Mr Winter** - What are you alleging?

**Mr BARNETT** - This is unwise of you. I have cautioned you a number of times. I am calling you out today. I believe you have been influenced and manipulated by those outside of this parliament.

**Mr Winter** - The Energy Security Taskforce. Were they manipulated?

**Mr DEPUTY SPEAKER** - Mr Winter, you were heard in silence.

**Mr BARNETT** - It is very unwise of you to be reaching into to a commercial-in-confidence negotiation. If you had done your research, you would have looked back to the contract when it was previously renegotiated. This is exactly what happened in and around that time.

There was argy-bargy in the public arena. Guess what? They all sorted it out over time. There was an arbitration arrangement that the said minister - me - led through the energy ministers' conference. Through arbitration we agreed to the gas rules that apply across Australia. They used arbitration arrangements to settle an agreement that is now in place through to 31 December this year. Guess what? Those same arbitration arrangements are in place. When you say, 'What's going on post 1 January?', those same arbitration arrangements are in place. With regard to energy security, it is not at risk. It has never been more secure.

I cautioned you earlier in this place and I am calling you to account today. It is lazy Labor at work. Clearly you have the title of the 'chief scaremonger' for the Labor Party. You have demonstrated that again today. I have said previously in this place, for and on behalf of the Government, as has the Premier prior to the election, we will not sell the Tamar Valley Power Station. Hydro Tasmania has said the combined cycle gas turbine will not be decommissioned. We have said this. We have put it on the public record. You are belling the cat again because you have been influenced by people more savvy than yourself.

You should be backing the facts. The facts are that Labor's track record is not good. Under seven years, 65 per cent of electricity prices went up, up, up. That has been made clear earlier this week and in previous weeks. Prior to the election the Labor Party said, 'You are going to privatise Hydro Tasmania'. No. You say that prices will go up under the majority Liberal Government, but what has happened? They have gone down. You do not have a shred of credibility. You are only scaring the horses.

You talked about 2015-16. During that time Bryan Green, on behalf of the Labor Party supported power rationing to keep the lights on. We kept the lights on, thanks to Matthew Groom and his leadership. Under the previous Labor-Greens government, the dam levels went to dangerously low levels. That will never happen under our Government because we accept the Energy Security Taskforce report. We support that report and its recommendations. It is working effectively. Dam levels are at 52.8 per cent, the highest since 2013.

We have had good response to where we are going in the future with regard to wind. We have Cattle Hill and Granville Harbour windfarms. Granville Harbour at 57.5 per cent capacity factor is one of the best wind farms in Australia. A fantastic result. There are plans for more wind. In fact, 15 per cent of our energy in Tasmania is wind and it is growing. Energy security is improving. The dam levels are way above the high reliability level and way above the prudent storage level.

We have 260 megawatts of wind energy that has been brought on and there is a lot more to come. With regard to the 100 per cent fully self-sufficient in renewable energy, which kicked in November last year, we now have legislated target to 200 per cent. That is with support across the parliament, including the Labor Party. That is much appreciated, but it seems to not even be referred to in Mr Winter's contribution.

There is a lot of misinformation coming from the Labor Party. They are spouting this over and over. The Government is clear in its position. It is not for sale. It will not be decommissioned. Let us read what Ian Brooksbank said, acting CEO of Hydro Tasmania in the opinion piece in the *Mercury* yesterday. He said that if 2016 taught us anything it is 'the importance of having the five units at the Tamar Valley Power Station as a backup if required'.

This will not change, but the station is not expected to run for energy security, or commercial reasons in the foreseeable future. The facts are on the table. It is very clear. In fact, the Labor Party, in writing, in point 7 of this motion, is calling me, on behalf of the Government to reach in to that negotiation and intervene. We have an arbitration arrangement that was put in place around five-plus years ago and they were used last time. You probably do not know about that. I encourage you to do your research as a fledgling shadow minister. Find out about the arbitration arrangements and you would know full well what is going to happen post 1 January next year. Please take that into account.



It is a bit of an education session today. I hope you are picking up some of the points that are being shared and that you will take them into account. You do have potential down the track, there is no doubt about that.

**Members** interjecting.

**Mr SPEAKER** - Probably just stick to the motion, minister.

**Mr BARNETT** - Winter is weak, that is where you are at today. It is unwise. I have to call you out because you have been unfairly influenced. You need to stand up.

I want to leave a bit of time for the Greens to make a contribution in light of Mr Winter's very long remarks with respect to this motion. You touched on Marinus Link. You touched on Basslink. Marinus Link has been backed in big time this week with the Tasmanian Chamber of Commerce and Industry supporting it 100 per cent with a policy announcement. It will deliver lower prices and downward pressure on electricity prices across the national electricity market, including in Tasmania. It is technically feasible and commercially viable.

**Members** interjecting.

**Mr BARNETT** - Sorry, I did not hear the interjection from the member for Bass?

**Ms Finlay** - Will you look after the farmers in the process?

**Mr BARNETT** - Of course. You heard today agriculture has gone up 13 per cent in the last agri-food scorecard. We are very proud of it. We have punched through the \$2 billion mark. Agriculture is a top priority for our Government as I know the shadow minister is fully aware.

Marinus Link is going to deliver billions of dollars of investment. Thousands of jobs. Downward pressure on electricity prices. Tasmania has the trifecta - low cost, reliable, clean electricity, 100 per cent clean. We are delivering on that. We have a big vision for Battery of the Nation and pumped hydro. We have a big vision for hydrogen and renewable hydrogen, that is green hydrogen. It is the best of the best.

Consistent with the national hydrogen strategy, we have put in our submission to the federal government just this week. We are pleased and proud of that. We remain hopeful. We are working with the key stakeholders, working with the proponents. You asked questions about the various proponents. We are working very closely with all the proponents, including West Coast Renewables. We are flat out. I thank ReCFIT, Anton Voss and the team and all those across government. It is a Team Tasmania approach that is delivering our plan for the future. I mention the word 'plan'. The Labor Party has no plan. No policies. It is lazy Labor all over again. Today is a really good example of it.

You mention Basslink, scaring the public. The receiver, KPMG, has made it very clear, as has the administrator before the receiver, that it will continue to be used in an operational manner and in a reliable way. We do not want any scaremongering from the chief scaremonger of the Labor Party. Enough is enough.

We are very pleased and proud of where we are at right now with energy security. We have a very big future in Tasmania with our plans for renewable energy, which will deliver more jobs and billions of dollars of investment. With respect to Marinus Link, 70 million tonnes of greenhouse gas emissions are going from the atmosphere over the life of that asset through to 2040. That is a fantastic result. You should be coming on board, supporting the Government's plans, rather than doing the criticising and getting a reputation as somebody who is being unduly influenced.

It is time to come on board, Mr Winter, and support the Government's plans for renewable energy and back the Tasmanian people.

[4.25 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Deputy Speaker, when the Labor Party puts up a motion that has the words 'energy', 'gas' and 'energy security taskforce' in it, the first thing I do on behalf of the Tasmanian Greens is look at it through a climate change lens. We are facing, collectively and planetarily, a climate and biodiversity crisis. We have only just two weeks ago seen the end of the Glasgow Conference of the Parties 26 talks and the United Nations' Antonio Guterres reminded us, in case we needed reminding - and maybe the Labor Party needs reminding - that we are in a code red for humanity.

I try to say that with a light tone in my voice but it is a serious, urgent situation. National governments around the world failed to make the commitments to urgent country-level cuts that the scientists from the Intergovernmental Panel on Climate Change (IPCC) demanded must be taken in order to avoid dangerous, accelerating climate heating. This is where we are. The Greens represent everyone in Tasmania who is concerned about the situation with the evolving planet heating. We represent the scientists from the Institute for Marine and Antarctic Studies (IMAS) and CSIRO who contributed to the IPCC's report. We represent the children at the School Strike for Climate and their concerns about their future, and their calls for their leaders to take meaningful action. That is the frame within which we look at a motion on energy, energy security and gas.

What I see in this, the final call from the Labor Party, is for the minister for Energy to intervene in the Tas Gas Pipeline contract renegotiation process to ensure, quote, 'the ongoing availability of the Tamar Valley Power Station'. What the Labor Party is calling for is a forever gas contract in perpetuity.

**Mr Winter** - No, five years.

**Dr WOODRUFF** - No, 'ongoing availability' are the words in the motion, Mr Winter. We look at that from the lens of taking serious climate action. We know, on first principles, that we have to end fossil fuel use, so we cannot agree to a motion that talks about ensuring the ongoing availability of gas.

We believe the Government, the minister for Energy, is failing in its responsibility to have a plan to transition from gas, to have a timeline to move from our reliance on gas because there is no doubt - and the minister confirmed this - that Tasmania still continues to use fossil fuels despite the fact that we present ourselves as being 100 per cent renewable. This was confirmed in the questions that I asked the minister in Estimates in September this year.

The Office of Economic Regulator's report made the assumption that the annual gas generation in 2016 was 1752 gigawatts and that was because of the energy crisis. In 2019-20 there were, nonetheless, still 100 gigawatt hours being used. This year that has just gone, the Economic Regulator has made an assessment that 67 gigawatt hours of gas have been used. We are still using gas for power in Tasmania and we must urgently transition out of using all fossil fuels.

The IPCC says that we have to have a target of 75 per cent reduction in our global emissions by 2030. That is eight years and 11 months away, so we cannot support this motion. We would prefer there to be a motion that recognises that we are still dependent on using fossil fuel and we have to urgently end our dependency on that. We have to throw everything and the kitchen sink at this. We have to make sure that every dollar we spend on advancing renewable energy transitions so that we are truly green in every part of the state's usage are in all of our industries. We have to electrify Tasmania. We have to put all of our energy first onto our island, take responsibility for what we are producing and using here as a state. The Government's first responsibility is to take carriage for what we are emitting and what we are requiring to import from the mainland so that we can end our reliance on fossil fuels.

I asked the minister about the Tas Gas situation because I, as a member of parliament, have received a stream of promotional materials from Font PR, which were Liberal Party chief-of-staff and other staffers until just five minutes ago. Font PR has been doing the work on behalf of Tas Gas and the Tas Gas Pipeline over the last few months to drum up the situation, to best promote the interests of Tas Gas in the renegotiation of their contracts which, as the minister has confirmed, are coming up imminently.

There is no doubt that the fossil fuel industry is worried that they are looking to be displaced by renewable energy, and rightly so. They should be worried. The Government should be doing everything possible to negotiate a contract that, ultimately, will see the end of this island's reliance on Tas Gas and see a replaceable energy source be developed for the transition that we are all collectively going through.

I want to bring the minister's attention to a report. He ended by talking about Marinus, and it is appropriate that we have a public conversation about Marinus. What we have heard in Tasmania is election doorstep conference announcements about Marinus, reannouncements of the same thing about how it is going to bring vast billions of dollars to Tasmania and vast thousands of jobs forever, and will support the construction industry in Tasmania. At least, that is how the Liberals at the federal and state level present it to Tasmanians.

What is silent is the plan for the cost and the real time frame for the construction; the details of the business viability for Marinus. We have had lots of puff pieces from TasNetworks but we have not had any real assessment of why TasNetworks continues to maintain that Marinus will be an essential part of the Australian energy market.

Just today, we have had a report released by Dr Bruce Mountain from the University of Victoria's Victoria Energy Policy Centre. It is the second report Dr Mountain has produced from the Victorian University. It comes a year after the first one and it looks at the economic prospects of Project Marinus and Battery of the Nation, with new scientific published reports about the battery technology that is coming on line and importantly about the research that has been undertaken by governments overseas, especially the United States which has made a huge

commitment to the electrification of the United States and to the independence of the United States on its own renewable energy supply.

Dr Mountain has looked at the best practice and the forecasts for the United States and other jurisdictions as well as the published research and the evidence in Victoria and other parts of Australia of the battery technology that is coming online and his conclusions are clear. To put it in a nutshell, as Laura Beavis from the ABC did in her report today, the Marinus Link project has been likened to Snowy 2.0 and the warning is that it will be a deadweight loss: a deadweight loss financially and become ultimately an unused white elephant asset for Tasmanians and a cross that will be borne for Tasmanians and Australians.

We do not yet know who will pay for this idea. It is clear that according to the evidence - and this has not been refuted in any meaningful way by TasNetworks - the proposed undersea power cable and the electricity storage projects would not be able to compete with the cheaper battery storage that is now available in Victoria.

It is worthwhile, because most people will not have time to download and have a read of this report, and it is technical, appropriately so. It is called *An Analysis of the Economics and Greenhouse Impact of Marinus Link and Battery of the Nation 2021 Update* by Dr Bruce Mountain from the Victorian Energy Policy Centre. His main conclusions remain that the 1500 megawatts of four-hour battery storage can be provided for less than half the cost of Marinus Link, that the same capacity for six-hour battery storage can be provided for 79 per cent of the cost of Marinus Link and that the 1500 megawatts of eight-hour battery storage would still be cheaper than Marinus Link.

