



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 8 September 2022

REVISED EDITION

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Thursday 8 September 2022

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

QUESTIONS

Hydro Tasmania - Losses

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.02 a.m.]

You have had 24 hours to obtain an update on Hydro Tasmania's financial performance. Can you confirm that Hydro Tasmania has incurred a significant loss in the financial year to date, and can you update the House on the size of that loss?

ANSWER

Mr Speaker, I thank the member for her question. Yesterday it was \$100 million. Now it is a 'significant loss'. They are still playing games and quite clearly backtracking from where you were yesterday.

Ms White - We said it was possibly \$100 million. It has not changed. Provide an update.

Mr SPEAKER - Order.

Mr ROCKLIFF - You should be ashamed of yourselves. Once again you have been caught out deliberately misleading Tasmanians, backtracking from where you were yesterday - '\$100 million loss' yesterday, 'significant' today. What will it be tomorrow? Stand by.

Ms White - It has not changed. What is the answer? Provide an update.

Mr SPEAKER - Order.

Mr ROCKLIFF - So you are standing by your \$100 million claim through interjection? I remind you of what Hydro said yesterday. I will read Hydro Tasmania's full response in relation to these claims and hope you will listen and reflect on your behaviour, scaring Tasmanians, undermining Hydro Tasmania:

Hydro Tasmania can reassure Tasmanians that it has not lost \$100 million this financial year.

I do not know if you read that or not, or why you came in with \$100 million yesterday and 'a significant loss' today. It appears you have gone back to the \$100 million through interjection -

Ms White - You have been hung out to dry.

Mr SPEAKER - Order. The Premier is answering the question. Opposition does not have to continually interject while he is doing that. You may not like what he is saying but you will accept it in silence.

Mr ROCKLIFF - Hydro Tasmania went on to say that Hydro Tasmania operates in a highly dynamic market and its financial position is influenced by a range of factors including our volume of generation and weather conditions, especially rainfall. Hydro Tasmania terminated the Basslink services agreement with Basslink on 10 February 2022, having concluded it was a commercially appropriate decision. Any financial impacts will be accounted for in Hydro Tasmania's annual report, which will be tabled in parliament in October, while the results for the 2022-23 financial year will be included in next year's annual report.

Hydro Tasmania's financial position is strong, storages are stable and Tasmania's energy supply remains secure. I could not be much clearer than that. Hydro Tasmania has advised they have not lost \$100 million this financial year -

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - and your repeated claim, although you have backtracked today, is clearly wrong. Hydro has confirmed its financial position is strong, so you have been caught out. You are chasing a cheap headline.

Opposition members interjecting.

Mr SPEAKER - Members of the Opposition, I will officially warn you for continually interjecting.

Mr ROCKLIFF - Tasmanians can see through your stunts, through the fact that you are chasing cheap headlines and undermining Tasmanians' confidence in Hydro Tasmania. We will have none of it.

Hydro Tasmania - Losses

Ms WHITE question to the PREMIER, Mr ROCKLIFF

[10.07 a.m.]

There is now a big financial cloud hanging over Hydro. Meanwhile, you are telling Tasmanians they have to wait until October 2023 for answers. Why not let the Tasmanian people receive timely information about our biggest business? Why are you trying to cover up the fact that Hydro Tasmania is currently losing a significant amount of money?

ANSWER

Mr Speaker, I thank the member for her question. What is clear is that we have a Labor Party, an opposition, undermining the confidence of Hydro Tasmania but also backtracking on their false claims yesterday. They cannot be trusted.

I point to Hydro Tasmania's statement yesterday. I urge the Labor Party of Tasmania to reflect on their behaviour, undermining the confidence in Hydro Tasmania. One hundred million dollars yesterday, backtracked to 'significant loss' today. What will it be tomorrow? No loss at all? You have been caught out. Hydro Tasmania has responded to your false claims.

Tasmanians have once again been misled by the Labor Party of Tasmania in an effort to have cheap political stunts to head off a by-election on Saturday. This is what this is about. People understand that. They can see through you.

Ms WHITE - Point of order, Mr Speaker, standing order 45, relevance. I ask you to draw the Premier's attention to the very serious question that has been asked.

Mr SPEAKER - Points of order are not an opportunity to make a statement, thank you. Regarding standing order 45 on relevance, the Premier was answering the question.

Mr ROCKLIFF - I have been around a long time. I can see through stunts of the Labor Party. You make an art form of it, coming in here. This is not the first time. You come in here, throw any sort of mud you like, any sort of figures you like, undermining the confidence of anyone you want to discredit for some particular reason. The particular reason here, of course, is the Pembroke election. You are not serious, you are all about stunts, clearly evident in your first question to me today.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - Where was the \$100 million figure? It was gone, because Hydro Tasmania themselves answered that question yesterday.

Bracknell Hall - Funding for Replacement

Ms O'CONNOR question to MINISTER for LOCAL GOVERNMENT, Mr STREET

[10.10 a.m.]

You have previously stood in this place and defended your party's shameless pork-barrelling exercise, the Local Communities Facilities Fund. In mounting your defence, you have said on multiple occasions all projects in the fund were announced prior to the 2021 election day, but this is not true, is it? Dozens of projects were never announced. As revealed by documents obtained through right to information, your predecessor, as minister for Sport, staff from the Premier's Office, the secretary of Communities Tasmania and departmental staff all refer to an election commitment that was kept from the Tasmanian people: \$400 000 for the replacement of the Bracknell Hall. Why were the Tasmanian people not told about this very significant expenditure of taxpayer funds before election day?

ANSWER

Mr Speaker, let me make it clear that making promises during election campaigns and giving Tasmanians the right to vote on those promises is a transparent and fundamental part of our democracy. We make no apologies for working with our communities to deliver projects

that assist in economic and social recovery. It is what local constituents would have expected of their local members during the 2021 election. All Liberal candidates are expected to get out on the ground and talk to their local communities about their needs. Candidates are asked to put forward their ideas and requests for small one-off community projects and we stand by all the commitments we made at the 2021 Tasmanian election.

Ms O'Connor - We're talking about one that was kept secret.

Mr STREET - Mr Speaker, my understanding is that the project the Leader of the Greens refers to was not part of the LCFF. It was an additional commitment that was made after the election. That is the information I have at my disposal.

R U OK Day and World Suicide Prevention Day

Mr TUCKER question to MINISTER for MENTAL HEALTH and WELLBEING, Mr ROCKLIFF

[10.12 a.m.]

Today is R U OK Day and this coming Saturday, 10 September marks World Suicide Prevention Day. This day is quite personal for me, as it was started by Gavin Larkin, the husband of one of Mhari's cousins. Many Tasmanians have lived experiences, either themselves or from someone they know, of suicide and suicidal distress. How is the Government addressing this critical issue and what can we do to help?

ANSWER

Mr Speaker, I thank the member for his question on this very important matter, and like many of us, we can all reflect on our own lived experiences and that of our families when it comes to this important matter. I appreciate your personal reflection, Mr Tucker.

This week we acknowledge both R U OK Day and World Suicide Prevention Day, which remind us to support each other, to reach out to others in times of disruption and distress and to help build hope for the future.

Every death by suicide has a devastating and widespread impact on families, friends, work colleagues and communities. My thoughts are with all Tasmanians who have been touched by suicide. I know the grief is profound and far-reaching and I am deeply committed to ensuring that all Tasmanians can access compassionate care and support when and where they need it.

Consultation on a new Tasmanian suicide prevention strategy is currently underway, with a range of activities including a broad community survey, key informant interviews and stakeholder workshops across Tasmania. A survey is now open until Monday 26 September for young people aged 12-25 to tell us about how and where young people seek support, and their ideas for improving the Government's approach to suicide prevention. There will be a range of other opportunities to contribute to the consultation process over the coming months, so all Tasmanians can get involved and have their say to help us set the priorities for the new strategy, which will be released by the end of this year.

The importance of strong community connections and building positive mental health and wellbeing cannot be overstated. Preventing suicide is everyone's responsibility, not just today but every day. You do not need to be an expert. No qualifications are needed to be there for someone and give them your time. We can all make a commitment to care for each other in our daily lives, in our communities and our workplaces, giving people a sense of belonging or a feeling of connectedness, reducing stigma, listening without judgment, showing compassion and instilling hope and, importantly, developing our skills to recognise and support someone in crisis, including to encourage the seeking of professional help if required.

I encourage all Tasmanians to regularly check in with people around them and encourage discussion, especially if there is something going on in their life, if they are having a tough time, experiencing major changes in their circumstances, or if we notice any changes in the way they are behaving. It is important to get help early.

For crisis support, Lifeline Australia is ready to help on 13 11 14, or the Suicide Call Back Service on 130 659 467. Tasmanian Lifeline is also available for psychosocial support from 8 a.m. to 8 p.m. seven days a week on 1800 984 434.

Burtonia Street, Rokeby - Social and Affordable Housing Proposal

Mr O'BYRNE question to MINISTER for STATE DEVELOPMENT, CONSTRUCTION and HOUSING, Mr BARNETT

[10.17 a.m.]

First I acknowledge the response by the Premier on R U OK Day and acknowledge all the good work that has been done across the community.

Minister, back in 2018 your Government announced with much fanfare the Housing Land Supply Order process, which was pitched as a way to fast-track land development to increase the supply of land for social and affordable housing. A few months later your Government announced a social and affordable housing development using government-owned land in Burtonia Street, Rokeby, made possible through these new powers. In 2022 the then minister for Housing, Mr Jaensch, attended the Rokeby site for a photo opportunity, describing the site as demonstrating your Government's commitment to growing the supply of social and affordable homes. At that time, it was hoped residents would be living in the 47-lot site within a year, but construction has still not started.

It has recently been brought to my attention that not even half of the lots on this development will be used for social and affordable housing. Can you confirm that over half of this government-owned land is about to be auctioned off to the private market and developers to be turned into private housing that will be beyond the reach of first home buyers? If so, is this a betrayal of your Government's commitment to growing the supply of social and affordable homes at a time of a deep housing crisis?

ANSWER

Mr Speaker, I thank the member for his question. Housing and homelessness are top priorities for our Government and the fact is we need to do better. We have an ambitious plan to do better and to deliver for Tasmanians who are vulnerable and in need with a \$1.5 billion

commitment for 10 000 new homes between now and 2032, so I thank the member for his question and his interest in this matter.

He made reference to the housing land supply legislation and the example he shared at Rokeby. I make it clear with respect to housing land supply that the act which commenced on 20 July 2018 has proven effective in providing a more direct and efficient process for rezoning suitable government land for residential development for -

A member - Have you even built a single home?

Mr SPEAKER - Order.

Mr BARNETT - It is a very important matter, Mr Speaker.

- streamlined approval process for facilitating the provision of affordable - not just social - housing. I want to stress the importance of social and affordable housing; that is a key message. I thank the member and those in this House.

To date, eight housing land supply orders have been progressed at Rokeby, Devonport, West Moonah, Newnham, Huntingfield, Romaine, Burnie and Warrane. This represents over 47 hectares of land rezoned for residential development, creating the potential for over 700 new housing lots. We are really committed. We are adapting, and we want to become more agile. That is why the Homes Tasmania bill is in the other place being debated. That is why we are doing everything we can, not just with our financial investment, but to make a difference, because we need to do better. The current legislation is antiquated, out-of-date. It is dated 1935.

I take feedback from the member, and if there is anything more I can add to that question I would be happy to do so.

Greyhound Racing Training Licence - Mr Anthony Bullock

Ms JOHNSTON question to MINISTER for RACING, Ms OGILVIE

[10.21 a.m.]

In February this year, *The Examiner* reported that greyhound trainer, Anthony Bullock, had not held a kennel licence for 10 years. It is not uncommon for Mr Bullock to have 90-plus dogs on his property. This is a serious breach of the Dog Control Act, for which he has not been prosecuted. Mr Bullock is well known as the man who freely admitted in the 2016 joint select committee hearing that he destroys approximately 70 per cent of his dogs - a sickening figure that must surely turn the stomach of anyone who genuinely cares about animal welfare.

Since 2020, the guidelines for applying for or renewing a greyhound trainer licence have clearly stated that the applicant must meet all local and state government regulations, and be able to provide evidence of the same if requested by an Office of Racing Integrity (ORI) steward or authorised person.

Mr Bullock is still a licensed trainer seven months after it was revealed he does not have a kennel licence and does not meet the requirements of a trainer's licence. Has ORI turned a

blind eye to the flagrant breach of the Dog Control Act and a requirement of their own licensing by renewing and allowing Mr Bullock to continue to train and race dogs? Will you direct ORI to comply with their own licensing requirements and revoke Mr Bullock's licence immediately?

ANSWER

Mr Speaker, I thank the member for the question. I also endorse the R U OK Day message today for everyone in this room.

It is an interesting question that I have been across. The Tasmanian Government, as you know, and as stated many times in this place, regards the welfare of animals as critically important; I am an animal lover myself as well. The Government and Tasracing are investing more money than ever before into greyhound welfare, ensuring that dogs are treated with dignity and care before, during and after their racing days.

Compliance with the Dog Control Act 2000 - which I will refer to as the act - is a matter for the relevant local government area or council. I thought you might know this, Ms Johnston. The Office of Racing Integrity issues licences to racing participants, including within the greyhound code. It is now a requirement for participants to sign a declaration that they are compliant with all local government regulatory requirements. This would include having a kennel permit under the Dog Control Act 2000, if applicable to that trainer.

The Director of Racing has committed to progressively ensuring that all licences are referred to the relevant local council, to ensure that the activities they conduct are appropriately committed. I am advised that the Director of Racing has met with the majority of councils and has committed to providing relevant information to the councils to allow them to more effectively undertake regulatory requirements of the Dog Control Act 2000, relative to racing industry participants.

It is on the public record that Mr Anthony Bullock has been in the process of applying for a kennel licence from the West Tamar Council for his operation to become compliant under the Dog Control Act 2000. I am advised that Mr Bullock applied for the licence and submitted an associated development application in mid-2021. I understand that approval for the licence remains pending. Mr Bullock is liaising with the West Tamar Council in relation to the kennel licence and onsite infrastructure and, ultimately, it is unfortunately not within my control. It is a matter for the West Tamar Council.

I am advised also that the Office of Racing Integrity conducts regular inspections to Mr Bullock's operations in respect of compliance with the rules of racing, and the Animal Welfare Act broadly.

As you would understand, when changes are made to licensing requirements, grandfathering the arrangements under law are what we do. Again, you would know that, Ms Johnston, as a lawyer.

I thank you for your question. There is nothing more important to me than the welfare of animals. I am an animal lover.

I will give a small update on the progress we are making in relation to the Racing Regulation Act review. We have received many, many submissions, and I encourage anybody in this Chamber and everybody listening to make a submission if there is a matter about which you are concerned. Please put it in and we will carefully consider it.

Hydro Tasmania - Effect of Losses on Power Bills

Mr WINTER question to **MINISTER for ENERGY and RENEWABLES, Mr BARNETT**

[10.26 a.m.]

Tasmanians are already struggling with your massive 12 per cent increase to their power bills. What impacts will losses of approximately \$50 million a month have on power prices next year? Can you guarantee that these losses will not have to be recouped from Tasmanian households and businesses doing it tough under your increased power bills?

ANSWER

Mr Speaker, I thank the member for his question and the opportunity to respond to a shameless display of publicity stunts from Mr Winter and the state Opposition, with respect to undermining Hydro Tasmania and the confidence the Tasmanian community has in Hydro Tasmania and our renewable energy credentials in this state. It is deliberate misleading, as the Premier has made very clear in two answers already this morning.

Ms White - No, he did not.

Mr BARNETT - Yesterday, you were misleading the public and misleading the House in referring to a loss in the first two months of this year of \$100 million. The Premier read into the *Hansard* yesterday - which is already on the public record - Hydro Tasmania's denial of that, saying they have not lost \$100 million. Now here you are, repeating the claim. Why is that?

Ms White - Because you have not given us the answer. Be honest.

Mr BARNETT - Yesterday you brought this claim into the Chamber. Hydro Tasmania responded, and the Premier read the statement in, saying it is wrong. I made a statement yesterday making it clear that the Labor Party's accusations are wrong and yet today, the shadow minister for energy comes into this place and repeats the claim. You have a track record of publicity stunts and misleading the Tasmanian people.

Mr Speaker, I have a media release here from Mr Dean Winter, which has been removed from his website. Here it is, 14 June -

Mr SPEAKER - Order, minister, you can read it but you cannot use it as a prop.

Mr BARNETT - I will read from it, from the public record, 14 June. What did Mr Winter say? He said, 'Lights potentially out for Tasmania'. That is in the heading. At the end of the first paragraph, it says, 'Tasmanians are being warned lights could go off'. These are the sorts of scaremongering tactics of the Labor Opposition.

Ms WHITE - How about you answer the question? Point of order, Mr Speaker, standing order 45, relevance. The question was about whether Tasmanians can expect a further hike in their power bills next year as a consequence of the mismanagement of the portfolio by the minister.

Mr SPEAKER - Ms White, the point of order of relevance is not an opportunity for you to add to or restate the question. The minister heard the question. I will allow him to continue to answer it.

Mr BARNETT - Mr Speaker, I would like to put a hypothetical question: why has this been removed from Dean Winter's website? Because he knows it is wrong.

Mr Winter - It was never on there.

Mr BARNETT - He says it was never on there. It was a public statement. He put out a media release. All your media releases are on your website. You have been caught out.

Members interjecting.

Mr SPEAKER - Order.

Mr BARNETT - Again, Mr Speaker, he says it was never on there. I have a copy of a public statement that has gone out to the media into the public to scare Tasmanians, fearmongering. Mr Winter has some explaining to do. It is as simple as that.

Members interjecting.

Mr SPEAKER - Order. The House will come to order.

Dr Broad - I'm not in charge of Hydro that's losing money.

Mr SPEAKER - Members will come to order. Dr Broad, you are lucky I was not standing when you said that or you would have been out.

Bracknell Hall - Promise for Funding

Ms O'CONNOR question to MINISTER for SPORT and RECREATION, Mr STREET

[10.31 a.m.]

The Bracknell Football Club has received tens of thousands of dollars through pork-barrel grants at each of the 2014, 2018 and 2021 state elections. Many, many other local football clubs have missed out. Your colleague, the member for Lyons, Mark Shelton, is a life member of the Bracknell Football Club. We do not think this is a coincidence.

On discovering the fact that \$400 000 was secretly promised for the replacement of Bracknell hall, we looked into the matter. Surprise, surprise. At the time of the 2020-21 election and ever since, MP for Lyons, Mark Shelton and three members of his immediate family all sit as members on the Bracknell Hall Committee - cosy. Is this why your Government kept secret this \$400 000 promise, noting it was not in last year's budget but was

in a budget glossy for Lyons as an election commitment? How do you explain this clear conflict of interest to the Tasmanian people?

ANSWER

Mr Speaker, the information I have in front of me is that the old Bracknell Hall commitment was one of four community sport and recreation sector grants to be provided to further support the Tasmanian community in addition to funding already provided through the 2020-21 state election commitments. The additional three community projects supported with funding were the St Helens Pump Track, the Australian Rules History and Heritage Museum and the Kingborough Sport Centre upgrades.

The Tasmanian Government continues to provide significant investment in the development of high-quality and well-planned sport and recreation and community facilities across the state. Significant investment in community sport and recreation facilities also supports community and economic recovery from the impacts of COVID-19. These important upgrades will provide facilities and benefits to the wider Bracknell community using the hall.

The simple fact is that every member of this place has relationships and memberships in community and sporting organisations outside of this place.

Ms O'Connor - Yes, but they do not have access to the Treasury. We are trying to get to the bottom of this money.

Mr SPEAKER - Order.

Mr STREET - I do not believe, Mr Speaker, that a member of this place with membership of a committee at a particular community facility should bar that particular facility from receiving state government support if we deem it appropriate.

Ms O'CONNOR - Point of order, Mr Speaker. We are concerned that the minister is misleading the House. He has tried to claim this funding was not an election commitment. We have a grant deed -

Mr SPEAKER - What is the point of order?

Ms O'CONNOR - Mr Speaker, I dissent from your ruling.

Mr Ferguson interjecting.

Ms O'CONNOR - Point of order, Mr Speaker, under standing order 152, I move dissent from your ruling.

Mr Ferguson - What ruling?

Ms O'CONNOR - The ruling is that the point of order I raised is not a point of order when it clearly is a point of order.

Mr SPEAKER - Ms O'Connor, you misheard me. I said, 'What is the point of order?'.

Ms O'CONNOR - The point of order is that the minister has misled the House by claiming that that was not an election commitment and tried to sit down before answering the question - standing order 152.

Mr Ferguson - The Speaker had not ruled on that.

Ms O'CONNOR - He had ruled it was not a point of order.

Mr Ferguson - He asked you a question.

Ms O'CONNOR - We have a problem here because the Speaker is conflicted in this role.

Mr SPEAKER - Ms O'Connor, first of all, I had not made a ruling. I was asking what the point of order was. There was no ruling and you cannot dissent from it if I have not made one. That is the first point.

The second point is that if you believe that any member has misled the House, then you have, by way of substantive motion, an opportunity to move motions as you see fit.

Ms O'CONNOR - On the point of order, the minister sat down without answering the question, so relevance is the point of order here.

Mr Ferguson - You're exposed.

Ms O'CONNOR - Exposed? We have just had a minister tell this House it is not an election commitment when there are minutes to the Premier stating it is. We have a Speaker in the Chair who is potentially conflicted.

Mr Ferguson - You came ready.

Mr SPEAKER - Again, I cannot control the way ministers answer questions. I cannot tell them what to say, or when they choose to sit down. They sit down when they believe they have completed the answer. I cannot do anything about that.

Community Sector - Update

Mr YOUNG question to MINISTER for COMMUNITY SERVICES and DEVELOPMENT, Mr STREET

[10.36 a.m.]

Can you update the House on how the Tasmanian Liberal Government is helping the state's community sector to continue delivering its vital services to Tasmanians in need?

ANSWER

Mr Speaker, I thank the member for his question. This Government is focused on strengthening the future for all Tasmanians and we have a strong record of providing targeted support to those in need. Last month we announced a \$5 million cost-of-living booster package

to provide immediate financial and practical help to Tasmanians in need through our community sector partners and grassroots community organisations. This was on top of the \$17 million in power price relief the Government is rolling out via our \$180 Bill Buster payment program for all eligible Tasmanians.

As minister, I have listened carefully to community sector concerns and in particular about the impact of the rising cost of fuel on transport and delivery of community services. It was due to these concerns that this Government introduced the first round of the Essential Community Services Fuel Relief Grant program in March this year when fuel prices first spiked. More than \$16 500 was provided to 13 community service providers as part of round 1, including to important community partners such as Rural Alive and Well, Mersey Community Care Association and the Meals on Wheels Association of Tasmania. Later today I am looking forward to joining Meals on Wheels to talk about this further.

Recognising the continual fuel cost pressures faced by the community sector, we have included a further commitment to our Essential Community Services Fuel Relief Grant program in our recent booster package. I am pleased to announce the second round of this important program opens today and will run until the end of October 2022 to provide grants of up to \$1000, with a total funding pool of \$135 000. A third round will run from November 2022 to January 2023, again providing grants of up to \$1000, with total funding of \$185 000 available. These grants will be provided to not-for-profit organisations that provide essential community services such as transporting food or medicine or transporting people to access medical or emergency relief services.

Our \$5 million cost of living booster package has seen funds delivered straight into the hands of those organisations who are helping individuals and families in need. We have provided a one-off additional funding increase of \$50 000 for each of the 35 Neighbourhood Houses across Tasmania and I have seen with my own eyes the value of the work our Neighbourhood Houses do.

I am reassured that our significant extra support in our cost of living booster package is going to the people and places where it is most needed. We will continue to strongly advocate that the federal Labor Government retain the fuel excise discount to help ease the fuel price burden on Tasmanian families, businesses and community organisations. On this side of the House we know the cost of fuel is biting our community groups and that is why we have taken action with our fuel relief grant program to help our vital community partners to keep doing their important work.

Hydro Tasmania - Losses

Mr WINTER question to MINISTER for ENERGY and RENEWABLES, Mr BARNETT

[10.39 a.m.]

How is it possible that Hydro Tasmania is bleeding money when prices in the energy market are at their highest level ever?

ANSWER

Mr Speaker, I thank the member for his question on the important matter regarding energy, but he started with the same premise. Hydro Tasmania put out a statement yesterday denying his claims of the \$100 million loss.

Ms White - Clear it up, here and now.

Mr BARNETT - We know there is a by-election on Saturday and the Premier has called it out and you have been caught out. We know what your agenda is: this is all about trying to get your publicity stunt, get some cheap political media headline in advance of Saturday.

Ms DOW - Point of order, Mr Speaker, standing order 45, relevance. This is an incredibly important matter. Yesterday we came in here and this minister failed to answer straightforward questions. I ask you to draw his attention to answering the questions.

Mr SPEAKER - Again, you have made your point of relevance. It is not an opportunity to argue the point. I will ask the minister to be relevant to the question.

Mr BARNETT - The claims that the Labor Opposition have been making yesterday and today have been found out. Hydro Tasmania put out a statement. They said their financial position is strong. That is what they have said publicly. It was put out publicly yesterday. The Premier has read it into the *Hansard* this morning and made it very clear to the Opposition. Just in advance of reading it out, he said 'listen carefully' to the Opposition. You should be listening to what Hydro Tasmania is saying about their financial position, which is very strong.

We all know, as per your question, I am addressing the question, that the markets are volatile. We already know that. It has been a dry July. There are challenging circumstances.

There has been discussion and debate about the Basslink services agreement, which was terminated on 10 February this year by Hydro Tasmania, based on advice, based on protecting the interests of Tasmania at all times.

We have fought so hard, as a state and Hydro Tasmania, to protect the best interests of Tasmania. This has happened over a number of years, including in the arbitration. We had a former chief justice of the High Court, Robert French, rule in that arbitration, and guess what? He ruled in our favour, in favour of the state of Tasmania, in favour of Hydro Tasmania to protect our interests. We took that decision based on advice, based on legal advice, and we had a result. We followed that up on 10 February with the termination of the Basslink services agreement. This is in the best interests of Hydro Tasmania.

I am happy to update the Chamber in terms of that. Overnight we had an announcement by the receivers of APA, as the preferred bidder for Basslink. Our priority remains Tasmania's interest and we will continue to work with the receivers and APA to reach final commercial terms on all outstanding issues to bring the insolvency to an end in a way that meets the state's objectives.

Hydro Tasmania - Losses

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.43 a.m.]

My question is to the Premier, given that the minister is running away. You claim you want to lead a government with integrity, but it is clear you are happy for your ministers to avoid answering simple questions the Tasmanian people deserve answers to. You are the current stewards of Hydro Tasmania, on behalf of the people of Tasmania, and they deserve answers and so, I will ask you, how is it possible that Hydro Tasmania is losing money when prices in the energy market are at their highest levels ever?

ANSWER

Mr Speaker, I thank the member for her question. Given what the member and the Opposition put out there yesterday - a \$100 million loss - and today they are backtracking to 'significant loss', Hydro Tasmania was forced to come out and say that you were wrong. You are wrong.

Hydro Tasmania released a statement that said Hydro Tasmania's financial position is strong, and storages are stable. Tasmania's energy supply remains secure. This is a stunt by the Labor Party who has very good form of coming in here misleading Tasmanians. This is an example of it. They are not prepared to back up their claims of yesterday. Hydro has answered the question.

Housing Strategy - Update

Mrs ALEXANDER question to MINISTER for STATE DEVELOPMENT, CONSTRUCTION and HOUSING, Mr BARNETT

[10.45 a.m.]

Housing and the Government housing strategy are currently very much front of mind for the many organisations in the sector, as well as for Tasmanians. Can the minister please update the House on the progress being made by the Tasmanian Government, its commitment to develop a comprehensive Tasmanian housing strategy?

ANSWER

Mr Speaker, I thank the member for her question and her dedication to housing and homelessness, her vast experience in this sector and her great support to me as parliamentary secretary for State Development, Construction and Housing, particularly with respect to housing.

This is a top priority for our Government and, I know, for other members of the House. We all acknowledge that every Tasmanian deserves a roof over their head. Housing and affordable housing is a priority. As a government, we need to do whatever we can to assist and we have a very bold and ambitious plan. In fact, the most ambitious in Tasmanian history, with a \$1.5 billion commitment through to 2032 - another 10 000 homes.

This is not just us saying it is a bold commitment; we are getting feedback from the community services sector and the sector around Australia, around Tasmania. I am so pleased for the encouragement and thankful for that support.

We have to do it better. That is why we are delivering the Homes Tasmania authority. That is being debated in the upper House so I will not go into that but we are hopeful that we can deliver on that. We have to plan responsibly for the future and that is why we have been developing a 20-year Tasmanian housing strategy, which I hope to have concluded by mid-next year. This 20-year housing plan will guide where we will build those homes and for whom, whether it be women with children, older Tasmanians.

I was there yesterday with Dean Young, Gregory Brown and others with respect to Wirksworth and Wintringham, an investment of nearly \$20 million for another 40-plus beds for older Tasmanians over 50 years. It was an excellent day and so well received.

This housing strategy has come out of the Premier's Economic and Social Recovery Advisory Council. We have been developing and working on it for a long time, we are getting feedback from the community sector and the building construction sector, and the new ministerial reference group, which the Premier, myself and Ms Alexander met with some months ago. The vision for housing, for more affordable and social housing is so important.

