PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Tuesday 27 May 2025

REVISED EDITION

Contents

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The Speaker, **Ms O'Byrne**, took the Chair at 10.00 a.m., acknowledged the Traditional People, and read Prayers.

RECOGNITION OF VISITORS

The SPEAKER - Before I call on Question Time, I acknowledge we have year 6 students from The Hutchins School in the gallery, so best behaviour from everyone, please.

Members - Hear, hear.

QUESTIONS

Budget Management - Debt Growth

Mr WINTER question to PREMIER, Mr ROCKLIFF

[10.02 a.m.]

Since you took Tasmania into minority government, 7000 full time jobs have been lost, you have overseen the biggest infrastructure stuff-up in Tasmanian history and you admitted that you let Tasmania down. Your attempt to gain support in the Legislative Council for your stadium proposal has been so shambolic that it left members wondering whether you actually wanted to spike it. The business community says it will be hard to ever trust your government again. However, all of this pales into insignificance when compared to your handling of the Tasmanian budget. From inheriting no net debt in 2014, you have delivered the biggest budget deficits in history and led Tasmania towards $10 billion worth of net debt. Can you name the date when the debt will stop growing?

ANSWER

Honourable Speaker, I welcome the students to the gallery today and also welcome both Bruce and Denise Morcombe.

I thank the member for the question. The Tasmanian economy, jobs growth, and investment in essential services will always be better under a Liberal government than a Labor government. How do I know that? It is because when you look at the record over the last 10 years, where we have rebuilt schools across Tasmania that were in disrepair -

In fact, just yesterday - I acknowledge Mr Kerry Vincent in the Chamber today, who, as mayor of the local community invited me to the Sorell School to see its state of disrepair. What a proud moment it was yesterday to celebrate the opening, after almost $28 million investment that rebuilt that school. I pay tribute to Mr Vincent and also the school community, who fought and advocated really hard to rebuild that school. Similarly, the community of Legana for a new school, the community in Brighton, a new school, Parklands High School, Smithton High School, Latrobe High School, Riverside High School, Kings Meadows High School, Tasman District School.

Members interjecting.

The SPEAKER - Members on my left.

Mr ROCKLIFF - Right across Tasmania we are rebuilding education to ensure contemporary 21st century infrastructure to support a child's development and learning. We have rebuilt hospitals -

Members interjecting.

Mr WINTER - Point of order, Speaker, Standing Order 45, relevance. The question was: can the Premier name the date when the net debt will stop growing?

The SPEAKER - You had a lengthy lead-in which does provide the Premier with some scope. However, with 44 seconds to go, I will draw the Premier to the question.

Mr ROCKLIFF - Our budget, which will be delivered by Treasurer Barnett on Thursday, is building a better Tasmania now and into the future, as we have been doing for the past 10 years. We have rebuilt an economy that was devastated as a result of the Labor-Greens government, rebuilt schools, hospitals, roads and services. We have created about 50,000 jobs and the lowest unemployment on record, at 3.8 per cent. Our budget will deliver cost-of-living relief -

The SPEAKER - The Premier's time for answering the question has expired.

Supplementary Question

Mr WINTER - A supplementary question, Speaker?

The SPEAKER - I will hear a supplementary question.

Mr WINTER - I will re-ask the question: can the Premier name the date when net debt will stop growing?

The SPEAKER - I will draw the Premier to the original question.

Mr Abetz - When he delivers an alternative budget.

The SPEAKER - I am sure he does not need help from members on his side -

Members interjecting.

The SPEAKER - or members on my left.

Mr ROCKLIFF - As I said, Treasurer Barnett will deliver the budget on Thursday. It delivers cost-of-living relief and record funding for frontline services. There will be $10 million a day invested to support Tasmanians in need and their care, while growing our economy and providing a sensible pathway to surplus. That is what good budget management is all about: delivering on services, upgrading infrastructure and continuing to grow our economy.

The Tasmanian economy will always be better served under a Liberal government. The NAB Business Survey in April this year shows Tasmania is leading the nation in business confidence. Tasmania skyrocketed to the top of business confidence -

The SPEAKER - The Premier's time for answering the supplementary question has expired.

Budget Management - Cuts

Mr WINTER question to PREMIER, Mr ROCKLIFF

[10.07 a.m.]

Premier, Tasmania will soon be paying more than $500 million every year just to service your record debt. Your budget is so bad you will have to borrow even more money to pay for it, pushing interest even higher and diverting even more money from health, education and other essential services.

Over the weekend we found out you have abolished nursing jobs, librarians and park rangers - essential roles by any definition. Now further documents forced out of the Treasurer confirm you are also cutting more than $11 million from schools, including $2.5 million from year 11 and 12 education.

This comes at a time when education results in Tasmania are the worst of any state and going backwards. Why should Tasmanian young people suffer because you cannot manage money?

Members - Hear, hear.

ANSWER

A history lesson for the honourable Leader of the Opposition: what the budget contains is a cost of $400 million per annum due to you raiding the superannuation provision.

Mr Abetz - That is right.

Mr Willie - The biggest liability is your debt.

Mr Winter - You have been in government for 11 years.

The SPEAKER - Shadow Treasurer. Leader of the Opposition.

Mr ROCKLIFF - That is right. It is costing Tasmanians $400 million per annum, which we have to manage due to your ineptitude when it comes to financial management.

Can I say this very clearly? We are growing -

Mr Willie - The debt.

The SPEAKER - Members on my left.

Mr ROCKLIFF - our frontline services. We have secured record funding with the federal government - growth funding - in a partnership for our schools over the course of the next 10 years. Schools secure, plus, as I demonstrated in my first answer to your question, rebuilding the schools that you left decimated as a result of 16 years of Labor government and four years of a Labor-Greens government.

Can I say this: $10 million a day into our health system; record funding at $14.5 billion dollars into our health system. We have got police on the beat keeping Tasmanians safe.

We are investing in roads and bridges, and I look forward to the celebration this weekend of the opening of the Bridgewater bridge. The Prime Minister will be here. I know you do not want celebrations. I am looking forward to seeing you there. Will you be there?

The SPEAKER - The Premier will direct his answers through the Chair.

Mr ROCKLIFF - I am looking forward to it. You are smiling. We have seen backflips on the stadium, on Marinus and on privatisation, and I am wondering if you will be -

Mr Winter - Have a look in the mirror.

Ms Finlay - You cannot deliver on any of those things.

The SPEAKER - Leader of the Opposition. Member for Bass.

Mr ROCKLIFF - backflipping and attending the celebration for a fantastic joint federal-state initiative, the largest infrastructure project completed in Tasmania, which this government is extremely proud of.

Members - Hear, hear.

Mr ROCKLIFF - What we are about is sensible fiscal management, where we are investing -

Mr Winter - No one believes you anymore.

Mr Willie - The worst budget in history.

Mr Winter - Not even those behind you believe you.

The SPEAKER - Members on my left. Leader of the Opposition.

Mr ROCKLIFF - in essential services with a sensible pathway to surplus. We are not going to slash and burn like you did in 2011, when you sacked nurses and police and just about anyone you could sack, frankly, and decimated frontline services. We will not do that because that has a negative effect on the economy.

The SPEAKER - The Premier's time for answering the question has expired. I remind members to direct their question and answers through the Chair, not have a conversation across the galley ways, please.

Macquarie Point Stadium - Enabling Legislation - Ministerial Powers

Dr WOODRUFF question to PREMIER, Mr ROCKLIFF

[10.12 a.m.]

You have just now released your stadium legislation and supporting documentation. We were bracing ourselves for a bad bill, but wow, you have really outdone yourself. This bill and permit gives minister Eric Abetz unprecedented power to unilaterally amend the stadium permit and any related permit issued under the act, to issue subsequent project permits, to issue permits for the access network, to acquire land for the access network, and to reconcile any inconsistencies between the permit conditions. You have given the minister free reign to instruct the planning commission to change the planning scheme to facilitate any permit conditions.

This legislation is draconian and bringing it to parliament is an utter farce. It does not matter if the parliament approves the stadium bill as written because you have given minister Abetz full power -

Members interjecting.

The SPEAKER - Order. Members on my left.

Dr WOODRUFF - to change it as he sees fit. Will you admit that the inclusion of these unprecedented ministerial powers makes this bill not worth the paper it is written on?

Members interjecting.

The SPEAKER - Members on my right.

ANSWER

Thank you, honourable Speaker, for allowing me to answer the question. I appreciate that very much. Surprise, surprise; the Greens do not support the enabling legislation. I am shocked, really. I am really shocked that you are not supporting it. You will make up anything you can to make sure that this is presented as Armageddon, but it is not.

I commend all those involved in the Macquarie Point Multipurpose Stadium Enabling Legislation Report - a tremendous report, a lot of detail which comprehensively covers off the issues that were of concern as presented by the panel of the Tasmanian Planning Commission (TPC). It also points to the fantastic opportunity that this is for Tasmania. This will bring Tasmania, its economy and its aspiration for young people not only our own Tasmania Devils team of which we have fought for decades for and secured - a continuation of the team. No stadium; no team.

Mr Bayley - Never say never to renegotiation.

The SPEAKER - Deputy Leader of the Greens.

Mr ROCKLIFF - It is decision time. I am not sure what the member was referring to in her question when she said, 'How dare we bring legislation to parliament.' We bring every piece of legislation to parliament. It will be thoroughly scrutinised, of course, as this project has been for the last three years. I have not counted how many times I have answered a question in Question Time on this in the last three years, or indeed in budget Estimates for the last three years. There would be hundreds of questions, including the Public Accounts Committee that has done a very thorough job, I have to say, in scrutinising this project and keeping us and our departments accountable, I foresee that they will play a valuable role in moving forward as we deliver this project.

It is no surprise to me that the Greens do not support this legislation. You have never supported anything in the last 40 years, as I can recall, that is an opportunity to grow Tasmania and grow our economy so that we can fund those essential services that Tasmanians care about. This is an intergenerational project. There is enabling legislation that is delivered right across the country for these types of stadia infrastructure. We are no different, when it comes to Tasmania. There has been an enormous amount of work informed by submissions to the Project of State Significance process -

The SPEAKER - The Premier's time for answering the question has expired.

Supplementary Question

Dr WOODRUFF - A supplementary question, honourable Speaker?

The SPEAKER - You are all very fast, but I am hearing a supplementary question from the Leader of the Greens.

Dr WOODRUFF - The Premier did not answer the question. What is the purpose of the parliament's stadium approval process when the bill you have gives all power to minister Eric Abetz to completely rewrite anything that the parliament approves? Do you really think Tasmanians trust minister Eric Abetz to make any decisions he wants about the stadium without any oversight?

Mr Abetz - Personalise it when you cannot argue the principles.

The SPEAKER - Premier, I will draw you to the original question. The second question about trust in individual ministers is outside of the allowance for a supplementary, but the original question needs to be addressed.

Mr ROCKLIFF - What I am really concerned about is this pattern of behaviour. For the first 12 or 14 months of this parliament, you were relatively sensible, even for Greens. You are really desperate now -

Dr Woodruff - We know who is really desperate.

Mr ROCKLIFF - The attacks that you have made on public servants, who frankly do not deserve to be attacked -

Members interjecting.

Mr Bayley - You are the one who is attacking the planning commission with absolutely no basis. You should be ashamed. Zero basis.

Dr Woodruff - You smeared them.

The SPEAKER - Members of the Greens, you have asked a supplementary question. The Premier is now addressing it.

Mr ROCKLIFF - I once again commend them - I thought that would get you exercised. The personal attacks on individuals in the Chamber are also not warranted. Argue the case, but do not personalise it. You are mischaracterising the intent of the bill. This is enabling legislation. It is decision time.

Dr Woodruff - It enables Eric Abetz to do whatever he wants.

Mr ROCKLIFF - Do the work, get across it, and no doubt you will scrutinise it when it comes to Parliament and everyone will have their say.

The SPEAKER - The Premier's time for answering the question has expired.

Macquarie Point Stadium - Cost

Mrs PENTLAND question to PREMIER, Mr ROCKLIFF

[10.17 a.m.]

The stadium was originally costed at $715 million, with your government promising to cap its contribution at $375 million, and 'not a red cent more.' Before the sod has even been turned, we learnt that the price tag has blown out to $945 million and still does not include the cost of critical infrastructure like road access and sewerage works.

Why should Tasmania believe you can build a new stadium at Macquarie Point for less than a billion dollars? The new berth for the *Spirit*s at Devonport was originally going to cost $90 million. Now the estimate is a massive $493 million. How can Tasmanians have faith that your latest stadium estimate is even in the ballpark?