In conclusion, he finds that even if Hydro Tasmania is able to provide - for no additional cost - 1500 megawatts that could be exported to Victoria, day in, day out for eight hours into the foreseeable future, it would still be cheaper for Victoria to build 1500 megawatts of batteries than it would be to build and pay for Marinus Link.

It is also the case that our electrical system has nowhere near the power or energy capability that is needed to provide 1500 megawatts of supply to Victoria for eight hours every day and it is the case that many billions of dollars would need to expand our storage and energy production in Tasmania in order to be able to provide the capacity that Marinus Link purports to offer.

In the year since their last report, this is an update, a number of things have changed, and each of the things that have changed - they highlight in their report - has strengthened and reinforced the conclusions that they made in their report last year. The conclusions are that there is no economic advantage for producing a Marinus Link compared to the much more flexible and low-cost batteries that are available and increasingly coming online in Victoria.

They found that the CSIRO cost estimates of batteries, which is what they used in their research, is even more favourable now than it was in the estimates that Dr Mountain used last year. Year on year, month on month, the price of batteries is coming down. This is what the energy technology transition looks like. It is rapid and we welcome that. We should all welcome that because it gives us as many opportunities as we can to hasten our adaptation to a renewable future for the whole of Australia and it is also the case that since the report last year, there have been very large investments in batteries in Victoria and the list of prospective battery projects has grown even bigger. The developments in Victoria since the last report provide a

lot of confidence that battery storage capacity will be built and operational in Victoria long before Marinus Link and the Battery of the Nation developments in Tasmania could be close to operational because they will take such a long time to operationalise. There is nothing concrete and there is no funding or plan for the construction of either of these yet, although I am sure there is work in the pipeline.

In the last 12 months there has been the Victoria Big Battery announced that will be commissioned soon and another massive 1400 megawatt-hour battery will be commissioned at Jeeralang by 2026 and there are also now four more grid-scale batteries with an aggregate capacity of 3500 megawatt-hours that seem likely to proceed.

It is very important that three of those five batteries I just mentioned, that is 80 per cent of the total capacity that is increasing in Victoria, will be or are already co-located with generation. In other words, where the electricity is being generated is the site at which the batteries are located. That is a critical point because that is highly efficient and one of the concerns about Marinus Link is the transition losses. It is such a long way from wind power in Tasmania to mainland Victoria - across that whole state, let alone to other parts of the Australian grid and so it is increasingly clear from what is happening around the world that locating batteries next to the energy generation source is the most efficient way of storing energy, rather than the deep storage which Battery of the Nation would attempt to provide.

He also points to an updated analysis with major studies published overseas, particularly in the United States by the National Renewable Energy Laboratory and the US Department of Energy. The Department of Energy's forecast for their expected full decarbonised electricity system in the United States is that they will use an expansion of 2-, 4-, 6-, 8- and 10-hour battery capacities. Their scenario is for a complete decarbonisation of electricity supply and also the deep electrification of the United States economy.

What the United States is planning for, what the Department of Energy is talking about, is an increasing reliance on the use of batteries for those different storage periods - 2, 4, 6, 8, and 10 hours. However, their projections for their pumped hydro capacity across that period from now to 2050 remain almost unchanged from today's levels. They are not putting their faith in that pumped hydro in the United States.

The Greens make no statement about the benefits or otherwise of different forms of technology. We are making a statement about the need for urgency and the need to make sure that every dollar counts to rapidly bring down emissions and also to work within the global focus of both protecting biodiversity and reducing the climate heating.

Within that frame, it is pretty clear that in a technology-led transition which is where we have to be, there is far more benefit in having rapid, predictable and responsive battery storage compared to the many questions about the much slower, far-less-flexible infrastructure that the building of Marinus Link and Battery of the Nation together would provide.

The Greens will keep asking questions about this. We do not believe that government, either at federal or state level, is providing our residents with the information that we as a state need to have so that we do not end up with a white elephant for which Tasmanians will be paying for decades to come, that is not providing the flexibility and the responsiveness that the renewable energy market will increasingly demand of us as time goes on.

We have competition on the mainland. We have to make sure that, first of all, the focus of the government is on securing the renewable energy transition completely away from fossil fuels. That means ending our reliance on the Tamar Valley Power Station, ending our use of gas in all forms and bringing on green hydrogen and the electrification of the whole transportation fleet in Tasmania, supporting the electrification of all industries, especially agriculture, industrial processes and waste.

I suggest that the minister might like to have a look at the updated report by Dr Bruce Mountain. We have two large government business enterprises, Hydro and TasNetworks. It is fantastic that they are publicly owned. It is a statement of fact that they, like Tas Gas, will be working in their self-interest. They are meant to be functioning as businesses at arm's length from government.

We have to be asking what is the best thing for Tasmanians, not what is the best thing for Hydro and TasNetworks. We have to be looking at the employment of people in industries that are sustainable. We cannot create white elephants that sound good in the short term for providing jobs if they are unsustainable in the long term. If they cannot compete in a market because we have backed a slow piece of infrastructure that is not required on the mainland and does not put the interests of the Tasmanian people and the Tasmanian environment and our commitment to climate change emissions reduction first, then we should not be supporting it.

We are disappointed at this motion from the Labor Party. It is disappointing to see that the Labor Party has put the interests of a fossil fuel corporation, Tas Gas, ahead of the best interests of looking at the whole picture for Tasmanians. The Labor Party is doing this more and more. They are speaking of the interests of corporations. All members received the self-promotion letters from Tas Gas but it seems that only Mr Winter has acted on behalf of that company. What a surprise. Maybe it is because Mr Winter has not been in this position for very long. This was talked through in Estimates. It is pretty obvious that they are in the middle of contract negotiations and of course they are going to be crying the end of the world as we know it. Of course, they are going to be saying if they do not get everything they want, it is going to be a disaster for Tasmania.

It is the job of parliamentarians to look through the best interests of corporations and to not be looking at corporations but looking at the community. We will not be supporting this motion today. We would support something else which looked at the importance of bringing down emissions from a climate change point of view.

[4.51 p.m.]

**Dr BROAD** (Braddon) - Mr Speaker, what we have seen here is quite a surprise. We have seen a minister get onto his feet and basically bag out Labor, accuse the member for Franklin of being lazy and then only speak for 14 minutes. There is some irony there considering how important this issue is. It is about the energy security of Tasmania and the energy security that underpins thousands of jobs across the entire state yet the minister, who has responsibility for this portfolio decides to only speak for 14 minutes. That says it all about how seriously this minister takes energy security. It raises issues about the competence of this Government.

It is not just this issue that we are facing with the Government. We are seeing them make these surprising statements and policy backflips and 90 degree turns when it comes to things like the salmon industry. The minister had to eat some humble pie when the Premier stood up

and made him implement a moratorium on the salmon industry. I know that came as a surprise. We also know that the Government is teetering on the edge of not honouring their contracts to the timber industry. Now we have the minister not willing to defend himself when it comes to energy security. This is vital for Tasmanian jobs all across the state.

The minister talks about the windfarms. It is fantastic that we have Cattle Hill and Granville Harbour operating now. They are assets for the state and are certainly generating an income for the people who have had the foresight to build these windfarms. They have been operating for well over 12 months, yet last financial year we saw the state was a net importer of electricity. We imported 600 gigawatt hours across Basslink. Now we have a situation where the minister pretends that energy security is not an issue, that he does not need to take appropriate risk management strategies to make sure that we do not have another 2016 energy crisis.

We are a net importer, yet this minister does not think it is prudent to manage risk by keeping the ability for the state to kick over and get the combined cycle gas fired turbine going if need be. It has rained this year. This year the dams are doing really well. Great. This is about risk management. It is not about this year; it is about ongoing years.

The Greens have gone off on completely the wrong track. They do not care or understand about risk management when it comes to things like major industrial customers. They live in a world where they believe that we can do without any gas at all in the state, that we can just turn it off tomorrow and let Grange, Norske Skog, Simplot in Ulverstone and so on run out of gas. They can live in that world but we do not.

There has to be prudent risk management. As the member for Franklin, Mr Winter, talked about, we are not talking about a contract in perpetuity. We are talking about a contract to manage risk until we are certain that the energy for Tasmanian major industrial customers, residents and the people of Tasmania is secure. That security could come in a number of ways. It could come because extra assets are built. It could come from further windfarm development or from solar farm development, although we probably will not see much of that in Tasmania. It also could come if, for example, unfortunately a major industrial decided to move on then the energy security situation would change.

What we are looking at right now and what the minister should be focusing on is we imported 600 gigawatt hours last year across Basslink - Basslink, which is currently under administration and all that uncertainty. You do not have to worry about it because it has rained this year. What about next year? What about the year after that? This is a minister who does not seem to care about that prudent risk management. This is one of his key roles. He also holds the Resources portfolio. There are major customers. This contract for the Tamar Valley Power Station actually underpins the gas reticulation around the entire state. He is absolutely silent on that. All he wants to do is bag out Labor and talk for 14 minutes. He is probably a bit tired and waiting for the end of the year.

This is a very serious matter. That is why we have brought it up in private members' time. We saw the massive impact of the energy crisis. The load shedding the major industrial customers had to do had a massive impact on them, not only in having to get by with less power but they also had to go to their customers and say, 'Look, we cannot supply product'.

The submission provided by the Tasmanian Minerals, Manufacturing and Energy Council to the inquiry into government-owned energy assets talked about how that energy crisis and that uncertainty meant that when it comes to selling products in competitive environments, when attracting the funds to sustain their operations, the major industrials are talking about global capital moving around the world. If there are risks then maybe their owners will be looking to shift their assets and resources elsewhere.

It goes without saying that industries competing in a competitive international commodity market are faced with highly damaging losses in credibility when they are forced to go to their hard-won customer base and advise them that their energy supplier - and this was the Government of Tasmania running this - is unable to meet their ongoing energy needs and does not know when it will be able to resume normal supply. The submission goes on to say:

Lost sales and market share are very hard to recover in the world's commodity marketplace for these local businesses.

That was the risk the Government put these major industrial customers under in 2016 when they decided that they were going to try to flog off the combined cycle. That was the risk to these major industrial customers and all the workers in Tasmania who rely on these major industrials, and all the people who supply the major industrials. That is the risk the Government took.

What do we see now? You fast-forward five years and the minister does not seem to want to talk about energy security again, does not want to talk about the fact that we imported 600 gigawatt hours last year. Says that we are 100 per cent renewable-supplied when the facts are that last year, at least, we were not and he does not want to manage the risk. He just wants to bag out Labor, accusing us of being lazy, speaking only for 14 minutes. This would be a bit of an outrage if it was not so serious. This is as serious as it gets. The Government need to do its job here.

There is sovereign risk popping up everywhere. We have the minister saying, 'no more lockups, no more lockups'. Well, the Environment minister is now talking about 25 000 hectares going into national park from the so-called wood bank, the Future Potential Production Forest: all those sorts of sovereign risk. Nobody can believe this Government any more and the minister cannot even be bothered defending himself: fourteen minutes in a debate that goes for an hour-and-a-half. We saw in the Chamber that he realised that maybe he stuffed up only by speaking 14 minutes and handed his notes over to the member for Clark, Ms Ogilvie, and Ms Ogilvie is -

**Ms Ogilvie** - Ready to speak -

**Dr BROAD** - Ready to speak and good on you for doing that. I just think it is -

**Ms Ogilvie** - on the Hydro industrialisation of the 1930s and 1940s, thanks to my granddad.

**Dr BROAD** - Well, it is great and would have been even more interesting if - . Anyway, we know the history is that Labor built those dams. You are sitting on a different side of the Chamber now.



The minister puts Ms Ogilvie, the member for Clark, in a position where she is handed notes and given 10 minutes' warning that she may have to speak because he could not be stuffed speaking. Fourteen minutes he did -

**Mr DEPUTY SPEAKER** - Be careful, Dr Broad.

**Dr BROAD** - Fourteen minutes on a debate that is so serious.

**Time expired.**

**Mr DEPUTY SPEAKER** - The question is that the motion be agreed to.

**The House divided -**

**AYES 9**

Dr Broad  
Ms Butler  
Ms Dow  
Ms Finlay  
Ms Haddad (Teller)  
Mr O'Byrne  
Ms O'Byrne  
Ms White  
Mr Winter

**NOES 15**

Ms Archer  
Mr Barnett  
Ms Courtney  
Mr Ellis (Teller)  
Mr Ferguson  
Mr Gutwein  
Mr Jaensch  
Ms Johnston  
Ms O'Connor  
Ms Ogilvie  
Mrs Petrusma  
Mr Rockliff  
Mr Shelton  
Mr Tucker  
Dr Woodruff

**Motion negatived.**

**MOTION**

**COVID-19 - Reconnecting Tasmania Plan and Vaccination Rates**

[5.04 p.m.]