That discussion paper is being released today for feedback on where those houses should be built, when they should be built and for what cohorts of Tasmanians - vulnerable Tasmanians, Tasmanians in need, and how we can assist that through over a 20-year strategy. I encourage that feedback. It is so important and we welcome that by Friday 21 October.

It seems that the Labor Opposition do not share our commitment to housing as a priority. They have cancelled a pair for me to meet with the federal Housing minister tonight and likewise the minister for Energy. It calls into doubt the Labor Opposition's level of commitment to these important matters in this place. I encourage you to rethink these important matters and to ensure that housing is placed as a priority in the future, because that is a backtrack on a commitment.

Hydro Tasmania - Losses

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.50 a.m.]

Yesterday in question time you claimed your management of Hydro was in the best financial interests of Tasmanians. You said, and I quote:

Our actions have protected our state's interests in terms of our energy security and financial interests as well. That will continue.

How is losing approximately \$50 million a month, in a record high market, in Tasmania's financial interest?

ANSWER

Mr Speaker, once again, Labor has been caught out deliberately misleading Tasmanians. Quite clearly yesterday, they demonstrated that they could not be trusted. They put out all these figures; they have backtracked. Today, I have said Hydro Tasmania released a statement yesterday reassuring Tasmanians it has not lost \$100 million this financial year.

Ms White - Only 99.

Mr SPEAKER - Order, Ms White, you cannot continually interject.

Mr ROCKLIFF - I also said that Hydro Tasmania operates in a highly dynamic market, and its financial position is influenced by a range of factors including our volume of generation and weather conditions, especially rainfall. Any financial impacts, as Hydro said yesterday, will be accounted for in Hydro Tasmania's annual report. Importantly, I say again, Hydro Tasmania's financial position is strong, storages are stable and Tasmania's energy supply remains secure.

Hydro Tasmania has advised they have not lost \$100 million this financial year. Your repeated claims are wrong. Hydro has also confirmed its financial position is strong. The energy market is dynamic. Hydro's financial position changes throughout the year and is driven by a whole range of factors, including rainfall. We have been very transparent about that.

Opposition members interjecting.

Mr SPEAKER - Member for Bass, order. You have asked the Premier a question; he is answering it as he sees fit. You will listen to him in silence, otherwise there will be a lot of spare seats on that side of the Chamber.

Mr ROCKLIFF - Mr Speaker, the Labor Party continues to undermine the confidence of Hydro Tasmania and undermine Tasmania's confidence in Hydro Tasmania. We will have nothing of that. We are not going to play Labor Party games. We have been very clear. Hydro Tasmania has been very clear in debunking those misleading claims by the Labor Party yesterday, and indeed today.

Basslink Services Agreement - Termination

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.54 a.m.]

As a result of your decision to terminate the Basslink services agreement, Hydro Tasmania is losing \$50 million a month, or thereabouts. If this situation is not resolved, it could prove to be one of the worst and most costly decisions ever made by the Tasmanian Government. Can you outline for the House exactly what you plan to do to get Tasmania out of this mess that you have got us into - and when?

ANSWER

Mr Speaker, I thank the member for her question. Tasmanians can be assured that our state's energy security remains strong and that the Government will always act in the best interests of Tasmanians.

Our Government and Hydro Tasmania made a decision in November last year to protect and progress Tasmania's legal rights in relation to the Basslink cable, as we have stated before in this House. Since then, the state and Hydro Tasmania have remained actively engaged in the Basslink receivership and administration process, acting in Tasmania's best interests.

Our actions follow the 2020 arbitration concerning the cause of a 2016 major Basslink outage, which found in the state and Hydro Tasmania's favour, confirming that the link cannot meet the capacity requirement set out in the Basslink services agreement, and that the owner of Basslink should pay compensation to the state. The state and Hydro Tasmania took further steps in that process on 10 February 2022, terminating the Basslink intercreditor agreement, and Hydro Tasmania terminating the BSA.

The termination of the BSA has not - and will not - impact Tasmania's energy security. This remains on firm footing, with strong hydro storage levels at the Cattle Hill and Granville Harbour wind farms and the cable remaining in service.

The receivers are conducting a competitive process to find a new owner for Basslink, and the state and Hydro Tasmania are in discussions with bidders. The process has tight confidentiality arrangements to preserve its integrity. We are advised the receivers currently expect an outcome from the process, as I said yesterday, in September 2022.

Tasmania has already achieved 100 per cent self-sufficiency in renewable electricity, and that is backed by our 200 per cent Tasmanian Renewable Energy Target.

The case for further interconnection across Bass Strait through Marinus Link is strong.

The Labor Party once again has been caught out backtracking on their claims yesterday, which gives you, frankly, no credibility whatsoever - just as you still have no credibility when it comes to energy security and power prices, because Tasmanians still remember very clearly the 65 per cent price hikes under your government. They remember that very clearly.

They also remember losing 10 000 jobs under your watch, forcing people to the dole queues, but what else? You doubled down on their pain and forced a 65 per cent increase in energy prices for Tasmanian consumers.

Budget and Economy - Update

Mr WOOD question to TREASURER, Mr FERGUSON

[10.58 a.m.]

Can you update the House on Tasmania's strong financial management and economic position? Are you aware of any alternative plan to manage Tasmania's budget and economy?

ANSWER

Mr Speaker, I thank my friend, Mr Wood, for the question and his interest in this matter. Before I begin, I draw the House's attention to his incredible contribution on our road safety legislation yesterday, and commend his speech to all members, and thank him for his great work in this House.

I am very pleased to update our House on Tasmania's strong economic performance. When we have a strong economy, our families, communities and businesses are able to prosper, and families can make decisions about their future with confidence. That is exactly what this Liberal Government stands for.

I am pleased to update the House that ABS data released yesterday shows that in the 2021-22 financial year, Tasmania's state final demand grew by a whopping 5.8 per cent, to a now massive \$40.3 billion. This is an outstanding result. It exceeds the budget forecast from 3.75 per cent, with solid growth in both public and private sector investment, and healthy household consumption.

This result builds on last week's retail trade data. That was good news. It was our second-best month on record -

Opposition members interjecting.

Mr FERGUSON - There it is again, the sound of negativity. That was our second-best month on record at a whopping \$685 million, a record \$4.75 billion in goods exports, a strong building and construction sector and record low unemployment at 3.7 per cent. That is an incredible achievement of this Rockliff Liberal Government and something that Government and business worked hard to deliver. We have worked hard to deliver that result for our community. Remember, a strong economy means stronger families, stronger communities and a stronger Tasmania.

The simple fact is that Tasmania's economy is performing strongly. It is therefore welcome that I announce that with a strong economy, Standard and Poor's have this week affirmed Tasmania's AA+ credit rating with a stable outlook. I note S&P's independent objective opinion, that 'Tasmania's experienced management team and exceptional liquidity position support the state's credit worthiness'. S&P's assessment confirms that our economic growth remains buoyant and our financial management is 'exceptionally strong', with 'solid policies and strategies designed to meet funding commitments on a timely basis'. It goes on to say:

The Government remains willing to keep tight control of operating expenditure growth and we expect it to continue its disciplined approach to financial management.

This follows the other global ratings agency's recent credit opinion, Moody's, which confirmed Tasmania's AA2 credit rating with a stable outlook and it also highlighted our sound financial management and our strong liquidity position.

This is very good news for our state. These assessments represent a balanced and independent objective view of our position and show what is possible when a government puts

forward a strong economic plan, has a plan and then exercises solid, responsible financial management.

I was asked if I was aware of any alternative plans. We have heard the moaning from Dr Broad opposite every time there was something good to say about our state. That is the alternative. Unfortunately, there is no alternative economic plan. Instead of presenting any semblance of an alternative plan, or an alternative budget which you would expect at least once in eight years, all those opposite offer is factional infighting, hatred between their factions, misinformation yesterday and today, building on a long legacy of Ms White's of bringing in false accusations and then starting with the words 'can you confirm' and stunts, which we expect in just a few minutes.

Instead of celebrating Tasmania's economic successes, which is what a government and an opposition should do, the shadow treasurer is hell-bent on talking down our state. Only this week Dr Broad claimed that retail trade was nose-diving. He might have had the graph upside down - the second-best month on record.

Members interjecting.

Mr SPEAKER - Order.

Mr FERGUSON - Dr Broad claimed that our state was moving into recession. Have a look at the state final demand.

Mr SPEAKER - Minister, if you could finish up, please.

Mr FERGUSON - My final point is population. Who could forget Dr Broad in this House, with his sidekick from the *Muppet Show*, Statler and Waldorf, saying that we are in a population recession when we have 30 000 more people when the census was completed. I will withdraw the unfortunate *Muppet Show* statement I made.

As I conclude, this Opposition is a shambles, an omni-shambles -

Mr SPEAKER - Please conclude, minister.

Mr FERGUSON - They have nothing to offer Tasmanians but they do make up stuff. They make up false claims and then start the sentence with 'can you confirm'. That is their legacy and that is their record, while we build a stronger economy.

Opposition members interjecting.

Mr SPEAKER - Order. We can all settle down now. Question time has concluded.

Time expired.

RECOGNITION OF VISITOR

Mr SPEAKER - Honourable members, I welcome the honourable past Speaker, Michael Polley, who is sitting up at the back hiding. Welcome back to the Chamber, Michael. I would

have thought after 40 years that you might have had enough of the place, but I am glad to see that you come back every now and again.

Members - Hear, hear.

TABLED PAPER

Subordinate Legislation Committee - Annual Report 2021-22

[11.06 a.m.]

Ms Finlay presented the annual report of the Joint Parliamentary Standing Committee on Subordinate Legislation for 2021-22.

Report received.

MESSAGES FROM LEGISLATIVE COUNCIL

Motion for Respect Report - Resolution

Mr SPEAKER - The following message has been received from the Legislative Council:

The Legislative Council has agreed to the following resolution communicated to it by the House of Assembly on 6 September 2022.

Resolved that the Legislative Council and the House of Assembly -

(1) Notes:

- (a) The Motion for Respect: Report into Workplace Culture in the Tasmanian Ministerial and Parliament Services report released on Monday, 29 August 2022; and
- (b) That the Report provides 14 recommendations to improve workplace culture and processes, and ensure a shared responsibility for the varied workplaces covered by the Report.

(2) Acknowledges:

- (a) Those who shared their experiences and apologies for the hurt and harm caused to them;
- (b) The need to improve workplace culture and processes in the workplaces covered by the Report;
- (c) That Tasmanians expect Members of Parliament and their officers to set the highest standards in workplace culture and accountability;

- (d) That staff employed in the workplaces covered by the Report are hardworking, dedicated and valued by Members of Parliament;
 - (e) That the Report addresses a number of individual workplaces with respective needs and employment conditions; and
 - (f) That each workplace must retain its individual rights to employ and manage staff, in line with best-practice workplace policies, processes and procedures.
- (3) Resolves:
- (a) That Members and staff employed in the workplaces covered by the Report have a right to a safe and inclusive work environment free from discrimination, bullying and sexual harassment; and
 - (b) That best-practice workplace policies, processes and procedures enable safe and respectful workplaces and contribute towards positive culture.
- (4) Supports:
- (a) The development and sharing of policies, procedures and frameworks, and relevant codes of conduct, that would ensure consistency across the workplaces covered in the Report; and
 - (b) The provision of ongoing professional development and training to deliver a culture of continuous improvement.
- (5) Commits to:
- (a) Ensuring oversight and accountability for the implementation of the recommendations accepted by the relevant employer.

And has filled up the blank with the words "Legislative Council and the".

C.M. Farrell
President, Legislative Council
7 September 2022

Joint Sessional Committee on Workplace Culture Oversight

Mr SPEAKER - The following further message has been received from the Legislative Council:

The Legislative Council, having taken into consideration the Message of the House of Assembly dated 6 September 2022 regarding the establishment of a Joint Sessional Workplace Culture Oversight Committee, does agree to the establishment of the Joint Sessional Committee and further informs the House of Assembly it is resolved that -

the President;
Ms Forrest;
Mrs Hiscutt; and
Ms Lovell

be appointed to serve on the Joint Sessional Committee on the part of the Council and that Tuesday 27 September 2022 at 9 a.m. be the time and Committee Room No. 2 be the place for holding the first meeting of the Committee.

C.M. Farrell
President, Legislative Council
7 September 2022.

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I move -

That the last-mentioned message be taken into consideration forthwith.

Ms O'Connor - Mr Speaker, I would like to speak to the message the House has just received.

Mr SPEAKER - I will put the motion then you have a right to speak to it.

The question is that the motion be agreed to.

Motion agreed to.

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I move -

That the Members to serve on the Committee on the part of this House be:

The Speaker;
The Premier;
Ms O'Connor; and
Ms White.

[11.11 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, the Greens look forward to being a constructive part of the committee that undertakes necessary work on workplace culture through Ministerial and Parliamentary Services. However, I want to express the Greens' deep disappointment in the way the process has been handled in the other place. Every member of this place understands that Ms Webb, the member for Nelson, was integral to having this committee established but she has not been allowed onto the committee. That is emblematic of everything that is wrong with this place.

Mr SPEAKER - Ms O'Connor, you know the rules of this place and we do not comment on the operation of the other place.

Ms O'CONNOR - Yesterday in debate, with respect, Mr Speaker -

Mr SPEAKER - Order.

Motion agreed to.

MOTION

Leave to Move a Motion without Notice - Motion Negatived

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I seek leave to move a motion without notice for the purpose of moving the suspension of standing orders to debate the following motion -

That the House notes the Minister for Sport and Recreation appears to have misled the House this morning and calls on the minister to clarify funding arrangements for the Bracknell Hall upgrade and explain his contradictory statements on the matter.

Mr Speaker, we want to get to the bottom of funding for the Bracknell Hall. We have the minister this morning -

Mr SPEAKER - Ms O'Connor, do you have a copy of the motion to be circulated, please?

Ms O'CONNOR - I do and it will be distributed by Dr Woodruff.

We have the minister this morning trying to claim that \$400 000 of taxpayers' money allocated to the Bracknell Hall was not an election commitment. We have here a minute to the deputy secretary of Communities, Sport and Recreation that says: 'Grant deed, Meander Valley Council, replacement of the old Bracknell Hall, 2021 election commitment', and the first recommendation is:

Note that during the 2021 state election, the Tasmanian Government committed funding of \$400 000 to the Meander Valley Council for replacement of the old Bracknell Hall to provide a community space and hall for youth club activities and sporting clubs.

Further, we have here a letter from his predecessor as minister for Sport that says this was an election commitment made through the Local Communities Facilities Fund.

We also have a minute to the Premier, titled 'Request for Additional Funding, Local Communities Facilities Fund election commitment 2021'. It lists four projects, one of which is the replacement of the old Bracknell Hall. It is a \$400 000 funding allocation for the completion of the replacement of the old Bracknell Hall to provide a community space and hall for youth club activities and sporting clubs.

We also have a minute to the Minister for Sport and Recreation, also titled: 'Request for Additional Funding, Local Communities Facilities Fund, election commitment 2021'.

We have documentation that shows the secretary for Communities Tasmania, departmental staff and staff from the Premier's office saying this was an election commitment.

At the Estimates table last year, as we know, the minister tried to claim that all of the Local Communities Facilities Fund allocations were announced.

Mr SPEAKER - Ms O'Connor, I remind the whole House that the debate is around the seeking of leave and why it is important. We are not into the substantive debate at this point, so you need to make that point.

Ms O'CONNOR - Mr Speaker, I am making the case for this to be urgently addressed. We are talking about a \$400 000 allocation that was kept secret during the 2021 State Election, which we had a minister say was part of the Local Communities Facilities Fund announced during the state election and said this morning in question time that it was not an election commitment.

We are not talking small change here; we are talking about \$400 000 and an opaque process. We are talking about a commitment obviously made during the last state election that, for some reason or another, did not end up in last year's budget papers but did end up in a glossy about budget spending election commitments in Lyons. It is important that the House gets to the bottom of this matter.

These are public funds, clearly pork-barrelling funds. There are huge question marks hanging over the whole Local Communities Facilities Fund. There is a very big question mark hanging over this allocation. The House needs clarity because we have clearly contradictory statements now from the Minister for Sport and Recreation and we have a document trail that makes clear that the \$400 000 allocation from the Local Communities Facilities Fund to the Bracknell Hall upgrade was an election commitment. There had to be a request for additional funding for the four projects that totalled \$1.4 million. You can see through the flurry of correspondence after the election and leading up to the State Budget that it was a very clear understanding within the Premier's office and the department that this was an election commitment.

However, it was an election commitment that was kept secret, and the House should understand why. The House should examine potential conflicts of interest. We urge the minister to stand up here and clarify his statements in the public interest. We are talking about the administration of public funding. It is a matter of very significant public interest.

There are countless football clubs and community halls all over this island that did not receive \$400 000 coming out of the last state election, that did not have the benefit of the Premier's office and the Premier's department advocating for a request for additional funds to cover their upgrades, because they did not get an upgrade. They were not in the know. They were not in contact with or favoured by a Liberal candidate or MP running at the last election.

This is an extremely urgent matter. The Greens want to understand about the probity and the transparency of this \$400 000 allocation. We want to understand why the minister can say at Estimates, 'everything is kosher, all commitments were announced during the campaign',

when it is clear from the documentary evidence we have that they were not. It is also clear that there was no public statement about a \$400 000 allocation for the Bracknell Hall upgrade.

As I said, this is not peanuts. Either the minister is misleading the House or has misled the House, or there is some other explanation but at face value we have a minister who has got himself into real hot water over dodgy pork barrelling.

Time expired.

[11.20 a.m.]

Mr STREET (Franklin - Minister for Sport and Recreation) - Mr Speaker, the first thing I want to make clear in response to this is that I take my responsibilities in this place incredibly seriously. I understand the consequences of misleading parliament, Ms O'Connor. I would never knowingly mislead the parliament with any mistake that I make.

Ms O'Connor - I am sure that is true. So, what has happened?

Mr STREET - For clarity, there were four commitments that were part of the local communities facilities fund that were not election commitments.

Ms O'CONNOR - Point of order, Mr Speaker. The minister is at very real risk of misleading the House because the documents we have make it clear they were election commitments.

Mr SPEAKER - You did not make a point of order. You just made a statement. The minister was answering the question, or making his contribution to it. We need to listen to what that contribution is before any decision can be made about any substantive motion.

Ms O'CONNOR - On the point of order, I want it noted that I feel quite uncomfortable about this debate happening in this way, with you sitting in the Chair.

Mr STREET - As you pointed out, Ms O'Connor, I was asked those questions at budget Estimates. There was an administrative error and the relevant departmental official clarified this during budget Estimates this year. I quote from the *Hansard* from this year's budget Estimates, where Ms Kent, the deputy secretary you referred to, said:

The nomenclature around these as being election commitments may have just been confused with the fact that there was a later Budget last year, and there were other commitments that the minister made, that the government made, including ... the Pump Track, Bracknell Hall and others that are now listed in the Budget this year as well. It was all just a part of our process to ensure we had captured those appropriately and we could get underway with administering those grants in the appropriate way with those organisations.

Mr Speaker, when I answered the questions in question time this morning, I was very clear that I had said it was my understanding that the Bracknell Hall that Ms O'Connor referred to was not an election commitment. That is still my understanding as I stand here right now.

Ms O'Connor - So was it the Premier's office understanding? The department's understanding?

Mr STREET - My understanding is that the commitment was made subsequent to the election. As I said when I got on my feet to start, I take my responsibilities in this place seriously. I will repeat: I would never knowingly mislead parliament, and I do not believe on this occasion that I have.

[11.23 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I will support the motion, as we do with the seeking of leave on these occasions. This is an urgent matter because, as the Leader of the Greens said, questions were asked this morning and a completely unacceptable answer was provided. It is quite urgent that the House, through this motion, ask the minister to clarify the funding arrangements.

The minister, in his contribution, effectively said they had been clarified by Ms Kent during Estimates. I was the one asking the question, but I have to say I was completely unsatisfied at the time, which is why it is important that the minister stands up and provides the information.

Telling the House that it is his understanding, at this moment, does not provide great confidence to me and to the House that this is the correct answer. I do not want to hear the minister saying that is what he understands. I want to know what actually happened. We still do not know what actually happened.

The minister listed four projects, one being Bracknell Hall, but one of the others being the Kingborough Sports Centre - the \$250 000 that was listed in the second readings speech as being for Basketball Tasmania turned out to be for the Tasmanian JackJumpers, but actually went to a council-owned facility. It was in the same way - it sounds like an identical minute, in that the minute says it is an election commitment. That is the same issue that we found and explored through Estimates with minister Street.

We had a minute that said this project was an election commitment, and we had a minister saying that it was not. We had a deputy secretary across the table at Estimates telling us - did not say categorically what it was. The quote that the minister just said was 'may have just'. That is what the deputy secretary said: 'may have just'. It was not a categorical answer about what actually happened.

This is still the same issue Labor has been pursuing for most of the year, when it comes to the JackJumpers. When it comes to this election commitment that may have been an election commitment, but maybe not, and it has not been clarified by the minister.

The reason we - and the Greens - are still asking these questions is because it has not been clarified. The motion asks the minister to clarify what actually happened. Telling us that it is his understanding does not clarify or give us any confidence at all. Do not tell us what you believe; tell us what actually happened.

This goes to what this Government has been doing all week: not answering questions. Just like yesterday, just like today around energy, we do not get answers to questions, so we have to ask the same question over and over.

The Leader of the Greens used her allocation of questions to ask the same question, effectively, about Bracknell Hall. We do not get answers to questions and so here we are again,

once more after question time, simply asking ministers of this Government to answer very simple questions that the minister either has the answer to, or should have the answer to.

As the minister said, this Bracknell Hall, Kingborough Sport Centre issue was dealt with within Estimates, but not to anyone's satisfaction. We had a deputy secretary not providing a categorical statement, simply saying that it may have just been an administrative error, or words to that effect. The quote from minister Street was that it 'may have just'.

Ms White - How did they get the money?

Mr WINTER - Exactly, Leader of the Opposition, how did they get the money?

Telling the House that it is your current belief is not actually answering the question, and not providing us with the answers we need. It goes to this ongoing refusal to answer questions. We have ministers who are full of confidence, but lack any sort of ability to answer questions properly. They seem to be getting themselves in more trouble by answering questions - and we have ministers who do not answer questions at all.

Minister Barnett refuses to answer questions and instead deflects to anything other than what the question is actually about. The minister was very upset this morning because he has not been able to get the plane that he wanted to catch. He wanted to be in Canberra, instead of being in the parliament being accountable to the Tasmanian people. Well, I am sorry, that is not how it works, minister. Your first responsibility is to this parliament and to the Tasmanian people. I know you are deeply upset about that, minister. What you should have realised when you were in Pembroke yesterday is that is where the minister for Housing lives. That is where her office is. Perhaps you could have gone to see her yesterday when you were there with Brownie.

Mr Speaker, we support this motion because we think it is very important that this Government is more accountable - that it actually answers questions. It is very important that this minister stands up and provides a categorically clear account of what actually happened.

[11.28 a.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, let us be clear about this. The Greens brought this matter on because there has been a fundamental failure of openness and transparency from this minister and from this Government about taxpayers' money - large sums of taxpayer money in this particular instance of Bracknell Hall, \$400 000.

On behalf of the Greens, I sat in Estimates scrutiny this year. I scrutinised this minister and what I heard was going around and around in circles, doing everything possible to put the blame back on members on the other side - asking the questions about why we had not read the Budget properly. We were pointed to the Budget where he said everything is announced in the Budget. Everything was announced at the election and everything is funded in the Budget.

Mr Speaker, that is not true. It is not true that everything was in the Budget because we have the evidence from this right to information that makes it very clear that there had to be a whole lot of post-Budget flurrying finding the money and getting the money as an additional fund, and approval processes for that purpose.

I will read through the time line of what happened.

On 3 April 2021, the Liberal Party established the Local Communities Facilities Fund. We know that now; that was not announced. This was a Liberal Party election strategy. On 1 May, there was the state election. On 20 August last year, Carol Jones from the Premier's office advised Communities Tasmania that Bracknell Hall replacement and three other projects totalling \$1.4 million were meant to be funded through the Local Communities Facilities Fund but Communities Tasmania had not accounted for these projects in the Budget. They did not appear, as the minister told me at the time, in the Budget papers.

The minister, particularly, was slightly derisive about our questions on this matter. He said, 'Just look in the budget and you'll see it's all there'. What we know now is that \$1.4 million of taxpayers' money was not in the Budget. On 26 August the Budget was handed down and the Bracknell project was not included in it but it was left in the Budget fact sheet for the Lyons electorate.

Mr Street - Yes, it was.

Dr WOODRUFF - No, it was not, Mr Street.

Mr Street - It was in the Budget.

Dr WOODRUFF - No, it was in the Lyons fact sheet for the electorate. It was not in the Budget.

On 23 September, Carol Jones from the Premier's office told Communities Tasmania that the project did not make it into the Budget and must be funded through a request for additional funds. On 12 October the secretary of Communities Tasmania submitted a minute to then premier Gutwein requesting the approval of the necessary additional funds to support these projects, and that minute was called 'Request for Additional Funding - Local Communities Facilities Fund election commitment 2021'.

On 25 October a minute to the Minister for Sport and Recreation seeking funds for those four projects was approved and that minute was titled 'Request for Additional Funding - Local Communities Facilities Fund election commitment 2021'. The then minister for Sport and Recreation, Jane Howlett, on 26 October last year wrote to premier Gutwein to advise him that she had approved the request for additional funds for that Bracknell Hall money and others. On 1 February this year there was a minute to the deputy secretary of Community Sport and Recreation approving the grant deed for Bracknell Hall. The minute said:

During the 2021 state election, the Tasmanian Government committed funding of \$400 000 for the replacement of old Bracknell Hall.

Ms O'Connor - An election commitment.

Dr WOODRUFF - An election commitment that was not announced during the election and was not funded, as this minister said to us as members of the Estimates committee in the 2021 Budget. It was not.

We are very concerned at the answers from this minister because he has said on a number of occasions that everything was announced and everything was funded in the 2021-22 Budget. It is not true.

We have always supported the need for people to be able to talk about their wishes for the people in the community they represent. However, this is about a non-merit-based pork-barrelling expenditure of public money. That is what it is about, with obvious conflicts of interest when you have members of parliament and their family sitting on a committee that is receiving not once, not twice but at least three times, public money to flourish that little community at the expense of the consideration of whether that money should be going to all the other sporting clubs in Tasmania.

That is fundamentally the problem here. It is a particular focus on MPs who want to get re-elected, their local communities and their local interest. That is what stinks and what also stinks is that this Government is continuing to pretend it is all okay. The people of Tasmania are calling for an open and transparent process about how their money is spent. It is not that money should not be spent.

We have to have a process of dealing with conflicts of interest. That is why it should be open and transparent, but this Government fundamentally does not see a problem with making personal decisions about taxpayers' money. They actually do not see a problem with that and that is where the problem lies. We are not going to stop until we get to the bottom of this because it is a disgrace and it has to stop happening. When it keeps happening, it is not only an unfair expenditure of public money, it rots our democracy. It sets a standard as though this is normal and okay and that is the path to ruin. This minister has to tell us why he appears to have misled the House on a number of occasions.

[11.35 a.m.]

Mr BARNETT (Lyons - Minister for Energy and Renewables) - Mr Speaker, the Government will not be supporting the seeking of leave because this is another publicity stunt in advance of the Pembroke election.

You cannot come into this place and advise that just because you do not like the answer to a question you can upend the Standing Orders and plans for the day ahead in the parliament. There are some very important priorities on the agenda. The Government has some very important priorities to pursue and we will continue to pursue them. Just because you do not like the minister's response, you cannot upend things the way you wish to do. What we know from Labor is that they just want another cheap headline and publicity stunt.

This minister could not be more dedicated, more responsible or more focused on getting a very good outcome. He is so committed in terms of Sport and Recreation and to call that into question is unfair. He is honest, he is open, he is transparent and he takes his responsibilities seriously. In terms of the answers that have been provided, which are very comprehensive, if you do not like them that is a matter you can take up in different ways, but in terms of upending the process and Standing Orders, we will not be supporting it.

The advice quite clearly is that it is in the 2022-23 Budget - that is the advice I have and it is very clear. We make no apologies in that regard for working with our communities to deliver projects that assist in economic and social recovery and provide benefits for local communities. Our local constituents would expect local members of parliament to represent them in an appropriate way -

Ms O'Connor - Was it or was it not an election commitment?

Mr SPEAKER - Order.

Mr BARNETT - whether that is in advance of an election or at any other time of the parliamentary year.

The advice I have is that the old Bracknell Hall commitment was one of four community sport and recreation sector grants to be provided to further support the Tasmanian community in addition to funding already provided through the 2020-21 state election commitments and accounted for in the budget process. The additional three community projects supported with funding were St Helens Pump Track - \$500 000, Australian World History and Heritage Museum - \$250 000 and Kingborough Sports Centre upgrades - \$250 000.

I am advised that notes in the documents released to the Greens as part of the right to information process specifically included a minute which referred to the request for additional funding with respect to the Local Communities Facilities Fund. It also referred to an election commitment for 2021 and that was an administrative error, I am advised, and the relevant departmental official clarified this during budget Estimates hearings this year.

The Tasmanian Government continues to provide significant investment and development of high-quality and well-planned sport and recreational facilities across the state. Significant investment in community sporting and recreational facilities also supports community and economic recovery from the impacts of COVID-19. We know that; that is how important it is. Ms Kent is on the public record and it is in the *Hansard* so it could not be clearer.

I would like to take this opportunity to -

Mr O'Byrne - Talk about Marinus?