ANSWER

Honourable Speaker, I thank the member for the question. There is contingency in both the projects that you mentioned.

A member - A $100 million worth of contingency?

The SPEAKER - Members on my left, it was not your question.

Mr ROCKLIFF - We are investing $375 million of capital and $240 million from the federal government, plus investment from the AFL as well. Then we are going to borrow and realise -

Ms Finlay - Business cases, that is part of the capital -

Mr ROCKLIFF - commercial opportunities to pay down that debt. This is infrastructure for the next 50 years and more. This is why we can afford to invest in critical infrastructure that grows our economy, provides that aspiration for young people, supports jobs in construction and supports all the industry sectors as a result of that enabling infrastructure, the entertainment sector, the sporting sector, for example, and all the jobs that flow on through that. This is important infrastructure, an infrastructure that, frankly, needs to be built. This is decision time. The Project of State Significance process was not my chosen pathway. The chosen pathway was the major projects legislation.

Members interjecting.

Mr Winter - What happened?

Mr ROCKLIFF - You know what happened.

A member - Tucker.

Mr Winter - Just remind me?

The SPEAKER - This is not a conversation, thank you.

Mr ROCKLIFF - I will fight every single step of the way to keep this project alive. The parliament voted for the project of State Significance Process. My original intent, as announced, was the major projects legislation. Now, we have enabling legislation to get the job done. It is decision time, everyone will get one vote and an opportunity to really decide - are we going take Tasmania forward, or are we going to succumb to negativity and forever be seen as a backwater and not a place to invest? I will tell you something about this stadium and this team; there will be young people born today, in disadvantage, whose life will change as a result of this project. Their life trajectory is going to change because I can see a young person, boy or girl, playing for their team, the Tasmania Devils, in future years. Anyone who wants to take that away, shame on you.

The SPEAKER - The Premier's time for answering the question has expired.

Healthscope - Receivership

Mr O'BYRNE question to MINISTER for HEALTH, Mrs PETRUSMA

[10.22 a.m.]

The collapse of Healthscope should be no surprise to anyone; the writing has been on the wall for this provider now for months. The closure of St Helens and the removal of maternity services were massive signs that this is where we were going to end up. The news has created great uncertainty within the Tasmanian community, a community that relies heavily on Healthscope for not only health services but also their employment. At a time when there is global competition for health workers, the uncertainty about their ongoing employment and career options, many of Healthscope's 600 Tasmanian staff will be considering their options. They may look for job security interstate.

Waiting for the federal government and others to make decisions is not going to cut it. Given the predictable circumstances we face, what are your plans for the Hobart Private Hospital and for the hundreds of health professionals?

ANSWER

Honourable Speaker, I thank the member for Franklin for his question and for his concern in regard to Healthscope. I share his concerns in regard to this matter. We met with the unions yesterday afternoon so that we could listen to their concerns.

I will update the House on what is happening with Healthscope. We were formally advised yesterday that Healthscope has entered receivership, and that receivers and administrators have been appointed. I am further advised that it is the intent of the receivers and administrators to continue with the operation of the Hobart Private Hospital, including the orderly and planned transition of maternity services to Calvary Healthcare. We will continue to work closely with the administrators over the coming months because it is their intention to keep the hospital open.

I met with unions last night, and myself and other state and territory health ministers will be meeting with federal Health minister Mark Butler today because this is a national issue and it is one the federal government largely has responsibility for.

We recognise the uncertainty this situation is bringing to staff and patients. I assure all members of this House that our number one priority is ensuring Tasmanians have access to the health supports and services they need, including the private health care they pay for; and also that staff receive their entitlements. The federal government has responsibility for this and has already outlined that it will be willing to step up in this regard.

It is important that Tasmania has private hospitals and that is our concern. We have been exploring a number of options to ensure that Tasmanians can continue to have access to private health care, including discussions with other private providers. If I am paying for private health insurance and I want choice, we need to ensure that private hospitals are available in Tasmania and can provide the services people are paying for because they do provide a lot of the elective surgery in this state.

The federal government controls the levers in regard to private hospital viability, especially private health insurance premiums. This issue has been raised by private hospitals across the nation, which is why the federal government has set up a private health CEO forum to bring together leaders from private hospitals, private health insurance, medical groups and independent experts to develop both long- and short-term options to ensure private sector viability.

We want to ensure our health workers stay in this state. That is why we met with the unions yesterday and we have given the assurance that we will be fighting to ensure private services continue.

The SPEAKER - The minister's time for answering the question has expired.

Liberty Bell Bay - Government Support

Ms DOW question to PREMIER, Mr ROCKLIFF

[10.26 a.m.]

The difference between South Australian Premier Peter Malinauskas's handling of the crisis at the Whyalla Steelworks and your handling of the situation at Liberty Bell Bay could not be starker. Premier Malinauskas was deeply involved in the crisis months before it came to a head, helped the public understand the scale of the issue and the threat to jobs, and worked with the federal government to take immediate and decisive action when required.

In contrast, you have no discernible plan, despite the fact that nearly 200 workers will be stood down on forced leave. Are you considering providing financial support to Liberty Bell Bay? If not, what are you planning to do, or have you given up on trying to do anything at all?

Mr Ellis - South Australia had a bipartisan opposition.

The SPEAKER - Thank you, Mr Ellis, we do not need your help right now.

ANSWER

Honourable Speaker, I thank the member for the question. First, you cannot compare the two issues -

Ms Dow - What, you and Malinauskas?

The SPEAKER - Deputy leader, we are three seconds in.

Mr ROCKLIFF - I have great admiration for Peter Malinauskas. We get on very well and have worked together when it comes to the NDIS and advocacy to the federal government, and will continue to work together.

I will be meeting with CEO Sanjeev Gupta face to face today. I was on the phone to Mr Gupta a number of weeks ago, when the concerning situation broke at Whyalla, to get an understanding of the position from the company at that point in time.

I wrote to the Prime Minister, seeking an overarching taskforce when it comes to smelters across the country, not just in Bell Bay, which is so important for us - but we also have the challenges with Nyrstar. This is a nationally concerning issue, which is why I wrote to the Prime Minister more broadly about smelters probably six or seven weeks ago, if my memory serves me correctly. I wrote seven or eight days ago, 10 days ago potentially, on Bell Bay more directly, seeking federal assistance when it comes to working with the Tasmanian government. Tim Ayres has said the federal government will work with the Tasmanian government.

I met with the unions; the Australian Workers Union (AWU) last week, which was a productive meeting. I was there onsite, as many others were, last Wednesday for a barbecue where I met the workers and listened to their fears. I was deeply touched, particularly, by the people who have worked at the company for a long time and their limited amount of leave. I also spoke to the management and was pleased to see the camaraderie between local management and the workers.

What we want from the company is transparency so that we can get a clear understanding of what support, if any, is required. We are willing to engage with the company and others to see where resources, whatever they might look like, can be applied to secure the jobs of the 254 full-time equivalents and the 30 FTE contractors, as I understand it. Those are the figures I have -

The SPEAKER - The Premier's time for answering the question has expired.

Macquarie Point Stadium - Project of State Significance Process

Mr BAYLEY question to PREMIER, Mr ROCKLIFF

[10.30 a.m.]

Your new policy seems to be, 'Never let the truth get in the way of a good story'. On 7 May, you said that if the stadium legislation is defeated, 'The Project of State Significance process (POSS) will not go ahead.' Nice try, but sorry. TPC has called out your rubbish again. The head of the Department of Premier and Cabinet (DPAC) wrote to the TPC last week, saying that the Crown will 'cease to actively engage with the POSS process.' The planning commission's response was swift. It pointed out that it has a statutory obligation to continue the POSS assessment regardless of the government's participation, unless parliament revokes its authority. It said POSS will continue with or without you. In other words, if your stadium bill fails, the POSS will continue.

Will you not you admit that your ultimatum to the upper House was just a clumsy bluff, and will you set the record straight with Legislative Council members?

ANSWER

Honourable Speaker, I thank the member for the question. The agreement is very clear. There are clear-cut timeframes and timelines to deliver on this project and the team. For all the criticism of the deal from some quarters, it is important that the deal was struck to ensure we deliver on time. This is about securing the future of the football team, not just for the next couple of years, but it needs to be sustainable for many decades. That is why we have secured the deal and that is why we have to stick with the deal and deliver the associated infrastructure.

This is notwithstanding the enormous additional benefits this will bring outside of the AFL team. Stadia infrastructure, or the stadia economy, across the nation two-and-a-half years ago was $8 billion, and we need to have a slice of that: no doubt it is more, no doubt it will be more in 2032 when the enabling legislation goes through the Queensland parliament to get that infrastructure up and running and we have the Olympics; no doubt it will be more. It is decision time. You might not like to have to make a decision. I know what your decision will be because you have always fought against it the whole time.

A member - Accountability, Premier.

Mr ROCKLIFF - No one has been more accountable than me when it comes to this project.

Mr BAYLEY - Point of order, Speaker, Standing Order 45, relevance. The question was explicitly about the POSS process and his threat to the upper House that the POSS will stop, that has been shown -

Members interjecting.

The SPEAKER - Thank you, members on my right, I cannot hear the point of order.

Mr BAYLEY - That has been shown that it cannot happen, you cannot unilaterally pull out of that process. The question was: will you not admit that it is a clumsy bluff and will he set the record straight with Legislative Councillors? It is about the POSS itself, not the stadium.

The SPEAKER - I will draw the Premier to the question.

Mr ROCKLIFF - I reject your characterisation of that. I was simply pointing out the fact that it is decision time and we have to move on.

Dr Woodruff - From what? You cannot get out of the POSS process like that. What is the point?

The SPEAKER - Leader.

Mr ROCKLIFF - We all have to be accountable in this place for the decision - and very clear timelines, as part of the agreement. There is nothing more democratic than legislation being delivered to parliament and -

Dr Woodruff - You set this process in train.

The SPEAKER - Leader of the Greens.

Mr ROCKLIFF - for us as parliamentarians to vote on and get across, like we do with every legislation, like we did with the Meander Dam. Remember that? You fought against that as well. I know, I remember, like the Parliament Square -

The SPEAKER - Premier's time for answering has expired.

Supplementary Question

Mr BAYLEY - A supplementary question, Speaker?

The SPEAKER - I will hear the supplementary.

Mr BAYLEY - Copycatting Gunns by refusing to participate in the POSS is a different thing to the POSS ceasing, which is what the Premier threatened the upper House with. The TPC has said that is clearly not true. The POSS will continue unless parliament says otherwise. Why would he want to kill off the POSS and, if his bid fails, how would he actually do that? He has not gone anywhere near the POSS threat and the fact that the POSS will cease.

The SPEAKER - The time for asking the supplementary has expired. I genuinely think the Premier has answered and I know it is not an answer that you like. You will have another

opportunity to ask another question, but whilst the answer is not the one you wanted, it is close enough in terms of being relevant to be a relevant answer.

Macquarie Point Stadium - Roofed Design and Cricket

Ms JOHNSTON question to PREMIER, Mr ROCKLIFF

[10.35 a.m.]

By including a roof, you have shut cricket out of the stadium. Cricket was an essential part of an already heroically optimistic business case. Cricket Australia and Cricket Tasmania are clear; your roof represents an unacceptable playing, operational and broadcasting environment for all forms of cricket. They reiterated this position to me only this morning. 'Yes roof', means no cricket. That is Test, One Day Internationals and T20 fixtures, but you have known this for years and failed to find a solution.

Will you issue a revised business case for the stadium without cricket for public consultation and before the enabled legislation goes to a vote, and will you be honest with the Tasmanian community and admit the case that it is now, 'Yes roof, no cricket'?

ANSWER

Honourable Speaker, I thank the member for the question. Are you saying if it is no roof, it is 'yes' from you? Is that what you are saying?

Members interjecting.

Mr ROCKLIFF - Okay. All right. It is the roof you are worried about. I see.

Members interjecting.

The SPEAKER - The Premier will address the question and not incite conversations.

Mr ROCKLIFF - The member for Clark - let us face it, an electorate that will benefit hugely from this investment - you could argue no roof, if you like, if that is what it takes for you to support it, which is clearly what you said in your question.