**Ms OGILVIE** (Clark) - Mr Speaker, I move -

That the House notes that -

- (1) COVID-19 has been one of the greatest health, social and economic challenges that Tasmanians have faced.
- (2) The Government's number one priority is keeping Tasmanians safe and secure.

- (3) On 22 October 2021, the Government announced its 'Reconnecting Tasmania' plan to safely reopen our borders on 15 December 2021, based on advice from Public Health, the State Health Commander, the State Controller and relevant agencies.
- (4) Tasmania's vaccination program is a vital pillar of our 'Reconnecting Tasmania' plan.
- (5) Getting a COVID-19 vaccine helps protect individuals, families, communities and our hospitals.
- (6) As at 22 November 2021, 92.6% of Tasmanians aged 16 years and older have had at least one dose, and 84.8% are fully vaccinated.
- (7) Between now and 15 December 2021, maintaining our vaccination rates to achieve our overall vaccination target remains the priority and we are making strong progress, but there is still more work to be done, especially in younger age groups.
- (8) By 15 December 2021, the Government is confident that everyone above the age of 12 in Tasmania will have had the opportunity to be vaccinated.
- (9) Tasmania has the opportunity to achieve one of the highest vaccination rates, not just across the country, but across the world.
- (10) This will make Tasmania one of the safest places in the world to live, visit and do business when our borders reopen.
- (11) The Government seeks the support of the parliament for the continued rollout of its vaccination program, as part of the 'Reconnecting Tasmania' plan to safely reopen our borders on 15 December 2021.

**Mr SPEAKER** - Is a vote required today?

**Ms OGILVIE** - A vote is required, Mr Speaker.

I am very pleased to talk today about Reconnecting Tasmania with a focus on our vaccination plan. The COVID-19 pandemic has been an unprecedented situation. Certainly in this chamber in the last two years, we have seen and made decisions on things that we never anticipated we would have to do in our lifetime. We have been agile, we have risen to the challenge and we have worked together as a community, and all Tasmanians have really come to the table to work on our safety together.

It is in that context that I want to talk about the challenges that have been presented. We know that the health, social and economic challenges which have happened all at once have really tested us as Tasmanians, as a Government, as family members and as business owners, as people who live and work here. Tasmanians have listened. We have listened and we have

followed the Public Health advice. We have maintained good hand hygiene and social distancing and we have, by and large, mostly done the right thing when we have had a cough or a sniffle and, importantly, we have looked after each other.

This morning I was at an event where a senior member of our community was unable to come because she had a sniffle and she did the right thing. Sad as it was, she did the right thing. It is because of these efforts and the intelligent response that we had, and Tasmanians' combined efforts, that we have weathered the storm better than most. We have been very fortunate and we are in a strong position. Tasmania stands ready for a safe re-opening of our borders on 15 December.

A key reason we are in such a good position is that Tasmanians are turning up and getting vaccinated. That is what we want. I will say on the public record that I am double-vaccinated. I have pretty much had my entire family done with one last shot to go with one child. It has been a substantial effort to get everybody done but we have done it. I am getting a bit of a reputation around my family for making sure that I keep the pressure on everybody to say, 'Tell your friends, tell your neighbours, get vaccinated, get double-vaccinated'. I hope everyone in this place is doing that, and I am sure they are. This morning the Premier called on everyone to use their social media to get that message out there. That is a very good idea and a smart way to go.

We know that as of 22 November, 85.29 per cent of 16-year-old-plus Tasmanians had received two doses, with 92.8 per cent having received one dose. We are tracking well, but we still need to do more. We know the vaccine is our greatest safeguard against COVID-19. It is the best way to protect yourself, the best way to protect your loved ones, your community and those who are not able to get vaccinated, either because they are not eligible or due to a medical condition. So, we need to make sure that we bubble-wrap them with vaccinated people and this would help keep everybody safe. It is also the best way to protect our health system.

Recently I had cause to be a user of the emergency department with one of my kids who had an accident and I want to say what an amazing experience of care we received there. It really brought home to me the pivotal nature of our emergency departments and making sure that we keep the resources available for everybody. We do that, in this scenario, by making sure everybody who can get vaccinated gets vaccinated, so please for those watching this, get out there and do it and complete the vaccination process.

We also know in the recent New South Wales outbreak 95 per cent of people who ended up hospitalised with COVID-19 were unvaccinated. That is a big number, 95 per cent. I know we all feel nervous sometimes about vaccinations and medicine, perhaps just even getting an injection in the arm may cause hesitancy but 95 per cent of people who ended up hospitalised with COVID-19 were unvaccinated. It is a worrying figure and I want people to focus on that and make sure that they tell everybody, they get vaccinated, and get their friends on board with the program.

We know the ACT in particular has a vaccination rate of over 95 per cent. Well done ACT, and it has been interesting to see how few hospitalisations are happening there. On 19 November they had a total of 1889 COVID-19 cases and the total active and clear cases in ACT hospitals was just three. This shows why it is so critical that we continue to push for a high vaccination rate and do not stop at 90 per cent. We need to keep going. We can keep our normal hospital system going when we do not have to deal with major outbreaks and as I said

that was brought home to me last week when I had the experience of going through the emergency department - by the way thank you also to the surgeons and amazing nurses who were there to care for us.

Our number one priority as a government is keeping Tasmanians safe. I cannot stress that enough and that has been reflected in our actions to date and the cautious approach we are taking to re-opening our borders. We have set a high benchmark to achieve 90 per cent fully-vaccinated for all Tasmanians 12 years and older, and we have also been very clear about wanting to ensure all eligible Tasmanians have the opportunity to get vaccinated.

As we have sat in this Chamber, we have heard the Premier many times talk about the opportunity to get vaccinated and what we have been able to do to get the vaccine to people, to create places where people can come to the vaccine, without having to book, or with a booking, and thinking about the pharmacy experience as well. Two of my kids went through the pharmacy process of vaccinations and that was superb. It was very easy. It was very user-friendly. The more layers we put across the vaccination program and the more ways people can engage with it the better: I have been quite strong in the party room at least talking about finding ways to get the vaccination to people so they will take it up to help overcome perhaps some of the nerves some people may have.

As the Premier indicated earlier this week, we believe they now have had that opportunity to get the vaccine, whether we brought it to them, or they have come to the clinic. In addition to the fixed state-run clinics we have had our pop-up clinics, and the small towns vaccination bus has been right around the state. There have been youth clinics, special clinics for vulnerable people and clinics in schools. We have also seen GPs and pharmacies play an important role in ensuring Tasmanians can get vaccinated. Like me, I am sure everybody has had a good experience with that vaccination process.

I recognise and thank the Royal Flying Doctor Service, a much-loved organisation in Australia. In fact, I believe they might be the number one trusted organisation in Australia. I do not know how they measure those things, but they are very good people and we thank them for their service.

The Government has taken public health advice every single step of the way and we will continue to do so. I take this opportunity to acknowledge the incredible amount of work that has been done every single day by thousands of people across government agencies to protect Tasmanians and keep them safe from COVID-19. It has been a massive effort and it will continue to be so for some time.

When I think about the people who are helping with this, I think not just about the paramedics, our wonderful nurses - and I talked about my experience recently - I think about everyone who works on the front line. I am also thinking about everybody who works in our State Service who has been agile, who has shifted, has moved, gone digital and been able to keep this place going while we have channelled resources into our vaccination program. It has been a massive Tasmanian community effort where we have pulled together in a way that perhaps we never thought we could or would need to. It has been an experience of a lifetime and I say thank you, particularly to our Public Service, who have done such a superb job.

COVID-19 will come back to Tasmania and we are prepared for that. Please get vaccinated. If I have not said that once, I will say it a thousand times. Our health system is

prepared, including our hospital and ambulance services. We are ready to ensure anyone who tests positive for COVID-19 in Tasmania gets the care they need.

I was fortunate recently to hear more about the COVID@Home program. As the minister has said frequently, the majority of people who get COVID-19 will have mild symptoms and not require hospital care. Particularly if you are vaccinated, that is likely to be the experience and that has been the experience elsewhere in other states and territories. We are prepared for the fact that most people can and will be cared for at home.

For those not familiar with it, the COVID@Home program is a virtual monitoring service suitable for people assessed with moderate or mild illness with a suitable place to isolate and recover, who are able to cope well at home. It is a voluntary program and includes daily health screenings, ensuring the necessary supports are in place to safely stay at home, monitoring devices if required, such as a home pulse and oxygen monitor, and video calls with health staff.

We were fortunate to be provided with a comprehensive presentation on this project and program and to see the technology used. It looks like a little iPhone. It is pretty straightforward. I asked about the digital divide issue. Consideration will be given to this when people are presenting as a potential candidate for COVID@Home. Those who feel they may not be competent or are nervous about digital equipment, or perhaps do not feel that they otherwise fit a category, such as their home or family situation, that will be assessed. People will be looked at as individuals, and their individual places and circumstances will be considered before the technology component is put into place. That is a healthy and good way to go.

We also have community care management facilities for people assessed with a moderate illness who have no suitable place to isolate and recover or perhaps who do not have appropriate social supports available. Our community care facilities include daily health screenings, processes to support escalation and the proactive management of any clinical, mental or social issues, and written and verbal information on processes to escalate health needs. That is a different way of managing for those who may need a little more support.

For the very small minority of COVID-19-positive cases who may be assessed as severe or critical and who may be very unwell, they could be admitted to a hospital inpatient bed or the ICU. You see the layers to the support and the management of this. Again, I say there is expected to be a very small percentage of cases, particularly given our high vaccination rate. It all comes back to vaccination.

Tasmania's vaccination program is a vital pillar of our Reconnecting Tasmania Plan. We are underscoring this as much as possible and I know everybody out there is aware of it. I hear in the community that people are ready for this next step, we must do this together, we must bring each other on the journey but let us bring each other first on the vaccination journey.

We have had over 400 FTE, or around 700 people headcount-wise, involved in the Tasmanian Vaccination Emergency Operation Centre. That is a lot of people, a lot of resources and a lot of brainpower for the vaccine rollout. I am not sure if people realise the scale of the efforts that have gone into getting people vaccinated.

I am impressed with, not a one-size-fits-all approach, but the agility and the complexity of the way service providers and our health service has fought through how we deal with individual circumstances, particularly geography, those who may feel nervous about needles

or whatever their concern might be, and how we manage that, because we are dealing with human beings who all have their own perspective on things.

I cannot think of a bigger logistics exercise in this state for perhaps 100 years, certainly not over the compressed period of time we are talking about. When it comes to vaccines and the innovation, the rapidity of getting those vaccines invented, produced and distributed, it has really been a remarkable human undertaking on a global scale. It is not just us coming together in Tasmania but the world came together to look after each other, and we are going to open up to the world. We are going to reconnect and so, let us get those vaccines on board if we can.

Tasmania has the opportunity to achieve one of the highest vaccination rates, not just in Australia but across the world. We have been fortunate, we have used our island advantage and we have our vaccination rates happening. Let us just push it right up to the top if we can.

We see how devastating COVID-19 has been in Europe and America. On a personal note, and I know I have spoken in this place about this before, I have brothers, sisters and cousins in other cities across the planet: a sister in London, a brother in Stockholm who has had the Swedish experience, we have relatives in New York, Manchester, County Kerry in Ireland, in Melbourne and Sydney. We have watched and seen, we have Skyped with everybody as they have gone through these experiences. It is hard not to feel a little sense of, perhaps, guilt that we have had such a protected experience in Tasmania.

Let us not let the side down, let us push that vaccination rate up as high as we can. The problems in Europe and America that we are seeing at the moment, these are places where the vaccination rate is much lower. Through a high vaccination rate, we have the chance to continue to be one of the safest places on the planet. People are already looking at Tasmania as a safe destination and if we keep pushing up our vaccination rate even more, people will want to live, visit and do business here when our borders reopen.

In conversations by Skype with friends and relatives living in London, they cheekily say half of England would love to move to Tasmania. The reason is it is seen as safe. It is safe and we are able to keep it safe if we get those vaccination rates up.

I am heartened also by the scope and the capacity that I have seen in our health system, particularly with the use of digital technology to be able to respond to and address individual circumstances.

When you see your GP, you have your own set of personal and health challenges; you might be a parent caring for children or elderly relatives. Many of us have both of those things happening. How we manage that and how we look after each other through this next phase is pivotal to making sure that we keep that community cohesion going and that we look after each other and we bring each other along this journey.