Mr BARNETT - I am happy to, because the Labor Party need to explain why they deliberately turned turtle and changed and broke their word on the approval of a pair.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr BARNETT - Housing and energy are obviously not top priorities for the Opposition. You have reneged on that.

Ms O'BYRNE - Point of order, Mr Speaker. It would be nice if the minister was addressing the urgency motion before the House. It is a seeking leave motion and he is talking about energy.

Mr SPEAKER - Point taken. Minister, relevance.

Mr BARNETT - Thanks very much. I just draw that to the Opposition's attention because it is simply pathetic, it will have consequences, and they know that.

Ms O'BYRNE - Point of order, Mr Deputy Speaker. The Speaker, who just left the Chair, took my point of order, agreed with it and asked the minister to be relevant. The minister

is now defying his ruling by continuing the conversation around energy. Could he address the substantive motion before the House, which is the urgent need to debate this seeking leave motion?

Mr BARNETT - Mr Deputy Speaker, the Leader of the Opposition in this place was accusing me, as Minister for Energy, for dodging questions and criticising me and the Premier in her contribution earlier today in response to the seeking of leave.

Ms White - You were, it's true. Let the record show.

Mr DEPUTY SPEAKER - Order.

Ms O'CONNOR - Point of order, Mr Deputy Speaker. I ask you to sit the minister down for defying a ruling of the Speaker. Sit down.

Dr Broad - It's the seeking of leave, not a general whinge.

Mr BARNETT - It was a general whinge from that side. You are the whingers. That is why they have intervened on you.

Ms White - You stand there when you're not wanted and you run away when you are.

Mr DEPUTY SPEAKER - Order, Ms White. Minister, please ramp back to where it is meant to be but I will also say that the debate has been very broad-ranging.

Mr BARNETT - Thank you very much. The Government will not be supporting the seeking of leave. Just because you do not like the answer that is not good enough.

This minister is responsible, he is dedicated, and he takes these matters seriously. As to the other side, it is no surprise they have been intervened on in Tasmania. We will not be supporting the seeking of leave.

[11.42 a.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, I will be brief. I will be supporting this motion. There is a big question mark and a cloud over the Government's response on this. I have not seen the documents that the Greens have produced under RTI, but based on the explanation of the content of them, the contribution from the Leader of Opposition Business and my observation of the Estimates process and the question to-ing and fro-ing, there is a massive question over this minister and the Government. This gives the minister an opportunity to clear it up.

The issue that we should all be very mindful of is that there is now a big question mark over the community groups that received any money. It is on this Government's watch to ensure that when community groups with goodwill and good intent raise issues with governments, oppositions and other members of parliament about funds for good, worthy community projects, they know that their request is treated appropriately, is transparent and that there is a process that is defensible, which means that they are valued in terms of the content of their application comparable to other community groups, so those people who missed out on grants understand the process that people who were successful with grants went through and it was a worthy process.

I recall in the lead-up to the 2018 election getting a call from a community group that was written to, offered a lot of money that they did not ask for and were very embarrassed about it. This degrades this parliament, it degrades government and these are legitimate questions that need to be answered.

Mr Jaensch - To urgency.

Ms O'Connor - That is the urgent argument. He is making it.

Mr O'BYRNE - It is absolutely urgent.

Mr Jaensch - It was dealt with in Estimates and it's urgent now?

Mr O'BYRNE - By interjection from minister Jaensch, he is basically saying it happened a while ago, so why is it urgent? This is a matter of urgency because it is now before the House.

Mr Jaensch - Urgent because it is before the House?

Mr O'BYRNE - The minister has provided answers that have confused his position.

Mr DEPUTY SPEAKER - Mr O'Byrne, through the Chair, please.

Mr O'BYRNE - Through you, Mr Deputy Speaker, by interjection, there were answers provided by the minister which created further confusion and doubt on the basis of the documents provided by the Government under right to information to the Leader of the Greens on the back of a pretty shabby performance in Estimates. This has to be cleared up.

I am not reflecting on the minister. I want to give the minister the opportunity to resolve this matter because it is important, particularly for those members of that community group that will now be in the media in Tasmania. They will be walking down the street tomorrow and people will be looking at them assuming they have done something wrong. That is not fair and it is not their problem. This is a problem of the Government's own making because of their shabby approach to this. They need to clarify this, for the best interests of this parliament, for the best interests of government in Tasmania and also the hundreds of community groups that legitimately received government funding for worthy deeds in their community.

[11.46 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, we of course support this motion because it is in the interests of the Tasmanian public to understand how public money is being spent. This is public funds. It is not the Liberal Party's slush fund to spend as they see fit, through no transparent process that we can discern. I was interested that when the minister got up to defend the minister, he said the process was the budget process. My understanding is that this was not displayed in the 2021-22 budget.

It is interesting that the minister claims that is the process because that does not sound at all transparent or clear to me. It sounds entirely like a bit of a cover-up. The whole thing stinks, it sounds dodgy and it puts a cloud over those community groups, as has been said, and is another signature of this Government to be secretive instead of being clear with people.

The Government should take this opportunity to support the suspension of Standing Orders so the minister can clear this matter up. It is unfortunate that members of this House have to keep moving to suspend Standing Orders to get the Government to come up and provide answers to questions they can answer in question time.

Time expired.

Mr DEPUTY SPEAKER - The question is that the leave be granted to move a motion without notice forthwith.

The House divided -

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Wood
Mr Young (Teller)

PAIRS

Ms Dow

Mr Ferguson

Mr DEPUTY SPEAKER - The results of the division is Ayes 11 and Noes 11. In accordance with standing order 167, I cast my vote with the Noes.

Motion negatived.

MATTER OF PUBLIC IMPORTANCE

Fuel Excise - Matter not Proceeded With

[11.52 a.m.]

Mr YOUNG (Franklin) - Mr Deputy Speaker, I move -

That the House take note of the following matter: fuel excise.

I stand today to speak on the fuel excise reduction. It has been a welcome relief that the former Morrison government put in place a fuel excise cut for six months on petrol, diesel and all other fuels and petroleum-based products -

Ms WHITE - Point of order, Mr Deputy Speaker. I am sorry to interrupt Mr Young but I understood that the MPI was in Mr Tucker's name.

Mr DEPUTY SPEAKER - I am sitting in the Chair, Ms White, and I am trying to swap over. That is why this has occurred.

Ms O'Byrne - You can actually provide a written piece of work to the parliament that says you can swap it - but that is supposed to happen before it actually happens. You do not get the MPI if you do not jump, or you have not already written a piece of paper saying whether it has changed.

Ms White - We got caught on this once before.

Ms O'Byrne - Mr Young, it is not your fault, but there is an appropriate process and you have actually missed the call for the MPI now. You should have written a letter before you took the Chair. There is no MPI now.

Mr DEPUTY SPEAKER - We are going to go to orders of the day. Thank you, Ms O'Byrne.

OCCUPATIONAL LICENSING (AUTOMATIC MUTUAL RECOGNITION CONSEQUENTIAL AMENDMENTS) BILL 2022 (No. 27)

Second Reading

[11.54 a.m.]

Ms ARCHER (Clark - Minister for Workplace Safety and Consumer Affairs) - Mr Deputy Speaker, I move -

That the bill be read the second time.

Our Government has been working with the Commonwealth and other states and territories to boost competition and improve labour mobility through the reform of occupational licensing laws. Automatic mutual recognition provides freedom of movement for licensed professionals across Australian states and territories by reducing unnecessary regulatory red tape, while maintaining necessary safety standards. Attracting skilled workers to Tasmania to support our state's strong economic growth and pipeline of infrastructure projects is a priority for our Government.

The introduction of this bill follows the commencement in December 2021 of the Mutual Recognition (Tasmania) Amendment Act 2021, to facilitate the Tasmanian Government's adoption of the agreed national scheme for the automatic mutual recognition of occupational licences.

While the Mutual Recognition (Tasmania) Amendment Act 2021 commenced last year, a broad number of temporary exemptions were provided to occupational licences in Tasmania. These exemptions ensured that existing consumer and public protections in this state are maintained under the Automatic Mutual Recognition scheme, and facilitated appropriate

implementation arrangements, including the making of necessary consequential legislative amendments.

Temporary exemptions for most licence types expired on 1 July 2021, with only three licence types exempt until 1 July 2023.

This bill is the combination of extensive work undertaken by all Australian jurisdictions, alongside the Commonwealth Government, to implement important reforms agreed by the national Cabinet in December 2020.

These reforms make it easier, faster and less expensive for persons holding an occupational licence to work in other states and territories.

This bill achieves three key objectives:

- (1) it will ensure that persons working under automatic mutual recognition in Tasmania must comply with the same laws as local workers.
- (2) this bill will ensure that public and consumer protection requirements are maintained for all individuals carrying out work in Tasmania.
- (3) this bill will ensure that all work completed in Tasmania is maintained to the same standard, irrespective of the home state of the licensee.

Mr Deputy Speaker, I will now move to more specific elements of the bill.

The bill amends seven acts relating to occupational licensing, to facilitate the operational commencement in Tasmania of the Automatic Mutual Recognition scheme. Importantly, it does not diminish our local work standards, nor directly impact local workers, and will have tangible benefits for Tasmanian workers and businesses.

This bill covers occupations within my portfolio as Minister for Workplace Safety and Consumer Affairs, including:

- the building and construction industry - covering architects, engineers, building designers, building surveyors, builders, electricians, gasfitters and plumbers
- conveyancers, who transfer land
- property agents, including real estate agents, auctioneers and property managers
- motor vehicle traders who buy and sell new or used vehicles, and
- security agents, including inquiry and commercial agents and their employees.

There are also licensed occupations in Tasmania that fall within the scope of the Automatic Mutual Recognition scheme, but do not come within the Workplace Safety and Consumer Affairs portfolio. They are the subject of separate arrangements. This will match jobseekers with employment opportunities, making it easier, faster and less expensive for individuals already holding a state or territory occupational licence to work in Tasmania. There are no additional tests, applications or fees.

Automatic mutual recognition will help employers access registered skilled workers more quickly and at a lower cost, by more seamlessly allowing employees to move where they are most needed. Ultimately, the Automatic Mutual Recognition scheme will boost competition, productivity and economic growth in Tasmania.

To provide the House with an example, automatic mutual recognition will allow an electrician registered in Victoria to immediately start work in Tasmania, after notifying our regulator - namely Consumer, Building and Occupational Services, or CBOS. The electrician will not have to pay a fee to undertake the same registered activity here, and this will directly save the electrician \$346.50 in licence fees for a three-year period, as well as the time it would have taken to have their licence processed and recognised under the existing mutual recognition scheme. This will help them to start work without delay to support our thriving construction industry.

In fact, since the commencement of automatic mutual recognition on 1 July, CBOS (Consumer Building and Occupations Services) has received 51 notifications from electrical workers, with 32 of those being from Victoria.

Tasmanian employers and licensees have been major beneficiaries under the current mutual recognition arrangements. These arrangements are well-understood and operate efficiently, although they still require a licensee to go through a separate registration application process and a person may need to pay a licence fee before commencing work.

The benefits of this reform are significant. Consultants PricewaterhouseCoopers have estimated that when fully implemented, automatic mutual recognition could lead to an additional \$2.4 billion in national economic activity over the next decade due to the savings to workers and businesses, productivity improvements and extra surge capacity in response to natural disasters.

In this state, mutual recognition is the basis of 20 per cent of all registrations issued in any given year by CBOS. The introduction of automatic mutual recognition will make it even easier for a range of individuals to work interstate in their occupation without unnecessary fees, forms and red tape. This includes Tasmanians wishing to work interstate. Our Government is committed to ensuring that the existing regulations in place to protect our consumers and workers are maintained under the automatic mutual recognition scheme when interstate workers decide to operate in our state.

There are a number of other important safeguards entwined in the automatic mutual recognition scheme:

- a person subject to disciplinary actions or who has conditions on their registration as a result of disciplinary or legal action in their home state or

territory will not be eligible for automatic mutual recognition for their licence here in Tasmania.

- any conditions a person has on their home licence will equally apply here in Tasmania.
- where required by Tasmanian law, a worker wishing to work in this state must also satisfy screening requirements such as a Working with Vulnerable People check.

Our local laws continue to apply to everyone undertaking licensed work here in Tasmania. This includes the need for registrants to meet financial requirements such as having insurance or operating a trust account if handling a client's money.

Tasmanian regulators are able to take disciplinary action, including suspending or cancelling a person's automatic mutual recognition registration, consistent with Tasmanian law.

To support the commencement of the scheme, notification requirements are in place to require those seeking to use automatic mutual recognition to notify the relevant Tasmanian regulators, such as CBOS, of their intention to work in Tasmania. This will allow our regulators to confirm that a home state licence or registration is held and ensure that workers are aware of our local laws and requirements.

Pleasingly, as of 1 September 2022, CBOS has received 127 notifications by interstate licensees of their intention to undertake work in Tasmania using deemed registration under the automatic mutual recognition scheme.

In addition to the consultation processes undertaken nationally in relation to the automatic mutual recognition scheme, the specific amendments contained in this bill have been informed by extensive consultation, undertaken by CBOS, with Tasmanian industry associations and stakeholders. I take this opportunity to thank them for their input.

It is critical that Tasmanians can take up job opportunities wherever they arise. This scheme will benefit Tasmanian businesses and consumers as it will allow workers from interstate to quickly and flexibly respond to sudden increases in demand in particular areas.

Competition will also increase, resulting in lower prices and improved service quality for Tasmanian consumers.

Importantly, this bill makes amendments to a number of key occupational licence regimes to ensure that the existing consumer and public protections currently in place in Tasmania will be maintained under the automatic mutual recognition scheme. This means that interstate workers in Tasmania will work to the same rules and requirements as local workers, and the specific amendments in this bill will not impact local workers.

Mr Speaker, I commend this bill to the House.

[12.05 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I rise to provide our perspective on the Government's Occupational Licensing (Automatic Mutual Recognition Consequential

Amendments) Bill 2022. I will start by saying that we received an amended second reading speech this morning at 9.57 a.m.

Ms Archer - It was only updating statistics, Ms Butler, so that you had the latest statistics.

Ms BUTLER - There are a few little things before I launch into it that we might discuss. It was quite unusual to receive an updated second reading speech three minutes before question time on the day it is coming in. I thought that was unusual but thank you for the additional information.

Ms Archer - What is the point you are making?

Members interjecting.

Mr SPEAKER - Order, the member for Lyons has the call.

Ms BUTLER - I am doing my job. I am just prosecuting this, minister. It is not a personal attack. You are the minister for Consumer Affairs.

Ms Archer - You are getting the latest statistics, so I do not see what the problem is.

Ms BUTLER - The first section in the amended second-reading speech I will ask about is, you placed temporary exemptions for most licence types expired on 1 July 2022 with only three licence types exempt until 1 July 2023. That is new information, so when you are providing your response to the debate today, it would be good if you could outline what those three licence types are.

On the second page of the second reading speech, the bill amends seven acts relating to occupational licensing to facilitate the operational commencement in Tasmania of the automatic mutual recognition scheme. Why was 1 July 2022 removed from that paragraph at the top?

On the same page, there is more information around the 51 notifications from electrical workers, with 32 of those being from Victoria. Were electrical workers included in the new AMR prior to this bill passing in relation to that?

On the last page, where it states, 'Competition will increase resulting in lower prices and improved service quality for Tasmanian consumers', I ask the minister to explain what that means in her response. Is there any projected data to back up that claim? It sounds great but is there any substance behind it? To say 'competition will also increase'. How? A number of us in the House studied Economics at a university level and we understand micro/macro economics but can you explain how that will result in lower prices and improve service quality. Is there any data or evidence to back up those statements newly placed in this second reading speech?

Back to it. Automatic mutual recognition enables individuals, licensed or registered for an occupation in one Australian state or territory to work in another state or territory using their home-state licence. South Australia and Tasmania joined the AMR scheme in December 2021, Western Australia joined the scheme on 1 July 2022 and Queensland is still not currently

participating in the AMR scheme. Although it was a signatory to the intergovernmental heads of agreement at National Cabinet in December 2020, Queensland has not introduced legislation to join the AMR scheme. I would be pleased if the minister might be able to provide to the House any advancements that she may be aware of. You mentioned the other day you were attending Ministerial Councils - the MinCos - so you may be able to provide us with an update on where Queensland might be on their coming into the AMR scheme.

Ms Archer - I have the MinCo tomorrow. I cannot do that today.

Ms BUTLER - I would really appreciate it. You could give me your phone number and I could give you a buzz because I am genuinely really interested to see where Queensland sits with that. It is important for us to make sure we maintain protocols and standards. I would be more than happy for you to report back to me as the shadow about that.

Key stakeholders and regulators raised concerns, including the potential compromise to industry safety standards, particularly in relation to the formal qualification and minimum standards of conduct and competence.

To explain to people who may be listening, I am going to refer to automatic mutual recognition as AMR whilst I am undertaking this debate today. Tasmanian Labor supports the concept of the AMR scheme. However, we reserve the right to question the implementation of AMR in Tasmania and we have many questions for the minister for Consumer Affairs, but we will be supporting this bill today.

We understand architects, conveyancers and motor vehicle traders are pleased to be included within this bill. We question whether there has been sufficient protections and whether or not there have been enough compliance checks put into place, which has always been the main problem with AMR schemes. We do not want a situation where we can have interstate people coming to work in Tasmania, especially in high-risk occupational areas, who may not have received the same level of standard of training or qualification in their state. We know there has been work done across the country to try to standardise quality levels, but we believe that is probably the main reason Queensland is still reluctant to join the AMR and I would hate to see the standard we are used to in Tasmania diminish and as a country, instead of elevating to the highest quality level, we all decrease to the lowest standard level. That is a really big risk.

We also question whether WorkSafe will be tasked with monitoring compliance and whether resourcing will be provided to support compliance checks. We understand that when people come into Tasmania the AMR applies and they have an obligation to register. How do we know that is actually happening? How do we know whether or not those checks will be in place?

I remember years ago when I used to look after the occupational health and safety for Blundstone we were always subjected, and rightly so, to random checks by WorkSafe to make sure that the factory we were running was compliant with safety rules, people were wearing appropriate gear, the safety systems and practices were effective and working and those random checks were really important. I note that those random checks very rarely happen these days and it is apparently a resourcing issue, but it does work. It keeps employers on notice and that was something we were always mindful of in my previous life in the private sector.

I will read into the House Queensland's reasons for not joining the AMR, and they are quite sensible.

Ms Archer - You are answering your own question.

Ms BUTLER - This is from late 2021 and you will be having a MinCo tomorrow. It states:

The Queensland Government has indicated it will be working with the Commonwealth to resolve issues around automatic mutual recognition before adopting the reforms due to take effect on 1 July around Australia. The Queensland Government is supportive of improving occupational mobility to support economic recovery, but not at any cost.

That is what we are concerned about. The Queensland government says:

We do not want to sign up to this and not be cognisant of the potential risk. It is committed to retaining Queensland's high standards of regulatory protections and safeguards. A critical issue for Queensland is ensuring appropriate clarity and flexibility to be able to effectively exempt specific occupations to address and manage the substantial concerns raised by key stakeholders and regulators. In this regard, the Queensland Government is continuing to engage with the Commonwealth on these matters.

As such, any adoption of the reform in Queensland would only be at a time when Queensland is fully ready.

When the bill was read in parliament, concerns were raised about the lack of consistency between different state licences - particularly in the electrical and construction industries - and the safety issues this might create.

At the time, an amendment was proposed but it was voted down by the Senate on the grounds that state ministers could exempt certain occupations from the scheme.

It appears Queensland is now exercising this option. The statement is in line with the media released from the Queensland Treasurer, Cameron Dick, in December 2020 which indicated that Queensland had secured clauses in other intergovernmental agreements to ensure its high standards would not be compromised. Mr Dick said:

Queensland supports common sense mutual recognition but under no circumstances will we compromise our world-leading standards for fire safety, electrical and plumbing trades that are based on formal qualifications.

This includes insuring interstate arrivals continue to engage with Queensland's regulators such as the Electrical Safety Office before undertaking work that could compromise safety or standards.

The agreement allows Queensland to withdraw its participation in this scheme in whole or in part, and we will not hesitate to act if other states do not step up to our high standards.

That is a sensible approach Queensland has taken. I seek from the minister assurances or evidence that we have undertaken a similar level of options. Can we depart if we find that the scheme is not working for us in Tasmania? Have we ensured that we have mechanisms or tools to be able to monitor, especially in some of the high-risk occupation areas, whether or not there will be a lowering of the standards and, excuse the term, but that we have to dumb ourselves down in order to be compliant with other states when we have worked really hard to make sure we have high standards? It is important that we make sure we are doing this the right way because we do support AMR but we want to make sure the process is perfect.

The New South Wales Government, unlike the Tasmanian Government, recognised that there was the potential to create serious risk for workers, consumers and the public with electrical and plumbing occupations. Some of the issues are removing any checks by existing state or territory electrical licensing bodies when interstate workers in a new state or territory are to perform work.

All states and territories vary; that is often for very good reason. There are geographical differences, but also historic and legacy issues that relate to different states. Where they have had a bridge collapse, for instance, or they are prone to a lot of flooding, or they have had a really bad workplace incident that has resulted in casualties, the way in which those states would shape their training and qualifications, and the way they teach and train syllabus, would vary from state to state, as you know. The environmental requirements in Tasmania would be very different, from those in the Northern Territory because they are extremely different geographically. There will always be some differences, and for good reason.

The work on alignment of the laws needs to be addressed, and for us it is always going to be the main contention with this bill. I think that is the biggest contention for Queensland - not that I can speak for Queensland, of course - but from the literature, that seems to be their main concern.

Also, minister, has the work been done to ensure compliance with New Zealand, to ensure that their licensing standards are on par with us here in Tasmania? New Zealand is part of this AMR also. I have some very close Kiwi friends who may find that not a very nice thing to say, but we do need to make sure that all other places that are part of this AMR are up to our Tasmanian standards.

Without proper rigour, the AMR will potentially erode Tasmania's high standard of consumer protection and workplace health and safety. Electricians will actually have an increased risk of fines and loss of licence if they work in a position in which they have not been trained. It is really important that we make sure those compliance provisions are there.

As I said, we are not opposed to the AMR at all. We just want to make sure it is done correctly. The health and safety of members of the public and workers is paramount, and we need to make sure all conduct laws are standardised across the country. To be frank, when this bill was introduced, the work had not been done. Again, we really need assurances that the work is now complete.

Can the minister outline, for the House, any engagement with industry stakeholders relevant to the abovementioned occupation - electrical, plumbing and building stakeholders - in relation to the AMR?

We have also noted there are very little safeguards embedded in the federal model of legislation protections. Basically, it has been left to the individual states and territories to implement their own safeguards. We do note that New South Wales have a higher level of safeguards than us, so we would like the minister to discuss that.

New South Wales specifies that unions and employer groups are consulted. That is part of their actual bill, so why is it not part of our bill here? I understand it could be ideological, but when other states are doing that - and we are trying to be compliant with other states as much as possible - why would we exclude that expertise and that connection to people who are actually doing the job on the ground, the workers? It would be prudent for that to be included - but if it is not included, an explanation of why not.

The Commonwealth legislation already provides for such a body around proper licensing committees. That is what New South Wales has, so can the minister explain why Tasmania has not adopted the same oversight as New South Wales and incorporated a proper licensing committee, including unions, to monitor trade licensing from a high level?

Such a model would provide effective and high-quality monitoring of the use of AMR. The Commonwealth legislation already provides for such a body. If there is ideology, as I was talking about before, may I remind you, minister, that the bulk of states that have signed up to the AMR are governed by the Labor Party, and these states are complemented by a strong federal Labor government, so it would be prudent to be compliant.

There are some safeguards in part 6 of the Occupational Licensing Act 2005.

Ms Archer - Sorry, compliant with what? I need to clarify things, otherwise you will not get an answer. Compliant with what?

Ms BUTLER - All the other states are looking at having employer industry involvement, and they have an overriding committee - which involves unions and stakeholder groups - that monitors the effectiveness of the bill. Do we? And, if not, why not?

I am asking you whether that is an ideological exclusion, because there has been a very noticeable lack of union stakeholder employer group consultation written into much of the legislation that has come into this House since your Government has been here.

Ms Archer - You used the word 'compliant'. I am wondering compliant with what, because these states are only looking at doing this.

Ms BUTLER - I will keep going, because this is my time. The minister is welcome to ask me about that later on.

There are some safeguards in part 6 of the Occupational Licensing Act 2005 amended. However, I note the safeguards are based almost on an honesty system, where newly arrived people are required to register. How will we know whether the contractors who are in

Tasmania are working within the scope of the work that the person is authorised to carry out for that occupation in the relevant participating jurisdictions? How will we know?

Has a skills-matching process been undertaken to ensure compliance between Tasmania and other jurisdictions that have signed up to the AMR in each of the occupation groups? Can you provide those documents to the House as evidence of the work undertaken, so that we can see that work has actually been undertaken, so we are not having to fix this up in a few years' time?

Is there ongoing resourcing and oversight to ensure compliance between other states under the AMR, and again we go back to a proper licensing committee. Minister, you did not understand what I was talking about with compliance. Other states have licensing committees.

A nationalised automatic mutual recognition scheme highlights the issues we have in Tasmania with low wages. For example, electrical contractors in Tasmania are paid on average \$20 to \$25 less per hour than their counterparts in Victoria. The Victorian Government currently is offering huge salaries to tradies to work on new tunnel infrastructure with wages of around \$160 000 per annum. That is a terrific opportunity for Tasmanians wanting to earn some big dollars, get some great experience and live in another place, but it also means we are losing our people.

It has long been said that Tasmania's greatest export is our young people. I am not sure if the minister is actually listening here, if I am asking questions, Mr Speaker? Shall I wait for her to sit down for my address?

Mr SPEAKER - No.

Ms O'Connor - Why does that matter?

Ms BUTLER - She is not listening to my address. Is it important?

Ms ARCHER - Point of order, Mr Speaker. As minister, if I need to discuss matters around the House -

Ms Butler - What is your point of order?

Ms Archer - The point of order is that the member is being out of order in stopping and starting when I am talking to other members. I have advisers listening to the questions.

Ms Butler - What is your point of order?

Ms Archer - I actually take personal offence to many of the comments you are making.

Ms BUTLER - Mr Speaker, the minister is not making a point of order. She is taking up time on purpose.

Ms Archer - No I am not. You just dislike me and you are being weird.

Mr SPEAKER - Order. The fact is that you make your comments through the Chair. The Attorney-General is quite capable of handling two things at once and talking to someone

and listening to the conversation and we have advisers in the box as well. The Attorney-General does not have to be in her seat. In quite a number of cases, ministers are not when talking to advisers. We cannot hold the House up because the minister is seeking other advice.

Ms BUTLER - Are you right? Good, thank you.

Ms ARCHER - Mr Speaker, point of order. The member was reflecting on you by making the comments she made. She should withdraw them because she was reflecting on you as the Speaker.

Dr Broad - How?

Ms Archer - By being rude. She said 'are you right?'.

Mr SPEAKER - I did not hear what was said, but *Hansard* will pick it up and if people have not done the right thing, it will be on *Hansard*.

Ms BUTLER - Thank you. Let us go back to the actual debate. It is important so I would like the minister to be able to listen to everything, thank you.

Mr SPEAKER - Again, Ms Butler, through the Chair and do not incite, please.

Ms BUTLER - Thank you. This is very important, Mr Speaker, and I have put a lot of work into this on behalf of stakeholders so I would like to be able to get the right answers. We are supporting this bill today as long as we can get the right answers to the questions we ask and it is important that everyone is switched on as much as possible.

I am talking about how we have Tasmanians tradies heading over to Victoria at the moment under the AMR scheme. It provides a fantastic opportunity for our tradies to earn some decent money and get some fantastic life experience as well. We are no longer the cheapest state in which to live and that used to be the attraction of Tasmania. You could buy cheaper houses here, the rent was cheaper, it was a cheaper lifestyle, but we do not have that anymore. We have Tasmanian tradies heading interstate to work under the AMR scheme which is providing them a good opportunity but it is also potentially stopping those people coming back to Tasmania and raising their families here and staying here. There is a brain drain which accompanies this AMR to a certain extent because the work has not been done to encourage Tasmanian tradies to stay here.

We are not offering \$160 000 a year to tradies to come and work on an amazing new infrastructure scheme in Tasmania because that is what Victoria is doing. We are not offering the same incentives as New South Wales where they are paying relocation costs and a much higher wage to teachers to move to another state. Whilst we are not doing any strategic work to keep Tasmanians here to work and we are not offering higher wages in Tasmania, we will continue to lose our best export and that is Tasmanian people.

With this AMR I implore the Government to consider strategies and schemes to make us competitive with other states. Yes, it will be mutually beneficial, there will be people coming to Tasmania and bringing their skills here, but we do not pay the same level of wages as other states pay and that certainly needs to be addressed.

I note the CBOS website currently lists the bulk of occupations within the scope of the AMR scheme in Tasmania and if you click below you can see the status of AMR for different licence types across jurisdictions as at 1 July 2022. The list has either 'commenced' or 'not yet commenced' written against the occupation groups and I will read it into the record. Architects, it states, have commenced. That is interesting because it features in Part 2 of this act cited as Architects Act 1929 amended. Builders are stated as not yet commenced, which features in Part 6, Occupational Licensing Act 2005 amended. Building surveyors - commenced, though both builder and building surveyors are also in Part 6. Conveyancers and settlement agents - not yet commenced, and that is featured in Part 3, Conveyancing Act 2004 amended. Electrical workers - commenced, engineers - commenced, gas fitters - commenced, plumbers - commenced, property agents, real estate agents - not yet commenced, security and investigation agents - commenced, motor vehicle traders - commenced, also contained in this bill in Part 4, Motor Vehicle Traders Act 2011 amended.