The stadium is being designed so that all forms of cricket can be played there. I have engaged with Cricket Tasmania and I have met with Cricket Australia. Work is continuing with both Cricket Tasmania and Cricket Australia to identify the suitable mitigations when it comes to shading, which is one of the areas of concern. There are several design options that are being considered, including testing different roof materials on site to pilot shadow reduction options, for example. The Macquarie Point Development Corporation will continue to work with cricket to test, visit, and trial options to ensure that the stadium is suitable for all forms of cricket. I am confident that we can work through those issues with Cricket Tasmania and Cricket Australia and truly make this a remarkable, world-leading entertainment and multi-sport venue.

Supplementary Question

Ms JOHNSTON - A supplementary question, Speaker?

The SPEAKER - I will hear the supplementary question.

Ms JOHNSTON - Arising from the Premier's answer, he suggested that he has been working with Cricket Australia. This morning I spoke with them, and they are unaware of any new solution options on the table; they have not been engaged with them. You have had two years, Premier, to come up with a solution. Do you expect Tasmanians to believe that in two weeks, you will find a solution that you cannot find in two years?

The SPEAKER - I will call the Premier because the question arises from the answer.

Mr ROCKLIFF - Thank you, I met with Cricket Australia a couple of weeks ago where we discussed a range of issues and potential mitigation. We will continue to work with Cricket Tasmania and Cricket Australia, and I am very confident, in actual fact, that we will find a solution to their stated concerns in the interests of ensuring that this multi-use, all-weather stadium infrastructure proceeds and caters and delivers for a multitude of events and sports.

Liberty Bell Bay - Energy Transmission Costs

Ms FINLAY question to PREMIER, Mr ROCKLIFF

[10.39 a.m.]

Yesterday, Labor announced a plan to support our major industrials by delaying your planned increase of another 10.6 per cent on transmission costs. It was a plan backed by the Tasmanian Chamber of Commerce and Industry (TCCI) and the Tasmanian Minerals Manufacturing and Energy Council. The CEO of the TCCI, Michael Bailey, said:

> Major industrials support hundreds of other smaller businesses as well as the jobs of thousands of Tasmanians. We need to do everything we can, not just to support them now, but to help them grow and expand into the future.

With thousands of jobs on the line, why will you not listen to what Tasmanian businesses are telling you? Is your budget so bad that you have just given up, or are you now willing to abandon our industries that have underpinned our economy for generations?

Mr ROCKLIFF - Honourable Speaker, I thank the member for the question. We are very serious about working with the company, the workers, the unions, and finding and supporting potential solutions to the viability and ongoing sustainability of the company. Of course, my understanding is that Liberty's transmission costs make up less than 2 per cent of their operating expenses - 1.8 per cent is my understanding. What you want to do, if I can gather your policy correctly, is expect Tasmanian households to pay for it -

Ms Finlay - You are misunderstanding it, like everything else -

Members interjecting.

The SPEAKER - The member for Bass has asked her question. Members on my right -

Mr ROCKLIFF - You were ready for it, and you want Tasmania households to pay for that.

Mr Winter - You are just making it up again.

Members interjecting.

Mr ROCKLIFF - I will tell you this: what you also do is reduce the repairs and maintenance on the transmission network as well.

Mr Winter - That is what you will do when you sell it. That is what will happen when you sell it.

The SPEAKER - Leader of the Opposition.

Mr ROCKLIFF - You are either going to reduce the repairs and maintenance and infrastructure upgrades on the transmission network, like you did with schools -

Ms Finlay - Continue to load pressure on our major industrials.

The SPEAKER - Member for Bass, you have asked your question.

Mr ROCKLIFF - No maintenance, no new schools for 16 years.

Mr Winter - Is TasNetworks going on Thursday?

Members interjecting.

The SPEAKER - Leader and Deputy Leader of the Labor Party, the Premier has the call. He is actually addressing your question.

Mr ROCKLIFF - So, you want to downgrade the transmission network like you downgraded schools and hospitals when you were in government or, you are getting the Tasmanian households to pay for a multinationals' transmission costs, which is 1.8 per cent, as I understand, of their expenses. That is deeply concerning for the Tasmanian consumers - deeply concerning. We reach in, as a government, with our renewable energy dividend to support Tasmanian households and small businesses, and you want to tax them.

Ms Finlay - Sixty bucks. It will not even cover the increase.

The SPEAKER - Member for Bass.

Mr ROCKLIFF - It is like your little plan you announced last night, where you want to cut services and tax Tasmanians. That is what your little plan is about. You know it full well. The Dean Winter bill: Dean cuts, Tasmanians pay. That is what the Dean Winter bill is all about.

The SPEAKER - The Premier will refer to people by their titles.

Mr Winter - Did you rehearse that one?

The SPEAKER - Members on my left. The Premier will refer to members by their titles and continue with his answer.

Ms Brown - You practised that one in the mirror, did you not?

Mr ROCKLIFF - I thought I would get it in.

The SPEAKER - I beg your pardon, I just called members. The member for Franklin, funny though it was, no. Premier, you have ten seconds.

Mr ROCKLIFF - Thank you.

Members interjecting.

Ms Brown - He has given up. He did not practise the rest of it.

The SPEAKER - The House will come to order. Member for Franklin, it is not funny when you get warned as you are now being warned.

Efficiency and Productivity Unit - Proposal

Mrs BESWICK question to TREASURER, Mr BARNETT

[10.44 a.m.]

In March, you triumphantly announced the establishment of the Efficiency and Productivity Unit (EPU), Tasmania's equivalent to Donald Trump's Department of Government Efficiency (DOGE). Nearly three months later, your state service shrinking squad remains a mystery. Was the EPU's first move to eradicate itself, or have you quietly decided it was a bad idea?

ANSWER

Honourable Speaker, I thank the member for the question and the little wry smile at the end. I just wanted to note that. Before I answer, I just wanted to likewise welcome Bruce and Denise Morcombe. Thank you for you advocacy for Daniel and for the wonderful work you do all around Australia. Thank you for being in Tasmania today. I want to acknowledge that as Attorney-General and on behalf of minister Ellis and the whole government.

We are all about a strong plan and building an economy that is growing. The budget on Thursday will be about building a better Tasmania now and for the future, and investing in the things that matter for Tasmanians, like health. I was with the Minister for Health just two days ago, expending record funds in health each and every day: up to $10 million a day. We are very pleased and proud of that. As a government we have to ensure that we get the balance right, and we will. That is the plan.

On the Efficiency and Productivity Unit, you will see more details in the budget on Thursday. I can be very clear that this is part of our plan to ensure that we maintain a strong and growing economy, that we are efficient and that we are productive. Nobody can disagree with the fact that there is waste in government. It does happen. The Efficiency and Productivity Unit will review every government program and service to ensure that it is fit for purpose and it is in the right place, the right time and the right shape as well. It is very important that we get this right.

Yes, I made a call in terms of the hiring freeze, in terms of the public service. I thank the public service for what they do. However, on behalf of Tasmanian taxpayers and the community, we need to get that right. We have that strong economy, we have record low unemployment at the moment, record retail trade and the highest wages growth in the nation. We are pleased and proud of that, but we know there is more work to do. That is why the EPU has very important work to do reporting to both me and the Premier. I am pleased and proud of that effort and there will be more said on Thursday.

Enabling Legislation

Mr JENNER question to PREMIER, Mr ROCKLIFF

[10.47 a.m.]

In just two years, your government has introduced and is planning to again introduce special legislation to fast-track major projects involving massive amounts of public money. These laws bypass Tasmania's normal planning processes and, in at least one case, were brought forward after the original proposal was rejected through the proper channels. You also attempted and failed to push through legislation that would override local councils for planning powers, and now you are trying again.

What type of precedent is your government setting? It would seem that it is not about cutting red tape; it is just a simple way of making it easier for this government and developers to get their own way.

The SPEAKER - I will call the Premier, but I remind members to not reflect on votes of the House. The Premier has the call.

ANSWER

Honourable Speaker, I thank the member for his question. There was a lot of detail in the question, but I get the point of the question. We are here at the end of the day to make decisions, and we have made decisions when it comes to the Stony Rise development. Parliament made the decision back in 2003, if my memory serves me correctly, about the Meander Dam. Parliament made the decision in 2012 regarding Parliament Square. Parliament will make the decision with respect to this enabling legislation, and indeed enabling legislation that minister Jaensch is putting forward for the Youth Justice Facility.

We are here to make decisions and we make no apologies for that. We want to ensure that we get things done in Tasmania. When it comes to the enabling legislation that will be before us in a matter of weeks, parliament will decide. It is decision time, and I look forward to the debate. I thank the member for his question and I congratulate his federal counterpart, Ms Lambie, for being re-elected.

Macquarie Point Stadium - Opportunity for Scrutiny

Dr WOODRUFF question to PREMIER, Mr ROCKLIFF

[10.49 a.m.]

Your stadium bill is the most unprecedented approval legislation for Tasmania's largest ever infrastructure project. You have handballed it to members of parliament to respond to the massive issues raised in submissions to the Tasmanian Planning Commission. We will be deciding whether your stadium permit conditions are adequate. Tasmanians want transparency around this huge decision - the money, the impacts on Hobart, and everything else. It is entirely reasonable that MPs have the opportunity to directly question government agencies and regulatory bodies about the proposed conditions.

We and all Tasmanians deserve to hear this information and no current process in front of us allows this to occur. Will you commit to working with the opposition and crossbench to establish a parliamentary scrutiny committee process similar to Estimates during the week before the stadium legislation is debated?

ANSWER

Honourable Speaker, I thank the member for her question. The draft permit and condition document has been released for public consultation and for transparency. This document contains the conditions of the stadium development. The bill will provide authorisation for the minister to issue additional permits required for infrastructure essential for the operation of the stadium. The clearest example of this is to permit the northern access road. All subsequent permits must relate to the proposed development, which is defined in the bill.

As I said before, the Public Accounts Committee have done a very good job in scrutinising this project and I have no doubt will continue to do so. You have made your mind up. We could have six months of budget Estimates on this issue, and you will still be opposed to this project.

Dr Woodruff - Tasmanians want to know what is going on.

Members interjecting.

The SPEAKER - Member for Clark and members on my right. Premier, if you address your answer through me, we might stop the interjections.

Mr ROCKLIFF - What I do not want to see is a mechanism for you to personally attack public servants.

Members interjecting.

Mr ROCKLIFF - That is what you want.

Dr Woodruff - You are the one that has been doing that. You smeared the planning commission.

The SPEAKER - Leader of the Greens.

Mr ROCKLIFF - You want a forum for personal attacks.

Dr Woodruff - That is garbage, and it is beneath you.

Mr ROCKLIFF - Yes, you do, because you are true to form.

The SPEAKER - Dr Woodruff.

Mr ROCKLIFF - We could scrutinise this legislation for the next three years in budget Estimates style, or whatever the words you used are, and you will never change your mind. All you want to do is to undermine this project and undermine the opportunity before us. Thank you for the question. We will have a very considered response to the question. No doubt, this will be up for parliamentary debate, potentially tomorrow.

The legislation, the permits and conditions are there for everyone to see. No one is hiding anything. Open, transparent, we have been debating this for three years, the Public Accounts Committee have been doing their job as well and the draft permit and conditions document has been released for public consultation. You will, no doubt, digest that, criticise it, but you will never support it. You will never, ever support this project.

We have worked hard to get to the position we have done now. We will never give up, and we will continue with the enabling legislation and look forward to the debate in the parliament.

Supplementary Question

Dr WOODRUFF - Honourable Speaker, a supplementary question?

The SPEAKER - I will hear a supplementary question.

Dr WOODRUFF - It is pleasing to hear that the Premier is considering our request. This is not about whether individual members oppose or support the stadium. It is about the job of parliament being able to scrutinise regulatory bodies and agencies, as would have happened under the POSS process, so that we can understand the permit conditions that have been required. Premier, I urge you: will you provide us with that opportunity?

The SPEAKER - I am very unclear what the question is.

Dr WOODRUFF - My question was: will the Premier provide us with that opportunity to scrutinise regulatory agencies?

The SPEAKER - In your opening statement, you said that the Premier was going to actively consider it. I think you have the answer to that.

Dr WOODRUFF - I asked him to confirm that he would allow us to scrutinise the regulatory agencies.

The SPEAKER - That does arise from the question that you asked. Premier, could you confirm that you are going to consider the scrutiny?

Mr ROCKLIFF - I thank the member for the supplementary question. Every bill that goes through this place gets scrutinised. That is what we do. It is our job.

I commend to you the Macquarie Point Multipurpose Stadium Enabling Legislation report, May 2025, Consultation Draft - please read it. It is a very comprehensive document that answers a number of the questions outlined in the TPC panel's report and it takes into account the submissions that were due on 8 May this year, which is informing the legislation.