I am sure some people might be feeling anxious. I have had constituents talk to me about opening up. What will that look like? What will that mean for them? There are concerns around that. I am thinking of all the work that we did through our aged care facilities, making sure that they were up to speed with vaccinations, both for those living in aged care and those caring for our older people. We have done a remarkable job in getting those elements into place.

Daily life goes on at the same time. What we need to do is also make sure that our health system is capable of continuing. The last thing we want is for things to be swamped. This is about pace and care and making sure that we have what we need in place to look after people. Our Reconnecting Tasmania plan not only addresses the reopening issue but also considers those layers of care and how we are going to look after each other as we go through this process.

People will want to visit and want to come. Throughout this pandemic experience, and I am certain it has been the same for others in this Chamber, my office has been inundated at times with people who have been separated from family, relatives and friends, not only by interstate borders, which are a new thing, but also international borders. The journey will be quite emotional for many people. It will be nice to see hugs happening again at the airport and people reunited in a way that they have not been able to be for close to two years.

On 15 December, our Reconnecting Tasmania plan will allow our borders to safely reopen to travellers whilst also ensuring that we have the health and safety nets in place to keep on top of COVID during the reopening phases. Vaccination is our key defence. There are plenty of available appointments to get the jab.

I went on our local pharmacy's website recently and saw that there were available appointments. It is quite simple to do it. It is a very simple way to go about it - local, friendly and with great staff. The pharmacy element has been another layer that has helped to make vaccinations available to everyone.

I encourage everyone to prioritise getting vaccinated if they have not already done so. I have been banging on about this a bit and everybody is sick of hearing it. If you can do it, please go ahead and do it because it will help protect those who have not been able to do it for whatever reason.

It takes two doses to be properly protected. I know there is a conversation about boosters as well. The best thing to do is following the Health advice. We, as a government, have been following Public Health advice and all Tasmanians have been doing their utmost to do that.

We have done well as a state. Tasmanians, as the best people in Australia, have done extremely well, but we need to finish the task at hand. It is going to take some grit, some resilience. We need those vaccination rates up as high as we can get them. The Government therefore seeks the support of the parliament for the continued roll out of our vaccination program as part of our Reconnecting Tasmania plan to safely open our borders on 15 December. We stand ready to do that. That date is happening.

We have heard the Premier speak in this Chamber many times. He has been very clear and very transparent. His guiding principle is the safety of our people, the security of Tasmanians to make sure that everybody in the state has had an opportunity to be vaccinated. He says now and we believe this to be true that people have had that opportunity, but we still have until 15 December to finish the task.

We know that vaccination is our greatest safeguard. It is our greatest bulwark against COVID-19 and its effects and the effects it may have on our health system. As long as people keep turning up to be vaccinated, we will be one of the safest places to continue to live, to visit and to do business in the country, if not the world, when our borders reopen. This is because

we have set the higher benchmark to achieve 90 per cent fully-vaccinated for all Tasmanians aged 12 and older.

We know, from looking at other jurisdictions, not just states and territories in Australia, but all over the world that vaccination programs work. We have taken the learnings from other states and territories on how we get those vaccination options and opportunities to people. It keeps you safe. It will keep those around you safe. It means that we can live with COVID-19 in our community if we have the majority of our population vaccinated. And 90 per cent is an amazing rate, but imagine if we can get it to 95 per cent. If we can get it even higher it would be good. There are some people for medical and other reasons who cannot have the vaccination, but by having everybody else on the bus we keep them safer.

We will continue to have safeguards at our borders to keep Tasmanians safe. We will have the check-in; we will have the confirmation. We will know that people have had their vaccinations. We will be making sure that those elements remain in place and there will be a number of checkpoints to make sure people are complying with the rules. To travel to Tasmania you will need to apply to our designated travel app with verification that you are fully vaccinated. If you are from a high-risk state, or area, and we have seen some of this already, you will need to have the test. There will be a series of checkpoints to ensure people are meeting the requirements.

We will all have stories of how difficult it has been to travel and move around the country during the pandemic times but I hear, at least in my own constituency, that people are on this journey. I think people understand that we cannot remain frozen in time forever and that there is a process that we will have to go through. Risks will be managed as best they can. We have deployed the resources we need to do everything we can to keep Tasmanians safe. That has been my experience. We have heard the Premier and the minister talk about everything that we have done and we are doing.

For those who seek to travel to Tasmania who have not done the right thing, we have processes in place. We have seen a couple of those things happen. Whether you are travelling from here to another state or territory, or coming from another state or territory to Tasmania, please follow the process. It is not that difficult. We are here to help. We will help guide people through it. Follow the process. Do not do the wrong thing. Do not pretend that you have not understood the process. Take the steps that you need to, or face on-the-spot fines. If people are caught deliberately flouting the rules they can face on-the-spot fines of \$1557 for failing to comply. It is an unusual figure but it is a pretty big on-the-spot fine. Let us not forget that police to have the powers to arrest people. They could be summonsed or charged with a penalty of up to \$17 000 or six months in prison.

We do not want people to do the wrong thing. We want people to get on board, follow the processes and if there is a problem, be patient, be kind, look after each other, seek help, seek more information, do what you can do to make sure that we continue to work together carefully as a community to ensure we take as much care of each other during this next phase, this really important phase, particularly over the next three or four months as we go through it together. Reach out to each other to make sure that people who can get vaccinated, get vaccinated. Help people with that if you can.

When it comes to booster shots, let us make sure that we are also on top of that information, follow the messages from Health and from Public Health and do what we need to



do to stay on top of that. We want to make sure that the health and safety of Tasmanian workers, in particular, is protected. It is very important to all of us that that happens. We have learnt so much through the pandemic experience about lifting our hygiene standards and how we go about that. The app that you use, the QR codes to check-in, contact-tracing, how we manage human movement, making sure that we are keeping our hands clean and washed and all of those elements that we probably should have been doing before the pandemic but we have lifted the standards of hygiene management across this state. Let us keep that up. That is important as well.

We want to make sure that we do not have another wave. We had a very small wave but it was serious and very concerning. We want to make sure we do all we can to prevent a wave of serious infections. There has been a lot of discussion about the best way of doing things but what I have seen is a Premier and a minister who are leading. I know I have harassed the minister about ways of ensuring we can address the issues that are coming forward for those who are hesitant to get the vaccine. They could be scared of needles. With kids in particular, that can be a real thing. Certainly, mine are not that keen on getting needles and others might have had those issues as well.

We have a Premier who is listening. We have a Premier who is leading. We have a minister who perhaps is one of the most competent health ministers we have had in this place for a long time, with no disrespect to everybody else. No, I love them all. No disrespect to anybody else, but to manage this process from now -

**Members** interjecting.

**Ms OGILVIE** - Well, you will have to talk to them about why I think you are great - to manage this process from now through this phase takes grit, resilience, intelligence. I am glad there is some levity in the House. Both of them are listening, and it is going to take a lot of listening. It is going to take agility. It is going to take resources and it is going to take grit and determination on all of our parts to see this next phase through.

We have heard a lot about vaccinations, about mandatory vaccinations of health services, the people on the frontline, and other organisations thinking that through. There are layers to it nationally as well, but from my perspective what we need to do is try to cut through the noise and make sure we have opened the door to every single Tasmanian who wants to, who is able to and who ought to, get vaccinated to see that through.

I know others want to speak. I will start wrapping up with that. It is nice that it is a conversation that we continue to have collaboratively. I cannot imagine, but maybe I will be surprised, that there will be many who say we ought not to be getting our vaccination rate up as high as we can. I will be interested to hear the reflections of others in the House on that. I am interested also, and I will listen very carefully, to suggestions of ways of improving what we are doing because I want to see the very best for Tasmania and all Tasmanians as we go about the process of reopening and importantly reconnecting with loved ones. I will leave it at that and I look forward to hearing the rest of the contributions.

[5.40 p.m.]

**Ms DOW** (Braddon - Deputy Leader of the Opposition) - Mr Speaker, it is interesting that Ms Ogilvie has brought forward this motion and not the Minister for Health. I will be interested in his contribution if there is any time left.

**Ms Ogilvie** - It is private members' time. It is allowed.

**Members** interjecting.

**Ms DOW** - It is an interesting point. While you all pat yourselves on the back I will keep on with my presentation and you can listen.

**Mr Ellis** - You are the most competent Opposition health person in this parliament.

**Mr SPEAKER** - The member for Braddon has the call. Interjections can cease.

**Ms DOW** - Bringing us back to the notice of motion I do hope the Minister for Health has time to contribute to this today because that will be very important.

I put on the public record my thanks to all the staff who are working across our vaccination clinics across the state and the wonderful job they have done now over a significant period of time.

I take heed from the intimation that was made this morning during question time that I was reflecting that they were not utilising their time well or were not being utilised across our vaccination clinics. That was not my intention in raising that during question time today. It was really about looking at, if we do have additional resources that are not being utilised, where we could better utilise them across our communities where we have low vaccination rates. I do not think anyone would disagree with that because at this point in time it is critical that anybody who wants to get vaccinated has the opportunity to do that. We know that the clock is ticking. There are 21 days until our borders open and vaccination is our first line of defence.

I find it ironic that you would bring this motion to the House. Why would we not support this motion? We have been out there being proactive. I have been speaking about the importance of people being vaccinated for months now, and offering suggestions about how we can better increase access, particularly across rural and regional areas where we know there are significant barriers for Tasmanians to accessing health services. We have a number of ageing members of the community who do not have good local support networks and do not have access to transport. We really do need to be looking at every possible way that we can to get to those people particularly those more vulnerable people with chronic health conditions and the elderly population across rural and remote Tasmania. There should be no question about that. That should be a key priority when we are looking at rolling out community-based programs in the community to support people who do contract COVID-19.

Across rural and regional areas there is less access to health services and we know that. We know that through the hospital preparedness plan which has been outlined to us about where ICU care will be provided and where that surge capacity is. I thank the Health department and the secretary for providing us with a briefing this week and the opportunity to ask questions. I encourage the minister and the Health department to get that information out to people as quickly as possible about what care is going to look like. What can they expect when we have COVID-19 in our community, when our neighbour has COVID-19, when a member of our family might have COVID-19? How is that person going to be supported and how are they to get access about how their care will be provided?

I say from the outset that we support this motion. I note that it asks for a number of things to be noted. I clearly put on the record that in supporting this motion today we will not stop asking questions about the things we think Tasmanians deserve to have more information on. At this point in time information is critical for our community. We know that information instills trust and confidence in processes and systems and the plan that the Government has put forward for the Tasmanian community.

We had this discussion in this place just the last time we sat, when we had a notice of motion about the re-opening plan which, I might add, we supported. At that time I made the point that it is the Government's plan. It is the Government's plan to roll out. As a responsible opposition, it is our role to ask questions about this plan and to seek more information on behalf of the Tasmanian community. That is what we will continue to do, each and every day because we are in a significant period of uncertainty in Tasmania.

We have not had a COVID-19 case in our communities for up to 18 months. Thankfully, we have not experienced what our mainland counterparts have experienced. However, this is going to be a significant period of change for the Tasmanian community and they need to be well informed. We are asking for more information and clarity around processes, around announcements, about conditions of entry and about our hospitals' preparedness.

At the moment our hospitals are at breaking point. You have spoken, Ms Ogilvie, about your experiences but I speak to people each and every day about their experiences within the health system. That is not a reflection on our hard-working staff across our health care system. They are doing the best they can under really hard circumstances, each and every day: lots of overtime, double shifts and the list goes on. The pressure is immense.

The same can be said across our primary health care setting, with general practice under incredible pressure and long waiting times to see your GP in your local community. Right across our health system, there are significant pressures. Preparedness is really important. Your Government has provided assurances about that but we still have concerns and we will continue to ask questions. Time will tell if we are prepared but we need to do everything we can to make sure we are when our borders open on 15 December. Vaccinations are a key part of that, Ms Ogilvie. They absolutely are.

The next step in that phase of the vaccination roll out across the state, is booster programs. I will be interested to hear an update from the minister on that. That will be critical and we know that from the evidence around the world. I was listening to an interview the other day with Dr Norman Swan and what he was saying about the need for boosters; that two doses are not going to be enough. Three doses will be absolutely essential.

Let us learn more about that next phase and how that is going to be resourced across the state, particularly at a time when we do have COVID-19 in our community, which will be putting significant pressures on resources across testing clinics, vaccination clinics and our health system. Let us hear more from the Government about their plans for that.

Points 8, 9 and 10 within the motion: you are calling on us to support these points. We note those things and we will note those in supporting the motion, but over time we will come to understand how effective these measures have been in our community. We will be keeping a close eye on that as things progress.