Can the minister explain why architects, building surveyors, electrical workers, engineers, gas fitters, plumbers, security and investigation agents, and motor vehicle traders are already commenced, according to CBOS as of 1 July 2022 when we are only now debating this bill in the House for the first time? I am sure there is a technical reason for that, which I would appreciate you running through. However, I am concerned that if it is incorrect it has pre-empted a decision of parliament, but there is probably a technical reason why the website states that.

We will be supporting the AMR bill. We believe that opening opportunities for Tasmanians to work in other states, increasing potentially the productivity of our state - we do have one of the lowest productivity levels in Australia - also hoping that the introduction of new people to our state will be of benefit to Tasmania. Hopefully, some of these people will decide to stay here permanently, and bring their families and life experiences with them. The more people who move to Tasmania, the best outcome for all of us.

In short, we would like the minister to explain why there is not the obligation to consult with industry stakeholders, including unions and employers, as to how to mitigate risks and to give us some assurances around the standard of occupational licensing, as it does still differ from state to state. Significant differences still exist between jurisdictions regarding electricity and plumbing regulations, licensing and conduct rules.

Could you inform the House how you intend to manage that, have oversight over that and resource the people conducting that oversight? Also, information on where Queensland sits, appreciating that you have a MinCo tomorrow, after we have had this debate in the House today.

Mr Speaker, we support the AMR and we hope that the minister can provide us with those answers.

[12.42 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, the Greens are happy to support this bill. It is an obvious necessary reduction in red tape. It has been appalling and burdensome for people in different professions who come to Tasmania. Some people come as part of a big company and there is a whole practice and support for going through the process of establishing, for example, the architect's licence. For a lot of sole practitioners, this is a pointless layer of burden. There are already professional requirements, for example, the Royal Australian

Institute of Architects, for being recognised as an architect. You cannot practise unless you are formally a member of that profession. Having the requirement to get a licence for practice in Tasmania has been just more paperwork, more time and so, in general, we support the bill.

I have some questions about how it will operate.

In clause 6, the notes say that section 11B(5) provides that a person holding deemed registration as an architect under automatic mutual recognition is required to work within the same scope of work as provided by their home state registration. What does scope mean here: what is the scope of work? I am not clear what that would mean.

As I read this, the standards required in the home state will be the standards required in Tasmania. Is it the case that there will be additional standards required in Tasmania? Or are we simply moving people around Australia and where there are differences between states, there will be swings and roundabouts? You will have some states with people from Western Australia or New South Wales that might have slightly different standards or people from Tasmania in Queensland or Victoria, working with Tasmanian standards in those places. Could you explain how that will work in practice?

I am expecting that because people working as architects are required to be registered as an architect by the board of architects, recognised as a member of the profession, that in itself is the effective standard they are required to meet. Could you speak to what that means in the case of this bill?

The second question is about the requirement in proposed section 11C to have professional indemnity insurance before working. Is that now a requirement for all architects in Tasmania?

Ms Archer - Do you mean presently?

Dr WOODRUFF - Yes. I did not know that that was the case. I thought that was the preference of an individual practitioner to make that determination, but I might not be up-to-date with that. Do other states require that as well? Is that part of the automatic mutual registration legislation federally or is that just what we are putting in here?

That is not a requirement in the bill for conveyancers. Why is there a requirement for professional indemnity insurance for architects but not for the other professions covered by the changes in the bill - motor vehicle traders, building services providers and so on?

I would also like the minister to clarify exactly what building service providers are. I had a look at the Occupational Licensing Act, Schedule 1 of the regulations, because it is not defined in the act but the regulations define it. It is very broad, as I understand from reading Schedule 3, and it includes construction, erection, re-erecting, installation, replacement, repair, underpinning, alteration, addition, maintenance, demolition or removal of any premises, building or temporary structure. I presume a building services provider is a company that provides those sorts of services - excavating, filling, incidental activities, certification or entering into contracts for those sorts of things. I am not sure if that is expansive or whether you have a more precise definition. What are the differences between the states, particularly, for building service providers?

Architects and conveyancers are members of professional bodies that are well-established over a long period of time and have quite a lot of rules and norms about behaviours, and have a professional standard-setting body. The sorts of services I have just read out, by their nature, are much more ephemeral; they are not governed. There is no excavators' professional body. There are many bodies but is there an underpinning replacement, repairs, maintenance and alterations standards body? Who is setting the standards?

Ms Archer - Like professional standards councils?

Dr WOODRUFF - Yes. Who is doing that? Who is overseeing whether they are licensed in other states?

What potential large differences may there be in the conditions and scope of work, or the practice required, or the standards that are set in other jurisdictions compared to Tasmania?

What national bodies are going to be overseeing - or already do oversee - this, so that if we have a concern about a particular state's standards that, as Tasmanians, we do not feel are appropriate in a particular area, how would we regulate and negotiate that?

It is important because you have correctly identified, in your second reading speech, that one of the potential advantages of this is to provide us with extra surge capacity in response to natural disasters. We can, unfortunately, expect natural disasters will be much more frequent and extreme. We have already seen in New South Wales, because of the serious floods there, the rapid movement of people - and the building work, architecture and conveyancing work required is vast. It is huge. It blows out all normal systems and time frames. We need to have some confidence in that space that, when we are importing lots of people into Tasmania, we are very comfortable with the standards elsewhere, and we are not reducing the standards that we have set up here.

Ms Archer - Essentially, what we have in place ensures that we are not diminishing the standards.

Dr WOODRUFF - Yes, exactly. What is our mechanism for not diminishing our standards, but for improving them? Also, what is the mechanism for improving them across boundaries? Is there a move to abolish the state registration of all these bodies and to come up with a national centralised standard? We were a federation; it is unlikely we are going to get there in this century, but is there a conversation at the national level, particularly in light of natural disasters management? The royal commission into natural disasters recommended a whole lot of things about centralising, decision-making and approvals standards bodies, so I do not know if you are aware of that?

Thank you for bringing this on, on behalf of people who have spent time and money that they could have spent otherwise in their business or employment. This is a great move for Tassie.

Ms Archer - Thank you.

[12.53 p.m.]

Mr YOUNG (Franklin) - Mr Speaker, this bill will make it easier for registered and licensed workers to come here and work in Tasmania, and for our workers to use their skills in other states. That can only be a good thing for employers and businesses.

I note the Minister for Small Business is in here with us.

Ms Ogilvie - Supporting you.

Mr YOUNG - Thank you. Minister Ogilvie was out, and I have been out, with our candidate in Pembroke, Mr Gregory Brown, visiting small businesses, talking about what they need, and talking about how good staff are valued immensely. I am very pleased that the Tasmanian Government has been working with the Commonwealth Government and other states and territories to boost our competition and improve our labour mobility through the reform of these occupational licensing laws.

The AMR promotes that freedom through the moving of licensed professionals through different states and territories, by reducing this unnecessary regulatory red tape while maintaining safety standards. Removing the need for people to apply and pay for additional registration licences obviously reduces the costs to business and employees because, as is often the case, business pays these costs. Reducing costs can only be a good thing in this area, and I am glad Labor is supporting this.

Ms Butler - Sort of.

Mr YOUNG - Well, sort of. It is only one of the costs to businesses that they should be supporting. As our candidate, Mr Brown, has repeatedly done, and we have repeatedly done, it is up to the Labor Party to write to their federal counterparts to call for fuel tax cuts to be kept in place.

Dr Broad - How is that relevant?

Mr YOUNG - I will get there eventually, but maybe you guys will too.

Ms Archer - We always have a broad-ranging debate.

Mr YOUNG - We do. The bill currently requires licensing in a number of areas. It covers occupations of building, construction, architects, engineers, building designers, building surveyors, electricians, gasfitters as well as property agents, motor vehicle and security agents.

Of the 100 classes that are covered, 91 are operational now and require a notification to the Tasmanian regulator before an interstate person can work in this state.

Those remaining nine classes - which include property agents, conveyancers, builders and general construction - are expected to commence in July 2023. The House may not know this, but that covers me. I was in the process of doing a certificate in real estate and was working for a great company called CRE, which is based in Melbourne. This bill would have directly helped me register. I would like to give a quick plug for CRE. As a small business they were exceptionally good to me when I had to, on an afternoon's notice, come to this House. Again, it goes to the value of small business and how they generally want to look after their

employees, want to see them do their best and succeed. They were more than happy for me to take up this tremendous opportunity.

Tasmania's parliament has already passed the Mutual Recognition Amendment Act 2021 to adopt the Commonwealth amendments. However, this act only provides the legal framework and has details on means for the practical implementation of the AMR in Tasmania.

We have spoken about lower standards, but the Consequential Amendments bill amends seven Tasmanian licensing acts, including the Tasmanian Mutual Recognition Act, to enable the AMR system to be fully implemented for certain occupations, by providing that people working under the AMR scheme need to comply with local licences. They need public and consumer protection requirements maintained for all licences working in Tasmania, and that standards of work performed are maintained and are the same for all working persons in Tasmania. Knowing the standard of our tradies in Tasmania, it can only be a good thing, because that standard is excellent.

Automatic mutual recognition will help employers gain access to registered skilled workers more quickly and at a lower cost by more seamlessly allowing employees to move where they are most needed. Small business is an agile thing, so the quicker we can help people, the better they are. All work completed in Tasmania will be required to be completed to the same standard, irrespective of the home state of the licensee. Our tradies are some of the best in the world. By making sure everyone has to complete that standard, our level of work can only be great.

When fully implemented, it is estimated the AMR could lead to an additional \$2.4 billion in economic activity over 10 years as a result of the savings to the people and businesses, productivity improvements and extra surge capacity in response to national disasters. Over 168 000 people will benefit each year from these changes, including 44 000 people who are working interstate, who would not have otherwise done so. As a person who is a proud supporter of people in jobs, that is brilliant. The more we can encourage people to get to work and keep working, the better.

Depending on the occupation, licensees may need to meet additional requirements. They may have to notify the local registration authority of their intention to work. They need to maintain and meet financial public protection requirements such as insurance, fidelity funds, trust accounts and minimum financial requirements.

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

OCCUPATIONAL LICENSING (AUTOMATIC MUTUAL RECOGNITION CONSEQUENTIAL AMENDMENTS) BILL 2022 (No. 27)

Second Reading

Resumed from above.

Mr YOUNG (Franklin) - Mr Speaker, to continue, the consequential amendment bill makes it easier for registered and licensed workers to come to Tasmania and for our workers to use their skills in other states.

I was talking about what people might need in additional requirements. These include notifying the relevant local registration authority of their intention to work and meeting and maintaining financial public protection requirements such as insurance, fidelity funds, trust accounts, minimum financial requirements and/or satisfying and maintaining a working with vulnerable people character test. People cannot take part in the scheme if they are disqualified or suspended from carrying on the occupation; have been refused a licence for that occupation; are subject to disciplinary, civil or criminal action and know that they are under investigation; or if they have conditions placed on their substantive licence as a result of disciplinary or court action.

This automatic mutual recognition scheme will boost productivity and economic growth in Tasmania which, as we have heard this morning, is already fantastic. The consequential amendments bill will address situations where Tasmanian licensing laws are potentially in conflict with the operation of the Mutual Recognition Act or where there are new requirements such as making of notifications by interstate licensees to local regulators or sharing of that information relating to licences or disciplinary proceedings with interstate regulators.

This bill can only be good for business and employees. It makes amendments to a number of key occupational licence regimes to ensure that the existing consumer and public protections currently in place in Tasmania will be maintained under the automatic mutual recognition scheme.

Some examples of the inconsistencies of approach between the AMR and Tasmanian laws include that unless you are licensed by the local regulator, people cannot enforce a contract or claim a fee for operating their services. Public protection requirements such as mandatory insurance or keeping a trust account need to be clarified so they can be enforced for all persons working in Tasmania under the deemed registration. As a small business owner, I know red tape is often the bane of our lives trying to navigate through it. The bill will reduce red tape, supporting that workforce mobility and ensuring that licensed professionals coming to work in Tasmania maintain the same consumer protections and safety standards as used by local industries.

It is critical that Tasmanians can take up job opportunities wherever and whenever they arise. The scheme will benefit Tasmanian businesses and consumers as it will allow for workers from interstate to quickly and flexibly respond to sudden increases in demand in particular areas. As I said before, I am extremely excited about the fact that I could have taken advantage of this on my way to becoming a licensed real estate agent, so I am very happy to support the bill. It will certainly make it easier for registered and licensed workers to come to work in Tasmania.

[2.34 p.m.]

Mr WOOD (Bass) - Mr Speaker, I take this opportunity to speak on some of the benefits that the Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Bill will bring to Tasmanians and indeed workers from across the nation. The AMR is a national occupational licensing scheme that promotes freedom of movement for licensed professionals across Australian states and territories by reducing unnecessary regulatory red tape while maintaining necessary safety standards.

I would like to speak about how this opens the options for our own state and other states. When fully implemented, it is estimated that AMR could lead to an additional \$2.4 billion in

economic activity over 10 years as a result of savings to people and businesses, productivity improvements and extra surge capacity in response to natural disasters.

I will also take a moment to speak on what some of the benefits of this bill could look like in the natural disaster scenario. We have seen huge floods that have devastated many areas on the mainland over the last couple of years and I know there have been individuals and volunteers from Tassie who have taken the time out of their busy lives to travel to the big island in order to help out wherever they possibly can. Their goal has been to help people salvage what is left of their homes and belongings.

Then there are the huge bushfire seasons that Australia has seen throughout its history. Livelihoods have been devastated by the impact of these natural disasters. Typically, when the fires or floods are ripping through our nation's communities, you see our first responders on the ground everywhere, and I take this opportunity to say how much we value these people. They truly do an amazing job.

However, often what we see on the other side of these natural disasters once the first responders leave, after the waters have receded or the flames have subsided, is that we are then left with the clean-up phase. This is where a bill such as the AMR can potentially really make a huge difference.

Think about what an impact a fleet of carpenters - I do not know if that is the right terminology, maybe a band of carpenters - or tilers or sparkies would make to the lives of those people who have been displaced by these disasters. It is important to note that this bill means that not only can we send our valuable workers across to the mainland, but in a time of need they can also be deployed to help our own people in Tasmania.

This bill will make it easier for registered and licensed workers to work in our beautiful State of Tasmania and for our Tasmanian workers to use their skills in other states.

Our state Government has been working with the Commonwealth Government and other states and territories to boost competition and improve labour mobility through the reform of occupational licensing laws. We all know times are tough at the moment. We have spoken about the rising cost of living many times in this place. It is undeniable, but one of the ways that we can immediately drive prices down is by creating healthy competition in Tasmania while not compromising work standards or qualifications.

This bill removes the need for people to apply and pay for additional registration or licence when working in another state or territory, which will again save them time and money - another way that we can speak to the cost of living. Our workers will be able to move freely across our nation and work wherever they want without having to seek further training or qualifications between states. It cuts down on unnecessary fees, forms and red tape, and that is great news for everyone. If you are a Tasmanian tradie and you see a job that comes up, for instance, in Byron Bay, what is to stop you? The opportunities for a tailor-made work lifestyle are endless, and you might even come back with a nice tan.

Automatic mutual recognition will help employers access registered skilled workers more quickly and at a lower cost by more seamlessly allowing employees to move where they are most needed across the nation.

We spoke about natural disasters earlier. Here is another opportunity where someone like an insurance company, off the back of a large flood or fire, needs to quickly employ a large body of skilled workers to meet the demand for claims. This bill allows employers to quickly access a large registered workforce in a timely manner.

Over 168 000 people will benefit each year from these changes, including 44 000 people who will work interstate who would not otherwise have done so due to the previous restrictions. Depending on the occupation, licensees may need to meet additional requirements. These include:

- notifying the relevant local registration authority of the intention to work;
- meeting and maintain financial public protection requirements such as insurance, fidelity funds, trust accounts, minimum financial requirements; and
- satisfying and maintain a working with vulnerable people character test.

Persons cannot take part in the scheme if they are disqualified or suspended from carrying on the occupation or have been refused a licence for that occupation; if they are subject to disciplinary, civil or criminal action and know that they are under investigation; or have conditions placed on their substantive licence as a result of disciplinary or court action.

The automatic mutual recognition scheme will boost competition, productivity and economic growth in Tasmania, without a doubt. The consequential amendments bill will also address situations where Tasmanian licensing laws are potentially in conflict with the operation of the mutual recognition act, or where there are new requirements such as making of notifications by interstate licences to local regulators, or the sharing of information relating to licence or disciplinary proceedings with interstate regulators.

It also makes amendments to a number of key occupational licence regimes to ensure that the existing consumer and public protections currently in place in Tasmania will be maintained under the automatic mutual recognition scheme.

Examples of the inconsistencies of approach between AMR and the Tasmanian laws, include the following:

- unless licenced by the local regulator, persons cannot enforce a contract or claim a fee for offering their services.
- public protection requirements, such as mandatory insurance or keeping a trust account, need to be clarified so that they can be enforced for all persons working in Tasmania under deemed registration.

The bill will reduce red tape, support a much higher workforce mobility and ensure that licensed professionals coming to work in Tasmania, who see the light and want to experience what we have to offer in Tasmania - a fantastic way of life - will allow them to maintain the same consumer protections and safety standards as used by local industries.

It is critical that Tasmanians can take up job opportunities wherever they arise. It is also critical that we make it easy for people to be able to move here and join us in what is the most

beautiful place in the world. I have spoken about lifestyles, and why would you not want to move to beautiful Tasmania when there are so many options for families and individuals to carve out a fantastic life for themselves?

We want Tasmanian workers to be able to benefit from these nationwide standards that provide them with endless options: lifestyle options, career options, and family options. I have heard it said many times in this place that we are striving for Tasmania to be a state of opportunity and growth, a place where our kids have a bright and unlimited future. The introduction of this bill will enhance the scope of those freedoms for our future generations.

I commend the Attorney-General and her department for this legislation.

[2.46 p.m.]

Mr TUCKER (Lyons) - Mr Speaker, I stand to speak today on the Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Bill. Australian tradies now get automatic licence recognition. If you are licensed or registered to perform your job, you are able to work across states and territories without needing to apply or pay a fee for a second licence, removing red tape. This automatic mutual recognition - AMR - scheme allows tradies to use their current licence or registration to do the same activities in another part of Australia. Tradespeople such as carpenters, joiners, bricklayers - the backbone of our building industry - and others can gain easier access to interstate opportunities under a landmark agreement which will see those who hold a licence in one state automatically able to operate in other states.

The Council of Federal Financial Relations has developed a framework for occupational licences to be automatically recognised across all jurisdictions within Commonwealth states and territories. Previously, the mutual recognition of qualifications across jurisdictions was complex, costly and awkward. Alone in manual trades, there are over 800 different licences, with around 20 per cent of workers in the economy required to be licensed.

Automatic recognition has allowed labour movement across jurisdictions by allowing a person who is licensed or registered in one jurisdiction to be already considered registered in another or in an equivalent occupation. A single automatic mutual recognition has addressed time and cost for tradespeople who operate in more than one jurisdiction. This, in return, has promoted greater mobility for tradespeople and helped to overcome barriers working interstate, especially in regions impacted by disaster and requiring assistance.

Previously, tradies required special exemptions and permission to work interstate in disaster-affected areas. By not having to apply for a licence or seek recognition arrangements, it has saved time, money, confusion and eliminates the cases where additional qualifications were needed. In other words, it gets rid of red tape, something that small businesses need to do to make the world, Australia and Tasmania tick. It meant that a tradesperson moving interstate for any reason - family, career advancement, or to assist in times of natural disasters - had to navigate state-specific hurdles before they could start, setting them back precious days, but achievable back in their home state. Agreeing to make changes to the requirements for mutual recognition and cutting red tape has helped the flow of workers, especially with COVID-19 changing work opportunities, and into the future as the economy is rebuilding.

Automatic mutual recognition now applies to a wide range of licensed occupations in Tasmania. It is available in the following states and territories: Tasmania, Victoria, New South

Wales, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory.

Tasmania has exempted AMR from applying to some occupations. Over time, they will hopefully become part of the scheme. As promised, this Liberal Government aims to reduce red tape and support workplaces. Keeping in line with this promise, amendments to Tasmanian licensing laws need to be undertaken for the purpose of streamlining the occupational registration process. This will allow individuals to work in multiple jurisdictions more easily.

The Mutual Recognition (Tasmania) Amendment Act 2021 has already passed in the Tasmanian parliament to accept the Commonwealth amendments. This bill on consequential amendments will correct the legal framework to provide detail for practical implementation of AMR in Tasmania.

It is important to make necessary amendments and put clarity in place. This is why there will be amendments to the Tasmanian Mutual Recognition act. This amendment enables the automatic mutual recognition system to be fully implemented for certain occupations. This will be providing that:

- persons working under the AMR scheme need to comply with the same laws as local licensees.
- public and consumer protection requirements are maintained for all licensees working in Tasmania.
- standards of work performed and maintained are the same for all persons working in Tasmania.

At no time do the proposed amendments change the criteria, terms or conditions of an occupational licence in Tasmania. The changes are to ensure those licences in Tasmania, and any interstate licensees entering our state to work under the AMR scheme, are fair and equal to everyone.

There are seven licensing acts that require amendments:

- Architect's Act 1929
- Conveyancing Act 2004
- Motor Vehicle Traders Act 2011
- Occupational Licensing Act 2005
- Property Agents and Land Transactions Act 2016
- Security and Investigations Agents Act 2002
- Mutual Recognition (Tasmania) Act 1993.

It is important to reiterate that amendments to the bill will ensure that licensed professionals who are located interstate will be required to observe and comply by the same rules as Tasmanian licence holders. This will work, as the amendment to the bill requires that licensed professionals from interstate must notify the relevant regulator prior to commencing any licensed work. They will also be required to meet consumer protection requirements, or otherwise be subject to penalties in a similar way to local licence holders. Automatic mutual

recognition applies to individuals, not companies, and makes it easier for licensed or registered workers to take up opportunities across most of Australia.

If you leave your existing state to reside in another state, it is important to note that you will need to apply for existing mutual recognition arrangements to obtain a new applicable licence or registration in your new home state. The mutual recognition process remains unchanged.

The following occupations do not require an occupational licence; therefore, AMR is not relevant:

- carpenters;
- painters and decorators;
- bricklayers;
- plasterers, wet or dry;
- fencing;
- joinery;
- glazing;
- installing security grills;
- general concreting;
- motor vehicle repairers;
- second-hand dealers;
- rooming house operators;
- roof tiling;
- stone masonry;
- swimming pool repairs and servicing; and
- wall and floor tiling.

This Government has been working with the Commonwealth and other states and territories to increase competition and expand labour flexibility through the reform of occupational licensing laws. Amendments to this bill will encourage freedom of movement for licensed professionals across Australian states and territories by reducing unnecessary regulatory red tape, as our Government has said they would.

The consequential amendments will benefit Tasmanian businesses and consumers, making it easier, faster and less expensive for persons holding an occupational licence to work in other states and territories, to respond to demand in specific areas.

Our state continues to have strong economic growth. Introducing this bill will attract skilled workers to Tasmania to support our workers - and that is something we really do need to do if we are going to get the houses that we need to build. We need to be able to attract these people into the state, and make it easier for them to work here. That is why this bill is so important to this state.

This bill accomplishes three key points. It will ensure that persons working under automatic mutual recognition in Tasmania must comply with the same laws as local workers. This bill will ensure that public and consumer protection requirements are maintained for all

individuals carrying out work in Tasmania. This bill will ensure that all work completed in Tasmania is maintained to the same standard, irrespective of the home state of the licensee.

Imagine how this will open up employment opportunities for this state by making it easier, faster and less expensive for individuals already holding a state or territory occupational licence. If they choose to work here in Tasmania, there are no additional tests, applications or fees. Getting rid of red tape benefits employers as they will be able to source registered, skilled workers more quickly and seamlessly, as employees can move around the state and territories, as needed - and all for a lesser cost.

I congratulate one of our speakers on this, Mr Young, for his inaugural speech. I was very pleased with what he said about small business and how this is going to work for small business and improve things there. Congratulations on your first speech, Mr Young, and a great second speech as well.

Having more competition will in turn boost productivity and economic growth for Tasmania, as automatic mutual recognition will allow a registered trade person from the mainland to start work immediately in Tasmania, after notifying our regulator - namely, Consumer, Building and Occupational Services (CBOS).

Importantly, the tradesperson will not have to pay a fee to commence the same registered activity here for a three-year period. This is a saving of around \$300-plus in licence fees, not to mention the time they will save in having their licence processed and recognised, allowing them to start work without any further delay, supporting our thriving construction industry. The benefits of this reform are important to our thriving construction industry. The changes to this bill also apply to Tasmanians wishing to work interstate.

Importantly, the amendments made by this bill will not change the criteria, terms or conditions of any occupational licence in Tasmania. The specific amendments in this bill will not impact local workers.

Lastly, I point out the important safeguard measures throughout the automatic mutual recognition scheme:

- a person who is subject to disciplinary actions, or who has conditions on their registration as a result of disciplinary or legal action in their home state or territory, will not be eligible for automatic mutual recognition of their licence here in Tasmania.
- any conditions a person has on their home licence will equally apply here in Tasmania.
- where required by Tasmanian law, a worker wishing to work in this state must also satisfy screening requirements such as a Working with Vulnerable People Check.

The changes ensure that interstate workers coming into Tasmania will work to the same rules and requirements as local workers.

Mr Speaker, I commend this bill to the House. I congratulate the minister for bringing this forward as it reduces red tape and is a very important bill.

[3.00 p.m.]

Mrs ALEXANDER (Bass) - Mr Speaker, I also join my thoughts and my positive reaction to having the Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Bill before us for discussion and consideration. Looking at it, some people may ask what is the importance of this bill? It has importance because it signifies our state looking forward to becoming more progressive and looking into the future in ensuring that we build capacity to attract that very necessary workforce but, at the same time, generating not only flexibility but things such as savings in licence fees. Many of these tradespeople and people who are impacted by this particular change can make savings that they can put towards other additional costs they incur in the process of performing their trades or specific specialty and activities.

It is very important, because for everybody who is impacted by the changes proposed through this amendment, any positive changes that make their life a lot easier and reduces the burden of cost will make it much better for people who benefit from their services in not having to spend as much money when those services are delivered.

If we look at the social services sector and many of the not-for-profits, they always reach out to people to help them with either their maintenance costs, building or development. A bill such as this also has importance for people who deliver support services for the vulnerable in our community. Many times I have come across instances where I needed to engage various trades, and you look at the cost associated and realise that when you are a not-for-profit service or a social service, every single cent is important. Hopefully, through this change, we can ensure that the delivery of these services remains competitive but at the same time on an even playing field with the other states.

The other important part of this bill is that we need to not only attract people to come in and support all the important economic projects we have undertaken to do in the state, but also for our own Tasmanians, if they choose to do so, to be able to go to other states. I believe it is important for a person's professional development to be able to explore opportunities that are sometimes outside the boundary of your own town or state. When you are a young person, having the capacity to integrate into other different places and explore a little bit more and have that exposure, will assist in learning more skills, being a more developed and wholesome person, in terms of the experiences you acquire in your profession but also in your life.

If we look at what the impact of this bill will be, it will be on our small and medium businesses which we know represent the backbone of Tasmania. They support so much our clubs, associations and other not-for-profit organisations. Every time you look at the fundraising efforts of not-for-profit clubs and associations, you find a lot of the small and medium businesses contribute and support them, so if we as a government can make life a little bit easier, with less red tape, more efficient and not as expensive for small and medium businesses in Tasmania, we are doing a good thing.

In addition, some of our larger economic projects and significant long-term projects that have been announced in the House and on the development plan and budgeted for are in fact depending on attracting larger operators and providers of services. Even for them, it is important to look at Tasmania and see it is a state that takes on the challenges of red tape and embraces opportunities for reducing it. Tasmania is engaging in that collaboration and working together where efficiencies can be had with other states. Working together is very important.

The economic development and wealth generation of our state in general is very much dependent on reducing bureaucracy, wherever that unnecessary red tape finds its way. Some of the laws and processes we have had in place for a while have served us very well, but as life and society become faster we expect governments to be a lot more nimble and flexible and tackle some of the handbrakes in our economic life. There is an expectation from businesses that governments will respond accordingly and we will do the right thing in terms of alleviating the pressure some of these handbrakes cause and that hold businesses back from being efficient and not being frustrated and wondering why government is not embarking on some of the more progressive changes and reducing this red tape.

It is critical that we continue to be innovative and look at some other areas such as this where we can improve the way we do things and to have that broader interaction with other states. At the same time, it is important that while we do that, our standards should never fall. We should ensure that our standards remain of the best quality and we continue to be a model that when people look at Tasmania, they say we have not compromised on standards but have continued to have really good standards and at the same time we have achieved an excellent process of blending in and ensuring things happen in a very smooth and efficient way in construction and other industries that are critical to Tasmania's progress.

Tasmania has to be a leader, and I think things such as this amendment bill will ensure we continue to be a leader and can demonstrate that we are nimble and can identify areas that we can improve our systems and processes. We have been working in this instance with the Commonwealth Government and other states and territories to boost our labour mobility through the reform of occupational licensing laws. Again, people may look at it and say 'What is it about?', but once we start explaining and unpacking what we are doing and the extraordinary benefits of this change, people will understand and appreciate the positive impact and repercussions. Sometimes it is one of those small stones that has capacity to generate a significant amount of momentum.