Dr Woodruff - All work done by your government bodies. We want to be able to ask the questions ourselves.

The SPEAKER - Leader of the Greens. You have got the supplementary up. Please stop interjecting on it.

Mr ROCKLIFF - You will have the opportunity in committee stages of the bill as well. I will point out the opportunities for you: Public Accounts Committee, budget Estimates, committee stages of the bill. There are plenty of opportunities.

The SPEAKER - The Premier's time for answering the question has expired. I will take this question and advise that we will then be moving to the pausing of the House. The shadow treasurer has the call.

Budget Management - Broken Promises

Mr WILLIE question to PREMIER, Mr ROCKLIFF

[10.56 a.m.]

You have given up even trying to deliver the promises you have made to Tasmanians. You promised more than 100 times that the cost of the stadium would be capped at $375 million and 'not a red cent more' - it is not. You promised Hydro would be safe from privatisation - it is not. Entura Momentum faces the axe. You promised last year that there would be a sensible pathway to surplus - there is not. You announced your hiring freeze in March and promised essential jobs would be protected, yet essential jobs in our hospitals, including clinical nurse consultants, assistants in nursing and food services officers, have been axed.

Do you accept that all your broken promises on the stadium costs, privatisation, budget deficits and job cuts all come back to your inability to manage the budget responsibly?

ANSWER

Honourable Speaker, I thank the member for the question. I have outlined our approach to the budget many times and did that again today.

What you, as shadow treasurer, and the Leader of the Opposition want to do is cut services and tax Tasmanians. Not only cut services and tax Tasmanians but make it law - L-A-W - to cut services and tax Tasmanians, taking away those essential services.

Members interjecting.

The SPEAKER - Shadow treasurer and Leader of the Opposition.

Mr ROCKLIFF - There will be no robot at the LGH under you lot, supporting women's services - gone, under you lot. Heavens forbid we would have another pandemic where we have to reach in and invest to keep Tasmanians in work, alive and well. Heavens above -

Members interjecting.

The SPEAKER - Members on my left. Members on my right, if the Premier wanted you to answer the question for him, he would have given it to you.

Mr ROCKLIFF - You go back to parliament for two thirds support of parliament to put COVID at Home in place, for example, if it was up to you lot, in terms of your L-A-W law, cutting services and taxing Tasmanians, which is your response. Our response is a measured pathway to surplus, we are investing in surpluses and growing our economy.

Members interjecting.

The SPEAKER - Members on my left.

Mr ROCKLIFF - You have gotten excited, I know. You are excited about it, but it was a misstep from you yesterday, clearly. Our budget is all about delivering for Tasmanians, of course, supporting services, growing our economy, supporting jobs, cost of living relief, health, $10 million a day. Therefore, you will have to outline for the parliament when you bring your bill on, how it is all going to work and to have credibility, you are going to have to highlight to the parliament what services you are going to cut -

Members interjecting.

The SPEAKER - The House will come to order, or I will leave now.

Mr ROCKLIFF - and what taxes are you going to foist on Tasmanian people.

The SPEAKER - With that, in accordance with the resolution of the House on 10 April 2025, I do now leave the Chair until the ringing of the bells for the purpose of the joint sitting.

Sitting suspended from 11.00 a.m. to 11.26 a.m.

QUESTIONS

Budget Management - Funding Priorities

Mr WILLIE question to PREMIER, Mr ROCKLIFF

[11.26 a.m.]

Last week, your candidate for Nelson announced a $300,000 grant for a local sports club. You are in a budget crisis, you are cutting health and education, yet you still cannot help

yourself pork-barrelling. Documents we forced from the Treasurer last week also confirm you have cut a quarter of a million dollars from early learning and nearly $400,000 from libraries.

Members interjecting.

The SPEAKER - Members on my right.

Mr WILLIE - Why are you ripping money from early learning while providing money for Liberal candidates to dish out as part of their doomed election campaigns? Is preschool not more important than pork-barrelling?

ANSWER

Honourable Speaker, I thank the member for the question. The Budget will deliver record investments in education, record investments in other key service areas, such as community safety, and we can still support organisations around the state when it comes to their needs.

Mr Willie - Spending money you do not have.

The SPEAKER - Member for Clark.

Mr ROCKLIFF - I am assuming you are referring to the good people of Taroona Bowls Club - you will not be showing your face there anytime soon, I hasten to add.

Mr Winter - Meg Webb did on Saturday night.

The SPEAKER - The Premier will address his answer through the Chair to avoid the interjections.

Mr Winter - Meg Webb had her party there.

The SPEAKER - The Leader of the Opposition will not interject when I am speaking.

Mr ROCKLIFF - You are still the member for Clark, are you not?

Ms Ogilvie - No, only part of Clark.

The SPEAKER - Minister Ogilvie.

Mr ROCKLIFF - Right. Just checking. We will invest, and we will listen to the community when it comes to their needs, their concerns and their aspirations.

It was fantastic to be at Beauty Point recently to open up the new synthetic bowls green there. I was there at Latrobe a week later with the community on federal election day - a fantastic bowls club there. Tremendous people. They have done extraordinarily well over the years in terms of state and national representation. There is a new synthetic green there supporting Tasmanians and their physical health and wellbeing as well. When it comes to support for more senior Tasmanians, when it comes to the vouchers -

Mr Jaensch - That is right.

Mr ROCKLIFF - Yes, which has been well taken up -

Members interjecting.

Mr ROCKLIFF - Well taken up, I might say. Look, it just might be your opportunity to ensure that you cut the funding to the Taroona Bowls Club, that you cut Ticket to Play and Ticket to Wellbeing. These are choices that governments can make and these are choices that oppositions can make, should they have -

Mr Willie - Not when you wreck the budget. You cannot make those choices.

The SPEAKER - Member for Clark, you have had your question.

Mr ROCKLIFF - the courage to produce an alternative budget. We have not seen one in the last 11 years.

Now you have your legislation and you want parliament to support the legislation.

Mr Winter - Will you support it?

The SPEAKER - Leader of the Opposition.

Mr ROCKLIFF - I imagine that when you get to the committee stage, you might well be able to answer questions about what services you are going to cut and what taxes you are going to raise. Now, these are important questions.

The SPEAKER - The Premier's time for answering the question has expired.

Supplementary Question

Mr WILLIE - A supplementary question, Speaker?

The SPEAKER - I will take the supplementary question.

Mr WILLIE - Given that Meg Webb MLC had her victory party at the club, will the Premier concede that his pork-barrelling attempt did not work and will he finally back Labor's plan to ban pork-barrelling?

The SPEAKER - I am not sure that arises from the original question.

Members interjecting.

The SPEAKER - Thank you, members on my right. I do not need your commentary. If members on my right keep helping me, I might choose to allow the supplementary. You have it on the record, though.

Macquarie Point Stadium - Cost

Ms BURNET question to PREMIER, Mr ROCKLIFF

[11.30 a.m.]

This is budget week, and it seems that we have an endless bucket of money. Once upon a time, you promised Tasmanian $715 million would be the cost of the stadium. You claimed you would personally make sure the stadium would be delivered on time and on budget. You mocked opponents and the Greens when we said the stadium's starting price would be a billion dollars and that it would be all up from there. However, today you have confirmed we were right on the money, announcing a revised starting figure of $945 million.

The costs are not going to stop here; projects are blowing their budgets everywhere. The AFL high-performance centre has gone up by over 60 per cent, the Cradle Mountain cableway prices tripled, and the wharf upgrades at Devonport will be five times more than first estimated. Will you finally admit that your promise to cap taxpayer funding for the stadium at $375 million and 'not a red cent more' has been completely abandoned?

The SPEAKER - The time for asking the question has expired.

ANSWER

Honourable Speaker, I thank the member for the question. This is why it is time to decide. The Greens have been talking about a billion-dollar stadium. I believe Ms O'Connor was calling it a $2 billion stadium the other day -

Members interjecting.

Mr ROCKLIFF - and it is $945 million. I have explained how we will fund the stadium infrastructure. From my memory, the Bridgewater bridge in 2004 was $150 million.

Dr Woodruff - Utterly deceitful to Tasmanians.

The SPEAKER - Leader of the Greens.

Mr ROCKLIFF - For all the faffing around of the Labor-Greens government at the time, we decided to build it and -

Dr Woodruff - You do not care what you say.

The SPEAKER - Leader of the Greens.

Mr ROCKLIFF - In 2025, it is a $780 million-plus project. You have to make decisions, and make decisions in the best interests of Tasmanians. The longer this goes on, the more it will cost. Now is the time to decide. That is why we are presenting enabling legislation - so we can create this fantastic infrastructure that will be enjoyed and embraced by many generations of Tasmanians to come.

Supplementary Question

Ms BURNET - A supplementary question, Speaker?

The SPEAKER - I will hear the supplementary question.

Ms BURNET - The question was about whether the Premier would admit to the promise to cap taxpayer funding for the stadium at $375 million. I gave examples of where budgets have been blown many times over. Will you admit that your promise to cap taxpayer funding is broken?

The SPEAKER - I will call the Premier to the original question.

Mr ROCKLIFF - It has always been clear in the business case and the investments of -

Members interjecting.

Dr Woodruff - We cannot hear you.

The SPEAKER - Sorry, I was struggling to hear the Premier as well. Premier, we will start your time and you can commence the answer again.

Mr ROCKLIFF - We have always said $375 million of capital investment, and that continues. $240 million investment from the federal government, and an AFL contribution of $15 million -

Dr Woodruff - What about all of the rest?

The SPEAKER - I thought you wanted to hear the answer?

Mr ROCKLIFF - and there will be borrowings for the rest. We will pay down that debt when we realise commercial opportunities -

Members interjecting.

The SPEAKER - We cannot complain that we cannot hear the Premier and then shout him down.

Mr ROCKLIFF - Open, transparent. Here we are in budget week, on a Tuesday morning releasing all the information before Question Time so that you can have an informed opinion, you can ask me questions for the next three days, and the next three days after that, and during budget Estimates - all these types of opportunities -

Dr Woodruff - No wonder you are tanking in the polls.

The SPEAKER - Leader of the Greens,

Mr ROCKLIFF - because we have been open and transparent.

The SPEAKER - The Premier's time for answering the question has expired.

Youth Justice Blueprint - Commitment

Mr GARLAND question to PREMIER, Mr ROCKLIFF

[11.35 a.m.]

In the Youth Justice Blueprint your government released last year, at page 27 it states:

> An effective response to youth offending must recognise the factors that differentiate children and young people who offend from adults who offend.

The policy also explicitly recognises that children's rights must be upheld. However, you recently suggested that your government was considering adopting Queensland's 'adult time for adult crime' policy. This is a policy the UN Special Rapporteur on torture called incompatible with basic children's rights. It is also incompatible with your Youth Justice Blueprint.

Before I vote today on a bill to fast-track a youth justice facility, I wish to know if your government is still 100 per cent committed to the Youth Justice Blueprint?

ANSWER

Honourable Speaker, I thank the member for the question, notwithstanding it is the order of the day. The answer to your question is yes, we are absolutely committed to the Youth Justice Blueprint, for all the reasons expressed by me and minister Jaensch.

We also need to look at other areas we can reform to ensure we are able to support the young people, divert them into programs such as the Youth After-hours Diversion Service (YADS) and that we can support young Tasmanians to be better citizens through that work. I said we will look at all options. That does not mean we are not committed to the Youth Justice Blueprint. We clearly are.

However, we also need to support Tasmanians who feel unsafe in their communities. It is about striking the right balance. There is need for reform when it comes to the therapeutic model of youth justice, such as outlined in the Youth Justice Blueprint. There is also a need to investigate what options we have, whether that be bail laws or other areas, to support our young people be better and more productive citizens by encouraging them on a different pathway in life from the trajectory that sadly ends up with people potentially getting hurt or young people going to Ashley, as it is now, or other areas. We want to ensure that our young people are not in the adult prison population by supporting them becoming better citizens.

Supplementary Question

Mr GARLAND - A supplementary question, Speaker?

The SPEAKER - I will hear the supplementary question. Before that, I remind members - there were interjections on this side about this pre-empting an order of the day, whilst technically it does that, the Standing Orders allow for matters of significant interest to be canvassed in Question Time.

Mr GARLAND - The question was: are you 100 per cent committed to the blueprint? Can you answer that?

The SPEAKER - I will call the Premier to the original question.

Mr ROCKLIFF - I thank the member for the question. I was referring to the adult prison population when I spoke before. The answer to your question is yes.