**Ms Ogilvie** - As you should.

**Ms DOW** - That is right, as we should.

The Premier came in here and said that every Tasmanian has had the opportunity to be vaccinated. That feels to me like you are raising the white flag and saying, 'We've done our best. There's nothing more we can do'. I do not believe that is acceptable. It does not sit right with me as the shadow health minister, not when I look at some of the data from around the state where we look at where there are low vaccination rates, particularly around people not having received their double dose of their vaccination.

What is the Government doing about that? You have talked a lot about these roll-out clinics. The minister spoke this morning in question time about the fact that the Dorset mayor contacted him about making sure that there was more access to the vaccination clinics in his local community. A number of the local government mayors I have spoken to around the state have mentioned to me that they have worked closely with the Department of Health and have made a number of suggestions on how those vaccinations could be better delivered in their community to target groups, through child and family centres or neighbourhood houses. Some initiatives have been rolled out but probably not near enough.

We talk about incentives and the incentivising of young people to be vaccinated. We have supported that but perhaps we should have been looking at these things sooner rather than a week out from when we needed to have that first dose to ensure that we would have the double vaccination by the time the borders open on 15 December.

It was the Labor Party, our federal Labor colleagues, who called for incentives for people to be vaccinated across the country. At that time, I believe it was Senator Abetz who said that was about bribery. We all know what he has gone on to say about vaccination in the last few days. It was really pleasing to hear the Premier say in question time that he did not support Eric Abetz's view. On this side we proudly promote the importance of vaccinations. Why shouldn't we? As I said before, it is our best line of defence.

Let us look at some of these areas where there are low vaccination rates. In Kentish, there are still 1400 people as at 21 November who are yet to have the second dose of their vaccine. Circular Head, 1600 people. Burnie, where I live, there are 3500 and that is a metropolitan centre. There are 389 in the Central Highlands. Waratah-Wynyard, 2376. Devonport, 4261. Dorset, 972 and Central Coast, 3059. They are just a few areas that I have read into the *Hansard* today. As I said, I want to understand what the Government's plan is to reach those people.

If, as you say, Ms Ogilvie, you are not giving up, you are continuing with the roll out, then let us hear about how you are going to target those groups. I personally have been sharing on my Facebook page updates of vaccination rates across the state and strongly encouraging Tasmanians to get vaccinated. I will continue to do that, as many of my colleagues have done. To say that we have not done that would simply be untrue.

**Ms Ogilvie** - I did not say you had not done that.

**Ms DOW** - I am not saying that you did directly, but there has been -

**Ms Ogilvie** - No, no. I do not think that is -

**Ms DOW** - You did not say it. Fine. We are doing it. We will continue to do it.

**Ms Ogilvie** - Yes, please. Absolutely. All in it together; I thought that was fairly clear.

**Ms DOW** - The other points I want to make are about some of the more unknown quantities that are facing our community at the moment, in relation to our business community and vaccination across workplaces: the uncertainty for their workers and the lack of guidance from the Government on this. I am keen to better understand how the Government is going to work closely with these businesses and support them through this difficult stage and to understand why measures in other jurisdictions that clearly outline guidelines, a number of them clearly outline mandates, and why we have not taken that approach in Tasmania. I would really appreciate the minister providing that today because we only have 21 days.

If they are not going to find out until Friday, it does not give businesses very much time at all to plan effectively for how they are going to deal with this. You have had months to inform them of changes and the guidelines that will be required. I am really interested to understand why it has taken so long and what it is going to look like for the business community across Tasmania.

The other point that I want to make is about the public service, the risk assessment of the public sector workforce and when we will have more information about that. There has been loads of time to undertake that work. It would be interesting to understand why that has taken so long. When will you be making some public statements to inform the Tasmanian community and people who work within our public sector right across Tasmania?

We supported the mandatory vaccination of our health care workers in line with Public Health advice because we understand the importance of protecting our healthcare system and protecting our healthcare workforce. They are so valuable to us and we understand the importance of that. I want to put that clearly on the record. We have always taken Public Health advice around the questions that we have asked and the positions that we have taken when it comes to COVID-19.

The Government continues to provide assurances to us that we are going to meet the 90 per cent target of double vaccination rates across the state, that our conditions of entry have are good, with tight processes around them. We saw a bit of a differing view on that last week but that has been clarified again, thankfully, by the Premier. We have been assured that our hospital system will cope. Let us wait and see. When we have large numbers of tourists and visitors to Tasmania let us hope that our capacity within our community health care providers and also our testing clinics, vaccination clinics and of course when we have large numbers of tourism visitors to Tasmania that those systems will also hold up when we have additional demand on them, right across the state. Tasmanians have a number of burning questions as do we.

Mr Speaker, we will support the motion today. We want to see more information for Tasmanians. We want to understand how you are going to reach those target areas, those areas that have low-vaccination rates right now across Tasmania in some of our more rural and remote communities, where health services are not as readily available as they are in the major centres. We want to understand that the systems and processes you have in place around

conditions of entry are tight, and be reassured of that, and we want to put on the record that we will continue to ask these questions. It is not about politics. It is about a point in time in the Tasmanian community, where you said yourself, Ms Ogilvie, that this is going to be a period of unknown consequence for Tasmanians and significant uncertainty.

There would not be one of us in this room who would not have reservations about what life is going to look like, post 15 December and we have a responsibility as an Opposition party and as members in this place to continue to ask questions to make sure that Tasmanians are protected come 15 December. We have to make sure there has been every possible consideration made about how we ensure that we have to make sure our processes are tight and that every Tasmanian, no matter where they live, whether you are a kid in Rosebery, that you should be able to get access to a vaccine in your local community. It is not good enough to say everybody has had the opportunity, when clearly -

**Dr Woodruff** - Are you going to speak all the way to 6 o'clock Ms Dow?

**Ms DOW** - from this data they have not. I did not realise the time.

[5.57 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Speaker, in the four minutes that I have, thanks to Labor's lengthy contribution, I will put on the record some of the statements that the Greens have made over the last probably 18 months of the pandemic. We strongly support the Government's listening to the Public Health advice. We strongly support the work and commend the work of the director of Public Health, his staff and all the people in the health system, our public health and people in the private health system who have been working in testing and isolation and quarantine and of course tracing. There are so many people who have gone far beyond their normal daily workload over this period to keep us all safe and for that we warmly thank them.

We are concerned that there is a pace of pressure that has built-up here, through the federal Liberal Government looking ahead to the federal election, with the Prime Minister trying to spruik himself as being a strong leader of this country. He has shown himself to be anything but. He is a man who never puts his hands on the wheel, never makes a statement other than a political one, point-scoring against states that have Labor premiers and completely ignoring the Liberal states. Tasmania has been very quiet on Mr Morrison's radar when it comes to dishing out the sort of criticism that he has given freely to Western Australia, Queensland and Victoria even while Tasmania has at certain times taken exactly the same public health approach as those states.

It is very distressing to have endured a Prime Minister who has put politics before the safety of the Australian people on every significant occasion, including failing to take up the opportunity for purchasing vaccinations amongst one of so many things. We have a great deal of support for the Premier and for the director of Public Health. We remain on the record of being concerned about the lack of a plan, the lack of communication about how we are going to keep nearly a quarter of Tasmanians who will be unvaccinated on 15 December safe when Delta enters the state. We want to hear about the plan for vaccinating five- to 11-year-olds. It is so important and that needs to happen.

**Motion agreed to.**

## ADJOURNMENT

### Matthew and James Groom - Concern about Apology

[6.00 p.m.]

**Dr WOODRUFF** (Franklin) - Mr Speaker, I rise today to provide a further statement to my contribution yesterday in relation to the conduct of Mr Matthew Groom when he was a minister. I have read through the *Hansard* adjournment debate of the contribution made yesterday by the independent member for Clark and I am deeply disturbed at what I read. Her statement does not read as a statement made voluntarily without interference.

In her statement, Ms Johnston said:

Each of Matthew Groom and James Groom have been fair and gracious in responding to the completely unfounded allegations I subjected them to.

It is clear from those words that the Grooms have been in touch with Ms Johnston on this issue. I feel compelled to speak as the Greens' attorney-general spokesperson. It is chilling to contemplate that an elected member of this House may have been threatened, intimidated or otherwise coerced into stating someone else's words as their own. The Criminal Code Act 1924 agrees. Section 70(1) of schedule 1 to the act states:

Any person who by force or fraud, or by threats or intimidation of any kind, interferes with the free exercise by either House of Parliament of its authority, or with the free exercise by any Member of either House of his duty or authority as such Member, is guilty of a crime.

The charge is interfering with parliament. I raise the question for this House and for the people of this state. Has this occurred? The independent member for Clark's statement involved excessive self-admonishment out of all proportion with the facts that she stated. I also cannot reconcile the previous statements Ms Johnston has made about Mr Groom with the claim she made yesterday that:

I know Matthew Groom personally and have always found him to be an honest, decent and fair-minded person who has consistently demonstrated a strong commitment to act in the community interest. I consider that Matthew has made a very significant and positive contribution to our community.

This does not read as a statement made freely. An adjournment contribution in this House constitutes an authority that is granted to each of us as a member of this place. This raises an outstanding question. Has a threat or a form of intimidation to interfere with that authority been made? On the face of it, there certainly appears to be a considerable likelihood this has been the case. This should be a serious concern to each member in this place.

Unfortunately, I heard an interjection from the Attorney-General along the lines of, 'I thought you would have learnt your lesson', to the independent member for Clark during private members' debate today. I can only assume that was some allusion to Ms Johnston's adjournment speech yesterday. I expect the Attorney-General to be concerned about the implications of the event surrounding Ms Johnston's statement, rather than use them to goad a

member to whom the Attorney-General is on the record for having displayed some animosity towards this year.

The *Mercury* newspaper today published verbatim quotes from last night's adjournment statement by Ms Johnston. That means that someone in this place distributed the uncorrected proofs of her adjournment speech to the *Mercury*. The Greens did not do that. I do not imagine Ms Johnston would have done it either and there is no reason for Labor to do so.

Given that the integrity of a former minister of this Government has been brought into question, I raise the obvious question: did the Government members or their staff circulate the uncorrected proof to the media? Did they forward them to any other parties as well?

**Members** interjecting.

**Mr SPEAKER** - Order.

**Dr WOODRUFF** - I further question whether the Government knows about the genesis of the adjournment statement that Ms Johnston made and whether Government members acted in concert with others for political purposes.

The Greens do not stand by in this place and let the entitled class of the quasi-royal establishment get away with treating Tasmania's democracy as an instrument for their own personal interests. It is deeply disturbing and this is a serious matter. The questions I raise need to be answered.

We would be appalled if the Government has, in any way, been complicit in what appears to have been an orchestrated interference with the authority granted to parliament and to democracy in this state. I invite members of the Government to answer the questions I raise and to clear themselves of what is definitely hanging over their heads.

**Members** interjecting.

**Mr Ferguson** - The video is published every night.

**Dr WOODRUFF** - That is not true, Mr Ferguson.

**Mr Ferguson** - Sort yourselves out. You do not own this place.

**Ms O'Connor** interjecting.

**Mr SPEAKER** - Order, Ms O'Connor. Order. The member for Franklin has the call.

#### **Matthew and James Groom - Comments made by Dr Woodruff**

[6.06 p.m.]

**Mr STREET** (Franklin) - Mr Speaker, I did not realise how naive I was. I thought when Dr Woodruff got to her feet and started that she was going to do the right thing and apologise for last night. Unfortunately, what she did is she doubled down.



**Members** interjecting.

**Mr SPEAKER** - Order.

**Mr STREET** - I listened in silence, Ms O'Connor.

Last night I listened as the member for Clark, Ms Johnston, quite rightly apologised in this House to Matthew and James Groom for making baseless allegations in this House without checking the facts for herself. Ms Johnston admitted:

I defamed both Matthew Groom and James Groom, and seriously so.

That should have been the end of the matter, but no, what we get tonight is the doubling down by Dr Woodruff. As she said last night, she decided she wanted to put her Greens perspective on Matthew Groom. She doubled down in her contribution last night and again questioned Mr Groom's integrity in relation to the proposed Arm End golf course. She said Mr Groom granted his brother, James Groom, exclusive lease over this area of land. Like Ms Johnston, Dr Woodruff is completely wrong. As Ms Johnston now knows and Dr Woodruff clearly should know, because it has been stated in this place on multiple occasions, Mr Groom stated on the public record in this place in October 2015 that he had no involvement in the decision-making in relation to any development at Arm End. I quote from 15 October 2015:

In light of the fact that my brother is the chair of that company, which is a matter of public record, I have delegated all responsibilities for that development to the Attorney-General, Dr Vanessa Goodwin, and I have had no involvement in any decision-making.