Automatic mutual recognition is a national occupational licensing scheme which essentially will promote that freedom of movement for the licensed professionals across our states and territories. The European Union and other jurisdictions outside Australia have recognised that allowing a certain amount of freedom of movement for certain professions is paramount, especially with all nations around the world and Europe embarking on recovery efforts post-COVID-19. It is important that we embrace this change being part of our recovery efforts.

The AMR, as has been discussed and identified, will essentially remove the need for people to apply and pay for additional registration or a licence when working in a different state or territory. As identified earlier, this will save a tremendous amount of time and money that could be put to good use.

Of the 100 classes of occupational licences administered or supported by CBOS, 91 licence classes are now operational and require a notification to a Tasmanian regulator before an interstate person can work in the state. The remaining nine licences, which include property agents, conveyancers and builders in general construction, are expected to commence in July 2023.

It is a bit hard to approximate the positive impacts and where, for a better word, the KPI would be located in appreciating the outcomes resulting from such a positive change but it is

estimated that around 160 000 people will benefit each year from these changes. That includes 44 000 people currently estimated to work interstate that otherwise would not have done so.

The automatic mutual recognition scheme will boost competition, productivity and economic growth in Tasmania. Competition is critical. There are cost of living and other costs associated with the fluctuating international market which we cannot control. However, we like to put in place measures, looking into the future and trying to prevent and pre-empt and ensure we cushion as much as possible our workers and small and medium-sized businesses. Hopefully, by ensuring that we can boost competition, we can ensure that the quality of services continues to be of the highest standards and maybe those prices can be kept under control as much as is possible, with the fluctuation of raw materials and other items that are required for these various professions to deliver their services.

The consequential amendments bill also addresses situations where the Tasmanian licensing laws potentially can be in conflict with the operation of the mutual recognition act.

There is another instance where this consequential amendment bill has a very positive impact: addressing the conflict or impacts, whether they are new requirements such as that of making notification by interstate licensees to local regulators or sharing information relating to licences or disciplinary proceedings with interstate regulators. That transfer of information is critical to ensure that we have transparency and that our standards are maintained, they are across the board, and we know exactly what is going on in the delivery of their services.

This bill also make amendments to a number of key occupational licence regimes, ensuring that consumer and public protections currently in place in Tasmania will be maintained under the automatic mutual recognition scheme. Again, we have to ensure in looking at this bill that the public and consumer protections so critical to us for not dropping our standards will not be impacted. It actually supports that.

I would like to re-emphasise how important it is to reduce the red tape and support our workforce mobility. The recovery from the last two-and-a-half years hinges on reducing our red tape as much as possible and ensuring our workforce has as much support as possible and that those licensed professionals coming to Tasmania maintain the same consumer protections and safety standards as we are currently using and are used by local industries.

Mr Speaker, I commend this bill to the House.

[3.17 p.m.]

Mr ELLIS (Braddon - Minister for Skills, Training and Workforce Growth) - Mr Speaker, I make a contribution on this bill today because it is important for my portfolio of Skills, Training and Workforce Growth. The work the Attorney-General has done in occupational licensing has been very important to date.

This further amendment to occupational licensing will be significant in our ability to attract and retain tradies and other qualified professionals. It will also be significant for those people to be able to make decisions about their lives, the way they want to operate their businesses and give them the freedom to act in a manner consistent with their interests, free of some of the burden of red tape that, as a community, we now see as not being contemporary. What were once viewed as protections, people are coming to realise we are one country and to be able to pull together as a country is really important.

This is an important bill before the House, coming on the back of a lot of work at a national level between jurisdictions since 2020, driven at that level and locally by the Attorney-General in this place. As a government, we are committed to ensuring Tasmanians hiring tradies to do work in their homes or in their businesses are protected by a framework that helps to provide clarity and certainty about the level of quality they will receive and the protections they have in the event that it is needed. Obviously, we hope that they are never used but it is important to have that assurance.

The Tasmanian Government is also committed to making sure our local industries can access workers they need to complete projects and support local jobs and businesses. This is a critical part in terms of workforce growth that we have at the moment. This is a government that has supported the creation of nearly 30 000 jobs in the Tasmanian economy. We have a record low unemployment rate here in Tasmania. Who would have thought, in the dark old days of the Labor-Greens disaster, that less than a decade later we would be seeing an unemployment rate with a three in front of it. It is staggering and unthinkable.

The fact we are achieving that now means we need to do what we can to make sure that the jobs chasing people are able to find those people, rather than the alternative - which, sadly we have been all too used to, which is people chasing jobs.

Tasmanian tradies are some of the best in the country. With my portfolio of Skills, Training and Workforce Growth, there is no doubt we are booming. We are some of the best trainers of young tradespeople, and we are delivering some of the highest-quality work. The latest statistics show there has been a 71 per cent increase in trade training commencements in Tasmania.

There are huge opportunities for young people and not so young. We have more than 10 000 trainees and apprentices undertaking training in Tasmania, and we have the highest rate of completions in the country. That is a staggering effort - 15 per cent better when it comes to building, and 20 per cent better for electrotechnology. Tasmania is really leading the way for new people coming into these opportunities, and for people going out of those opportunities and moving on to the next thing, with the tickets they need to succeed in work, business and in life. This is through the hard work of Tasmanians, supported by local Tasmanian businesses, to build their future and make sure our local industries are strong.

This bill streamlines occupational registration processes, allowing individuals to more easily work in multiple jurisdictions. As a former plumber, I know how important it is to make an easy-as-possible transition to take on work interstate, to expand your horizons and provide new opportunities. As someone who did my time in another jurisdiction and transferred to Tasmania, for me those bigger horizons was Tasmania. To come into this wonderful state, work down the west coast and take on some of those opportunities was an enormous part of my professional life. The system then was very much in transition. Tradesmen who did their time a couple of decades ago will know how difficult it was to move between some jurisdictions and have your qualifications recognised.

At the time, the work we have been doing under this Attorney-General was starting to flow through; even the process of transferring some of my licences which were done interstate was getting better as this Government went on. Now we are coming to a culmination where we are slashing red tape, making it as easy as possible for people to move around our beautiful country and particularly to come to our beautiful state - and also new opportunities for

Tasmanians if they want to take up opportunities for growth elsewhere in other parts of our country.

Many Tasmanian businesses have branched out and taken on the world. An iconic company from Devonport, Fairbrother, which started in the north-west coast of Tasmania, now employs people and works on projects around the country: that level of interoperability between their people, being able to take on work in Victoria, for example, and being able to come back to Tasmania, and make that transition as and when needed. As anyone who has worked in construction will tell you, it does have its peaks and troughs. You need to move to where the work is, take up those opportunities and be flexible in that.

Businesses that work across multiple state lines will be able to see the opportunities for their people to grow, to take the next step in their training. It is a fantastic opportunity as well for apprentices who might want that variation in their skills, training and experience, whether they do it in Tasmania or elsewhere and come back.

For a lot of young people thinking about the kind of industries they want to get into, it is an attractive proposition to be able to get a job in Tasmania, get the skills you need, and potentially go on a bit of an adventure as well. That is going to attract people to these industries, and means some of those skill shortages our country faces will be met - because people know they can start here, get an opportunity elsewhere if that is what they want to do in their life, and then hopefully potentially come back as well. To be able to attract a whole heap of new Tasmanians is really important.

It is vital that we are constantly looking to do what we can to make it easier for interstate tradies to make their way to our beautiful island - which, as we know, is the best place in the country to live, work, raise a family and retire.

This is a Government that is focused on reducing red tape and making sure our Government is supporting our community, while getting out of the way of businesses and people trying to earn a living. That is what this bill is about, and is achieving as part of a new national system of automatic mutual recognition.

We are a Government that believes in reducing red tape. We have been doing it from day one. We still have the energy to do so because, as anyone who has worked in government or with government will be able to tell you, there is a lot of red tape. We need to support our community with contemporary changes and amendments to what that legislation looks like, to better empower people to make the decisions they want for their lives, rather than just what is easy or simple for government bureaucrats.

It is also about customer service. I know the Premier has spoken very strongly about this, and it is so pleasing that the Attorney-General and the rest of our team is keen to deliver. People expect contemporary customer service when it comes to any part of the economy, and government really needs to play its part with its customers - in this case, the people it has a responsibility for licensing through those occupational licences.

We want to be able to deliver, for the customers of our Government, the ability to get a trade certificate and to be able to transport that. Whether you are from Queensland and you are looking to come down to the beautiful state of Tasmania, or you are a tradesman looking

to take the next step in your trade adventure, we want to facilitate that with contemporary customer service. That is what the mutual recognition amendment act is about.

This bill is about putting the meat on the bones, essentially, of the framework, following the passing of that act last year. As the Attorney-General mentioned in her contribution, the bill amends seven Tasmanian licensing acts, to enable the AMR system to be fully implemented for certain occupations. People working under the AMR scheme obviously need to comply with the same laws as local licences - that is common sense - but a tradie who is coming from elsewhere into Tasmania needs to be operating under the same laws, and to the same standards, as tradies operating in Tasmania. That is about fair competition, but also making sure local consumers are protected.

Many of these occupations have national professional standards - so the AS/NZS 3500 Plumbing and AS/NZS 5601 Gasfitting are the Australian and New Zealand standard. We all operate to it in our tech colleges and TAFE. We all read the same books, whether you are in Broome or Bendigo or Burnie. For most of these licences you are using the same information. To be able to put that information and recognise the work that we have done as a country to standardise our processes is really important.

The public and consumer protection requirements are maintained for all licensees working in Tasmania, and standards of work performed and maintained are the same for all persons working in Tasmania - very much a variation on a theme, but it is so important.

Tasmanians deserve to have confidence that the services they are purchasing and receiving are legitimate and of a certain standard. They deserve to know that in the event something does go wrong, they have access to statutory protections. I know the Attorney-General has been very strong on this because we want to make sure that young families who are living the Tasmanian dream, buying their first home and potentially getting a builder in on that block of land, that if something does go wrong - heaven forbid - with the work that has happened there, that they have adequate protection. We want to encourage those aspirations. We want them to be able to feel they can make those decisions for their families and in their own lives and that they have the backing of a government that says you are entitled to expect a certain standard of work when it comes to the most important asset, perhaps, that many people will own, their family home.

The bill covers an array of crucial occupations in our economy. We are talking about the building and construction industry, covering architects, engineers, building designers, building surveyors, builders, electricians, gas fitters, plumbers, conveyancers who transfer land, property agents including real estate agents, auctioneers and property managers; as well as motor vehicle traders who buy and sell new or used vehicles, and security agents, including inquiry and commercial agents and their employees.

Anyone who has worked across state lines and has spent a bit of time working outside of Tasmania would recognise that a lot of those occupations, with the day-to-day work performed by people in those jobs, it does not matter whether they are in Tasmania or interstate, the work often looks the same, feels the same and complies to a similar set of professional standards and laws. As a country, we are doing a lot of work and have been for a number of years, to bring our states together to make our regulatory frameworks more standardised and contemporary, because an Australian is an Australian, for many people, and they want the freedom to be able to move, whether it is to move with family, move for opportunity, or just find their own little

patch of paradise. People recognise now that state borders are not what they once were; we are a much more mobile community and one that embraces opportunities and our fellow Australians.

I was particularly heartened to hear the minister spell out in real terms what the impact of this bill will be. For example, an electrician will not have to pay \$300-plus in licensing fees for a three-year period, saving themselves real dollars on top of the time it would have taken to have their interstate licence processed and recognised. That is a great outcome. That is a lot of money for many people at a time where they can probably least afford it, when they need to pay removalist fees and everything else that comes with picking up your life and moving to a different state. It is supporting local businesses that are able to attract people without the unnecessary government barriers that could be put in place by some of these regulations and fees, and for new workers who want to come to our state.

The bill is all about getting workers on the worksite and on the tools faster and we will always support anything that makes it easier to get to work in Tasmania. We do not want to waste a moment when it comes to getting these tradies on the ground, building the houses we know that we need in our growing state, or working in some of the opportunities in the mining industry that I am now the minister for, where things are going gangbusters for a lot of those operations. They are very hungry for people, because there is an enormous amount of opportunity, and if we have people sitting at home while they are waiting for some of these processes to be finalised, those are missed opportunities.

I commend the minister for her work on this to push through, cut the red tape and improve government customer service. The Government has been strongly supporting growth in our local workforce in a range of industries, and this bill continues to build on this work. We also have some interesting challenges in the workforce with our wonderful tourism and hospitality sectors which, like tourism and hospitality sectors around the world, were heavily impacted by COVID-19, with big shifts in their workforce and the people who viewed that industry as a long-term career, lockdowns, border closures, and other things that made it very difficult to be working in those sectors.

Our Government stepped up and provided the support that was needed with the federal government. That has resulted in some of those changes. The difficulty of pandemic management for businesses like that is that they are coming out of it with a series of workforce challenges that are important and difficult to meet. Some people have moved on to other opportunities, while others may have found different businesses they wanted to work in, even in the same sectors. However, that shuffling can make things quite difficult.

Tasmania's remarkable training story has to be acknowledged as well, as it was recently by Master Builders Tasmania. Matt Pollock is doing a fantastic job supporting his industry and advocating on behalf of his members. I was with him a couple of weeks ago on the eastern shore in the beautiful electorate of Pembroke at a building site that is employing Tasmanian tradies, Tasmanian apprentices, and was ably supported, of course -

Mr Jaensch - Did you have anyone with you?

Mr ELLIS - I did, our new member for Franklin, Dean Young, who I want to commend on a fantastic first speech. Sadly, being someone who was born in the 1990s, I just caught the very tail-end of the VHS era, but I thought it was a fantastic speech. The other person I had

there, who really gets it when it comes to small business and growth and workforce challenges, was Gregory Brown. He is a fantastic fellow and a big supporter of small business in Pembroke which I think of as part of the tradie belt in Tasmania.

Dr WOODRUFF - Point of order, Mr Speaker. This is a gratuitous conversation and has nothing to do with this bill. I ask you to direct the member to the bill at hand and not have a conversation between mates in the Liberal Party.

Mr SPEAKER - It is not a point of order. I take the point of order, however, as you know, when it comes to one of these debates they are wide-ranging but the members always come back to the central point and that is the bill being debated. I will allow the minister in this case to continue his contribution. He is talking about tradies and I saw no problem with where he was going.

Dr Woodruff - I just make the point that the Government is filibustering on its own bill.

Mr ELLIS - Mr Speaker, I do not really know what that interjection was all about. I will say there has been fantastic work from a local community member who is a big believer in making sure young people have opportunities to get work in an occupation that is licensed by this Government and that is important. You cannot have tradespeople without apprentices and you cannot have apprentices without job opportunities. Gregory Brown, or Brownie, understands that and I look forward to having him in this place -

Dr Woodruff interjecting.

Mr SPEAKER - Member for Franklin, order, or I will ask you to leave.

Mr ELLIS - in the upper House to help deliver on some of those key commitments we have around reducing red tape, government customer service and looking after opportunities for our community.

Matthew Pollock is doing a fantastic job supporting his industry and advocating on behalf of his members of the Master Builders Association of Tasmania. He noted in *ABC Online* last Friday that construction activity in Tasmania has been the best in the country for the last four years. Who would have thought we could say that? This gives businesses the confidence to invest in new people. It has created job opportunities in construction that we have not seen for quite some time. That is absolutely spot-on. Matthew Pollock has his ear to the ground right across the state when it comes to the Master Builders Association but he gets that flow-on.

Job opportunities and our low unemployment rate means that businesses can have the confidence to say to a young person, We can take you on for the next three to four years, however long that apprenticeship is. You can find work, get the skills you need then become a fully qualified tradesman. That opens up a world of opportunities for you, whether it is pursuing the Tasmanian dream here or getting some experience elsewhere and then hopefully coming back home. It is what we want to see more of in Tasmania: more jobs, more building and more economic opportunities for Tasmanians.

That is why we are investing in TasTAFE and reforming how we have been doing things in regard to our training, skills -

Dr Woodruff - You are the minister for padding now, are you?

Mr ELLIS - Sorry?

Dr Woodruff - Minister for filling out time?

Mr ELLIS - I am the minister for TAFE.

Dr Woodruff - Relevance?

Mr ELLIS - Relevance: occupational licensing. We get the training for those licences. I did not know that was so controversial. I do not know why Dr Woodruff is so cranky about that connection.

I am very proud of the investment we are putting into TAFE so that we can get more of these people who are licensed through this system and give them opportunities. I thought that would be a good thing, something we could perhaps all agree on in this place.

The reforms of how we are doing things in terms of our skills system were put into the too-hard basket for too long prior to this Government. In the dark old days of the Labor-Greens government, and Labor government before it, their solution to the training system in Tasmania was to smash TAFE, blow it up and never put it back together again. It was an absolute shambles. It set this state back, set the training and opportunities of young people back a very long time. It has taken this Government, including the Premier in his time in the role I now have, to put TAFE back together again and through the fantastic work of other predecessors, we have been able to set that system up for the future.

TAFE entered a new era on 1 July this year. These reforms are going to make a difference and make sure that Tasmanians can get access to the training they need to get a job in these fantastic industries and set themselves up for life. That is why these reforms were supported by such a huge range of stakeholders and businesses, sadly ignored by the Labor Party and the Greens when they had an opportunity to do something in this space.

Michael Bailey from the TCCI, stated in an op-ed at the time that Tasmanian industry and the business community is unified in its support for the full set of PESRAC recommendations relating to TasTAFE. We want a TasTAFE with flexibility to deliver training and what we need is a transformed TasTAFE that looks and acts more like the businesses and industries that will be employing.

That is what this Government is all about: we are about more tradies, more workers and more small businesses for the future. This occupational licensing bill and the freedom it enables is a big part of that as well. We want to be supporting the choices Tasmanians and Australians are making, acknowledge that we are one country, that our people can have skills that are transferrable and that Tasmanians have needs that can attract other people to become Tasmanians and to take part in some of the fantastic opportunities happening here in our strong and growing economy.

These amendments will make sure that Tasmania continues to provide opportunities for workers so that they can come to Tasmania and get started sooner, for Tasmanians to find

opportunities and also to ensure that the right protections are in place for Tasmanian consumers. I commend the bill to the House.

[3.44 p.m.]

Mr O'BYRNE (Franklin) - Mr Speaker, I dare to briefly interrupt the filibustering going on, particularly from the member who resumed his seat and is now leaving the House.

I am quietly supportive of the bill. A number of people have asked some questions in clarification so hopefully the minister gets to his office and has a listen to this.

I was not going to speak but listening to that contribution did spark some wonderful memories I have of arguing in this place for national licensing and regulations so that workers and tradies could move from state to state in a seamless national economy. The self-congratulatory, vomitous contribution by Mr Ellis, patting himself on the back, saying, 'we're doing this work and we're the only ones that understand tradies and the economy, and want to build efficiencies, and we're the only ones that get it', and 'the disastrous Labor-Greens' - that sort of rubbish, it is like Brooksie without a script. It is embarrassing.

I was the minister at the time working with COAG under the Rudd-Gillard governments in terms of the reforms to national occupational licensing. We brought it in, and who was opposing it at the time? The then opposition spokesperson, Peter Gutwein, and his mate Rene Hidding. Every time I wanted to bring it in they were threatening disallowance motions because a couple of their tradie mates in Launceston did not like the fees, or did not want to do it because 'I don't care about the mainland, I'm not going to the mainland'.

To listen to the absolute garbage from the person who just resumed his seat, saying 'it's Liberals that do this and we understand the national economy, and we want to give' - you know, that log cabin story he keeps on rolling out time and time again. It is pathetic, it is embarrassing.

It was the Liberal opposition in the state that opposed a lot of this stuff. To get up here and take credit for it - give me strength. At the COAG meetings where we tried to get this up, the national meetings, ministerial council meetings that I attended, it was the Liberal states that were grandstanding and not wanting to join a national seamless economy in terms of licensing and regulation of the trades.

Ms Archer - It was the federal Liberal government at National Cabinet that proposed this.

Mr O'BYRNE - Maybe this element, but who started the work? Who provided the framework for a national coordination of licensing and regulation of the trades? It was Labor.

I am not going to speak much longer than this because that bloke filibustered enough and I am sure you are desperate to claw your way to 6 p.m. in the way that you usually do when you run out of a legislative agenda. The hypocrisy of that bloke. If you get up here and take credit for something, at least go back more than a goldfish memory and think about what actually happened when you were in opposition and opposed these kind of regulation changes.

Dr Woodruff - Hear, hear.

Ms White - Hear, hear, well spoken.

[3.47 p.m.]

Ms ARCHER (Clark - Minister for Workplace Safety and Consumer Affairs) - Mr Speaker, I think that was an audition for joining Labor again, reminiscing about his Labor mates when he was in the fold.

Mr Speaker, there is no filibustering going on. We have two other bills listed. What this demonstrates is a government prepared to come in and have many of our members interested in the subject matter. The fact is our backbenchers want to contribute, as opposed to Labor only putting up one speaker. I can understand the Greens. There are only two of them. There are multiple members in the Labor Party who are not willing -

Ms White - We have every confidence in our shadow minister to be able to put the arguments.

Ms ARCHER - I was not going to go into this but the laziness I have witnessed in recent times from the Opposition is extraordinary.

Ms White - We have confidence in our shadow minister. They must not have confidence in you.

Ms ARCHER - They only ever put one person up. The stark contrast between our side and the Opposition is evident. It is not filibustering when you have work on the agenda. To say that is just ridiculous.

I have quite a few questions to respond to in relation to the contributions made by Ms Butler and Dr Woodruff. I will move to those. They are not all in order because there is a bit of cross-over between some questions. In any event, we have attempted to capture the spirit of all of the questions.

Initially, I will observe that I do not think I have heard such a negative contribution to something that the Labor Opposition is actually agreeing with to what I witnessed from the content of Ms Butler's contribution. Nor have I experienced opposition to receiving an updated second reading speech that was essential to update the House on minor updates required to reflect that the AMR scheme has now commenced since I tabled, as of 1 July 2022. This was to provide members with updated statistics, not controversial statistics, but just statistics regarding the take-up of the scheme. I really do not know why there was criticism on that point. I have never experienced it in this House before, nor have I been attacked in this House for carrying out the duties of being a minister and consulting with other parties whilst I am listening to other contributions. No other minister has come under attack for that.

What is evident on display, time and again by this Opposition, is unfortunately females attacking females. I will call it out because we experience it. I have witnessed it with attacks on former female ministers we have had. I put you on warning in relation to that. It is not a good look. This week of all weeks the observation has been made outside this House as well. I hope that is a bit of a warning to members, Mr Speaker, that it should not be tolerated. I do not know what the motivation is.

In relation to the national economic benefits of the AMR, as stated in my second reading speech, when fully implemented it is estimated that the AMR could lead to an additional \$2.4 billion in national economic activity over 10 years as a result of savings to workers and

businesses, productivity improvements and extra surge capacity in response to natural disasters. Over 168 000 people are estimated to benefit each year, including 44 000 workers who work interstate who would not otherwise have done so. These estimates were prepared by the consultant PricewaterhouseCoopers, engaged by the Commonwealth, so we have not made up the economic benefits. They came from consultants engaged by the Commonwealth.

Turning to who may benefit in Tasmania from using the AMR, the AMR will allow Tasmanians to take up work opportunities interstate more quickly and will match jobseekers with employment opportunities. The AMR will also assist Tasmanian businesses by helping them to access skilled workers more quickly and at lower cost by seamlessly allowing employees to move where they are most needed. This will boost competition, productivity and economic growth. They are obvious benefits of that type of mobility.

For example, in the unfortunate event of a natural disaster, Tasmanian workers will be able to quickly respond to address immediate impacts or contribute to longer-term recovery on the mainland. Similarly, mainland workers will be able to more quickly react to assist Tasmanians and aid economic recovery should there be a natural disaster here. The early uptake of AMR for working in Tasmania in particular by interstate electrical workers and engineers wanting to work here shows the immediate benefits of improved working mobility across borders and easier access to a national labour market.

I want to specifically refer to the statistics of AMR notifications. As I stated in my second reading speech, as at 1 September of this year, 127 notifications were received by CBOS. The key figures are that electrical practitioners are the leading users, comprising 40 per cent of registrants sorted by their occupation type, and engineers are second on 20 per cent. Victoria is the foremost home state of registrants coming here, comprising 61 per cent of notifications, and New South Wales is second on 21 per cent. Out of the notifications received by jurisdiction, we have had five from the ACT, four from the Northern Territory, 78 from Victoria, 27 from New South Wales, five from South Australia and eight from Western Australia, giving us a total of 127.

As to notifications received by occupation type: architects, 2; building designers, 2; building surveyors, 3; engineers, 26; electrical, 55; plumbing and gasfitting, 7; security, 14; and activity not specified, 18. CBOS has ascertained further details from the applicant or the home state. That again totals 127. Out of those, 113 were successful and 14 were refused. I think that is the level of detail required to cover the question that was asked.

There was also a general question put by both Ms Butler and Dr Woodruff asking how do we know that interstate workers are qualified? Electrical workers have used a type of automatic mutual recognition on the east coast of Australia for some years and work standards have not been an issue in that occupation. Local electrical workers under AMR will be required to obtain 12 CPD points every year and will be required to provide evidence of public and products liability insurance. All electrical workers must produce a certificate of ID on demand. In addition, all workers are required to comply with local laws, including the Occupational Licensing Act and referenced act, which includes work health and safety laws which all workers must comply with. There are strict requirements under that act.

As we know, the commencement and scope of AMR is different in each state and territory. The AMR legislative model which National Cabinet signed up to allows for each jurisdiction to exempt certain occupational registrations from the AMR scheme for up to five

years on a renewable basis if there is a significant risk to consumer protection, the environment, animal welfare or the health or safety of workers or the public. It is pleasing to see that AMR has been and is continuing to be substantially rolled out in other states and territories.

Victoria, being our closest neighbour, has now implemented AMR for many key occupations including architects, builders, building designers, conveyancers, electrical workers, engineers, plumbers and property agents. Going by occupation type, AMR has commenced for architects in the ACT, Northern Territory, Victoria and Western Australia; building surveyors in the Northern Territory, South Australia and Western Australia; property agents in the ACT, Northern Territory, South Australia, Victoria and Western Australia; plumbers in the Northern Territory, South Australia, Victoria and Western Australia; and motor vehicle traders in the ACT, South Australia, Victoria and Western Australia. These are just a few examples.

To provide guidance to our local workers, the CBOS website provides an overview of what occupational licences are operational under AMR for each jurisdiction. I understand that many exemptions that are currently in place in New South Wales are anticipated to be repealed in the coming months. What I can say about Queensland, in reference to Ms Butler's question, is that whilst Queensland agreed as part of National Cabinet to the actual scheme, a commencement date for that state is unclear. I will endeavour to find out or maybe I will receive an update from that jurisdiction tomorrow at my ministerial council meeting for Consumer Affairs ministers, which of course covers the whole of Consumer Affairs building and occupational services.

There was also a question from Ms Butler as to why we have not used the same model as New South Wales, which uses a licence committee. The relevant statutory officers such as the Administrator of Occupational Licensing and the Director of Building Control always consult with industry regarding licensing and work matters. Construction, Building and Occupational Services is the relevant regulator for Tasmania and I am advised also that the regulator and office holders will continue to consult and listen to Tasmania's licensed professions and representative bodies. I know from talking to the Director of Building Control over many years and the Administrator of Occupational Licensing that for every major decision that is made in relation to these sorts of issues, we always consult the stakeholders and I always check that as well.

In relation to New Zealand, I want to correct something that Ms Butler said. The fact is that the AMR does not include trans-Tasman workers, so New Zealand cannot use it. Instead, a special type of mutual recognition applies between New Zealand and Australia. National Cabinet has agreed for a review to take place in 2025 as to the effective operation of the AMR. This might provide an opportunity as to whether the AMR could be expanded at that point.

There was a general question about whether our standards might be dumbed down, or there might be some forum shopping, where workers opt to be licensed in the jurisdiction with the most lenient requirements. Indeed, we need to have a scheme that prevents 'racing to the bottom of the pack'. I am not quoting anyone there, but that is the general flavour of some of the questions.

There may be a concern that differences in occupational standards across jurisdictions may create the potential for people to register in the jurisdiction with the least stringent requirements, and then use the AMR to work in a preferred jurisdiction - but in short, the AMR

scheme will not result in a race to the bottom or a dilution of trade skills. The AMR is a framework to facilitate temporary or transitional workforce mobility. The scheme requires a worker to have a home state registration where they principally reside or work, with the AMR then facilitating that individual to work in other jurisdictions. Workers cannot pick a state in which they consider it to be easier to gain a substantive licence.

While there are some differences between states on initial entry requirements to be licensed, all jurisdictions will require applicants to hold a mix of relevant qualifications or experience, or meet other entry tests before they can be licensed.

In addition, under the framework, each jurisdiction can exempt an occupational licence from the AMR where there is a significant risk, as I said previously, to the public, to workers, to the environment or to animal welfare. That is why the Treasurer also made a declaration.

In relation to maintaining our standards, when registration requirements are not harmonised, registration in one jurisdiction is sufficient grounds for a worker to practise an equivalent occupation in another without further assessment of their qualifications. This mutual recognition principle has been in place since 1992. These longstanding mutual recognition arrangements have not required registration requirements and standards to be the same in each state. Mutual recognition has delivered benefits over the past 30 years, despite differences in registration requirements and standards across jurisdictions.

In its 2015 report on mutual recognition arrangements, the Productivity Commission found no compelling evidence of harm or unacceptable risks arising from individuals registered under mutual recognition.