Macquarie Point Development Corporation - Capability for Borrowings

Mr WILLIE question to MINISTER for BUSINESS, INDUSTRY and RESOURCES, Mr ABETZ

[11.39 a.m.]

How can Macquarie Point Development Corporation take on debt for the stadium project, as you have announced, given it has no revenue and no ability to service it?

ANSWER

Honourable Speaker, I thank the member for the question. Undoubtedly, that question is part and parcel of the member's unequivocal support for the building of a stadium, and not wanting to put any roadblocks or doubts in the minds of our fellow Tasmanians -

Mr Willie - You just do not like scrutiny. I am happy to scrutinise it.

Members interjecting.

The SPEAKER - Members on my left. We will have the answer from the minister, please.

Mr ABETZ - It is becoming a bit concerning that Labor might be seeking to walk away. I trust they are not, and they are locked in, like the member for Pembroke, who campaigned heavily in relation to supporting the stadium. Congratulations to him on his re-election.

The Macquarie Point Development Corporation (MPDC) will be empowered to seek funding, and we will work through those matters when and as -

Members interjecting.

The SPEAKER - We are actually getting an answer, so members can be silent.

Mr ABETZ - You know, the immature laughter confirms, unfortunately to the people of Tasmania, the inability of the Labor opposition to understand matters commercial and how these things develop over a period of time.

Members interjecting.

Mr Winter - You got tricked by that Scottish broker.

Ms Butler - Nothing is off the table.

The SPEAKER - Leader of the Opposition. Member for Lyons.

Mr ABETZ - This is a project that is currently about 50 per cent designed. There will be other matters that need to be dealt with along the way and that is one of them -

Mr Bayley - Currently 50 per cent designed, and we are going to approve it?

The SPEAKER - Deputy Leader of the Greens.

Mr ABETZ - that at the very beginning when the business case was made out for the stadium, it was very clear what the capital impact or contribution would be, and then the balance would be by way of public-private partnerships and/or borrowings. That has always been made clear. It was made clear in last year's budget.

Members interjecting.

Mr ABETZ - It is interesting to note that last year we did not have an alternative budget, clearly because the member for Clark, Mr Willie, was unable to comprehend some of these things and put it all together in a cohesive document. What you will get on Thursday from the Treasurer -

Mr Winter - You were tricked by a shipbroker. You thought you were talking to the Scottish Government; you are a joke.

Members interjecting.

The SPEAKER - Members on my left, if you wish to make a point of order, do so under the Standing Orders. Interjections will cease.

Mr ABETZ - What you will get on Thursday actually is a cohesive document from the Treasurer which deals with the matters that you refuse to deal with by not delivering an alternate budget. What I say to the member is: keep watching this space, keep watching the developments that occur and together, hopefully, we will be able to celebrate an iconic gateway to our city and a transformational economic opportunity, especially for our young -

The SPEAKER - The minister's time for answering the question has expired.

Supplementary Question

Mr WILLIE - A supplementary question, Speaker?

The SPEAKER - I will hear the supplementary question.

Mr WILLIE - He went nowhere near answering the question, which was that Macquarie Point Development Corporation has no revenue and no ability to service the debt. He said that they would seek funds, but it will not be approved for those reasons. Can he outline how Macquarie Point Development Corporation will be allowed to take on debt?

The SPEAKER - That does go to the question. Given that the supplementary has been approved, no interjections. Thank you.

Mr ABETZ - I thought I did indicate in my answer to keep watching this space as this matter develops and I encourage him to do so.

Members interjecting.

Time expired.

The SPEAKER - Question Time has actually concluded. Interjections will cease. I do try very hard to make ministers answer questions and draw them to the questions. That has not been the practice over years. The fact that people continue to interject makes it very difficult for me to do that. We could go back to a system where I just let them answer and do not re-draw them to the question.

CONSTITUENCY QUESTIONS

Vape Sales in Tasmanian Pharmacies Figures

Ms HADDAD question to MINISTER for HEALTH, Mrs PETRUSMA

[11.44 a.m.]

One of my constituents wants to know how many vapes have been sold in Tasmanian pharmacies since the date of the Public Health Amendment Vaping Bill 2024 became operational.

Charter for Working on Private Farmland - Update

Mr SHELTON question to MINISTER for PRIMARY INDUSTRIES and WATER, Ms PALMER

Constituents in my electorate often raise with me the array of GBEs, utility companies, departments and other businesses that are sometimes required to come onto their property. This can include Irrigation Tasmania or TasNetworks, for examples. It pricked my interest when I recently saw the announcement on an upgrade to the charter of working on private land in conjunction with the farmers and GBEs.

Can the minister outline what recent work has been done to update the charter so that I am able to provide to my constituents the information on what they should expect when interacting with these departments and businesses?

Midway Point and Sorell Causeway Upgrades

Mr JENNER question to MINISTER for INFRASTRUCTURE, Mr VINCENT

In the past week I have had a couple of constituents ask questions about Midway Point and the Sorell causeways. Back in March 2002, it was announced that upgrading causeways is part of the $350 million South East Traffic Solution, jointly funded by the Australian and Tasmanian governments and subject to achieving the necessary environmental and planning approvals. Construction was scheduled to start in 2023 and to be completed in 2025. Here we are five months into 2025. Could you please clarify why the Sorell Causeway is not being renovated first, and let us know when construction is expected to begin on the two causeways and when duplication may begin and be finished?

Tassal - Salmon Farm Leases

Dr WOODRUFF question to MINISTER for BUSINESS, INDUSTRY and RESOURCES, Mr ABETZ

My question is from my constituent Susie in Petcheys Bay. When the Storm Bay leases were trialled, a promise was made by Tassal that they would give up two leases, one from the Huon River at Brabazon Point, and another in the D'Entrecasteaux Channel. Storm Bay has been operational for years and yet on Saturday I witnessed an enormous ship stocking the pens at Brabazon Point at Petcheys Bay. The noise and light pollution so close to my property is distressing and knowing that industry activity is ramping up is utterly devastating. The damage to the Huon River from fish farming and the recent massive disease salmon outbreak has been obvious and extreme. I would like to know if Brabazon Point is being stopped now because of fish farm disease outbreaks across so many other parts of the south-east borders, and when will you, as minister, instruct Tassal to remove this lease as the Storm Bay Agreement requires them to do?

Licences Required to Run a Cafe

Mr WILLIE question to PREMIER, Mr ROCKLIFF

On 5 March, I asked you a question on behalf of a cafe owner in my electorate who was concerned by your statements that he needed 37 licences to run his business. Nearly three months on, you have not answered the question. What are the 37 licences he needs and why are you not answering questions within the timeframe required?

Electric Vehicle Charging Stations

Mr BEHRAKIS question to MINISTER for INNOVATION, SCIENCE and the DIGITAL ECONOMY, Ms OGILVIE

One of my constituents has mentioned to me that they have noticed an electric vehicle charging station outside the Tasmanian Museum and Art Gallery on Dunn Place. They have

asked if we can tell them how many more of these exist and whether there will be more to come.

Time expired.

RESPONSES TO PETITIONS

No. 7 of 2025 - Salmon Farming Leases off Yellow Bluff

Mr Abetz tabled the response to a petition tabled by Ms Badger on 11 March 2025.

See Appendix 1 on page 130.

No. 1 of 2025 - Support Small Scale Tasmanian Meat Processors

Ms Howlett tabled the response to a petition tabled by Mr Winter on 4 March 2025.

See Appendix 2 on page 133.

No. 6 of 2025 - Rabbit Infestations in Tasmania

Ms Howlett tabled the response to a petition tabled by Ms Badger on 5 March 2025.

See Appendix 3 on page 136.

TABLED PAPERS

Public Accounts Committee - Report

[11.50 a.m.]

Mr WILLIE - Honourable Speaker, I table the following report of the Standing Committee on Public Accounts -

- Tasmania's Proposed Hobart Arts, Entertainment and Sports Precinct Planning Process

Report received.

MESSAGE FROM THE LIEUTENANT-GOVERNOR

Assent to Bills

The SPEAKER - I am in receipt of a message from the Lieutenant Governor:

The Honourable Christopher Shanahan,
Chief Justice, Lieutenant Governor.

A bill for an act to amend the Electoral Act of 2004.

A bill for an act to amend certain acts and other legislation to provide for matters of a transitional nature consequent on the enactment of the *Disability Rights Inclusion and Safeguarding Act 2024*.

A bill for an act to amend multiple acts to enable the Tasmanian Civil and Administrative Tribunal to review and determine certain matters in accordance with the *Tasmanian Civil and Administrative Tribunal Act 2010*.

A bill for an act to amend the *Agriculture and Veterinary Chemicals (Tasmania) Act 1994*, the *Competition Policy Reform (Tasmania) Act 1996*, *Corporations (Tasmania) Act 1990*, the *Federal Court State Jurisdiction Act 1999*, the *Gene Technology (Tasmania) Act 2012*, the *Human Embryonic Research Regulation Act 2003*, the Legal Profession Board of Legal Education Rules 2021, the *Marine Safety (Domestic Commercial Vessel) National Law (Application) Act 2013*, the *New Tax System Price Exploitation Code (Tasmania) Act 1999*, the *Terrorism Preventative Detention Act 2005*, the *Therapeutic Goods Act 2001*, and the Water Efficiency Labelling and Standards.

Having been presented to the Lieutenant Governor for the Royal Assent, he has in the name of His Majesty the King assented to the said bills.

Government House, Hobart
16 May 2025

MESSAGE FROM THE LEGISLATIVE COUNCIL

Leave for Ministers of the Legislative Council to Attend Budget Estimates Committees

The SPEAKER - I am also in receipt of a message from the Legislative Council, which I will ask the Clerk to read.

Honourable Speaker,

The Legislative Council having passed the following Resolution now transmits the same to the House of Assembly, and requests its concurrence therein: -

Resolved, that the Legislative Council having appointed two Estimates Committees reflecting the distribution of Government Ministers' portfolio responsibilities, requests that the House of Assembly give leave to all Ministers to appear before and give evidence to the relevant Council Estimates Committee in relation to the budget Estimates and related documents.

C. Farrell, President,
Legislative Council,
27 May 2025.

Mr ABETZ (Franklin - Leader of the House) - I move -

That the message be taken into consideration forthwith.

Motion agreed to.

Mr ABETZ (Franklin - Leader of the House) - Honourable Speaker, I thank the House. I move -

That the resolution be agreed to.

Resolution agreed to.

COMMISSIONS OF INQUIRY AMENDMENT (PRIVATE SESSIONS INFORMATION) BILL 2025 (No. 28)

First Reading

Bill presented by Mr Barnett and read the first time.

FINANCIAL MANAGEMENT AMENDMENT (FISCAL RESPONSIBILITY MEASURES) BILL 2025 (No. 29)

First Reading

Bill presented by Mr Willie and read the first time.

MATTER OF PUBLIC IMPORTANCE

Debt and Deficit

[11.54 a.m.]

Mr WILLIE (Clark) -Honourable Speaker, I move -

That the House takes note of the following matter: debt and deficit.

It is my pleasure to rise and speak on this matter of public importance, which is of the highest order. We have a government that is completely out of control when it comes to managing the state's finances, and we had that on display today from the Premier, who was railing against the bill I just tabled.

What the Premier was telling people in Question Time today was that he wants to keep racking up record deficits unchecked and unscrutinised, and we are saying that that is going to stop. We are coming from a position that we do not trust this government anymore to manage the state's finances and they need extra accountability and scrutiny.

If they are going to continue to rack up these record deficits and ballooning debt, then the parliament needs to take a greater role and make them own it - make them explain why they cannot manage the state's finances. That is effectively what the Premier was saying today. He does not like this bill because he likes to rack up record deficits.

This is a government that came to power with no net debt. There was cash in the bank and investments. When this Premier came to the premiership, there was only $1.3 billion worth of net debt. We have nearly $10 billion in the forward Estimates of the budget, which will be out of date on Thursday, and I think that figure is going to increase again. What does that mean? It means $500 million in the last year of the forward Estimates to service that debt - not pay it off, not pay it down; to just service that debt. That is $500 million not going to schools, it is not going to hospitals, and it is not going to houses. It is servicing the Liberal legacy debt.

The biggest liability in the state budget now is the Liberal legacy debt - the debt that they are leaving for future generations and future governments to clean up. That is how poor this government is. We know when it comes to the budget that they cannot deliver an honest budget. We have seen that time and time again in recent examples.