**Dr Woodruff** - He never made a formal statement to Will Hodgman, as premier.

**Mr SPEAKER** - Order.

**Mr STREET** - You do not like to hear the truth. Mr Groom rightly declared the potential conflict in the appropriate manner and he delegated his ministerial responsibilities in the appropriate manner.

I cannot believe that Ms O'Connor is sitting there with this. When Mr Groom announced that he was not going to contest the next election, Ms O'Connor talked in this place about Mr Groom's beautiful family and said that, despite some quite feisty debates, 'I do respect you'. She also said she enjoyed those contests and there was 'no malice in the way we jousted'.

**Dr Woodruff** - What about Bernacchi Lodge, what about the cable car?

**Mr SPEAKER** - Order.

**Mr STREET** - Well, there was plenty of malice last night. Do not pettifog the issue, Dr Woodruff. That is not what we are talking about.

As she says that she does not want to rewrite history I urge Dr Woodruff that if she wants to recount history in this place, that she at least try to get it right. She could also take a leaf out

of her colleague's book and show some respect towards Mr Groom, who is no longer a member of this House -

**Dr Woodruff** - That is exactly what I was doing.

**Mr SPEAKER** - Dr Woodruff, if you interject any more, I will ask you to leave the Chamber.

**Mr STREET** - and cannot defend himself in this place. It is very easy for a member to make false allegations on the Floor of parliament under the protection of parliamentary privilege. However, when they know that these claims are false and then they double down and make them all over again, as the member for Franklin, Dr Woodruff, did last night, this is the height of irresponsibility and is a wilful abuse of the privilege that this place provides members.

Dr Woodruff should not come in here and say whatever she likes about individuals who cannot defend themselves from false and defamatory claims, especially when she is fully aware when she makes them that they are not true. It is morally and ethically wrong and it comes from a member who has no problem coming in here and lecturing us from on high about how we should behave in this place.

I have known Matthew and James Groom for more than a decade. I was a member of Matthew's office set-up for two years. When I made the decision to enter state politics, James Groom was one of the first names I was given for somebody to call for advice and for mentorship. For that, I cannot tell you how much I appreciated it.

At no stage, knowing Mathew or James, have I ever had the pause to question their honesty, their integrity or their belief in doing the right thing. Not once. The member for Franklin, Dr Woodruff, should have come in here tonight and done the right thing and apologised. I have to say, if you knew the effect that your statements had on that family, you would have done the right thing and apologised. You are an absolute disgrace to this place.

**Members** interjecting.

**Mr SPEAKER** - Order. The House will come to order.

### **Religious Discrimination Legislation - Impact of Federal Legislation on Tasmania**

[6.10 p.m.]

**Ms HADDAD** (Clark) - Mr Speaker, yesterday in Canberra, the federal Liberal Party accepted the latest draft of Scott Morrison's religious discrimination bill. Members know previous versions of the bill were introduced by Christian Porter, with an argument that people of faith were being discriminated against and needed new laws to protect their religious expression. There are many laws protecting freedom of speech and freedom of religious expression and laws that protect Australians from discrimination. For example, the Commonwealth Sex Discrimination Act protects Australians from being discriminated on the basis of our sex or gender. The Race Discrimination Act similarly protects us from discrimination on the base of race or ethnicity.

These are long-standing federal laws that protect people from discrimination, while also protecting freedom of expression. Another bill that protects people from discrimination and protects freedom of expression is Tasmania's Anti-Discrimination Act 1998. Our act is gold standard. It was nation-leading when it was introduced by then attorney-general Judy Jackson in 1998 and it remains nation-leading today. Every Tasmanian can be proud of it.

Despite opponents arguing that anti-discrimination laws infringe the rights of people of faith, Tasmania's act protects people's religious freedom because it protects people from being discriminated against on the basis of religious belief or religious expression. Equally, it protects people from being discriminated against on the basis of a range of other attributes, including race, age, marital status or relationship status, pregnancy or breastfeeding, parenting status, political affiliation or activity, disability and many more. These are all areas where Tasmanians face discrimination every day and as members know, discrimination changes lives for the worst.

Discrimination causes significant trauma, it degrades people, it diminishes their worth, it leads to mental ill health and it kills. Under Tasmanian law, people facing discrimination can take a case to the Anti-Discrimination Commissioner or tribunal, something that has been available to us since the late 90s. The result of the protection has only been positive. People's freedom of expression has not been threatened or removed. Religious institutions have not ceased to exist. On the contrary, many have flourished and become fairer and more inclusive as a result of our laws. Because of Tasmania's act people's lives have improved and I believe it has gone a long way to making Tasmania a fairer and kinder place.

The federal Liberal Government wants to take all of that away from Tasmanians. Our act is the strongest in Tasmania. Tasmanians have more to lose under this federal bill than any other state. The federal bill overrides our act in two ways. First, it overrides section 17(1) of the act which prohibits humiliation, intimidation, insulting and ridiculing conduct, allowing that behaviour if it is in the name of religion. Second, it potentially overrides long-standing protections from discrimination for LGBTIQ+ and unmarried people, and staff members of faith-based organisations.

Scott Morrison's override of our law will condone and allow discriminatory conduct as long as that discrimination is based on a religious belief. What does this kind of discrimination look like in practice? It looks like a doctor telling an HIV-positive patient that their HIV is caused by the devil. It is a disability support worker telling their client that their disability is a punishment from God. It is a teacher telling a student they are failing their course because their parents are sinners because they are unmarried and they were born out of wedlock. It is a shop owner telling a person of colour that they do not serve people like that in their shop because they believe that God only shines His light on white people. It is an LGBTIQ+ teacher in a faith-based school who has been protected from discrimination or her career due to our act but suddenly being told she has to go into the closet or quit her job. It is an unmarried nurse at a faith-based hospital being told she will never be promoted to a leadership position and she should probably look for employment elsewhere because she is unmarried.

Sadly, these examples are not hypothetical. They are real and they are felt every day. Right now they are protected but they will not be under this federal override that will remove all of those protections that Tasmanians have enjoyed for more than 20 years.

The majority of complaints under our act, the part that Scott Morrison wants to override, are made by people with disability, followed by race-based complaints. Complaints relating to discrimination based on sexuality and gender expression are about 5 or 10 per cent. It is people with disability who stand to lose the most. Here are the profound words of leading Tasmanian disability advocate, Fiona Strahan:

Too many people with disability experience humiliating, intimidating, insulting and offensive behavior ... in the name of religion. People try to heal us and cast out demons or tell us our disability is because our parents were sinners. A religious carve-out of our act will mean people with disability who experience religious bullying will have no recourse. Our rights and dignity will be taken away.

The truth is that in trying to achieve some kind of national consistency on religious freedom the government in Canberra is going to take away the very freedoms that Tasmanians, including Tasmanians of faith, currently enjoy by overriding our state laws. In fact, we do not have a problem that needs fixing in Tasmania because our act protects religious freedom and expression as well as protecting people on other grounds.

We must ask why is our act singled out in the federal bill? Is it because conservative members of the Tasmanian Liberal Party have pushed for it? Is it because the Tasmanian Liberals think Tasmanians should enjoy less freedom, or be subjected to more discrimination? This is a fundamental states rights issue. Today, it is the Anti-Discrimination Act, but what is next? What other Tasmanian laws will Scott Morrison and his members come after?

The Premier said yesterday that he has told the Commonwealth he does not want to see a federal override, but that is not enough. What has he done in a tangible way to stand up for our state and our laws? What has he done to lobby the Prime Minister to remove the override? What has he done to explain to his colleagues the benefits of the Tasmanian act and that in our state we have the balance right?

Sitting back and allowing Scott Morrison to override our Tasmanian laws will create a dangerous states rights precedent, but worse still it will lead to a significant diminishing of the rights of thousands of Tasmanians and will encourage and permit discrimination in ways that will only do great harm.

### **International Day for the Elimination of Violence Against Women United Nations 16 Days of Activism Against Gender-Based Violence**

[6.17 p.m.]

**Mrs PETRUSMA** (Franklin - Minister for the Prevention of Family Violence) - Mr Speaker, I rise to speak on the important significance, to all of us in this House I believe, of tomorrow, 25 November which is International Day for the Elimination of Violence Against Women.

Tomorrow also marks the commencement of the United Nations 16 Days of Activism Against Gender-Based Violence, which is an annual international celebration and campaign, aimed at preventing and eliminating violence against women worldwide. This year marks

30 years since the United Nations first launched the 16 Days of Activism Campaign, with the last day, 10 December also being International Human Rights Day.

The United Nations theme for this year is Orange the World in Violence Against Women Now, which is reflected in the orange awareness ribbons that we will all be given to wear tomorrow. Since 2015, the Tasmanian Government has recognised this important day by holding the annual Prevention of Family Violence Walk in Hobart. The walk provided an opportunity for the Tasmanian State Service to demonstrate its commitment to eliminating violence against women. I know that many of us have participated in this walk. Unfortunately, due to COVID-density restrictions the walk is unable to take place this year. Therefore, the Department of Premier and Cabinet has developed a video message to be circulated amongst agencies that outlines the importance of ongoing action to end violence against women, including the actions being undertaken by the Tasmanian Government, including the implementation of Our Watch - Workplace Equality and Respect Standards across all Tasmanian government agencies.

I am also pleased to note today that the National Primary Prevention Organisation, Our Watch, also launched the second edition of its evidence-based Change the Story framework, as well as an accompanying communications toolkit, which aims to guide a coordinated national approach to preventing violence against women. This toolkit includes messages, social media post examples, staff training resources, posters and videos to be used over the 16 days of activism and is also being distributed to Tasmanian government agencies. These valuable resources promote awareness of violence against women and the importance of understanding the role we all play in stopping violence against women from the start.

I am also pleased to note that our community-based family and sexual violence services are also promoting community awareness of family and sexual violence during the 16 days of activism through social media campaigns, online resources, handing out information to the public, morning teas and training sessions so that these important and valuable conversations can be had and information can be shared.

Since 2015 when we launched our first Family Violence Action Plan the Tasmanian Government has invested an additional \$61.3 million in specific family and sexual violence responses including the delivery of 40 actions under our second family violence action plan, Safe Homes, Families and Communities. This investment is in addition to the \$90 million in direct funding that we invest every year as well as the \$59 million in indirect funding that we invest annually in Government services that prevent and respond to family and sexual violence.

I am pleased to advise the House that tomorrow I will be tabling the 2021 annual report for Safe Homes, Families and Communities Responding and Reporting 2020-21 which highlights the outcomes and key achievements of our second Family and Sexual Violence Action Plan. These include: the implementation of the Our Watch workplace equality and respect standards across all Tasmanian Government departments which sets goals in our workplaces to address gender inequality and to prevent violence against women; the publication of new resources on the Safe from Violence website including a non-physical violence campaign, fact sheets and audio recordings in 10 community languages; the delivery of a new statewide program providing early intervention therapeutic services for children and young people exhibiting harmful sexual behaviours; the development and delivery of training initiatives including the family violence assessing risk to safety training package for the child

safety service; and the family and sexual violence and emergency events training module which is available on the State Emergency Service's website.

We have committed \$2.4 million to continue Project Vigilance which was our highly successful trial of electronic monitoring of high-risk family violence perpetrators in Tasmania so as to reduce the incidence and impact of family violence in this state. This trial was so successful that I am delighted to say that Tasmania Police yesterday received the Silver Award in the Police-led category at the 2021 Australian Crime and Violence Prevention Awards. These awards recognised best practice in the prevention or reduction of violence and other types of crime in Australia and play a vital role in highlighting effective community-based initiatives.

I congratulate Tasmanian Police and the Department of Justice for this award recognition as well as the great outcomes that this trial has demonstrated including a 76 per cent decrease in high risk incidence, a 75 per cent reduction of assaults, 81 per cent decrease in threats, 74 per cent reduction in property damage and a 100 per cent decrease in reports of stalking as well as the fact that 80 per cent of offenders did not reoffend in the six months following the removal of the electronic monitoring device.

I am also pleased to report that we have begun the process of developing our next action plan which will be launched in July 2022 to prevent and respond to family sexual violence in our community. This plan will build on our successes and further refine and target our efforts towards the goal that every Tasmanian is able to live free from violence. Formal consultation on the new plan will commence early next year with key stakeholders involved in that process including our 2021 Tasmanian Australian of the Year, Grace Tame, who is a victim-survivor herself. I take this opportunity to acknowledge victim-survivors for their courage and to thank the sector, both the community and Government services and their dedicated workforce who work every day to prevent and respond to family and sexual violence and to hold perpetrators to account.

I thank all members of this parliament as I know that everyone in this place is likewise dedicated to playing their part in preventing family sexual violence in Tasmania.

### **Hate Speech - Impact**

[6.23 p.m.]