The AMR builds on and improves the existing mutual recognition arrangements by maintaining existing protections in place nationally, and in each jurisdiction. The scheme will not enable people to provide services they are not qualified to perform, nor will it dilute standards.

Dr Woodruff referred to national standards, and just generally whether or not the AMR undermines or provides a disincentive to harmonise standards. What I can say is that the AMR would complement work to harmonise standards. It will not undermine or provide a disincentive for harmonisation. Improved regulator coordination through AMR will complement work to harmonise standards across jurisdictions. This includes work already underway in the construction and teaching professions to improve safety and quality.

The AMR will also provide greater transparency of decisions taken by regulators, whether on exemptions or disciplinary matters. This could help to identify occupations where a more consistent approach to regulations across states and territories could improve outcomes for workers, businesses and consumers.

As to how the scope of work applies, occupations defined by an Australian state or territory as an occupational registration within the meaning of the Commonwealth's Mutual Recognition Act are within the scope of the AMR.

Differences in state and territory laws sometimes mean that an occupation in one state may not be considered an occupational registration for the purposes of AMR. For example, in Victoria, quantity surveyors are required to be licensed; however, as the quantity surveyor

occupation is not licensed in Tasmania, the AMR scheme has no application to that activity in Tasmania.

Further, the AMR focuses on activities undertaken within an occupation, rather than simply occupations. The specific activities - that is, scope of work - allowed by a home state registration or a licence are the same activities that may be performed under the AMR scheme in Tasmania. For example, a building designer for interior licensed in Victoria is restricted to interior design; they cannot design entire buildings or the exterior design of buildings, as that is outside their registration activities. Therefore, a Victorian building designer interior who works under AMR in Tasmania could not design the external cladding scheme of a Tasmanian building project.

Some occupations that are not regulated in Tasmania, and do not require an occupational licence, and therefore AMR is not relevant include - and I will read them out because it is worth it for *Hansard* - carpenters, fencing, motor vehicle repairers, roof tiling, painters and decorators, joinery, general concreting, stone masonry, brick layers, glazing, second-hand dealers and pawnbrokers, swimming pool repairs and servicing, plasterers wet or dry, installers of security grills, rooming house operators - I do not know quite what that is - and wall and floor tiling.

This is an aside. I do not think anyone asked this, but it is worth stating for *Hansard* as well. If there is ever any doubt, the AMR is only applicable to individuals, so actual persons, not corporations.

Dr Woodruff referred to professional indemnity insurance. Conveyancers already need to have public indemnity insurance through provisions in the Conveyancing Act 2004. Conveyancers are required to have a minimum of \$2 million professional indemnity insurance to operate in this state. The Occupational Licensing (Building Services Work) Determination 2019 requires public indemnity insurance for all architects - a minimum of \$1 million in cover. All interstate workers are required to notify CBOS prior to commencing work under the AMR. As part of this notification process, individuals are required to provide evidence of the required insurance. In the event that an individual does not meet insurance requirements, they are not eligible to work under the AMR.

Dr Woodruff - Minister, you said two sorts of insurance: public indemnity and professional indemnity. The bill specifies professional indemnity.

Ms ARCHER - That was to do with conveyancers, yes. I was just talking about what they already have to provide, and that is public and professional indemnity insurance.

Dr Woodruff - Architects have to provide public indemnity?

Ms ARCHER - Yes, public indemnity insurance for all architects of \$1 million.

Dr Woodruff - In addition, this bill requires that they now have to have professional indemnity insurance?

Ms ARCHER - Professional? I think that is correct. I am getting a nod, yes.

Dr Woodruff - So it is an extra requirement?

Ms ARCHER - I will just double check. I have a typo. It should have been 'professional'. The occupational licence and building services work determination from 2019 requires professional indemnity insurance for all architects. What this AMR does is ensures it is carried over for architects. It is existing and it still applies.

Dr Woodruff - Okay, good. Thank you.

Ms ARCHER - There was a question from Dr Woodruff on what a building services provider is? It includes a range of licensed trades and professions. It includes builders, building surveyors, engineers, architects and building designers. The specific types of licences and the requirements around these licence types is set out in a determination by the Administrator of Occupational Licensing. The work done by building services providers is regulated under the Tasmanian Building Act 2016. The building act mandates the national construction code, which must be complied with for all design and construction of building and plumbing work in Tasmania.

Which occupations are currently exempted from AMR? Under the Commonwealth legislation, the starting position is that all occupational registrations fall within the scope of the AMR scheme. However, each jurisdiction can declare what occupations are excluded from AMR in their state or territory. In December 2021, our Government put in place a number of temporary exemptions from the scheme until 30 June this year to allow agencies time to implement the necessary arrangements to support the reforms and protect existing regulatory safeguards. This is important and goes to a number of the concerns members had.

All occupational registrations within the Workplace Safety and Consumer Affairs portfolio were temporarily exempt. As a result of the temporary exemptions, only two occupations - driving instructors and bus drivers - initially commenced in Tasmania under AMR in December 2021. Under the Commonwealth legislation, these temporary exemptions expired on 30 June this year. This bill, therefore, makes a number of changes to licensing acts to ensure a smooth transition to AMR.

From 1 July this year, these occupations administered by CBOS or the Property Agents Board were temporarily exempted in Tasmania from the AMR scheme. I was asked to name the three:

- (1) Builders under general construction: CBOS is currently unable to obtain necessary information to assess an interstate builder's financial position and solvency, resulting in financial risk to consumers.
- (2) Conveyancers: there are differences between jurisdictions and the definition of conveyancing work, along with differences in conveyancing laws and practices.
- (3) Property agents: a risk arises to both vendors and purchasers of real estate in Tasmania due to the potential application of differing standards.

These exemptions are due to expire on 30 June 2023.

In relation to the issue of consumer and public protections, namely how consumer and public protections in Tasmania's licensing laws will be maintained under the AMR, our Government is ensuring that existing protections in place to safeguard our community will be kept under the new scheme. Where mainland workers decide to operate in our state, an individual will not be able to work in Tasmania under AMR if they are subject to disciplinary, civil or criminal action in any state or territory, if they have conditions on a registration or licence as a result of disciplinary, civil or criminal action in any state or territory, or have a suspended or cancelled registration or licence in any state or territory.

Any conditions a person has on their home licence will apply in Tasmania. Similarly, a worker will only be able to provide the same scope of work in Tasmania as they are under their home licence.

A worker wishing to work in this state will also be required to provide evidence of and maintain public and consumer protection requirements when necessary. This may include insurance such as professional indemnity insurance; continuing professional development and/or compliance with codes of conduct, for example, under the Occupational Licensing Act 2005. Our local laws will continue to apply to everyone carrying on the activity in the state.

Existing complaints processes will be available to consumers in relation to workers under AMR, just as they are for local licensees and local regulators will be able to investigate complaints for alleged breaches of legislation or codes of conduct. They will be able to take action, including suspending or cancelling a person's registration where appropriate.

I hope that assures the House in relation to protections.

Is a notification needed to work in Tasmania under the AMR? The answer is yes. Interstate licensees are required to notify local regulators such as Consumer Building and Occupational Services before they work in Tasmania. Obviously, this is a safeguard.

A notification is not a licence application. Workers are required to provide basic details about their identity and contact details, what type of licence they currently hold in their home state, what work they are entitled to perform under their home state licence, if there any conditions attached to their licence, whether there are or have been disciplinary proceedings brought against them in another state or territory, and whether they hold any Tasmanian-required public protection requirements such as insurance.

Notification arrangements will ensure that our local regulators have visibility of who is working in the state and, importantly, enable the regulators to provide relevant information about our local laws and requirements to those workers using the AMR.

All provisions of the existing regulatory framework will be applied to interstate registrants under AMR, that is, CPD; insurance, except for licence fees. I have a list here in relation to statutory requirements that apply, in relation to insurance; continuing professional development; trust accounts established and maintained; codes of conduct that apply; audits or investigations of conduct or work; conflicts of interest to be avoided; complaints that may be made by consumers; the issue of being able to lose a licence for disciplinary breaches.

Offences against the local licensing act also apply. The work to standards of local acts and technical codes is required. Licence fees, new or renewed; and licence renewals are

required. In each of those cases, the local Tasmanian licensee applies and in all but the last two categories there is deemed registration under the AMR.

Closing off on which laws apply under the AMR, people working under the AMR scheme must comply with the same Tasmanian laws as local licensees. Interstate workers under AMR have a responsibility to be aware of, understand and comply with our local laws. That is the most important issue here because our local people are required to have that responsibility to make themselves aware, so it is no different.

The standards of work performed are the same for all people working in Tasmania. For instance, every plumber must ensure that their work complies with technical standards under the National Construction Code and requirements for any permissions or permits before starting work under the Building Act 2016, for example, and the requirements for the conduct of licensees under the Occupational Licensing Act 2005, including codes of practice and determinations related to insurance and CPD. A person who does not comply with the laws where they are working may accordingly be subject to disciplinary measures prescribed in those laws. For example, an architect based in Melbourne providing services for a construction company in Tasmania must comply with the laws of Tasmania or potentially face disciplinary measures, including suspension or cancellation of their registration.

I hope that deals with all of the issues raised. I have tried to be quite broad and wide but as detailed as possible in relation to questions that have been asked by members and I have done that nearly with time expiring, but I thank members again for their contributions. I must also thank the department because we have had a few new people come on board very recently from the department on this and they have had to get across this very quickly, so I thank them for their work and, of course, my office as usual, putting in the hours they do across all of these portfolios to support the work that I do in this House.

With that, Mr Speaker, I commend the bill to the House.

Bill read the second time.

OCCUPATIONAL LICENSING (AUTOMATIC MUTUAL RECOGNITION CONSEQUENTIAL AMENDMENTS) BILL 2022 (No. 27)

In Committee

Clauses 1 to 39 agreed to.

Clause 40 -

Section 3 amended (Interpretation)

Ms BUTLER - I asked the minister to provide some information around the commencement dates and I think deemed registration is probably where that is best reflected in this bill. It is my understanding - and I am open to advice - that the date that was required for commencement of the Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Act needed to be completed by July 2022 for it to be valid. It is my understanding that there has been commencement of occupations that have been recognised under the AMR before it came to this House. I would like the minister to explain why that date

for commencement of 1 July 2022 was not met, and what held up that process for it to be coming into the parliament now and to be active.

There were statistics provided to us today about the numbers of people who have been successfully registered under the AMR system without it going through both Houses of parliament, and whether or not that is potentially undermining the system. Otherwise, why would we have to have the introduction of mutual recognition consequential amendments? It is a federal framework. Other states have been able to get their mutual recognition amendments completed that are part of this AMR system by July 2022. Are we now in a system in Tasmania under these AMRs that have been provided without the consent going through parliament that could potentially be legally challenged, and have you sought that advice?

Ms ARCHER - I thought I made it quite clear that under the Commonwealth legislation the stated position is that all occupational registrations fall within the scope of the AMR scheme. However, each jurisdiction can declare what occupations are excluded from the AMR in their state or territory. In December 2021 I said that our Government had put in place a number of temporary exemptions - as we are able to do - from the scheme until 30 June 2022 to allow agencies time to implement the necessary arrangements to support the reforms and protect existing regulatory safeguards. That is exempting things out of, otherwise you are in.

All occupational registrations within the Workplace Safety and Consumer Affairs portfolio were temporarily exempt, so everything that came under my portfolios. As a result of those temporary exemptions, only two occupations, driving instructors and bus drivers, initially commenced in Tasmania under the AMR in December 2021. Under the Commonwealth legislation these temporary exemptions expired on 30 June 2022.

This bill makes a number of changes to licensing acts to ensure a smooth transition to AMR because we have exempted most things. From 1 July this year these occupations administered by CBOS or the property agents board were temporarily exempted in Tasmania from the AMR scheme. The ones I am referring to are builders under general construction, conveyancers and property agents, and these three exemptions are due to expire on 30 June 2023.

Ms BUTLER - As a supplementary to that, can the minister explain why that cut-off date was not - and why you had to go through exemptions instead of just having the work done by 1 July 2022? Is that ethical?

Ms ARCHER - I recall asking the same question as to the timelines, and it is to provide the consultation with stakeholders, and the feedback from all the stakeholders who wanted to be exempted were to allow transition so that they could comply. It is ethical because it is in reference to all of the stakeholder feedback that occurred. I will check that, because I am going off memory, but that was certainly the situation as I understood it. CBOS and the Director of Building Control did very thorough stakeholder consultation. As a result of that consultation, we took the view that those areas within Workplace Safety and Consumer Building and Occupational Services needed time for transition. This is why we had that exemption period. As I have stated, there is a further exemption period for those three occupations I have just named and that will expire on 30 June next year. I will just check that I am correct.

If I can add to that, why another bill is now needed to implement the AMR in Tasmania, the bill we introduced last year, the Mutual Recognition (Tasmania) Amendment Act 2021,

allowed the adoption in Tasmania of the AMR amendments contained in the Commonwealth Mutual Recognition Act 1992, setting up a new legal framework. This bill amends six Tasmanian licensing acts and the Mutual Recognition (Tasmania) Act 1993 to enable practical measures for transition to the AMR scheme for a number of occupations in the Workplace Safety and Consumer Affairs portfolio.

This bill is simply about providing clarity about the protections and requirements in the specific occupational licensing acts this bill amends. This bill was not required for the scheme to commence. It essentially provides the administrative framework.

Ms BUTLER - To clarify, this bill was not required for the scheme to commence?

Ms Archer - Correct.

Ms BUTLER - This bill is just housekeeping and administrative more than anything else then, and the process could not be subject to legal challenge because of that delay between 1 July and now in September?

Ms Archer - No, it could not.

Ms BUTLER - Was there any reason why it was not prioritised to be done by 1 July to meet that deadline at the consultation and so forth?

Ms ARCHER - We did not need to do it by that date so I am not sure what you are getting at, other than there has been a delay. We did not need to do it so there was no possibility of any sort of challenge. In legal terms, it is neither here nor there.

Ms BUTLER - My understanding was that it was part of the obligation of the framework of the federal mutual recognition, those dates were set across states and territories for the AMR. I am happily corrected.

Ms ARCHER - We met the date in all but those three categories I have mentioned. If the timing was critical, Treasury would have issued a declaration. However, it was not deemed necessary. Treasury would have stepped in and made sure that was done if necessary. Nothing turns on it, as I said.

Ms Butler - Thank you.

Clause 40 agreed to.

Clause 41 to 100 agreed to and bill taken through the remaining stages.

Bill read the third time.

RETAIL LEASES BILL 2022 (No. 30)

Second Reading

[4.37 p.m.]

Ms ARCHER (Clark - Minister for Workplace Safety and Consumer Affairs) - Mr Speaker, I move -

That the bill be now read the second time.

The Retail Leases Bill 2022 will provide contemporary regulation of retail leases in Tasmania. This bill will facilitate the certainty and fairness of retail premises leasing arrangements between landlords and tenants.

Undoubtedly, the regulation of retail lease arrangements impacts a significant number of Tasmanian businesses. We are talking about hundreds of retail shops in our cities, townships and suburbs where retail premises are leased. This includes but is not limited to our giftware and homeware shops, childcare centres, cafes, hairdressing salons and takeaway shops.

Retail turnover in Tasmania has grown significantly over the past five years and it has generally grown at a faster rate than nationally. In March 2022, the value of retail trade in Tasmania was estimated to be almost \$670 million in seasonally adjusted terms, up 3.2 per cent from the level recorded last year. In fact, the exact figure is \$665.9 million. Unsurprisingly, the retail trade industry is also a large employer of labour in Tasmania. In the 2016 census, retail trade was listed as the second largest employment sector in the state.

Each of us in this place understands the profound impact the COVID-19 pandemic had and continues to have on the Tasmanian community. This impact was substantial on retail trade in this state and Australia as a whole. As part of our commitment to support businesses during this period, the Tasmanian Government put in place a range of measures, including relief from taxes and charges, and loans and grants for businesses affected by the COVID-19 pandemic. This enabled our local businesses to hibernate and survive, and then to be able to recover and drive growth and prosperity as restrictions are progressively eased.

In 2020, National Cabinet committed to the implementation of the code of conduct for commercial tenancies. The purpose of that code was to govern the conduct of tenants and landlords, and provide additional protections and rent reductions for tenants experiencing financial hardship. The Tasmanian Government initially implemented these emergency measures through a notice made under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020, and then more detailed provisions that applied under the COVID-19 Disease Emergency (Commercial Leases) Act 2020. Its regulations are something I will never forget, Mr Speaker, if I can ad lib from my speech.

Our Government committed significant resources to assist retail and commercial tenants with the impact of the COVID-19 pandemic. These measures provided vital and timely support, and were important actions to support Tasmanian businesses through the pandemic. This bill is similarly important as it puts in place modern, equitable and effective regulatory arrangements that reflect the business and leasing landscape of this state today, and into the future.

Since the 1990s, state and territory governments have had regulatory responsibility for retail tenancy arrangements. The development of Australian retail tenancy regulations was to address perceived imbalances in bargaining power between retail premises, landlords and small retail tenants. Today, Tasmania is the only Australian jurisdiction not to have enacted primary legislation to regulate retail leases. Our Government has listened to the views of retail and property management stakeholders who saw the existing Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998 as outdated, and in 2019 our Government commenced a review of the regulation of retail leases in Tasmania. As a result of that review, I am pleased to be introducing this bill today.

I will ad lib there - of course COVID-19 intervened in between that date and today.

Mr Speaker, I will now discuss the important features of the bill.

The purpose of this bill is to facilitate certainty and fairness of retail premises leasing arrangements between landlords and tenants. Mandatory pre-contractual disclosures by landlords are a key feature of this bill. The mandatory disclosure requirements are based on the principle that there should be full disclosure of costs and charges to be payable under a lease. This is to keep dealings between tenants and landlords open and fair, and prevent tenants entering into an agreement that they do not understand. If, during negotiations, the landlord's costs or charges are not disclosed, or how they may be estimated, the tenant will not be required to pay for them.

Under the bill, a landlord will also be required to provide a standard retail leases guide to any prospective tenant during negotiations before entering a retail lease. This guide explains, in plain language, the rights of parties under the bill in relation to retail leases. The bill includes specific provisions relating to when rent is payable, the basis or formula used to calculate the rent, and the timing and basis for rent reviews. This is to provide a consistent and predictable method for determining rent increases.

The bill also stipulates certain arrangements regarding payment of the landlord's outgoings by the tenant, and lodgement and return of security deposits or bonds. The bill prohibits a landlord from seeking or accepting key money in connection with entering into a retail lease. Key money is typically a non-returnable amount paid by a tenant to a landlord to secure, renew or extend a lease, but for which the tenant actually receives no real benefit.

The bill also provides the Director of Consumer Affairs and Fair Trading with specific powers and functions to ensure the legislation operates effectively. This includes specific functions to investigate infringements and take appropriate action to ensure enforcement of the bill, as well as to make determinations relating to retail leases, including a determination of the content and format of the retail leases guide.

Importantly, the bill also sets out a mediation-based dispute resolution process if direct negotiation between parties fails. Under the provisions, a party to the lease may make an application to the director for the mediation of a retail tenancy dispute. The director may then appoint a qualified mediator to hear the dispute, where the costs of mediation are to be met by both parties. If parties to the dispute fail to resolve the matters between themselves, either party may refer the dispute to a prescribed body.

Mr Speaker, the bill also ensures that the interests of landlords and tenants of retail premises are equally protected from unfair terms and conditions of leases, or from unconscionable conduct by parties during the negotiations or during the operation of a lease. Misleading, deceptive or unconscionable conduct by a party to a lease, or by another person effecting the lease, can be determined, with appropriate compensation awarded for loss or damage suffered by the party.

The bill also includes specific provisions relating to retail premises within shopping centres. These additional provisions relate to matters including centre trading hours and requirements for advertising and marketing. For example, a retail lease within a shopping centre must include the core trading hours for which all businesses in the shopping centre must be open for trading. The bill also requires that a retail lease must disclose advertising, promotion and marketing costs to which the tenant is required to contribute.

Turning to consultation, this bill has been developed and progressed in close consultation with industry stakeholders. As mentioned earlier, in 2019 our Government commenced a review of the regulation of retail leases in Tasmania. Feedback provided by stakeholders was generally in favour of a new legislative framework to modernise Tasmania's retail leasing laws. Stakeholders were in favour of the framework containing provisions similar to those used in other Australian jurisdictions.

Due to the COVID-19 pandemic, work on permanent reforms in 2020 - including the drafting of a new bill - was understandably put on hold. I have briefly touched on what this Government achieved during that period with retail tenancy arrangements to support our retail businesses.

In April 2022, further stakeholder consultation took place on a draft bill. Nine written submissions were received, representing the interests of both tenants and landlords. I thank those stakeholders for their valuable contributions.

In addition to carefully considering the views presented in written submissions, my department met with a number of interested stakeholders in May, including the Property Council of Australia, the Shopping Centre Council of Australia and the Law Society of Tasmania. The feedback provided on this consultation draft was extremely valuable and has led to a number of improvements to the bill.

These include amendments to clarify transitional arrangements so that it is clear whether the existing code applies, or this bill will apply, to certain lease arrangements. Existing leases entered into before the bill commences will continue to be governed by the code. However, five years after its commencement, the Retail Leases Bill will apply to all retail leases.

Adjustments were also made to the information to be provided in the Landlords Disclosure Statement. This is to accommodate instances where certain detailed information is not readily available, or is not practicable to be given. Importantly, the scope for the application of the bill has been amended from the consultation draft. The bill will capture only business premises that are used or proposed to be used wholly or predominantly to sell or provide retail goods or services to the public. This is consistent with the existing code, as well as other retail leases legislation in other jurisdictions.

I note that, to ensure there are no unintended consequences, regulations may be made to exclude or include certain types of other commercial premises from the application of the bill. The maximum penalty amounts have been revised to lower amounts in the final bill. These penalty amounts are now commensurate with those in other jurisdictions, while still being at an appropriate level to discourage non-compliance with the law.

Our Government has listened to concerns raised by stakeholders on requiring a maximum of the equivalent of three months' rent for a security deposit. We have heard from stakeholders that other jurisdictions do not set a quantum for security deposits, and providing a maximum amount in the legislation could result in landlords not having confidence for investing in retail premises.

As a result, this bill sets no maximum security deposit amount. If a deposit is required by the landlord, the bill requires the disclosure of the amount to the tenant, and provides for its prompt return after the tenant has discharged their obligations under the lease.

I thank all stakeholders who provided their time, attention and expertise to this important bill. This bill will replace the outdated code of practice, and provide contemporary regulation of retail leases in Tasmania to reflect the modern market and leasing arrangements of today and into the future.

Mr Speaker, by way of circulation there have been two minor amendments. I flag my intention to move those minor amendments to this bill. By way of explanation, since I tabled this bill in May this year, two minor drafting errors have been identified which require amendment. These things occur from time to time, Mr Speaker, and it is best we fix them now rather than having an incorrect wording.

The first amendment is to clause 35 of the bill in which the word 'not' was inadvertently omitted. That is important because the opposite meaning is currently in there.

The second amendment is to clause 58 of the bill which incorrectly references section 55(3) of the bill when it should reference section 56(3).

With that, Mr Speaker, I commend the bill to the House.

[4.51 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I am pleased to talk on the record about the Retail Leases Bill. We support the replacement of the Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998. This consultation suggested that it is outdated and needed to be updated. We also note that Tasmania is the only state to not have an act of primary legislation to regulate retail leases.

We can see through consultation undertaken by the Department of Justice in 2019-20 a general consensus was received for the review and a new retail leases bill was overdue and also necessary. We support the replacement of the Fair Trading Code of Practice.

We understand that consultation on this bill began in 2019. The bill itself has been subject to many redrafts through that process. The stance we have decided to take today has not been taken lightly. We recognise that there are many people who have put a lot of work into this Retail Leases Bill over a long time as well. The consultation started before COVID-19

so we understand that many people, especially in the department, have put a lot of effort into this. However, we believe that the bill is not ready yet to be debated in the House.

I have never done it before but after meeting with the Property Council and also the Law Society - the Law Society certainly recognised that we need to replace the Fair Trading (Code of Practice for Retail Tenancies) Regulations and that does need to be done. There are some good things in this bill but there are lots of holes and inconsistencies in it which I am happy to prosecute as we go through, which will take time. It is certainly not a stance that we have taken lightly but we are taking it with the support of those two groups.

We wrote to the minister about this, which was unusual. I will read that into the record because it is quite serious to write to a minister seeking for a bill to be withdrawn and redrafted. It was written on 22 August and it was a request for the withdrawal of the Retail Leases Bill 2022 for redrafting:

Dear Minister,

I write in relation to the Retail Leases Bill 2022 currently tabled in the House of Assembly. We have serious concerns with the standard and legal implications of the Retail Leases Bill 2022.

The Property Council of Tasmania and the Law Society of Tasmania support our concerns. I am advised both the Property Council and the Law Society have directly contacted you and raised these concerns.

I would formally request the bill be withdrawn and redrafted as it contains uncommercial content which will trigger unexpected consequences.

Whilst we currently withhold our comments on the policy direction of the Retail Leases Bill 2022, we do recognise the need for legislation that actually works. The implications of allowing the bill in its current form to progress through Parliament would be detrimental to the Tasmanian economy and undermine our current standard of legislation.

I look forward to your response,

Jen Butler

The minister for Consumer Affairs responded and stated that she was confident with the bill - I am not going to verbal you - but the bill should be tested on the House today, and that is what we are doing. They were not your exact words and I do not want to mislead the House, but it was to bring it here to debate today.

We have the full support of the Law Society and the Property Council in this request and we are advised both the Law Society and the Property Council have advised the Government on numerous occasions about their concerns.

The Retail Leases Bill will change the shape of how the Tasmanian economy runs. It is really important to get this right. It is vital that this bill be robust, clear, commercially viable and professional. In its current state, unfortunately, and it is certainly not a reflection of the

department and it certainly not a reflection of the people who have done the work, it is just quite not up to scratch, Mr Deputy Speaker.

The Property Council has stated in a letter they wrote to me on 9 June 2022 that they are really concerned about introducing a bill which has so much change in it and will be legally challenged. They are really concerned about what this will do to businesses in Tasmania that are still recovering from COVID-19 and what a huge problem that was at the time. They have stated to me in a letter they wrote to me on 9 June 2022, and I have met with them a couple of times consequently:

The Property Council of Australia is the leading advocate for Australia's property industry - the economy's largest sector and employer. The Tasmanian Division of the Property Council represents more than 100 member organisations across all aspects of the industry. Its members are architects, urban designers, town planners, builders, investors and developers.

On the 31st of May the Government introduced a Bill - the Retails Leases Bill 2022 which will replace the existing Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998.

Prior to tabling, the Property Council of Australia provided a submission outlining serious concerns with the practicality and workability of the Bill drafted in its current form (submission attached).

Since then, some of our feedback has been taken on board however a significant concern still remains around the application and timeframe of the legislation and note that several stakeholders stated that any retrospective application of this Act should be avoided.

Section 8(2) states that 'The Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998 as in force immediately before this section commences - (a) apply to lease, within the meeting of the Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998, that is entered into before the commencement of this section, for a term of 5 years, unless the lease is renewed on or from the commencement of this section'. This means that 5 years from commencement the Bill will apply to all retail leases regardless and will be problematic in its functionality.

Essentially, the current drafting of the Bill asks both landlord and tenant to abide by a different set of rule part way through a lease than those they entered into. This does not pass the fairness test, and we suggest that terms negotiated under the Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998 should remain in place for the term of that lease.

Their letter was quite explicit and they had not been listened to.

One that we received from the Law Society, and this is prior to us meeting with both these groups, this is them writing to us out of, 'Please listen and help because we really want this to be fixed because it is such an important piece of legislation. It is really important.'

They sent us a copy of what they had actually sent to the Attorney-General. It said:

Recently the Law Society of Tasmania was consulted on a draft version of this Bill. A working group of experienced commercial practitioners were brought together from each of the major law firms in Tasmania and a detailed response was provided, albeit by way of markup to the draft Bill. This was the approach, given the unrealistically narrow timeframes eventually provided to the Society at extremely short notice.

I do not understand why there would be such short notice when so much work had gone into the consultation and such an important piece of legislation for our economy:

A copy of the submission is attached.

Then they state:

Whilst further brief consultation occurred and some changes were made (we received the impression that CBOS was also working to tight timeframes) the Working Group was not provided with an opportunity to provide feedback on the revised draft Bill (including the particular wordings of any amendments and whether they achieve the objective or whether they reflect the realities of commercial retail leasing practices in Tasmania).

This is pretty full on and this is from the Law Society. They do not speak out of turn and they are very respectful. This is an opposition wanting to make sure that this bill can be as good as it can be because if we have got these problems -

Ms Archer interjecting.

Ms BUTLER - Mr Deputy Speaker, I did not interrupt at all -

Ms Archer - Sorry, my apologies.

Ms BUTLER - when the minister provided her - I would really appreciate her to provide me with the same professionalism and standard that I gave you.

Ms Archer - I said my apologies.

Mr DEPUTY SPEAKER - She has apologised.

Ms BUTLER - It is really important to get this right. It is important because what we are going to run through over the next - well, will take a while when we go through committee because we will have to. There are just so many implications and consequences, unintended consequences, which we are well aware of because that is something that in the minister's capacity, as the Attorney-General, we respectfully listen to when you talk about unintended consequences when we try to put in amendments and we do listen. I am sure the Greens would also be aware of how necessary it is to understand the unintended consequences in legislation.