We are seeing government expenditure in recent years absolutely ballooning. We have the former treasurer over there - his last effort for government expenditure was 14.5 per cent. Do you know what he tried to predict or forecast in the current budget? Negative 3.5 per cent. I pointed that out to him in Estimates; he scoffed at me. I said, 'You will be coming back to parliament asking for more money.' 'Oh no, no, we won't be doing that.' They were asking for more money - nearly half a billion dollars - five months later.

It is because the forecasting in the budget is unrealistic. In the Revised Estimates Report, their expenditure for this year went up to 2.2 per cent, not negative 3.5 per cent like they were trying to project. What did they do for next year? They are predicting negative 6.3 per cent growth in the revised Estimates. That would be the biggest austerity budget in living memory.

There is no way that they are going to limit government expenditure to that figure. I put the challenge to the Treasurer this week that he actually delivers an honest budget with realistic forecasting, because you are going to get found out otherwise. You are going to be exactly like that former treasurer over there, coming to parliament with the credit card out, the Liberal credit card, asking for more money because you cannot manage the state's finances.

The forecasting has been so off in recent years. I have a couple of examples here, and I will try to be quick because I do not have a lot of time. The 2023-24 budget - they were predicting a surplus for that year in 2021-22. It deteriorated over the couple of years and they went on to deliver the biggest deficit in the state's history, which just shows in a couple of years

how poor their forecasting is - but it was not a once off. There is another example; it is the current financial year. In 2021-22, they were predicting a surplus of $126.8 million. What are they are on track for? $1.2961 billion, and the financial year has not actually finished yet, so who knows when we get the update what that figure will actually be. It cannot continue. The Premier today is basically saying he wants this to continue. He wants these record deficits to continue unchecked and we are saying no, it has to stop.

It is not in Tasmania's interests. You have put the Liberal Party in front of Tasmania's interests time and time again and it is going to stop.

[11.59 a.m.]

Mr BARNETT (Lyons - Deputy Premier) - Honourable Speaker, I am very pleased to speak on this matter on behalf of our government and to back in Premier Rockliff, as I did earlier today. We have a strong plan. Our economy is strong. It is growing. We plan to build on a very prosperous future for Tasmania. We plan to provide a better Tasmania now and for the future by investing in the things that matter, like health. Just a couple of days ago we announced record expenditure and investment in health of nearly $10 million a day. What state Labor has not acknowledged is the commitment to capital infrastructure of $660 million for our four major hospitals and other infrastructure relating to health all around Tasmania. They have not acknowledged the $70 million for elective surgery.

These are important commitments on the things that are important to Tasmanians, and we are getting on with it. The Premier has made reference to the commitment to infrastructure in terms of education. We have new schools at Brighton and Legana. The Premier reminded us of the dismay and downgrading of our infrastructure under the previous Labor-Greens government. We are not going there. We have a plan. We are all about growing Tasmania's economy, keeping it strong. We will not be takings a slash-and-burn approach, as occurred under the Labor-Greens government. We are all about improving the use of taxpayer's money. It needs to be spent wisely, and we are focused on that.

We have a strong economy at the moment. The gross state product was more than $40 billion. We have the lowest unemployment level in history, 3.8 per cent, according to the Australian Bureau of Statistics. We are talking about record retail spending in recent months. We are talking about a confident business community because we, as a government, are backing business and industry. The NAB survey said Tasmania is the top of the tree across all of Australia in terms of business being confident. Tasmania is also towards the top in terms of business conditions. We are pleased and proud about that. Our economy has grown 26 per cent, or $8.5 billion, since we came to government. Our state final demand this year was $48.9 billion - a record 12 months for Tasmania. We are leading the nation in wage growth, with 3.9 per cent for 2024, well above the national average of 3.2 per cent. We are getting on with the job.

Debt is manageable, despite the scare campaign being run by the opposition. I am proud of the investments we have made as a government. I am proud of what will be delivered in the Budget on Thursday, which will build a better Tasmania now and for the future by investing in those things that matter.

We will have a pathway to surplus. What we will not be doing is what state Labor has been promoting: that is cutting services and higher taxes. Labor is on the record as seeking an increase in own sourced revenue. That is higher taxes. They have not shown the figures -

Mr Willie - It is in your budget.

The SPEAKER - Member for Clark.

Mr BARNETT - We want to see their figures for their alternative budget: to come clean because the figures that we have is that it is over $2.7 billion, or $1.85 million a day, in higher taxes. If you have your plan, you have never delivered a costed policy. You have no policies, no plans and no alternative budget. It is time for state Labor to step up. We will be calling on you to do that. Based on the announcement yesterday from the Leader of the Opposition, the Labor Party is all about cutting jobs and increasing taxes. We are not going down that track. We have said no new taxes under our government. We abide by that, and you will see that demonstrated again on budget day this Thursday.

[12.04 p.m.]

Mr BAYLEY (Clark) - Honourable Speaker, I rise to make my contribution on the matter of public importance - debt and deficit. There is absolutely no doubt that we are in a debt and deficit crisis. I believe this will be writ large on Thursday and the full scale of it will be revealed.

In February, the Revised Estimates Report demonstrated that the last budget delivered by this government did not get it right and could not predict accurately. The deficit blew out by $500,000 to $1.3 billion, debt rose and it will be in the order of $9.6 billion by 2028, costing us $500 million a year simply to service. Saul Eslake has made some dire predictions about where the debt figure is actually headed; he predicts it will be $16 billion by 2035. That will cost us a record $750 million per year simply to service.

We do have a crisis on our hands, and it is not just a debt and deficit crisis. It is an intergenerational crisis because it is our kids and our grandkids who are going to have to be servicing this going forward. Saul Eslake also made it clear in his review of the state's finances that this is because of active policy decisions by the government. Yes, we have had COVID, yes, we have had the commission of inquiry. However, he made the point that the debt and deficit challenge we are facing is absolutely a figment of government policy. We will be looking closely, Treasurer, and I will invite you again to spell it out very clearly because we do not see any pathway to surplus on the trajectory you are headed. There is no pathway to surplus on the track you are going down. There is simply additional deficit and extreme debt.

This Thursday's Budget is going to be very telling. We predict it is going to be a shocker. Our offices are already being contacted by numerous stakeholders across the community. Community services organisations are contacting us. They are desperately worried about the money they have relied upon to deliver incredible services.

Along with other members of the Chamber, I went to the opening of Community Houses Week a couple of weeks ago and it was eye-opening. I am conscious of the incredible role the Community Houses play. At that event, we heard from Louise who, because of physical and mental disability, did not want to be exposed to other people. She had to get dragged into a Community House. Ultimately, she started to volunteer in the Community House, started to build her confidence and contribution to society and is now on the board of that Community House. She actually stood up at that event amongst all of us to talk about her experience. That is what good investment of public money in community services and community organisations can deliver.

Thursday is going to be incredibly telling about this government's commitment. What we are going to see - and I am going to anchor back to the stadium - is a government utterly committed, not only through this draconian legislation that looks like it is going to abandon all sorts of important principles about decision-making and the spending of government money, it is going to fast-track and rubberstamp a stadium we do not want. The polls are clear: people do not want this stadium. We do not need this stadium. We have stadiums. There is one just a couple of kilometres over the river and we have York Park, with the best playing surface in the country. When it comes to the budget, and debt and deficit, we cannot afford it.

Finally, the government has admitted this is going to cost more than $715 million. It is acknowledging today $945 million. We know that is not where it ends. The Cradle Mountain cableway, the high-performance centre, the *Spirit*s, and the wharf for the *Spirit*s have all blown out by massive elements. We heard today from the Minister for Business, the minister responsible with this project, that it is only 50 per cent designed. How can you accurately forecast the cost and expenditure on a project that is only 50 per cent designed. The minister could not even answer the question about how Macquarie Point Development Corporation is going to borrow.

The $375 million and 'not one red cent more' commitment from the Premier was an absolute misrepresentation. He was trying to cauterise this issue on day one of the election campaign but the problem is that the business case always included borrowings as part of the capital costs. The Premier has been deceptive when it comes to the government spend on this stadium.

Time expired.

[12.09 p.m.]

Mr WINTER (Franklin - Leader of the Opposition) - Honourable Speaker, I rise to make a contribution on this important topic in this budget week. The government has given up on trying to fix the budget. That is what we have heard this morning in question time. What they have, effectively, foreshadowed for Thursday is that they are not interested in balancing the books any more. They are not interested in anything except their own political survival - the political survival of this Premier and his Treasurer, who has to try and make these numbers work.

When you think about the Liberals and numbers, you think about the fact that no-one believes them anymore. This is a government that told us there would be no deficit this year; that there would be a surplus. They told us there would be a surplus a few years ago, predicted a much smaller deficit this year, then came back and asked for a supplementary of about half-a-billion dollars and are now predicting over $1 billion of deficit just for this year.

This is a government that told us it would cost $35 million for the fifth lane on the Southern Outlet. I expect that when we get the numbers they will be more than five times that. It could be as high as 10 times over that by the time this project is actually finished.

This is a government that told us the berth for our new *Spirit of Tasmania* would cost $90 million. Now, it costs nearly $500 million. This is a government that is not believable when it comes to the numbers. When they talk numbers, they have no credibility. No one would believe it. What they are doing is intergenerational theft. The budgets that they are overseeing are nothing like budgets that any Tasmanian government has ever delivered before.

The size of the deficit is enormous every single year. We are not talking about the COVID budgets, we are talking about the budgets that came after that when Premier Rockliff took over, that is when this started. Billion-dollar cash deficits, taking Tasmania from a position where we had no net debt in 2014 - and the Minister for Finance is in the Chamber right now, who put out a media release only a week or so ago claiming this about me:

> His repeated attempts to claim Labor left Tasmania with no debt is shameful, after again trying to peddle this tired mistruth with the media.

Tasmanian Labor left Tasmania with no net debt. I know that because I opened the Treasurer's Annual Financial Report for 2013-14 and I can see it in the numbers. Net debt, actual, 2013-14 is negative $208 million, meaning that there was net cash and investments in the bank. It is a fact. I have said it here at the lectern in the parliament. If that is wrong, Minister for Finance, stand up and call me out on it. It is true; it is in your numbers. I do not know who told you to put that media release out, but it is factually wrong and you should consider correcting the record.

Perhaps you are the Minister for Finance, we are not sure. We know you refuse to implement the government's pokies policy and so that part of the portfolio is moved over to minister Barnett. We are not quite sure what the policy is. The policy could be to continue on with the former treasurer's card-based play. That is what he says. The Premier tells his stakeholders that is not the policy. Who would know what they are doing? They are a complete mess. They have given up and it is Tasmanians who are paying the price when it comes to this government and their failed attempts to manage the budget.

Yes, the issues that are raised in parliament in Question Time every morning are important: all of the issues are important, but nothing could be as fundamentally important as making sure we have a government that is able to manage our budget. All the services that Tasmanians rely on come from that. At the moment, we have a government that has absolutely no plan to sort this mess out. Their only plan is to continue to increase the debt, to continue to raise the deficits.

As the shadow treasurer said earlier today, we have to act. This parliament needs to hold this government accountable. We can hold this government accountable. The bill that the shadow treasurer has tabled today takes the first step to do that. We cannot allow them to continue, unchecked, to do what they have been doing. These deficits will not hurt Tasmanians today, but they will hurt them next year and the year after, and it will continue to increase. The size of corrective action gets even greater the longer this is allowed to happen.

The big challenge for the future government, for this government, will be the $500 million every year that is spent just servicing the debt. That is not paying down the debt, that is just servicing the debt, once you get $10 billion worth of net debt.

Time expired.

[12.14 p.m.]

Mr BEHRAKIS (Clark) - Honourable Speaker, it is ironic being lectured on number credibility by the party that had to reprint their own election costings 11 times not 24 hours after publishing them last year.

On this MPI, our state's financials are strong. Our debt is manageable and our economic fundamentals are leading the nation in many key areas. While Labor can continue to trade in their relentless negativity, we will continue to deliver real results for Tasmanians.

Let us talk about those real results for a second. Our unemployment at a record low of 3.8 per cent, which is half - I will say that again - it is half of what it was under the last Labor-Greens government. Over 40,000 new jobs have been created since 2014 and our wage growth is the best in the country at 3.9 per cent. That is more people in work and they are earning more than ever. Our gross state product is up 26.3 per cent since we came into office. Retail trade is up to record highs. Our business confidence is the number one in Australia for two months in a row, according to the NAB.