**Ms O'BYRNE** (Bass) - Mr Speaker, this morning I was listening to an interview with children's author Lian Tanner about a crime fiction work she had written and she said something about the villains or the baddies in her work. She reminded us that baddies do not think they are being bad. It resonated with me because I have been thinking of the power of speech, the rise of hate and the impact of not calling hate out. I have thought a lot about the new tolerance we seem to have developed for hate.

Last week people angry with the Victorian Government stood outside the parliament with nooses and threatened violence against the Premier and others. Nooses, in Melbourne. It took some time for some of our nation's leaders to call it out. Silence denotes approval but we have to call it out and particularly those of us in this room have a role to play and to think about our views of ourselves and our actions and remember the villains or baddies do not know they are being bad.

We call it free speech but it is not. There is a very real consequence for cruelty and hatred cloaked in the language of freedom. We have to hear the words and we have to stand against them because things that can be said can be acted upon and not always by those who say them.

In giving legitimacy, we leave open the capacity for words to become actions because not taking hate-motivated threats seriously is one of the reasons that British MP Jo Cox is dead, murdered at a constituency event because the vile and toxic nature of the Brexit debate was permitted. It is possibly why the daughter of a Victorian Animal Justice Party MP was recently assaulted in the street and it is why women die every week at the hands of strangers and at the hands of those they love because language shapes reality.

If you can diminish someone, if you can say something against tacit or real authority to hate or harm then people can and do act. After the events, we are wise and we are outraged how very, very prescient of us to decry the actions when the harm has already been done and the licence has been provided but it is actions in the moment that define us.

As the anti-vax campaign was ramped up, I thought about it. There has been pretty horrific violence and threats as US states line up to criminalise abortion and overturn *Roe v Wade*, as decisions in murder trials have different outcomes depending on the skin colour of the alleged perpetrator, as the UK Government in the wake of the murder of Sarah Everard rules out making misogyny a hate crime because, and I quote 'it would mean more work for police'.

I hear people who have the capacity to make a difference describe the little children doing the citizenship ceremonies as 'adorable' and yet Nades and Priya's children can be left to rot in detention. We say, 'Are you okay?' and post memes saying we care whilst at the same time being deliberately cruel in saying things that we know will cause harm. When we use our privilege in parliaments across the world to say things without accountability. I think about it as young people talk to me about the increased levels of racism in their classrooms and their communities. A young Jewish friend of mine and her Mum went to our local cemetery this week to mark the anniversary of Kristallnacht to find vile, hateful printed white supremacist stickers plastered all over the headstone.

I have thought about the nation we once believed ourselves to be. Rightly and I think sadly, probably wrongly, where egalitarianism was embraced and we said we believed in a fair go, not as a political slogan but because it mattered. I have thought about how that was true for only some. I think how our First Nations people approach our celebrations of Australia Day on a day that marks the anniversary of the commencement of attempted genocide and dispossession. I think about it as I listen to commentators and political operatives preach division and hatred, those who speak of a 'deserving poor' and a 'not so deserving poor'.

I wonder when free speech lost its way. I wonder when it became an excuse to hate. With free speech comes responsibility and an obligation not to impinge on the rights and freedoms of others, a collective responsibility and an obligation to ensure that our primacy does not cause a lesser outcome for others.

UN Secretary-General Antonio Guterres recently had to reaffirm that the UN had a commitment to stopping hate speech after a groundswell of xenophobia, racism and intolerance. In *The Harm In Hate Speech*, Professor Jeremy Waldron emphasises inclusiveness as a public good providing insurance and a sense of security to all members of society, that

they can live their lives without facing hostility, violence, discrimination or exclusion. There is power in free speech and there is also the capacity for great harm.

We cannot ignore that words become actions, actions that remove what Waldron called 'the public good of inclusiveness'. I do not stand here tonight to speak of the legislative powers that may or may not be employed or to comment on the proposed changes of the religious freedom bill. My views on this are well known. I would rather talk about a society and what we are now prepared to countenance and pose a question for all of us: when did it become so socially acceptable to hate? When did we become so immune to the implications of hate? Is it because despite all of our protestations usually after the fact that we are not as uncomfortable as we say with hate, division, discrimination and cruelty?

Do we scratch the surface only to find we are not as good or as kind as we think we are? As Lian Tanner said, 'Villains, baddies don't see themselves as bad'. Lately this issue is often put down to social media, the enormity of hate, the depersonalisation of cruelty. Ginger Gorman in her book, *Troll Hunting* explores the world of online hate and its human fallout, but is that all it is? Can we easily hate without predisposition? How is that predisposition unleashed? How is it being mobilised to sew discord or benefit from chaos?

That brings us back to us as leaders in our community. To not act or to play upon fear, to not use polling to find the weakest point and then use political swords to deepen the wound, to not demonise women, people of colour, people who are gender diverse, LGBTIQA people, those with bearing and additional needs - the list goes on. We need to be better as leaders because how can we expect society to be better if we do not model that behaviour. How can hate speech be on the rise and yet we all remain silent? Natalia wrote to this post when she found the white supremacist stickers in Launceston this week:

It is a deeply harrowing reminder that anti-Semitism is still woven into our social fabric and crucially racism and discrimination in all forms has no place in our society. Incidents of hate are rarely isolated; they are the products of community culture and what is deemed permissible or funny. These attitudes are how hate is perpetuated and fuelled.

The question for us is this: when did we decide as a nation, to let hate go unchecked? How responsible are we for the actions borne of the language we permit or the hate that we ignore? I am not sure I have answers but I intend to use the privilege of my position in this place to continue this discourse because there are real consequences for language and we in this place have a greater responsibility. Quite frankly, it is about time we stepped up.

### **Mount Carmel College - Tribute**

[6.30 p.m.]

**Ms OGILVIE** (Clark) - Mr Speaker, I am delighted to rise tonight to speak of four of the most amazing young women I have ever met and to talk about the joy I see in their journey through their schooling and the fact that they are graduating from grade 10 tomorrow and to acknowledge this rite of passage.

I have had the great pleasure to know Amelia, Bella, Sarah and Michelle on their journey through school from kinder to grade 10 at the wonderful Mount Carmel College. I am unable



to go to the graduation, but I express to them my great desire for their continued development and wonderful journey through life as they move onto grades 11 and 12. A couple of them are going to Guilford Young and one might be going to Hobart College.

The journey through those early years of being a schoolgirl right through to grade 10 is such a wonderful time in life. The friendships that are formed and that stay with them are to be valued and acknowledged.

Mount Carmel College is a wonderful school. It seeks to work with each girl to help them achieve their personal best. It looks to the values of courage, compassion and justice and instilling those values in the girls. It is a school that since 1942 has sought to encourage a love of life and learning and has a mission to teach, to serve and to help its students develop a beautiful commitment to social justice. I believe they do this incredibly well.

It is a girls only school environment which has worked for these wonderful young girls of whom I speak today. We see them thriving. It is a small school with a dedicated group of fantastic teachers and leaders and a parent cohort that has worked very hard during the pandemic time to make sure that students have been able to continue their studies, whether at home or at school.

I acknowledge also the great fun times that the girls have had right through the school and how they look after each other. The older cohort looks after the younger girls who are coming through, like little sisters. It is a beautiful cycle of life with the journey that the young ones have been taught and looked after by the older girls through sports, track and field but importantly - and this is where I had a little part to play, being an Uber driver for the night - the grade 10 formal which they enjoyed beautifully.

I acknowledge the Golden Oldies who are the girls who have been there from kinder all the way through. The fun times that were had at netball, at rowing and all of the sports and fun events, the socials with the boys schools, the field days, the boaters and how much they will miss all of that.

Congratulations to the graduating grade 10 class of the wonderful Mount Carmel College. We will miss everyone. Well done, girls.

### **Green Hydrogen - Developments in Tasmania**

[6.35 p.m.]

**Mr BARNETT** (Lyons - Minister for Energy and Emissions Reduction) - Mr Speaker, I am pleased to be speaking tonight on the adjournment to back Tasmania's renewable energy future and to highlight some concerns, worrying and misleading attacks that I want to address in this Chamber that have been made by the Bob Brown Foundation with a full-page advertisement in the *Financial Review* just last week directly opposing Tasmania's green hydrogen developments, specifically, at Bell Bay in northern Tasmania.

**Ms O'Connor** - Where you gave away some port space to Twiggy Forrest.

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

**Mr BARNETT** - This attack is directly from Dr Bob Brown. It is a full-page ad in the *Financial Review*. It is probably quite costly. I do not know exactly how much but obviously, well-funded indeed. We can speak further about that. On the following day, a headline says, 'Brown hits out at hydrogen, there is no silver bullet':

The demands by Dr Brown, the former Greens leader, who on Thursday launched a broadside against Andrew Forrest's ambitious global hydrogen plans puts the industry on notice that the Greens could use any balance of power they win in a potentially hung parliament to erect barriers.

This would include blocking hydrogen projects ...

And it goes on.

**Ms O'Connor** - Where are you reading that?

**Mr BARNETT** - This is from page 14 of the *Financial Review* on Friday 19 November.

The objectives of Dr Bob Brown and the Bob Brown Foundation are very clear. We are a leading jurisdiction. We have hope and anticipation that Bell Bay will be a green hydrogen hub for Australia, consistent with the National Hydrogen Strategy, thanks to the Morrison government and the support of Angus Taylor and the federal government.

Let us be very clear: this is a direct attack on that plan for Tasmania. It is very clear that Dr Bob Brown, leader of the Bob Brown Foundation, is now calling the shots when it comes to the Greens. They talk about 'the balance of power'. It confirms unequivocally, clearly and unambiguously on the record, that the Greens are the parliamentary arm of the Bob Brown Foundation.

**Ms O'Connor** - You are the parliamentary arm of the planet rapers. I know which side I want to be on.

**Mr SPEAKER** - Order.

**Mr BARNETT** - It makes it very clear that they, the Bob Brown Foundation will use any balance of power they win in a potentially hung parliament to erect barriers.

Tasmanians know all about that. They do. There was a hung parliament here with the Greens' tail wagging the dog with the Labor-Greens government from 2010 to 2014. We know how it works. Tasmanians know, particularly in the forest industry and in our productive industries, where jobs were lost. In fact, 10 000 jobs were lost during that time.

The story goes on:

Greens' leader -

This is the Australian Greens' leader -

Adam Bandt swung his weight behind Dr Brown's attack on Dr Forrest's 'green hydrogen' initiatives.

Let us be very clear, the Greens are the parliamentary arm of the Bob Brown Foundation. There is now no doubt about it. They are well funded. They have the wealthy millionaires in Melbourne and Sydney throwing money at Tasmania, with countless people working to stop our productive industries, whether it be forestry, mining, the salmon industry, agriculture and more.

It is an open and direct Greens' policy. Of course, they keep moving the goalposts. The Greens initially backed coal, then they changed their mind. They then backed hydro; they have changed their mind. They backed windfarms; they have changed their minds. They backed bioenergy; then they changed their minds. So, how are we going to keep the lights on? It is no surprise that they now oppose the internationally recognised green hydrogen projects, of which Tasmania is a leading jurisdiction.

**Ms O'Connor** - Define 'green hydrogen'.

**Mr SPEAKER** - Ms O'Connor, if you cannot sit there without interjecting, I will ask you to leave.

**Mr BARNETT** - This is direct attack on Tasmania and Tasmanian jobs. We are the renewable energy powerhouse of Australia. We have what it takes. We have low-cost, clean, reliable electricity. We have the trifecta and we want to bring home the bacon. The Bob Brown Foundation leading and telling the Greens what to do and providing their influence: we will not have it. We will fight tooth and nail to support Tasmania and the jobs that it provides in our renewable energy future.

With respect to Marinus Link, it will deliver billions of dollars of investment, thousands of jobs and downward pressure on electricity prices. What is more, it will remove 70 million tonnes of greenhouse gas emissions between now and 2040. That is 500 000 cars removed from the roads around the country. Why would the Greens not want to support that with those sorts of environmental outcomes and emission reduction benefits?

Marinus Link will deliver deep storage. They came up with a report today, we heard from Dr Woodruff earlier, on behalf of the Greens, attacking Marinus Link again. There is a place for both. There will be batteries. There will be deep storage with pumped hydro, and Tasmania has that, whether it is up to 12 hours, 24 hours or even up to seven days. Batteries cannot do that. There is not a hope. It is a furphy, it is another reason to attack our renewable energy projects in Tasmania.

In conclusion, I thank the Tasmanian Chamber of Commerce and Industry for backing Marinus Link with a policy announcement earlier this week, with Michael Bailey, on behalf of the TCCI, saying that this will benefit businesses, small, medium, large, across the state. That it is good for jobs. It is good for Tasmania and it is a win, win, win.