When you have a group like the Law Society, you have the top retail lease experts from our firms in Tasmania coming together, providing me with where the clauses are incorrect or

where they contradict each other, and then me asking them to give me some layman's term examples of, 'Okay, can you explain to me, if that happens, what would then be the consequence of that?' They were able to give me those practical examples. They gave me a lot of time and they were very patient with me. They are all very clever legal experts and at the top of their field. I thought, this is not appropriate. It is not professional. When you have people like this speaking out saying, 'Please don't do this', and trying to engage, there is no reason to rush legislation if it can be redrafted so it is done well. I do not understand why they were not listened to. They also talk about:

Further, a vast number of issues flagged by the legal profession appear to have gone unaddressed. By way of first-blush review by our Working Group Lead, who is limited for time, and with the endorsement of the Working Group, this includes, but is not limited, to the following ...

Then they provide pages and pages of clause issues, they provide pages and pages of - they did pick up the two amendments which the minister provided to us before we came in here this afternoon, so that was really good. One of those clauses we probably will agree to that, I imagine, because that had unintended consequences where wording meant that a landowner was not able to pass on increases in land tax and rates to their tenants in their actual lease, which would actually see an increase in rental prices in retail leases I imagine. That is just one of the unintended consequences. There are pages and pages of these, so it would be good for us to prosecute that during our Committee stage, which I think we will have to go to.

If this bill passes the way it is, it has the potential to cripple both tenants and owners through the cost of compliance. This bill introduces a whole raft of new red tape, and that is something - or do we call it blue tape?

Ms Haddad - Blue tape.

Ms BUTLER - Yes, but that is something that I thought the Government was trying really hard through the work of minister Ferguson, who has done a lot of work through red tape reduction, and we supported some of those clauses too.

Mr Winter - These guys create the red tape, and then when someone else tries to clear it out -

Mr DEPUTY SPEAKER - Order, Mr Winter.

Ms BUTLER - Exactly. Stuart Clues did a lot of work in that group as well.

This bill will introduce a whole heap more red tape. I did have some legal experts say to me, 'It needs to be changed, it needs redrafting, there are going to be so many unintended legal consequences with this, we are going to be busy as. We are going to make so much money out of this', and then they said, 'I know that's a completely inappropriate thing to say'. There are so many problems with this bill that even the lawyers - or some lawyers - are saying, 'My gosh, we're going to be so busy because there's going to be so many legal consequences because of the drafting of this bill, and you could just redraft it'.

Consequently, I have made it pretty clear that we will not be supporting this bill.

Clause 6 of the definition of retail premises is where you really open it up and there it is. The broad definition will cover almost all tenancies in Tasmania, and it is difficult to imagine a premise which is not used for the retail sale, retail hire, or retail leasing of goods to the public, or for the retail provision of services to the public, not for profits, tele machines, church groups, disability care groups, aged care groups, et cetera. The list goes on.

The Law Society has stated that the committee cautions against a broad definition of applicable premises such as the one used in Victoria, namely premises which are used or are to be used wholly or predominantly for the sale or hire of goods by retail provision of services. It is very similar. In Victoria, this definition has met the premises that would otherwise be considered to be non-retail are covered by that state's legislation. For example, premises used for the sale of - this is an interesting example; this is how technical we have to be when dealing with legislation like this - premises used for the sale of flour to a bakery that uses the flour to make bread and pastries to sell on the shelves of, say, Myer or David Jones if you are in Victoria, because this is for the example that was given under the Victorian work, for them to display their goods, or the sale of mixed concrete - another good example - to a builder who uses the concrete to construct a driveway, have all deemed to be retail under that broad definition in Victoria. There is no difference between our definition and the Victorian definition.

The Law Society recommended a list of businesses that would be considered retail and that the list should be specific to broad categories of applicable premises, rather than listing specific business types. For example, there are numerous businesses that could be considered as being associated with the sale of homewares and like goods. Curtain shops, drapery shops, household appliance shops, household fixtures and fittings shops, interior decorating shops, kitchenware shops, et cetera would fit into that. That would provide greater clarity around the definition and would not leave it so generalised.

Consistency in the type of business currently covered is going to be a big issue because there is no consistency. Currently, hairdressers and beauticians are considered retail while tattoo parlours and massage centres, for example, are not considered retail. While some ancillary health providers such as pharmacists are covered, others such as podiatrists and osteopaths are not. We would appreciate if you could outline how consistency in the types of businesses will be provided in this bill within that definition.

For example, where do produce markets fit under the broad definition? If you are a stall owner at the Evandale markets on a Saturday morning, are you required to have a retail lease under this bill? That is an interesting example. Will beekeepers producing and packaging honey need to have a retail lease under this broad definition?

I will use the example as well of the new Hillsong Church operation in Hobart, in the old Spotlight building. I am not asking the minister who owns it. However, in a hypothetical world, if that site is not owned by Hillsong itself and they are leasing it, would that site be considered a retail lease because they are conducting services under the bill? That is how general this definition is. This is where we start getting into problems. These are the same sorts of problems they found in Victoria.

Definition of premises is a major issue that has been raised. It may not have been raised with you directly but it was raised during the consultation around that. We have had

consultation with the Institute of Leases Victoria and they have been tasked with fixing the current Victorian definition of leases because they found it was unworkable and too broad.

They apparently have not had any consultation with Tasmania, which was interesting because they would have been perfect to go to: 'Look, we have copied your definition. Has it been appropriate, has it caused any issues?'. In speaking to them, that broad definition has caused a lot of problems in Victoria and they are trying to find ways to improve their definition, the definition that we are looking at introducing, I am advised.

Our investigations have also discovered that the broadness of the definition has been the source of friction between some of the ASX and international companies in Victoria because they unintentionally became included in retail leases under that definition. Also, automatic teller machines became included under that very broad definition of a retail lease as well.

According to the Victorian Law Institute, their main work has been trying to redefine and put in those categories that we were talking about before. It has not been easy but they are working through it.

Under the similar definition, Victoria does exclude certain leases now, such as not including any area intended for use as a residence that, under the terms of the lease relating to the premises, are used or are to be used wholly or predominantly for the sale or hire of goods by retail or the retail provision of services or be the carrying on of a specified business or a specified kind of business that the minister determines under section 5 is a business to which this paragraph applies. That would provide some assistance. If it was redrafted or amended there might possibilities there.

It also states:

- (b) Premises that are used wholly or predominantly for carrying on of a business by a tenant on behalf of the landlord as the landlord's employee or agent;
- (c) Premises the tenant of which is a listed corporation as defined in section 9 of the Corporations Act, or (ii) a subsidiary, as defined in section 9 of the Corporations Act of such a corporation;
- (d) Premises the tenant of which is a body corporate whose securities are listed on the stock exchange outside Australia and external territories that is a member of the World Federation of Exchanges, a subsidiary, as defined in section 9 of the Corporations Act of such a body corporate.

Minister, my next question, therefore, is where is the premises the tenant of which is a body corporate whose securities are listed on the stock exchange outside Australia and the external territories that is a member of the World Federation of Exchanges, or a subsidiary of such a body corporate, captured in this bill, as defined as a retail lease? The advice I have received is that it does not provide any provision for those corporations under this. They fall into the broadness under your definition.

At the moment most of those groups would be under commercial tenancy arrangements but my understanding is that the way this bill is structured those commercial tenancies will have to be placed retrospectively under retail leases. Pardon me if I am wrong. Then those leases have to be renegotiated, which is not cheap, and I do not know whether some of those multinational companies in Tasmania would be impressed with having to go through that process.

That is legal advice we have received in relation to the bill and that is one of the unintended consequences of that broad definition. Could you come back to the House and provide some information about where corporations fit under the Retail Leases Bill because we cannot see anything in here? I am happy to be advised otherwise.

Advice from the Law Society in relation to the definition of retail leases states: 'In the Government's Retail Leases Bill 2000 there is nothing which stops it from applying to leases in which the tenant is a listed corporation'. You do have a problem there in your bill so I would like you to get some further information on that.

Ms Archer - If you could look at me rather than looking at your advisers.

Ms BUTLER - I am sorry, you are absolutely right. Sorry, Mr Speaker.

If this is the case, what length of time do these organisations, such as these corporations, have to transition from their current commercial lease to a retail lease?

Also, minister, which party is responsible for the legal fees in the negotiations required to change a lease agreement from commercial to retail?

Who is responsible for any modifications or changes required to include specifications under a retail lease, as opposed to a commercial lease?

Also, if this is a policy direction of the Government, can you explain the reasoning behind that? It is a pretty big change. If it is not a policy decision, do you intend to introduce regulations to specify corporations' exclusion in retail leases, because as I previously said, at the moment it does not allude to the crossover of commercial leases?

The definition is so broad, it does not allow for the situation where a tenant may own a small retail outlet on the same premises as a residential property, I understand. This was an issue that was raised with me through the Property Council. For example, if a family lived in a property which they rented, like a warehouse-style situation where they stored rugs, for instance, but at the front of that big warehouse they had a tiny outlet which was just there for a few customers coming in from time to time, but it was not predominantly a retail outlet, will the scope and size of the area be included under retail in this bill?

As I was saying, one of the problems they encountered in Victoria was the broad definition. Automatic teller machines coming under the umbrella of retail leases - I do not know if you have considered that, or understood it was an issue in Victoria. It would be quite interesting if that definition included ATMs in Tasmania. At my Longford office, for example, there is an ATM outside, but all the actual infrastructure to do with that ATM is in my office, locked in a big kind of safe, very safe. Does that come under a retail tenancy lease agreement because it is an ATM? There is so much broadness here.

This is the nightmare that the Law Society is trying to protect us from because that broad definition is just too broad. That is why we wrote to you and asked if you could withdraw and redraft and then try again.

I am cutting through here because we are running out of time. The broad definition will also include not-for-profits under the umbrella of the retail lease, as they provide a service. That is the advice we have received. Even if it does not, it is not specified in the bill that it does not. The broad definition issues become apparent in clause 35(4)(a). This is where the unintended consequences start to kick in in the bill. It states:

- (4) A tenant is not liable for the following outgoings:
 - (a) any capital expenditure on the building that is the retail premises or the building in which the retail premises are located;

The unintended consequences of this clause are highlighted, as not-for-profit groups will be subject to the limitations brought about by the confusing Retail Leases Bill.

This bill under clause 8, according to the Property Council, means landlords and tenants will abide by different sets of rules part of the way through a lease, other than those they had actually entered into at the beginning of their lease. According to them, that does not pass the fairness test - and it certainly does not.

As the minister would be aware, the average term of a lease in Tasmania is 15 years. Under this bill, the transition between the previous system and this system will commence in five years from the commencement of this act today. All existing retail lease arrangements will transition into this bill within five years, unless they are renewed or are new leases. If you can explain that to me and run me through that process, minister, I would be appreciative.

It means that in our Tasmanian economy, we are going to have a two-tier system of retail leases over the next five years, which will provide inconsistencies on a commercial level. That has been raised on quite a few occasions. The Property Council were really concerned about this as well. This act will apply to venues that were not previously recognised as retail leases, so that is another unintended consequence of this.

Minister, I would appreciate it if you could provide for the House some of the safeguards that are being put into this bill to protect landlords and tenants in a system where there will be a five-year period of a two-retail lease system in Tasmania. We know legal expenses are really pricey. The disputes process outlined in the bill, according to the bill I have received from the Law Society does not provide for an outcome.

It is as though all these bits of legislation from other bills around Australia have been cut and pasted together. You can see where they have been cut and pasted from in some cases. That is great: why reinvent the wheel? If it is a good piece of legislation, use it, but the problem is that it does not have any of the additional information that is in that interstate bill. It does not have that process, the safeguards, and it does not flow into the rest of the legislation, so you have contradictory information.

One of the best examples is that there are three different clauses in the bill that deal with marketing promotional costs. One of the clauses has marketing promotional costs, and a tenant does not have to contribute toward that; another says the tenant does contribute towards that; another one says it does not. They all contradict each other. If you are a tenant and trying to negotiate, it would be very unclear - and easy to be challenged whether you as a tenant or a landlord would have to pay for promotional marketing costs, because there are three different clauses that contradict each other.

There is also information in this bill that if a tenant and a landlord disagree on the valuation provided in the rental lease, they can get a second valuation done. We are the only place that I am aware of in Australia that is going down this path. Firstly, it is really expensive to get valuations. Second, we do not have enough valuers in Tasmania. It takes months to get a valuer. Why is a professional evaluation not enough? I will be asking the minister about why that was included. It is a bit of a 'scratch your head' moment. It also provides a situation where, for smaller landlords, if a tenant says to them, 'I'm not paying that, I'm going to get my own valuation', they might just fold and not go with the original valuation because they cannot afford a second valuation - they are expensive, they are thousands of dollars. I think it is the landlord who pays for that second valuation as well. I am not sure, so could you outline that for us as well?

I have run out of time. I look forward to Committee.

[5.30 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, the Greens have a number of comments to make about this bill. In the first place, we have no truck with the bill -

Ms Archer - You have what, sorry?

Dr WOODRUFF - Actually, I have that the wrong way around. We have no problems with a bill that sets out as its primary objective, in the second reading speech, to facilitate certainty and fairness of retail premises leasing arrangements between landlords and tenants. That is obviously a good aim. We looked at this bill through that lens.

In the second reading speech the minister talks particularly about protecting businesses during COVID-19, coming out of COVID-19, the current regulation being outdated. In detail, we do not have any concern with what is being proposed in this bill.

I have listened closely to the contribution of Labor, to Ms Butler. She has raised a number of concerns she says have come from the Law Society and also from the Property Council, I understand. We have not been approached by those organisations so I do not know the detail of those concerns. I heard the minister saying she had had a conversation yesterday. Ms Butler has raised some very serious concerns. I am going to listen to the minister's response and consider whether they have been properly addressed. Also, we will go into Committee.

I guess what I am saying at this moment is as we have understood the bill and its contents to date, we agree with the approach the Government has taken and I would like to understand the details. We will go into Committee, listen and be involved in those conversations.

I want to talk about the Green lens I used when I was reading this second reading speech. What starkly stood out to me was this Government's priorities. This minister is well known for

being a hard worker and there is no doubt that this minister ploughs through legislation in her portfolio. The comments are not about this bill or your work, minister; it is about the priorities of this Government.

We have here is that the priorities and resources of this Government, and I assume these conversations have been had in Cabinet, are about attending to the fairness and effectiveness of arrangements between landlords and retail tenants. We are concerned about the complete failure to talk about the fairness, effectiveness and reasonableness of the current arrangements between residential landlords and residential tenants.

What we have in Tasmania is an extreme housing crisis, the most extreme housing crisis we have in current records. I do not have information on what happened in the Depression. I am sure it was horrifying. We are in a situation that is horrifying for the people who are experiencing the increases in rents.

From the four years from 2016 to 2020, there was a 34 per cent increase in the weighted median rent in Tasmania. In the two years after that, from 2021 to 2022, there was an 18 per cent increase on top of that. Together, that means that we have a 58 per cent increase in rents, the median weighted rent in Tasmania in the last six years.

This is horrifying for people who are renting properties, horrifying for people who cannot get into properties, and frightening for anybody who needs to move from a property. We have a state of extreme rental insecurity. In that space, we have a Liberal Government that has repeatedly refused to do the things needed to give tenants security in this highly insecure housing market situation.

There are obvious things other jurisdictions are doing that Tasmania must be doing. We have a bill still in the second reading stage. Mr Speaker, I am not going to go into the contents of the bill. That would be pre-empting an order of the day but I am going to talk about the context because that is the reason we have that bill there, in the hope that the Government will come on board and understand that we must do something about this. We have left the debate open on purpose so we can have the conversation, so the Government can put the resources and energy into the Housing portfolio that Ms Archer has put into retail leases to make them effective and fair. That needs to be done for tenants in residential properties.

We have a residential tenancy act that is utterly unworkable, it is completely unfair in the rent control provisions and there are no rent control measures similar to other jurisdictions, which have brought into place fair and reasonable measures.

We have provisions in the Residential Tenancy Act that might mean a tenant can be evicted solely on the basis that their lease has expired, which is commonly known as no-cause evictions. We have a Retail Lease Act that would not allow something like that to happen; it is utterly outrageous for people who are renting residential properties. The property class thinks it is outrageous to be treated that way but for people who are not in the property class, who are the receivers, the beggars, dependent on housing, they do not get to have a say at the moment.

Tenants cannot assert their rights because functionally they have none. Any rights they might have had or do have in legislation, they do not want to speak up because there is the opportunity for no-cause evictions. How could you speak up when you are in a property market

closed to the majority of Tasmanians who have lost a house. If they lose their rental accommodation, there is almost no opportunity to get another house. It is so tight that people cannot speak up.

We know that there are no standards for energy efficiency. It is a huge problem for people living in properties where there are no standards for the sorts of fittings and fixtures to make them cheap and affordable to live in, to drive down the cost of living for people who are renting properties. There is no possibility for a person to be guaranteed that they can have their pet living in their rental property. They are not necessarily able to do that. At the moment, the Residential Tenancy Commissioner can refuse to allow a pet to be kept on the premises. We think that should be reversed. The onus should be that pets are allowed on a premises, and that there ought to be some conditions applied to how a pet can be kept on a premises.

Mr Deputy Speaker, we have a total lack of fairness in the residential rent setting arena. The mechanism that governs rent increases, the determination of rent increases, is based on unfairness, because it pegs it to the surrounding rental market. The current provisions in the Residential Tenancies Act mean that rents can be increased if a written residential tenancy agreement allows for an increase, or if there is no written residential tenancy agreement.

As it stands, under section 23 of that act, a tenant can apply to the commissioner for an order that a rent increase is unreasonable, but there was a recent case in the Magistrates Court, *Muddyman v Nest Property*, where it was clear that the burden is on the tenant to establish that the rent increase is unreasonable. The court said in that determination:

Neither the act nor the minor civil regulations expressly allocate any burden of proof, legal or evidential, to the tenant. It was common ground that it is for the tenant to establish the rent increase is excessive.

In the retail lease setting, all the onus is on the tenant to determine that a rent increase was excessive. Whether it is unreasonable is not the issue. The current act does not consider the amount of rent being paid before the proposed rent increase. It does not consider the reasonableness of the rent after the proposed rent increase.

The current provisions in that act require the commissioner only to consider the general level of rents for comparable residential properties in the locality or a similar locality. Functionally, what that means is that there is no brake on the exploding prices in the rental market. This approach ratchets up the price of rents for everybody, because everything is pegged. A reasonable increase is considered to be relative to the surrounding market.

The fact that the whole market is totally dysfunctional is predicated on causing misery and harm and suffering in people's lives - when governments could intervene and have a number of mechanisms to slow it down. There is not a simple, single-pill solution for the housing crisis, but there are things that can be done to slow it down.

This essentially is what this bill does. It slows down - well, it seeks to cauterise unfairness in retail lease arrangements. There is nothing like that in the Residential Tenancy Act in Tasmania. It is rigged in favour of owners and not renters.

We need to have decisions which consider the current rent and past rent increases, the costs for services and repairs provided by the owner of the property, as well as the works that

are being carried out by the tenant, the general state of the property - if it is dishevelled, if it is in good repair. These are the sorts of things that ought to be considered when a rent increase is being determined as reasonable or not by the commissioner.

Rent reductions should be issued if the tenant's use or enjoyment of the premises has been significantly diminished as a result of the loss of utility of a particular feature of the property, the loss of part of the premises. Sometimes owners of properties unreasonably, unfairly park things on the rental property and expect renters to suffer it. They take up space in the garage, they drop around and do the gardening when they feel like it. These are the sorts of things tenants in the current market in Tasmania have no capacity to do anything about for fear of retribution and being evicted.

The sort of fairness that needs to be inserted into the Residential Tenancy Act - as we are seeing in this act for retail leases - would mean that you could only be convicted on good cause, where there were obvious violations of the lease agreement, where it has been demonstrated that a tenant has caused a nuisance to the premise. If the house is being sold, or is not going to be used anymore as a rental premises, or is going to be used by a member of a family - these are the sorts of reasonable reasons that a landlord ought to be able to mount a case to require the ending of a lease with a tenant.

The current situation is manifestly unfair for people who have pets. The Tenancy Commissioner should be enabled to make a decision about whether a pet cannot be kept on the premises. In other words, the right to put the onus in the hands of the tenant, unless the landlord wants to object, and then they need to make the case. Obviously, it is important to make sure premises are protected from damage and that there is not going to be a public health and safety issue.

We are fully cognisant of the concerns that landlords can have, but the fundamental mental health and life joy that pets bring us should not be something that is only within the purview of a property owner. That is manifestly unfair. When you have people who are already in an insecure housing situation, by virtue of being renters, they of all people are the ones who particularly need to have their pets with them and get solace. There is a lot of difficulty and stress.

It would be amazing if other ministers could take a leaf out of minister Archer's book and do the work on their portfolio. Minister Barnett should do the work: fix up the Residential Tenancy Act. It is disgusting, inhumane, embarrassing and shameful that a government, a minister, refuses to act when there are solutions on the table.

The Greens have been proposing these solutions for at least five years. In legislative form, they are ready to go. It would be great if the second reading speech comments by minister Archer were the sorts of words we were reading in a speech about the Residential Tenancy Act, where the minister said 'our Government has listened to the views of retail and property management stakeholders and has taken them into account'.

It would be great if they listened to the views of residents of rental properties and took them into account instead of being deaf to them.

I am waiting to hear Labor's specific comments and the minister's response, but we have a bill here that was partly about protecting businesses during COVID-19. We do not have a

government that was protecting renters during COVID-19, other than for a very brief time, at the Greens' initiative, to end the no-cause evictions, no people to be evicted during that early period of COVID-19 in 2020. That was such a short period of time. It was an amazing period of time for people who are renters to not have that axe hanging over their heads.

The minister says the purpose of the code of conduct for commercial tenancies during the COVID-19 period was to provide additional protections and rent reductions for tenants experiencing financial hardship. They are still experiencing financial hardship, only it has become worse. It has become a lot worse because since that time, 2020, there has now been an extra nearly 20 per cent on top of the increase people had suffered to that point: an extra 20 per cent of financial hardship on average to people renting in Tasmania.

We will continue to talk about this because people are continuing to suffer and there is a solution on the table. We implore the Government to look into their hearts and be as proactive for the rights of the dependent, the vulnerable, and the poor as they are for the property class. Those of us who own properties are extremely fortunate. Most children in Tasmania, unless they are children of the property class, will not be owning a home. That is a terrible situation. It means they have to live somewhere, we have to protect them, and we have to protect their rights in residential properties.

[5.52. p.m.]

Mr YOUNG (Franklin) - Mr Deputy Speaker, I rise to talk in support of the Retail Leases Bill 2022. I assume, along with your good self, Mr Deputy Speaker, that I am one of the few people in the House who has practical experience negotiating a commercial lease. I can tell you that shopping centres generally will not give you more than five years of that lease. If you get more than five years, you have done an extremely good job negotiating. For someone who has negotiated leases in the past, this bill is of special interest to me. There is often an imbalance between tenant and landlord, so more certainty around it is exactly what it is needed.

I will tell you a story from my experience. We were negotiating our first lease, basically had it down to sign, in walks the shopping centre manager and says: 'You can't have it, here's what you can have.' We had to get to the point of being willing to walk away and lose everything to negotiate that lease. Luckily, we were strong enough to do that and found a separate place to go, but not everybody is that lucky.

The Retail Leases Bill 2022 will provide contemporary regulation for retail leases in Tasmania. This bill will help provide that certainty and fairness between landlord and tenants. The bill will replace the existing Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998, which is due to be repealed in January 2023.

As you would know, Mr Deputy Speaker, business is an ever-changing environment, and this bill will replace the outdated code of practice. It will provide contemporary regulation of retail leases in Tasmania. The bill will reflect the modern markets and leasing arrangements of today and into the future.

Our Government commenced a review of that regulation of retail leases in Tasmania in 2019. The outcome of that review is the introduction of this bill. The purpose of this bill is to facilitate the certainty and fairness of retail premises leasing arrangements between landlords and tenants. The bill will overhaul the regulation of the leasing of certain retail premises in Tasmania by updating the requirements regarding the exchange of key information between

landlords and prospective tenants about lease terms and the arrangements. This helps balance the ledger and helps both parties to negotiate in good faith, outlining specific provisions relating to when rent is payable, the basis or formula used to calculate the rent and the timing and basis for rent reviews.

The bill enables both parties to agree to renewal arrangements within the lease. It specifies that the landlord must give notice of between four to six months prior to expiry of their intentions regarding their renewal or otherwise of the lease - something that is vital. I have someone who has been told their current lease is not going to be renewed and time, to figure out what options you have, is essential.

Stipulating certain arrangements regarding outgoing costs and security bonds: if during negotiations the landlord costs or charges are not disclosed, or how they may be estimated, the tenant will not be required to pay them.

Providing the Director of Consumer Affairs and Fair Trading with specific powers and functions to ensure the legislation operates effectively, sets out a mediation dispute resolution process after direct negotiation between parties fails. Again, I have direct practical experience of that. At one point we were not allowing the shopping centre's leasing agent into the store to talk to us. Everything had to be in writing because the relationship had broken down that much.

Ensuring that the interests of landlords and tenants of retail premises are equally protected from unfair terms and conditions of leases, or from unconscionable conduct by parties during the negotiations or during the operation of a lease, there will no longer be a minimum lease term of five years. Instead, the bill will apply to a lease of six months or more. In circumstances where the lease is less than six months, the bill will also apply if a tenant has been in possession for six months because the retail lease was renewed or continued one or more times.

To ensure that there are no unintended consequences, including businesses premises that are not engaged in retail trade, there is also scope for regulations to be made to exclude certain types of premises from application of the bill.

Our Government has stood shoulder to shoulder with tenants and landlords during the significant challenges of the COVID-19 pandemic. As part of our commitment to support businesses during this period, the Tasmanian Government has put in place a range of measures, including relief from taxes and charges, and loans and grants for businesses affected by the COVID-19 pandemic. This enabled our local businesses to hibernate and survive, and then recover and drive growth and prosperity as restrictions are progressively eased. Our Government has committed significant resources to assist retail and commercial tenants with the impacts of the COVID-19 pandemic. These measures provided vital and timely support and were important actions to support Tasmanian businesses through the pandemic.

This bill is similarly important as it puts in place modern, equitable and effective regulatory arrangements which reflect the business and leasing landscape of this state today and into the future.

To recap, with the practical experience I have in this area, it is vital that we get the balance right. The bill will streamline and modernise the Tasmanian retail leases legislation. As the Attorney-General has discussed, the bill is the result of significant stakeholder consultation,

and has been shaped and informed by the landlords and tenants who will be guided by the bill. Amendments were made as a result of feedback from stakeholders which ensures the bill is fit for purpose and provides an appropriate balance between tenants and landlords. The bill will encourage fair practices for all parties and provide contemporary regulation of leases in Tasmania. This bill shows, once again, that our Government is listening to and providing solutions for small businesses.

The bill will apply to retail premises, which are generally defined as 1000 square metres.

Debate adjourned.

ADJOURNMENT

Game Changer Sports Equipment Scheme

[6.00 p.m.]

Mr STREET (Franklin - Minister for Sport and Recreation) - Mr Speaker, the Tasmanian Liberal Government is working hard to support families across the state who are doing it tough due to cost-of-living pressures. A few months ago, a group of community organisations approached my office with a great initiative that would do just that. I was extremely proud to recently announce that we are providing total funding of \$20 000 to Reclink, Variety Tasmania, Inclusive Innovations Tasmania and Communities for Children to support their Game Changer initiative.

Game Changer is a sports equipment exchange scheme that will collect donated pre-loved sports equipment and redistribute it to Tasmanian children in disadvantaged communities, with the program expected to benefit more than 100 families each year.

This funding will allow the program to hire a coordinator who will organise volunteers, logistics and the sorting and redistribution of the sporting equipment. I want to put on the record my thanks to the Bridgewater PCYC, who have generously offered space at their facility at no cost to safely store and process equipment to kickstart the scheme.

Game Changer will address one of the major barriers to involvement in sport by eliminating the cost of clothes and equipment, and allow more Tasmanian children to get active and benefit from the physical, mental and social benefits of participating in sport.

Reclink Tasmanian state manager Richard Allanby said the program will give disadvantaged Tasmanian children a sense of inclusion and belonging. By enabling children to participate in sports, Game Changer will connect them to their communities in ways that are not possible through other avenues and give them the opportunity to expand the support networks available to them.

Variety Tasmania CEO Mohammad Aldergham said the program will help to foster social coherence and awareness. This initiative will encourage children to think about others who are less fortunate, encourage them to be more involved and to be socially active.

Our Government is working hard to get more young Tasmanians moving and into sport. As I have said on a number of occasions, one of my key priorities as Minister for Sport and

Recreation is increasing participation at the grassroots and community level. We recognise the power of sport and the role local clubs play in engaging people from all parts of the community and fostering community connections by providing places to be social, active and develop skills and values.

Once again, I thank all the organisations that brought this program to my attention and, as I said before, particularly to the Bridgewater PCYC, who have offered their facility to enable the scheme to take place.

Tasmanian Football Finals

[6.02 p.m.]

Mr O'BYRNE (Franklin) - Mr Speaker, it is footy finals time, which is always a great time in the footy community across Tasmania. I was fortunate enough to attend the SFLW finals bonanza last weekend at North Hobart in perfect weather conditions. It was a great day of events and some fantastic footy players. I would like to congratulate all the clubs that contributed through the season but those clubs in particular that played on the big day. New Norfolk had a win; the Port Cygnet team had a win and, in the big dance, I suppose you would call it, North Hobart beat Lauderdale in the final game, which was a hell of a game. There are some really talented young footballers and I am sure that the AFLW scouts were at the day and casting their eye over some fantastic talent.