These things are important because a strong economy is needed for us to continue to fund our essential services. That is why our focus is on getting the balance right by investing in the things that are important to Tasmanians and ensuring our economy can continue to grow. It means we can invest more in what Tasmanians care about: health, education, housing and infrastructure. As minister Petrusma and the Treasurer announced on Sunday, we will be spending a record amount on health over the forward Estimates: nearly $10 million a day. We will do that without raising taxes.

What does Labor offer in return as the so-called alternative government? Not a single alternative budget for 11 years, not even a plan, not even numbers that add up. They preach fiscal responsibility while proposing vague savings and billions and billions of dollars in promises. Their new gimmick, their fiscal deficit bill, would turn budget decisions into a circus and tie the hands of any future government. Worse, their proposal would necessitate jacking up GBE fees, which could mean car registrations as high as $4000 - I am sure the Greens would love that - it means power bills up $13,000 and bus fares up 1000 per cent. They made $4 billion in promises during the election, but had zero detail on how they proposed to pay for them. Their only solution is a fantasy land - savings from nowhere.

Let us be clear. Federal Labor is forecasting 10 straight years of deficits. They will not reach surplus until at least 2034-35. That is a trillion dollars of national debt with no credible path to fix it. Meanwhile, the Tasmanian Liberal government has a real plan to return to surplus by 2030. What does state Labor do? They criticise our budget but refuse to release one on their own, even after being called on twice now, having ignored the will of the House once - after we hear them continuously say the government needs to respect and listen to the will of the House. When the House expresses their will regarding the Labor Party and their lack of an alternative or plan, they will ignore that, conveniently. They have no costed policies. They have no alternative plan. All they have are empty attacks. We will not be lectured by a party that left this state with a huge superannuation liability for which they still will not take responsibility.

Meanwhile, Labor's record when they were last in government, in contrast, had the worst business confidence in the country. Businesses have said the government was actively working against them. They had bought Tasmania and its economy to a screeching halt. Their current plan was exposed in the last session of parliament where Labor voted to legislate higher own-source revenue targets, which in plain speak for those listening means tax hikes and increased fees and charges - $2.7 billion in tax hikes by 2027-28, which is $1.85 million a day ripped from Tasmanian families and businesses.

Hidden behind all their vague slogans like maximising government business profits is just code for high power bills and stealth charges. Mr Willie should explain how taxing Tasmanians into the ground can be seen as fiscal discipline. Let us not forget their $4 billion election con funded by $2 billion in phantom cuts, and 11 - once again, 11 - corrections to their costings.

On this side, we continue to back our economic plan with real investment, which includes $5.1 billion in infrastructure over the forward Estimates, which follows $6 billion invested since 2014. This includes the new Bridgewater bridge, K Block at the Royal Hobart Hospital, the Midland Highway upgrade, major rail and irrigation upgrades, and many, many more.

The contrast could not be clearer. Labor created their liabilities. Labor walked away from fair infrastructure funding. Labor has no balance plan. We on the other side have a plan to grow the economy and -

Time expired.

[12.19 p.m.]

Ms FINLAY (Bass) - Honourable Speaker, it is not my pleasure ever to speak about this government and their capacity to manage the budget, nor the economy for Tasmanians. However, it is my pleasure to stand on this side of the House as part of the Tasmanian Labor team, which is looking for this government to install discipline and good financial management. We are calling on the government to do this. However, we know at our heart that it is beyond this government to do it. Not only is it beyond their capabilities, it is actually beyond their will.

It is clear, not only from today but from recent weeks and recent months, that this government has given up. This government is in such a poor position, where they do not know how to take action anymore, that they have given up on being responsible for Tasmanians. It is our Tasmanians in our Tasmanian households, our Tasmanian small businesses and our large industrials who are actually bearing the brunt of this management by this government.

Members from the other side can stand up and use light-hearted language about a serious issue. The member who just took his seat talked about a circus and fantasies. There is no doubt that Tasmanians across this state, across many levels of our community, have lost trust in this government and no longer believe anything they say. We know that the community is becoming wise to government furphies in the budget, which have occurred for so many years now. When the Treasurer talks about a pathway to surplus, it does not exist. It is untruthful for this Treasurer to say that there is a pathway to surplus in the budget because it is not real. It is untrue, and this government must stop actually taking the Tasmanian community for a ride.

Saul Eslake, recently quoted about the government's pathway to surplus, said:

> The 2024-25 budget -

So, the one that they said that it started in -

> … does not have or chart a credible pathway back to surplus.

This government cannot continue to misrepresent the complete mess that they have created financially.

This Premier and members of his government stand up and talk about all sorts of lists of positive things that are happening in Tasmania. Not many of them are happening because of the action of this government. Much of that is happening because of the patient and determined efforts of businesses in our community.

It is such a fallacy to say that we are in a good position as a state when the government cannot even be honest about the assumptions and the projections that they make in their budgets. We can see this from the past and we know it is going to be true again on Thursday.

Just in the 2021 Budget, the assumption projected about the outcomes for the financial year 2023-24 was that they were going to have a $39 million positive outcome for the year but we know, once they tracked through another 12 months, that they had reduced that down to $19 million. Once they got to the actual budget for the 2023-24 year, it was going to be negative $297 million. You go through the half year report and you add in the Liberal election costings. In 2021-22 they projected there to be a $39 million surplus in the budget. The actual outcome in the 2023-24 year was a $1.5 billion deficit.

This Premier for the last three years stands and tells Tasmanians that it has been tough. We had to go through a pandemic. He used that again today to cover over his failed ability to commit to honesty to Tasmanians. He cannot seriously say that he once estimated a $39 million benefit and now it is a $1.5 billion deficit.

The last three years have been the three worst financial outcomes on record for Tasmania at the feet of this Premier. Not only did it happen in the 2023-24 year, but it also happened again in this 2024-25 year. We know on Thursday it will happen again.

Tasmanians cannot trust the narrative that this government adds to its budget mess. Just this morning, on the back of our shadow treasurer's tabling of a bill to seek budget discipline, the Premier said he actually intends to continue to have massive deficits in the budget coming forward because he is pushing back on the budget discipline that we are asking for this government to make. We know that a credible government with responsible budget management would not need to have this parliament sit over the top of them through the bill that we have tabled. We have tabled it because it is the right way to manage money.

Tasmanian Labor are seeking to be responsible, and we are asking the government to be responsible with their financial management. We are seeking to grow the Tasmanian economy. Our approach would be to be aggressive with our economy, to support our businesses like we did just yesterday with the major industrials. We call on the government to be honest with Tasmanians when you deliver the budget on Thursday.

Time expired.

[12.24 p.m.]

Ms BADGER (Lyons) - Honourable Speaker, I am pleased to hear from all sides except the Liberals that this is intergenerational debt and deficit. We are continually going to see it get worse with the increase in cost blowouts of projects like the stadium. Yes, it started just over

$700 million. Now, it is up to a $1 billion, just as the Greens said it was going to be all along, and that is still without the facilitating infrastructure.

The Tyndall Range - still $40 million since 2021. Somehow, it is magically immune to any kind of inflation despite the project changes. Release the new business case. Where is it? Where is the new business case for the Cradle Mountain cableway that went from $60 million to $225 million? All these projects are non-essential. Why are we pursuing intergenerational debt and deficit for future Tasmanians over them?

This is economic debt and deficit, but we also have an environmental and nature deficit: the climate, biodiversity and extinction crisis. There are over 600 flora and fauna species in Tasmania that are listed as threatened, which is due to habitat destruction, climate change, disease and invasive species' impact. This is in part being driven by the wrong investment priorities.

We have ranger positions in Parks that are not being filled, yet we are going to spend over $265 million on a cableway and the Tyndall Range, which are not going to protect nature in the same way that our rangers, field officers, scientists or well-funded proper programs could. What about $10 million into the west coast - the destructive four-wheel drive plan through a living cultural heritage site of outstanding universal values? That $10 million could have gone into the state's first Aboriginal-managed national park in Kooparoona Niara to protect nature and the incredible culture of the Palawa people, the oldest living culture in the world.

We could have had appropriate alternative regenerative tourism opportunities like birding and dark skies. A paper from Carson and Taylor in 2010 on four-wheel drive tourists in the Northern Territory showed that they spent the same as your average tourist did. In that market segment, there was not a huge increase to be had. Birding, which has no impact on the environment and is not impacting cultural heritage sites, had a $2.6 billion spend in Australia for the year in 2023-2024, and Tasmania is yet to fully capitalise on that.

It is the same with dark skies. In the key US sites in Arizona, Utah, Colorado and New Mexico, just to name a few, the US dollar spend of tourists per year is averaged at $5.8 billion. Those dark skies are so important, not just for tourist spend, but also because of the cultural importance that they have. That is why it is so important to protect them.

Destruction is also driving the nature debt and deficit, so it is absurd that there is ongoing government subsidisation of the native forest logging industry in this state. It was not on my parliamentary bingo card to be driving to work yesterday and see an enormous primeval tree on the back of a truck going to the chip mill.

On average, 90 per cent of our coupes are going to low grade paper pulp through the chip industry. It is 2025 and we know that that tree should still be standing. It should be critical habitat for so many different species. It should have still been there; it should have been sequestering carbon for us, but no. Instead we are cheaply selling it off.

Yesterday, in Ellendale, out the back of where I call home, there was a coupe that had its work stopped, and rightfully so. There are four wedge-tailed eagle nests around those coupes and it is coming up to breeding season. I can tell you first hand the number of devils that are in those coupes, not to mention the endemic Tasmanian white goshawk.

Our forests right across this island are home to the endemic masked owl, the sublime forty-spotted pardalote and the swift parrots who have just left this island for migration. When they return later this year they will have less habitat for breeding, because it will have been destroyed.

We have an intergenerational economic debt and deficit, but we also have an intergenerational nature debt and deficit. If we do not properly address the nature debt, our economic debt will absolutely get worse as well, because we are going to see climate-induced emergencies continually get worse, and they are going to require more investment. We simply cannot continue to ignore and choose the wrong priorities for our investments. It is time to get serious. It is time to admit and properly address the climate and biodiversity crisis so that we can address the nature and environment debt and deficit, not just in this state but for people right around the world.

Time expired.

Matter noted.

YOUTH JUSTICE FACILITY DEVELOPMENT BILL 2025 (No. 19)

Second Reading

[12.30 p.m.]

Mr JAENSCH (Braddon - Minister for Children and Youth) - Honourable Speaker, I move -

That the bill be now read a second time.

I bring to the House today a bill that supports the urgent delivery of the new Tasmanian Youth Justice Facility, which will provide for the fundamental rehabilitation and developmental needs of children and young people in detention in Tasmania and deliver on our commitment to close the Ashley Youth Detention Centre as soon as possible. The goal of the government's youth justice reform program is to improve community safety, reduce the involvement of children and young people in the youth justice system and improve outcomes for children and young people who do offend. The government's Youth Justice Blueprint is underpinned by a public health approach, which is focused on supporting children and young people to address the factors that led to their offending in the first place, thereby breaking the cycle of reoffending. This approach will drive the operational model of the new facility and the youth justice system within which it operates.

Establishment of the new facility is a priority project under the Youth Justice Blueprint and a prerequisite for the commission of inquiry's recommendation 12.1 to close Ashley Youth Detention Centre as soon as possible. Significant work has already been undertaken to accelerate the project, including: establishment of the Youth Justice Reform Taskforce, a youth justice reform expert panel, Aboriginal reference group and community reference group; development of a Tasmanian youth justice model of care; selection and public consultation on site options for the new facility; completion of site investigations, including Aboriginal heritage, threatened species and geotechnical surveys; engagement with local councils, neighbouring landowners, land users and businesses; confirmation of 466 Brighton Road,

Pontville as the site for the new facility; appointment of the lead design consultant and consultant team, and commencement of facility design; Cabinet approval of a revised project budget estimate; finalisation of the Tasmanian Youth Justice Facility Masterplan, which has now been released; commencement of a public engagement period on the master plan; and design and planning for site access, landscaping and enabling site services, which is currently underway.

The bill will enable the Tasmanian youth justice facility project to progress with greater certainty and reduce potential risks and significant delays to the project receiving approval under the *Land Use and Planning Approvals Act 1993* (LUPAA). We recognise the importance of ensuring that this legislation is narrowly targeted. It is limited in its operation to the facility, with clearly prescribed parameters to constrain the scope of development permitted under the act. To this end, the bill creates a new act that will enable the declaration of the project such that the act will only apply to this development on this site for the purpose of constructing a youth justice facility for, or on behalf of the state up to a certain size, both floor area and height, where appropriate set backs are provided and where onsite wastewater treatment is below a certain threshold.