## **Green Hydrogen**

[6.42 p.m.]

**Ms O'CONNOR** (Clark - Leader of the Greens) - Mr Speaker, I cannot leave some of the rubbish that the minister just put on the record unanswered. We are tired, in the Greens, of these euphemisms that are used like 'green hydrogen'. It is not green hydrogen if you are using

coal power to produce it. It is not green hydrogen if you are draining our lakes and rivers to produce it. For the benefit of the House, because Mr Barnett did not tell the Chamber what was in the advertisement in the *Australian Financial Review* that was paid for by the Bob Brown Foundation, it says:

Dear Hydrogen Executives,

Twiggy Forest says green hydrogen is 'pure totally clean.'

The ad goes on:

Let's come down to earth and take the hydro out of hydrogen. Beware, Forrest's proposals for green hydrogen involve a mega-dam on the Congo River, threatening rainforests, wildlife and the homes of thousands of people; huge dams in Papua New Guinea threatening the Purari, Kokoko and Strickland Rivers, and forests, birds of paradise and the ancient lands of local people; the release of large quantities of methane, a potent greenhouse gas from these hydro schemes accelerating global heating; and, in Tasmania, windfarm projects threaten to impact Aboriginal sites, Tasmanian devils and rare migratory birds.

The Bob Brown Foundation funded an advertisement that told the truth and revealed that it is a lot of spin. It is not green hydrogen if it is destroying the habitats of indigenous people, if it is sending species towards extinction, if it is releasing vast quantities of methane into the atmosphere, if it is draining Tasmania's lakes and rivers, if it is using either Basslink or Marinus Link to pump coal south to produce hydrogen. None of that would qualify as true green hydrogen.

I know it is sport for Mr Barnett to come into this place and put the boot into the Bob Brown Foundation and yes, we back them and yes, we will be their voice in parliament because someone has to be a voice for nature in this place. Someone has to be a voice for indigenous people. Someone has to be a voice for the masked owl, the Tasmanian devil and whatever myriad incredible species, for example, are in the Congo. We stand here proudly doing our job as a voice for nature in this place.

Thank goodness there are at least two voices for nature in this place because we never hear from other members in this House the importance of protecting habitats, of making sure we are keeping our carbon stored, of making sure we are not bugging up Tasmania's freshwater river systems, which is what is happening on Mr Barnett's watch.

We have Mr Barnett's colleague, the federal environment minister, Sussan Ley, who the Federal Court found had a responsibility, a duty of care to young Australians to mitigate the impact of climate change on them, that same minister has approved three coal mines in the past three months. We are happy to be on the side of the planet protectors and we will always stand against the planet rapers because someone in here has to do it and we will do it.

I say to Mr Barnett, there is much more we need to know about Twiggy Forrest's ambitions. We would like to know what has happened with that parcel of port up in Burnie which has apparently been given to Fortescue Metals. We would love to know about that. No public statement. If the minister wants to clarify that, he is most welcome to.

People who donate to us, like Graeme Wood once did in the past, are individuals who want to see this place looked after, who want to see good environmental law -

**Mr BARNETT** - Point of order, Mr Speaker.

**Ms O'CONNOR** - but both the major parties in this place have taken fossil fuel donations, money from gambling interests, and they are corrupted.

**Mr SPEAKER** - Ms O'Connor, there is a point of order.

**Mr BARNETT** - Thank you, Mr Speaker. If the member referred to me as a planet raper, I ask her to withdraw and apologise.

**Ms O'CONNOR** - I did not. I urge you to have a look at the *Hansard* tomorrow. I did not.

**Mr SPEAKER** - If the member takes offence to what is said, personal offence, then I ask you to withdraw it.

**Ms O'CONNOR** - Mr Speaker, I ask for some consistency here. In the past, if a general statement has been made that is not personally directed, then there is no call to withdraw it.

**Mr SPEAKER** - That is right. I am not exactly sure of those words -

**Ms O'CONNOR** - I did not.

**Mr SPEAKER** - The member knows what he heard and you know what you said. If he took personal offence then he needs to say that, and I would ask you withdraw. But if he does not say that -

**Ms O'CONNOR** - Mr Speaker, I am not going to withdraw because I did not personally attack Mr Barnett. There have been a number of times in here when Dr Woodruff and I have tried to defend ourselves from attacks on the Greens and we have been told that if it is a generic statement, there is no cause for a withdrawal. I stand by everything I have said and I stand by the Bob Brown Foundation.

**Mr BARNETT** - Mr Speaker, on the point of order, I will check the *Hansard* very carefully and review that. The member, if she did use those most offensive and defamatory words, I will be seeking a withdrawal and a profuse apology because it is not inconsistent with the member's form in this place.

**Ms O'CONNOR** - Thank you, Mr Speaker. I did not call Mr Barnett a planet raper. That is all there is to it. Mr Barnett can go and check the *Hansard*, that is fine with me but we are in here defending nature and the Bob Brown Foundation because they are the people who are standing up for our kids' future.

**Time expired.**

## Deloraine Craft Fair

[6.49 p.m.]

**Mr TUCKER** (Lyons) - Mr Speaker, last Saturday I attended the Deloraine Craft Fair, as did you and Mr Barnett, together with the mayor, Wayne Johnson. It is a significant community fundraiser and an engaging event.

The craft fair is delivered by the Rotary Club of Deloraine. Last year was to be their 40<sup>th</sup> anniversary but due to COVID-19, they celebrated 40 years this year in 2021.

The focus of the fair is to celebrate high-quality artisans across the broad range of crafts, both traditional and contemporary. Artisans are encouraged to display their works with many being created at the fair. The majority of exhibitors are from Tasmania with a small selection from interstate. There were approximately 260 exhibitors on show internationally. International visiting artists are also encouraged. Each year exhibitors compete for the popular \$10 000 Premier's Art Prize, award of excellence sponsored by the Tasmanian Government. This year the prize was claimed by Tony Mercorella of Benjamin Timber Studio.

A bit of history of the fair: in the late 1970s, Deloraine experienced a flood of artists and craftspeople seeking an alternative lifestyle. Deloraine being a farming community, needed to explore ways of enabling and combining these artistic people into the community. John Sullivan, Rotary president at this time suggested a craft fair bringing the two types of community together allowing artisans to sell their products. In 1981 John's idea was accepted by the Rotary Club of Deloraine and it started as Tasmania's Cottage Industry Exhibition and Craft Fair. The fair had 34 exhibitors and during the two days attracted approximately 3000 people. Being a huge success, the fair provided an opportunity for people to display and sell their work. Over the years the fair continued to develop and expand with increase numbers of both exhibitors and attendees.

The need to find additional space soon became apparent as the fair kept growing year to year. The fair expanded throughout the town at various venues. Gallery owners became involved and the cottage industry thrived, to include cheese, wine, liqueurs, truffles and more. Growing to such an extent, it gained recognition as a major Tasmanian event and publicity went national. In 1996 government assistance was sought, hence the Rotary Club changed the name from Tasmanian Cottage Industry Exhibition and Craft Fair to the Tasmanian Craft Fair giving focus to the state of Tasmania and the event.

The Rotary Club of Deloraine has provided the profits from the Tasmanian Craft Fair to expend on their many local, national and international projects. There are nearly 200 projects in total and some within Tasmania include: provision of scholarships to outstanding secondary students towards tertiary education; running the Tasmanian part of the national Model United Nations Assembly for secondary students; financial support to the Deloraine Hospital in setting up a hospice care facility and provision of beds; Learn-to-swim program in Deloraine for younger children; construction of walking bridges across the Meander River at Deloraine.

Some of the projects nationally include donations to drought, fire, flood and relief programs and rural mental health programs. This year their focus was on providing financial assistance to programs related to the immense human and material damage wreaked by this year's catastrophic bushfires. Internationally, financial support of polio eradication, anti-malaria programs run by the Rotary International, support to eye clinics in Nepal,

provision of water wells in Fiji and voluntary Rotary groups to work on various projects in Tanzania, Nepal and Fiji.

Some funds are allocated to service groups within the region which have provided volunteers to assist with the fair. Groups like Apex and other Rotary clubs are part of this allocation. These groups in turn put the money towards funding their own individual charities or civic projects. The Tasmanian Government is a proud supporter of the Tasmanian Craft Fair along with many other generous sponsors. These sponsorships allow the creating of a world-class display of arts and crafts for Tasmanian visitors to enjoy which I am sure you enjoyed on Saturday just like I did, Mr Speaker.

### **Petitions - Responses not Received**

[6.54 p.m.]

**Ms WHITE** (Lyons - Leader of the Opposition) - Mr Speaker, I rise tonight on behalf of members of our community who have taken the time to sign petitions to express to the parliament their concern about various issues and who are yet to receive a response from the Government to those petitions.

There are two I would like to mention. One is the petition that was tabled by the member for Lyons, Mr Tucker, about the Wielangta Rd and the sealing of the road. To my understanding the Government has not yet provided a response to the parliament in relation to that petition being tabled. The other is in relation to the New Norfolk Health Services, a petition that Bill Dermody collected thousands of signatures for, that I have tabled in this parliament.

I raise that tonight, and I will not take too much more time, to put on record that we only have one sitting day left this year. As a courtesy to the people of Tasmania who have taken time to sign those petitions I hope the Government is able to provide responses to both of those petitions tomorrow at the appropriate time so that they can have a response to the matters they have raised because they are concerned about those issues and are not required to wait until parliament returns in March next year, which I think would be incredibly disrespectful to those communities.

### **Building Practices - Request for an Inquiry**

[6.55 p.m.]

**Ms BUTLER** (Lyons) - Mr Speaker, I rise again to talk about the need to have a building inquiry and a parliamentary inquiry into building practices here in Tasmania, the lack of consumer protection and the lack of protections for builders and across the industry, subcontractors, surveyors, architects, tilers, plumbers, sparkies. The whole thing needs to be looked at and there is a lot of work that we can do as parliamentarians.

This evening I will read another account from a letter that has been sent to me by a constituent. I am not going to provide their name. I am not going to provide the name of their builder or the company they have used, but this is another constituent and I will continue to do this in the House. It says:

Dear Jen, we are writing to you regarding the state of the building industry in Tasmania and the lack of protection for consumers. By way of background, we are two sisters in our 20s and we have worked hard and saved from a young age. With the help of the Government grants we thought it was a great time to get into the housing market to buy a block of land to build our first home. Our experience to date has been nothing short of horrific.

We signed a contract with our builder on 31 December 2020. He assured us a slab would be poured in time to receive the \$25 K federal Government home builder grant. Our slab was poured on 20 July 2021 after making our first progress payment. We were informed that there was an issue with our slab. The issue was that the slab was not strong enough and it would need to be firstly removed and poured again. Our builder assured us that this would be fixed promptly and we wouldn't be out of pocket for any of this.

It is now November 2021 and we still do not have our slab re-poured. The original slab has been removed, so we have essentially paid for a mud pile to sit on our land. The builder has stopped responding to emails and calls. We understand he put off all of his staff and has admitted to us he is in deep financial trouble. After gaining legal advice, we have come to the realisation that this builder will not complete our house and we will be tens of thousands of dollars out of pocket. Allegedly this builder has 25 homes in progress.

We have personally spoken to other clients of his and some who are in far worse conditions than us. We acknowledge the faulty concrete was not the builder's fault. This is a separate issue that needs to be addressed. We have contacted that company who supplied the faulty slab and they have been most unhelpful and believe our builder may have outstanding debts to them. This is confusing and disappointing as we are paying interest on a block of land with a mud pit. If their concrete was not faulty, we would have at least had a concrete slab. We have offered to pay the concrete company for the supply of the concrete on the provision they will pay for the preparation of the site.

The site needs to be prepared again, as the result of the first slab being removed which was their fault. We don't understand why we should be punished and forced to fix this issue at our own expense for something which was out of our control. We do not have the financial resources to pay for another slab preparation. All of this has taken a huge emotional toll on us and our family. We have spent most of our life savings and invested large amounts of time, including taking time off work to attend meetings to rectify the issues that have not been our fault.

We now need to find a new builder or sell the land. Either way, we will be in a worse financial position as a result of issues that are not our fault. Our question to you is, why is Tasmania the only state without home warranty insurance for clients? There is plenty of protection for builders but none for consumers.



Mr Speaker, this is another story, another personal story, another indication of how the current consumer protections in place in Tasmania are not working. This is another reason why we will continue, when we do return after the summer break, to keep pursuing a parliamentary inquiry into Tasmania's building industry. We believe that this inquiry would have the opportunity to future-proof this industry. There are 20 000 people employed in this industry. It is really important for our gross domestic product. It is essential that we future-proof the building industry.

**The House adjourned at 7 p.m.**