This weekend, it is actually remarkable in the south of the state - I am not sure if it is the political leadership provided across all parties for the seat of Franklin - but the seat of Franklin is producing some high-quality football teams that are playing off in big finals this weekend.

I will start with the statewide league. We have the big preliminary final down at the Twin Ovals between the Tigers and Clarence, which is a fantastic clash. The Tigers have been building under Trent for a number of years. They have talent all up and down the field. Kieran Lovell, Jordan Lee and Ben Donnelly just to name a few. As soon as you start naming you get in trouble, but there is a lot of depth at the Tigers, and they have had a cracking season. This is their best season since coming into the statewide league. I have been a foundation member of that club since 2014. A number of players, off the back of the old Sandy Bay days and my Southern Cats days, have got an affiliation with the Kingborough Tigers. I have been a supporter of that club for many years and they have had a great season.

Sadly, they missed out against Launceston last week. Launceston are going to be very tough to beat. They had a great performance. This Saturday afternoon's game, at the Twin Ovals against Clarence. Clarence have done very well this year. Spear Ryan, an ex-North Hobart and Glenorchy player, has had a very good coaching journey and has done a fantastic job in getting the Clarence footy club up to play in a preliminary final. They will be super-competitive with Spear. I wish Clarence well. They are in my electorate but having played against Clarence, I think people can agree that they are hard to love when you play against them. You have to respect them as a club for their competitive spirit and ability to keep fighting and to win. I played against them though in their many successful games - I was not successful, they were - in the 1990s when I played football.

I wish both clubs, Clarence and Kingborough Tigers, all the best in what should be a crackerjack game down at the Twin Ovals. Hopefully, whoever gets through can really take it up to Launceston in the big dance the following week.

We also have the grand final in the SFL and, again, two clubs from the great seat of Franklin. You have the two Blues - Lindisfarne, led by Michael Cassidy, playing against the reigning premiers, Cygnet, coached by Thor Boscott. This is going to be cracking game. Lindisfarne have arguably been the form team all year. They have played in two; they had the week off and then, in a tight battle against Huonville at Lindisfarne, they got over the line to qualify for the grand final. Cygnet have been up and down in terms of their form but they have done very well to regroup after a loss at Huonville down at Kermadie to beat Huonville at Huonville on Saturday to play off against Lindisfarne.

Dave O'Neill, the president of the club, and a lot of people in the club at Cygnet, all of these clubs I have mentioned - the Tigers, Clarence, Lindisfarne and Cygnet - from the seat of Franklin, yes. Being a local member, you get a beautiful insight into the passion of volunteers and people who love their sporting clubs, what it means to them, what it means to past players, and to parents of players. You know you are getting old because there are a couple of young fellows running around - the Preshaw boys, Ollie and Jack. I played with their uncle and their dad, Nick and Mick. It is great to see the young fellows coming through. The passion for their local community and local club is represented in all of those four clubs. They will no doubt put their best foot forward and do their best for their guernsey on the weekend. We all wish them well, no injuries, good tight games, good entertaining games and then a good strong handshake at the end of the game.

I wish those four clubs well in finals time. Also, just in closing, the Collingwood Football Club on Saturday night - a big game. Go the Pies.

Digital Inclusion

[6.08 p.m.]

Ms OGILVIE (Clark - Minister for Advanced Manufacturing and Defence Industries) - Mr Speaker, we are very much on a unity ticket about SFL. As former president of SFL and the president who started the SFLW, it is very good to hear that everybody is enjoying it so much, for the women in particular. There was a really big gap and those clubs you spoke of and others did such a good job at pulling together a women's competition from nothing very quickly. Now I think it might be, if not the biggest competition in the south but in the state.

Mr O'Byrne - If you look at the teams you would have to go close.

Ms OGILVIE - Yes, it is amazing. So, unity ticket, fantastic for football.

Mr Speaker, I rise to speak tonight about digital inclusion, which is also another way of including people. It is a subject I am very passionate about. I have spoken about it since before anybody understood or knew it was coming or thought it was over almost a decade in this place. Improving digital inclusion and participation within Tasmania is a really big issue. It affects a great number of Tasmanians. A number of government agencies, NGOs and private sector bodies are providing focused services and programs to further digital literacy and inclusion throughout Tasmania. I thank them all for that, and I work closely with some of them.

Our Government agrees with the benefit of developing a whole-of-government future road map to form a cohesive interface with NGOs and private sector providers. We know the Premier has spoken about this recently, which was very well received. I am advised that the Department of Premier and Cabinet has already been considering options to further target and coordinate efforts to address digital inclusion. This will be delivered in consultation with relevant agencies and partners and I am pleased to be part of that discussion.

The digital community objectives and priorities in Our Digital Future outline the Tasmanian Government's action plan for digital inclusion. A review and progress update of Our Digital Future will commence in late 2022, and will include a more detailed strategy and roadmap in relation to digital inclusion.

We are, as a Government, an active participant in the national cross-jurisdictional Digital Inclusion Working Group. The Department of State Growth is leading one of the three priority digital inclusion initiatives, which is exciting. As the Premier mentioned recently to a TasCOSS forum, there are already great examples across our Government and the community in general to address digital inclusion as well as digital literacy. These include initiatives such as the Launceston City Deal, which is exploring how to engage the community on digital inclusion in alignment with a place-based approach.

The Department of State Growth's Digital Ready for Daily Life program has had considerable engagement in local initiatives, such as shopping centre pop-ups to assist with using the Check in TAS app. The program is also delivered through the Libraries Tasmania network. Leveraging trusted community programs such as the 26Ten Build Your Business and Build Your Community programs have shown that combining digital literacy into existing outreach programs can be highly successful in overcoming trust and access barriers.

Libraries Tasmania continue to offer access to computers and computing basics courses and tutorials. The Digital Connection Grants program provides funding to many community-managed online access centres around the state. That is something the other side and the shadow for ICT have been keen and robust on ensuring they continue.

To reduce the digital divide for our learners, the Department of Education is investing an additional \$5 million to bolster the pool of devices in our public schools, ensuring all families, and families who are unable to provide this technology, can continue to support their child learning at home.

The Government has also been working with telecommunications partners to provide improved access to digital infrastructure and mobile services in rural and regional Tasmania as part of the Commonwealth Regional Connectivity program, successfully partnering with Telstra in rounds one and two to secure funding.

This is an important issue. We live in a digital age, and digital inclusion is fundamental to supporting the Tasmanian community. As the minister for Science and Technology, I will be making this a priority of mine and will be continuing to work incredibly hard across the range of measures we need to do to address inclusion in Tasmania, with digital inclusion measures both from government sources but also working with the private sector, telecommunications providers and others, to ensure that the costs of inclusion are addressed.

Fuel Excise

[6.13 p.m.]

Mr TUCKER (Lyons) - Mr Speaker, I rise tonight to talk about fuel excise. Yesterday in parliament, Labor had the opportunity to extend their views, and they managed to loop around the main point - which is, extend the fuel excise.

Labor did back the Morrison government's halving of the fuel excise, but sadly now, under a federal Labor Government, drivers can expect to see a jump in petrol prices from 29 September. Obviously, \$3 billion means more to the Labor Government coffers than relieving the cost of living for Australians, especially with rising interest rates.

Dr Broad - Crocodile tears here.

Mr TUCKER - Where is your heart, Dr Broad? We have asked the Labor Party of Tasmania what they have done to seek the support of their federal colleagues for this very real burden on Tasmanians and Tasmanian businesses. Yesterday in parliament, Ms Butler informed the House that they had written to their federal government in relation to fuel prices and the escalating cost of living pressures Tasmanians are experiencing.

I will ask you again, Labor: pick up the phone and personally talk to your colleagues. The cost of fuel is impacting people. I have heard directly from people on this, Mr Speaker. Kathy, a small business owner from the eastern shore, said:

Fuel is the biggest cost-of-living issue affecting Tasmanians. I am having to pass these costs down to my customers. If the federal government has a lever to help, they should use it.

Our Premier has consistently raised this directly with the Prime Minister. We would welcome any discussion the federal government may wish to have on how to assist Tasmanians struggling with the high cost of fuel.

Gregory Brown - or Brownie, as he is known - a candidate for Pembroke, has been talking to people on the eastern shore far and wide. He has told me it is the number one issue that he hears. Brownie spoke to a woman in Geilston Bay who said fuel was costing the family around \$55 per week extra already. This is almost all the spare cash in the family budget each week. Her husband has started catching the bus to work, but this means he leaves earlier and gets home later, spending less time with his family, with his kids, having to walk three kilometres to pick the kids up from school instead of driving to pick them up, only using the car when they really have to. If it goes up any more, they will have to stop driving altogether. This is the real face of it.

The federal government has the power to help the people at the bowser. It is important, because fuel costs flow right through the community. They hurt small businesses, suppliers, grocers and consumers.

Importantly, we ask the Labor Party of Tasmania what they have done to seek the support of their federal colleagues for this real burden on Tasmanians and Tasmanian businesses. We plead with them, please pick up the phone. Talk to your colleagues, please. Help Tasmanians.

Why have they not acted on behalf of Tasmanians, Mr Speaker? They are all talk and no action. Yesterday, the member for Franklin, Mr Winter, did not support the Government's motion to ask the federal Labor Government to extend the fuel tax cut - but then he said to the media he would have conversations with his federal colleagues. Why did you not support the motion in the House, Mr Winter? Labor says one thing and does another. No wonder Labor cannot be trusted.

The Tasmanian Liberal Government recognises that many Tasmanian households are doing it tough at the moment, which is why we are taking action on cost of living expenses. We have listened to concerns from the community sector regarding the impacts of the recent fuel price spike on delivery of their services. This is why our Government took action and continues to take action on the cost of living.

While current fuel prices are a global problem, our Government took action in 2020 to promote competition in the local market by introducing a mandatory real-time price reporting scheme. The scheme, which involves the free FuelCheck TAS app and website, helps motorists to easily access fuel pricing information and make informed decisions on where to buy their fuel.

Our Government has made it very clear that we will consider further action on fuel pricing, including legislation, should there be any evidence of Tasmania being excessively out of step with the rest of the country, or in the event of price gouging. To date, no such evidence exists. The former federal government's tax cut on fuel has provided an actual reduction in fuel prices for Tasmanians, with Australian families with at least one vehicle expected to save \$300 over the reduction period. We will call on the current federal government to continue this action.

The Tasmanian Liberal Government is taking practical steps to provide relief to Tasmanian families. We announced over \$5 million in additional support last month. That is on top of the \$17 million committed to power price relief via our \$180 Bill Buster payment to eligible Tasmanians, with an estimated 94 230 Tasmanians on concession cards already receiving their \$180 payment.

In fact, one customer who received their bill buster payment recently provided feedback, and I quote it again:

I am an aged pensioner, and I received my electricity bill today. I just wanted to let you know how grateful I am for the contribution your government has made in making it affordable to keep warm during this winter. I am very frugal with electricity uses, but your bonus has alleviated a lot of the bill stress.

I plead again with the Labor Party: pick up the phone and do the right thing by Tasmanians. Tasmanians need you to pick the phone up and talk to your colleagues in the federal government.

Circular Head - Closure of Commonwealth Bank Branch
Tasmanian Minerals, Manufacturing and Energy Council - Publication

[6.20 p.m.]

Dr BROAD (Braddon) - Mr Speaker, I want to talk about a very serious issue, and that is the Commonwealth Bank closing in Circular Head. The Smithton Commonwealth Bank is due to close on 25 November 2022. I say to the Commonwealth Bank, it is not good enough. It was described by the mayor, Daryl Quilliam - quite rightly - as a 'kick in the guts'. It is a kick in the guts for the community.

On top of that, not only is the bank going to be taken away by the Commonwealth Bank, the bank is also taking away the ATM. You will not be able to do any banking with the Commonwealth Bank via the ATM or from the branch. That is not good enough. It is not good enough for a number of reasons.

Circular Head is a community that is somewhat separated from the rest of Tasmania. It is a fair distance to travel to the next bank branch. The Commonwealth Bank is actually expecting people to travel to Wynyard or to Burnie to do their banking. That is all well and good for people who do not understand about community needs. What happens, for example, if you live at Marrawah or Arthur River? You have to travel a good couple of hours to get to a bank.

What does this mean for the businesses of Circular Head who bank with the Commonwealth Bank? What are they going to do with their cash? Also, this is very difficult for an ageing population. We know that the age profile of Circular Head is a little bit older than the rest of Tasmania. What does it mean for the older residents of Circular Head when they go to do their banking? They want to speak with someone. They do not want to have to use an app or go online. They would much rather speak with someone face to face. That is why the Commonwealth Bank should keep the Commonwealth Bank branch open in Circular Head.

We know there is a lot of wealth in Circular Head. There are many really good businesses, small and large, in Circular Head. That is why it seems unreasonable for the Commonwealth Bank to be closing its branch. I call on them to change their mind.

What about the workers? There is no talk of what is going to happen to the people who work in that branch. They have not outlined what is going to happen to them. When is this going to stop?

We know that this is the fifth closure of a Commonwealth Bank branch just in Braddon, the fifth branch to close after Somerset, Penguin, Queenstown and Sheffield all closed. What is going on next? What is going to be next? Is it going to be the branch in Ulverstone that is going to close? What about Latrobe? Is that going to close? Where is this going to end? If we want to bank with the Commonwealth Bank, eventually will we have to travel to Launceston to do our banking if we want to speak to someone face to face?

This is not good enough. The bank makes a lot of profit out of Circular Head and they should maintain a presence, because the community deserves it, and the community needs it. It is not good enough simply saying, 'Commonwealth Bank customers, you can go to the post office'. Commonwealth Bank customers can also change to other banks.

I urge the Commonwealth Bank to rethink that move and keep the Commonwealth Bank branch open in Circular Head. The community deserves it, especially the older people in Circular Head. They need a bank where they can talk to someone face to face and not look at an app or get online.

I would also like to talk briefly about a publication from the Tasmanian Minerals, Manufacturing and Energy Council, which highlights some of the different careers you can have in mining, manufacturing and energy. It is a very good document. I know I am not allowed to use props, but this is a very good document. I would suggest people get themselves a copy and show it to your kids or show it to people who are considering their careers because it is a very good publication.

It has a description of a particular career path. For example, on the front page, there is a graduate mechanical engineer. First of all it says the education that is required. It says at the top, a graduate mechanical engineer, university qualified and then you turn to the back and it gives you some information about what a graduate mechanical engineer does. In this instance it says:

Mechanical engineers solve problems and are involved in the planning, design and overseeing of mechanical and processing facility maintenance programs. They use scientific and engineering approaches to collect and analyse data to inform, coordinate and build new ideas for site maintenance ...

and so on. Then it has a quote from a particular woman who is a graduate mechanical engineer. It says:

When I looked at my pathway, I thought I liked maths, I liked science and I love cars. So mechanical engineering was the pathway I chose.

That is one example. The next example is a vocation qualified. It tells you what qualifications you require for an apprentice electrician. It then goes on to things like a safety adviser, a data analyst, mechanical engineer, laboratory technician, boiler maker, shot firer. Shot firing is a vocation qualified position. Then in this particular instance the woman who is the shot firer talks about:

I find the work interesting and challenging. I especially like blast days when you get to see the end result of the team's hard work.

I can say, I have done some blasting in the past and it is a hell of a lot of fun.

This publication is very good. It is a high quality publication. You can scan a code on the back with your phone and it will give you more information about the course and you can start learning more about any particular pathway that is in this book.

I did road test this. I thought, wow, this is great. I road tested it and handed it my eldest child who is 13 and starting to consider various career paths. I gave it to her to have a look and she found it was very interesting. There were a lot of jobs and careers in the Minerals Manufacturing and Energy sector that she was not aware of. It certainly peaked some of her interests. She likes science and maths and things like that. This is a very good publication.

TMEC has done a fantastic job putting this together. It is readable and if you want more information you can get it. I urge other members to get themselves a copy and share it widely. Maybe it will result in somebody taking up a career in this valuable sector. We know that mining, minerals, manufacturing and energy are important careers and enterprises for our state. We need more workers in these areas and hopefully this will help.

Tasmanian Transport Museum - 60 years

[6.27 p.m.]

Ms HADDAD (Clark) - Mt Speaker, I wish to share with the House tonight, some information about the Tasmanian Transport Museum. They had an open day to celebrate 60 years on the past weekend. I was happy to attend on Sunday and have a tour together with around 530 other people who visited the museum over that day, celebrating 60 years of their existence. For anyone who has not visited yet, it is a wonderful place, run entirely by volunteers for many decades. It is a great, fun day out for anyone, young or old.

The museum incorporated in 1962 and opened to the public in 1983. They open every Sunday for visitors who will be amazed by the huge range of trains, carriages, engines, buses, trams and other vehicles that have been lovingly restored and stay on site there. You can see them every Sunday. On the first and third Sunday of the month, you can enjoy a short ride on either a steam engine or a diesel rail car which travels a short distance along the rail corridor that runs alongside the museum site in Glenorchy.

During the week they also open for booked groups. They have hundreds of visitors every year through that. They have a guided tour as well as the rail car ride. They have groups like NDIS participants, service clubs like Rotary, Lions and Probus, nursing home visits and lots of primary school visits coming through with their classes each year, predominantly the little ones, early years, preps, grades 1 and 2 because the school syllabus for those years includes transport history.

The museum runs entirely on volunteer labour with around 40 active volunteers working there each week who take those tours, staff the site and general access on Sundays. Last financial year they had a massive 4500 visitors through the museum, which is their highest annual visitor number in their history. That is particularly impressive because for a few months of that year they were unable to run trains but they opened and they had a record number of visitors. I want to commend all the volunteers, including the volunteer board chaired by Rod Prince, who showed us around on Sunday, for the work that they do, running the museum, restoring vehicles and advocating for community.

All the vehicles on site are special but some of them really are national treasures, and date back as far as the 1600s and the 1700s. I was lucky enough to hop aboard a carriage built in the 1700s that was stationary but also got to have a ride along with many other people who were up there on the day on the rail corridor, on a carriage from the 1800s.

The museum does not receive any ongoing funding from state, federal or local government to help cover operating costs and running costs. They cover all the day to day operating costs entirely through entry fees. Last year they managed to raise a large amount, nearly \$50 000, through admission fees, which amply covered operating costs like power and water and insurances and so on. When they have surplus they invest that back into the museum

and into the site, for example, recently they had to remove asbestos from the floor of one of the rail-cars, refurbishing many of the old carriages, they have installed some new electric roller doors on some of their sheds and they have built a new archive room to house donated items as part of the museum and much more. They invest everything that they make back into the site.

It is a small museum making a big contribution to the history and heritage of rail and other forms of transport in our state, and making a big difference to the Glenorchy community and wider community.

The museum is working on two other major projects one of which they received a Commonwealth Grant of \$100 000 and that is the refurbishment of an old locomotive. There have been about 1000 hours of time invested in that refurbishment by volunteers at the museum. Once they have completed that refurbishment, the engine will be capable of travelling right across the TasRail network. However, sadly for the museum and for rail enthusiasts, it will be restricted by another project which is the broader project on Greater Hobart Heritage Rail. That is a large and exciting project which would see the re-opening of railway lines between Glenorchy and Granton with regular weekend services, run to a timetable and charters also available on demand. The museum is looking forward to opening some of that route which is Elwick Road to Grove Road in the near future. The remainder of that project is dependent on ongoing funding. They have applied for a Commonwealth grant that would cover some of those costs, but they would still require additional support from state and local government to bring that vision to life.

If members of the community are interested in knowing more about that broader Hobart heritage rail plan I encourage people to visit the Tasmanian Transport Museum's website, which is tasmaniantransportmuseum.com.au, and on that site you will find a copy of the business plan for the Greater Hobart Heritage Rail project. In the meantime make sure that you visit the museum in Anfield St in Glenorchy soon. It is fast becoming the place for families to visit on Sunday. I guarantee that you will have a heap of fun and a great day out.

Fuel Tax Cuts - Extension

[6.33 p.m.]

Mr YOUNG (Franklin) - Mr Speaker, I rise tonight to call on state Labor to join the Tasmanian Government to advocate to the federal Labor Government to extend the fuel tax cuts. It is the single biggest cost-of-living pressure affecting Tasmanians. It is a large component of freight for businesses. Labor needs to show Tasmanians they are listening and acting, especially since yesterday Labor refused to back our motion to take action on this important matter.

Mr SPEAKER - Order, Mr Young. The issue there is you cannot actually reflect on that debate. If you could keep your wording to a general sense.

Mr YOUNG - My apologies, Mr Speaker, I will take the L-plate off at some point.

Tasmanians cannot trust Labor. Our Liberal candidate for Pembroke, Mr Gregory Brown, or as we all know him now, Brownie - and I am sure most of Pembroke knows him now. I would be very surprised if anyone in Pembroke has not met him yet. He has knocked

on so many doors on the Eastern Shore, he has spoken to so many people, and he knows the matters affecting people. Brownie has told us that Kate from Warrane bought a house two years ago, and that because petrol is going up, and her interest rate is doubled, she is worried that if petrol keeps going up, she will not be able to afford the registration, because that is the money she puts away every week. That is why we remain committed to reducing the cost of living for all Tasmanians.

As the member for Lyons has also said, higher fuel prices are due to global fuel market uncertainty, and we understand the impact it is causing on cost of living pressures. Prices are driven by increased demand, and more recently due to global supply uncertainties.

While current fuel prices are a global problem, our Government took action in 2020 to promote competition in the local market by introducing a mandatory real-time price reporting scheme. The FuelCheck TAS app and website helps motorists to easily access fuel pricing information and make informed decisions on where to buy their fuel.

While fuel prices will continue to be determined by market forces, providing real-time fuel price reporting allows Tasmanians to make informed choices as to where to direct their purchases. The FuelCheck TAS website and app allows motorists to find the cheapest fuel in their area, to see price variations on their workday commute or when they are on their holiday trip.

Our Government has and will continue to support Tasmanians by monitoring the reporting of price information to fuel retailers. That is why our Government has strongly urged the new federal Labor Government to extend the fuel excise reductions until at least the end of 2022. This is what the federal government can do - and did do under a Coalition government.

We call on the Tasmanian Labor Party to take action by speaking to their federal counterparts and demand they send a fuel excise reduction to help Tasmanians struggling with the high cost of fuel.

Cost of Living

[6.36 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I will start by acknowledging the fantastic inaugural speech that Mr Young made the other day. It was an absolute cracker. I am really looking forward to getting to know Mr Young around Franklin over the next two and a half years.

I have to say, if it was anyone else who stood at the despatch box and read the exact same speech that I had heard a couple of minutes before from Mr Tucker, I would have called tedious repetition, Mr Speaker. Standing up in this place and reading something that the Government has written for you is one thing, but not having noticed that actually one of your colleagues had just read the exact same thing a few minutes before is another.

The Government, on the cost of living, is doing this thing where they have found one piece of the cost-of-living puzzle that they can focus on that they have no responsibility for. Rather than focusing on the things that this Government can actually do to help Tasmanians - one, not tripling the bin tax; two, capping power prices; three, dealing with the massive housing

crisis that is putting up rents for every Tasmanian renter - these are all things that this Government is actually responsible for.

What does this Government do when it has run out of ideas or has no idea what it is doing? It focuses on something that has nothing to do with it. It is as though fuel prices are somehow excluded from everything else. Households are struggling because of a number of factors. Petrol prices is one of them. Interest rates is another. They are two things that this parliament cannot control but there are things we can control. Power prices is one.

This Government does have the ability to deal with power prices. In fact, they did in 2018. They did cap power prices - and now they say they cannot. Why not? Potentially, Mr Speaker, if they answered questions, we might find out that it is because Hydro has run into some financial difficulties because of a decision of the minister for energy to tear up the Basslink Services Agreement earlier this year. We will continue to investigate this matter and call this minister to account because, while maybe seeming distinct from households at the moment, it may become clearer that in fact this minister's decision is actually hurting Tasmanian families.

This parliament's decisions can hurt Tasmanian families if we do not do the right thing. Labor thinks we should have capped power prices.

You know who else does? Luke Edmunds does not think there should be a bin tax. He thinks this Government should not have tripled the bin tax this week.

This week, this Government decided to triple the bin tax, so every time you wheel your wheelie bin out, you pay a tax to this Government. Every time you go to your local landfill, you pay a tax to this Government - \$20 a tonne now, \$60 a tonne by the time they are finished with them and then who knows?

This Government's cost of living approach is to put more taxes on Tasmanian families and it is an awful shame. There has been one member of local government in Tasmania who has been fighting the hardest against this bin tax and it is Luke Edmunds; it is not just during the Pembroke election campaign. He has been doing it since it was thought up because he is committed to his electorate, he has not just shown up in the last three or four weeks. He has actually been out campaigning for his community, fighting to save the Rosny Golf Club, doing the right thing for his community for a long period of time and that is why I am so passionate about supporting my great friend, Luke Edmunds, and I sincerely hope that he is here next week.

I will not say that I expect him to be, as I heard one of the members of the Government say earlier today, but I sincerely hope that his community will support him the way he has supported them. He has done a fantastic job on that council and I hope we can see him in the other place.

I actually stood up before I heard those, not unique, contributions from the Government to talk about the Government's reform agenda. On 9 July an *Australian* article called 'Rocky road ahead for rainbow Premier' by Matt Denholm and it was an extraordinary article and I will quote some of it. It says:

When the party fell in behind him as leader -

That is Jeremy Rockliff -

following Gutwein's sudden departure in April, many wondered, out loud, whether he had the ticker for the job, such was the perception of a benign and less than dynamic politician.

Hands up, I was one of those. I wondered if he had the ticker for the job and as it turns out I think a few members of the Government also wondered whether he had the ticker for the job. It goes on:

It is a perception that as Rockliff sips that microwave coffee, he is keen to knock that on the head, spruiking himself instead as a straight talking leader intent on action.

He said, this is a quote from the Premier, Mr Rockliff:

Firstly, I like change. I like reform. I have signalled that clearly. I want to lead a government that tackles reform.

That rang alarm bells for myself and the shadow treasurer, Dr Broad, about the proposition of this Government taxing the family home. That is a concern to us and so we asked the question because in that article, Jeremy Rockliff, the Premier, had said:

While promising no new taxes he confirmed, broadening existing ones was on the table. And he said, we do need a medium to longer term debt reduction strategy.

That is because of the massive \$30 billion of debt this Government is on track to rack up by 2035. The article goes on to say:

He won't rule out, what to many is a horrifying concept, extending land tax to the family home.

Again, that is a concern to us and that is why Dr Broad, on 25 August asked the Premier:

Will you rule out adding to the pain with a new tax on the family home?

The Premier was less than firm when it came to ruling that out and in fact he said:

I am not going to play rule in or rule out games with you. I will ensure that we receive the best advice to ensure that our budgets are sustainable into the future. One of my roles is to ensure that we have a sustainable revenue base to fund services that value people. I am not going to play rule in or rule out games with you. What we will be doing is having a sensible conversation with the Tasmanian community about the sustainability of our finances moving forward.

You have absolutely no mettle or stomach for reform in this place. He was very strong in saying that he was going to look at land tax and taxing the family home, but he would not

rule it out. The next day I opened my morning paper, and I read, 'let me be clear, the Government has no plans to tax the family home'. The reform that lasted but a month.

Australian National Flag Day

[6.43 p.m.]

Mr ELLIS (Braddon - Police, Fire and Emergency Management) - Mr Speaker, tonight I celebrate our most important national symbol, the Australian flag. It is a symbol that recognises all of us in this place. Many know that I proudly wear the Tasmanian flag on my suits to work every day because as a Tasmanian MP, that is the core of my job but the flag we all bear true allegiance to is the Australian national flag.

It was Australian National Flag Day on 3 September. It has been celebrated every year since 1996 when John Howard brought it in to give it the gravitas that our national symbol deserves. It marks the day that our flag came into being nationally: Prime Minister, Edmund Barton in 1901. It has the power and resonance that it had on that day still.

There have been brave men and women who have fought and died with that flag on their shoulder patches. There have been migrants who have come to this country, including those like my grandpa Albert, who came to this country seeking a better life for him and his family and those to come, bearing allegiance to that flag.

It is a symbol of so much of our heritage with the British flag, with the Union Jack in the corner, which speaks to many of the noble traditions that still resonate with us today - our Westminster democracy, which we celebrate here, the rule of law. Indigenous leader Noel Pearson often says we have a few great inheritances from Britain. The once-sublime game of cricket, Earl Grey tea, the King's common law - much of that outstanding heritage is celebrated with the Union Jack in the corner.

The Commonwealth star - the large seven-pointed star below the Union Jack - symbolises our unity as a nation in many ways, because prior to 1901 when we federated, we were just a collection of states in a far-flung continent on the other side of the world.

We came together in nationhood, so the six points celebrate our states, and the single point celebrates our territories coming together, and of course the Southern Cross - one of the most beautiful constellations in all the night sky, a timely reminder for travellers who go abroad to the northern hemisphere of where home truly is, and a reminder of the land on which we have lived, and that people have lived on this continent for tens of thousands of years, looking up at that night sky and dreaming. It also has been a guide post for getting around this vast, vast continent.

Mr Speaker, I am incredibly proud of our flag and our nation, the symbol of unity it is and the story it tells. I rise to celebrate Australian National Flag Day and am reminded of the poignant words:

The stars to show us where we are going, and the old flag in the corner to show us where we have been.

The House adjourned at 6.47 p.m.