The bill establishes a modified *Land Use Planning and Approvals Act* approval process to ensure the project can proceed with minimum further delay, while maintaining appropriate safeguards and public input. It ensures that the project will be approved by the planning authority and will exclude third-party appeals, which could potentially delay the project by up to 12 months.

Importantly, the bill provides for the development to be assessed by the Southern Midlands Council under normal Land Use Planning and Approvals (LUPA) process, including a public exhibition period and community representations. This means the community can still have their say and council will still assess the project against the planning scheme.

In a similar manner, the bill ensures a clear path to construction by removing the need for notification prior to protection work being undertaken under the *Building Act 2016*, and by preventing disputes about protection works from delaying construction.

The bill will also allow the Minister for Children and Youth to direct the Recorder of Titles to create, amend, rearrange or extinguish a folio of the Register to facilitate the consolidation of land titles, including 466 Brighton Road title, the site, and the 36 Rifle Range Road title for the access road to the site, following consultation with the Treasurer, the minister responsible for the *Crown Lands Act 1976* and the minister responsible for the *Youth Justice Act 1997*.

Finally, the bill provides that a resolution of both Houses of parliament will exempt the project from the requirements of the *Public Works Committee Act 1914*, given the assessment of the project's necessity or advisability has already been substantially met through the commission of inquiry itself and related parliamentary committees, which have upheld the need for this project to be completed as a matter of urgency.

This is a once-in-a-generation opportunity to replace a dated and inappropriate facility with a purpose-built environment that reflects contemporary thinking on youth justice, rehabilitation and trauma-informed care. There is significant public support and expectation for this project to be delivered as soon as possible, and significant work has been done to come

up with a site and a design that meets these expectations. This bill will ensure the facility can be delivered in 2027. Without it, the project could be delayed for a further 12 months or prevented from proceeding at all.

This bill has been open for public feedback and, through this process, the government received three submissions. The first, from the Southern Midlands Council, suggests that consideration be made to strengthen the provisions relating to the application of LUPA to avoid any doubt that the council must grant a permit for the proposed development. Additionally, the Southern Midlands Council raised that the current bill could require a permit for development that does not meet requirements of the planning scheme, and concerns regarding the works to Rifle Range Road, which the bill does not provide approvals for.

The submission from the Brighton Council expressed opposition to the bill on the basis that it could undermine confidence in Tasmania's planning system and that the removal of appeal rights contradicts planning principles, especially with regards to public participation in the process. Additionally, Brighton Council noted that unresolved issues remain around the facility's potential impacts on neighbouring land uses, questioning how these will be addressed if the approval is guaranteed.

The final submission, received from a group of legal academics, claims that the bill bypasses existing planning laws, limits council's role as planning authority, requires members of parliament to approve the development, imposes unreasonably short timeframes and related matters. It should be noted, however, that this submission does contain several errors and incorrect assumptions.

In response to the matters raised in these submissions, I outlined the following:

This bill provides for an assessment to be undertaken using the existing *Land Use Planning and Approvals Act* in a particular way for this specific project. The bill does not provide power to the parliament to approve the development. The final permit will be issued by the planning authority consistent with an ordinary development application. The role of planning authority remains largely as it would for any permitted application whereby the planning authority is responsible for the assessment of the application and any conditions or restrictions considered before the permit is issued.

The bill encourages public involvement and participation through the public exhibition process, whereby the planning authority will be able to receive and consider representations, consistent with the process for a discretionary planning application. It will be incumbent on the Tasmanian Government to provide sufficient information in the development application to address potential impacts and for these to be assessed by the planning authority as part of their consideration of the application.

Under the bill, the planning authority will have the same amount of time to consider and assess the development application as with any other discretionary development, including public exhibition.

The government proposes to amend the bill to include additional wording to confirm that a permit must meet the requirements of the Tasmanian Planning Scheme for the permit to be issued, which would be consistent with how any permitted application would be treated.

The works to Rifle Range Road are a matter for Brighton Council and, following further discussions with that council, I am advised that the bill does not need to be amended to include the proposed works to Rifle Range Road as they will be able to be dealt with via an exemption under LUPA from the requirement to seek development application. Public Works Committee exemption is being sought as the need to close the Ashley Youth Detention Centre and build a new facility is already widely acknowledged.

I also wish to advise that the government intends to move amendments to the bill as drafted in the committee stage.

In summary, these amendments are as follows:

(1) To amend the definition of relevant site to ensure that the bill continues to apply after adhering the two titles associated with 466 Brighton Road and 36 Rifle Range Road. This amendment is required as once the two titles are adhered, the existing title reference will no longer apply. This change will ensure that the bill continues to apply after adhering the titles.

(2) To increase the gross floor area to be inclusive of enclosed roof plant spaces, noting that this does not change the footprint of the facility from the master plan and the scope and bed numbers remain the same. This amendment is proposed for avoidance of doubt, noting variations in interpretation of gross floor area.

(3) To safeguard the 20 metre set back provision at the shared boundary with privately owned properties while simultaneously permitting the development to take place in closer proximity to the boundary between the two government owned parcels of land.

To clarify the requirement that approval must be granted is only where the requirements of the planning scheme can be met, in direct response to the matter raised by the Southern Midlands Council. The Council identified that under the prior wording, a permit must be granted regardless of whether the application met the requirements of the scheme. This change ensures that approval must be granted only where the requirements of the planning scheme can be met.

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

[12.42 p.m.]

Ms HADDAD (Clark) - Honourable Deputy Speaker, I am pleased to be able to make a contribution on behalf of the Labor Party on this bill. I note that the shadow minister is my colleague, Sarah Lovell, who sits in the other place, member for Rumney. Sarah has been through the detail of this bill, as has our caucus. We have reached the decision that we will support the bill, albeit with some concerns.

I want to start my contribution today by reflecting on the reason that we are here debating a bill like this for any reason. That reason is because of the years and decades of evidence that Ashley Youth Detention centre is not fit for purpose and is, in fact, a place that inflicts enormous harm on young people who are forced to spend time there through our youth justice system. The evidence that Ashley has been failing for many years is overwhelming.

There have been calls for Ashley to be closed for decades. To be quite honest, I think governments of all colours were not willing to tackle that political issue for a very long time. It was a very welcome, almost shock announcement when Peter Gutwein made that commitment at the 2021 Estimates. He made the announcement that Ashley would be closed as soon as possible. The timeframe that the premier at the time committed to was that it would be closed around 2024. That timeframe has now been pushed back, and as we can see from this bill, there are reasons for that.

The Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings has also concluded its work. That commission's work also made one thing abundantly clear: Ashley is not fit for purpose, and continuing to hold children there will pose an unacceptable risk to those young people.

We need to remember that the young people held at Ashley - yes, they have engaged in offending behaviour, or are alleged to have participated in offending behaviour. However, they are children. They are not, by the large part, convicted. Often young people are held there on remand. By and large, they are victims of a broken system. Many of them are on remand there because they do not have somewhere else to go, somewhere safe to be bailed by the courts.

These are young people who we have, most likely, as a system, as a state, been failing since they were at a very young age. They are vulnerable young people, many of whom have experienced trauma, abuse and neglect in their lives. Being placed in a prison-like setting instead of receiving community-based supports that might prevent them from further offending, exacerbates the problem.

Some former detainees have described the conditions at Ashley as damaging, unsafe and harmful. We have heard stories of low staffing levels, a culture of violence and abuse, and a lack of appropriate rehabilitation services, all of which contribute to an environment where young people often leave worse off than when they arrived.

Our youth justice system should be there to give young people the best chance that they can have to stop participating in offending behaviour, to get onto a different path, and to be able to make a different choice in their lives. I have said in this place before that we know we have a youth justice system that is failing when we see, as we do now, most people who spend time in our youth justice system going on to spend time in the adult justice system later in life. That is a really sad statistic. It is not one that we should be proud of as a state.

If we had a youth justice system that was working well, we would see less young people finding their way into the adult justice system later in life. We would see young people provided the supports and the rehabilitation options that they need to be able to get onto a better path, to be able to re-engage with education, with family - where that is safe and appropriate to do so - with training, and with work and job opportunities. At the moment we are just seeing a system that recycles people in and out the front door; a revolving door. We know that it is not appropriate.

That is what was recognised when Peter Gutwein made that recommendation - or made that announcement, rather, at the 2021 Estimates table. I believe that he was responding to those years of concerns raised by community organisations, by public sector workers and by parliamentarians, that Ashley was a dangerous place for young people and it needed to close.

I think he was recognising that a community-based system of therapeutic justice needed to be the alternative.

That is not to say that young people should not be held responsible for committing crimes when they do, but we want to be able to make sure that we do not just keep seeing a revolving door at Ashley that leads later to a revolving door at Risdon.

Members are aware of many of the brave former detainees, workers and community organisations who raised concerns about widespread abuse and mistreatment of children inside Ashley. They described incidents of mental torture, verbal, physical and sexual abuse, including some of the most graphic kind of forms of abuse that anybody could imagine. These were historical abuse cases as well as contemporary cases and allegations of abuse, assault and rape that had been going on for decades.

There is no question that Ashley needs to close. We have joined those calls now for many years, but it has been too slow. The commission of inquiry said 'as soon as possible'.

I know that there were community organisations who were putting their hands up to talk to government, to work with government about being able to house young people on remand - those are people who have not been charged. They have not finished going through the court process yet. If they are appropriate to be bailed, they should be bailed and they should be able to be held in a community setting. That was not possible for all sorts of reasons and, as a last resort, so many young people ended up at Ashley on remand. That is not a safe place and it is not appropriate for young people on remand to have to be held in a prison-like environment.

For those reasons, we have for many years now been supporting the calls to close Ashley as soon as possible and replace it with community-based facilities that will hold young people to account but will do so in a way that might see them reduce their offending behaviour over time.

It has been too slow. The fact that we are here now in 2025, a year past the date that Premier Gutwein said that Ashley would be closed, is a really devastating blow to the people who work with young people in the youth justice system and the community organisations that support them and their families who welcomed that announcement and knew that they wanted change.

We have decided to support this bill because we do not want to stand in the way of the ability for the government to act on that commission of inquiry recommendation to close the Ashley Youth Detention Centre as soon as possible. We have all had briefings from the government about the proposed new redevelopment and some of the changes to culture and changes to practice, that it will be possible in that new facility, but it does need to be recognised that part of the reason that we are here with an enabling bill like this is because the planning system is also broken in this state. Since their last period in opposition, the 2013-14 period, the Liberal Party in Tasmania has been promising to fix Tasmania's planning system. It was going to be a faster, fairer, better, cheaper planning system and they have failed to deliver that.

That is something that the government needs to consider for a range of reasons, primarily housing, which is something that I have talked about in this place a lot in the past when I was shadow housing minister.

The planning system is broken, so needing to have enabling legislation like this is something that should not be done lightly and it should not be done regularly. This bill, as we have heard the minister explain, will still enable - I am going to try and paraphrase the minister's words. The relevant councils will still have the authority to act as a planning authority. They will only be able to approve the new facility if it meets the planning scheme, and they cannot refuse the proposal if it meets the planning scheme.

The checks and balances that are in this bill are enough to satisfy the Labor Party to support it, albeit that this should not be the way that we always go about developments. I think that there are opportunities. There will be opportunities for community input and if it does not fit the planning scheme, then the council will be able to reject the proposal, is my understanding. I am sure the minister will tell me if I am wrong about that. Essentially, if everything is met in the application and it satisfies the planning scheme, it will be approved, and this bill will facilitate that.

I know that the minister has responded to the three submissions that he has received, but I did want to ask some specific questions that have arisen out of the submission provided by some legal professors: Anja Hilkemeijer, Professor Jan McDonald, Dr Cleo Hansen-Lohrey, Dr Phillipa McCormack, and Dr Emille Boulot. Some of those issues that they raised were responded to in the government's response back to them and in the amended second reading. I want to clarify some of what they said. On page five of their letter, they did talk about the fact that the bill enables the minister, at any time and on more than one occasion, to alter the footprint, waste volumes and proximity of the building to the boundary of the property. They give a hypothetical example. They said:

> Therefore, a situation may arise where the council has imposed conditions on the development, the minister alters one of the statutory conditions as a result of which, compliance with the council condition becomes difficult or impossible. For example, the council may impose a condition that a 15-metre fixed green zone be established in the 20-metre set back of the property. However, if the ministerial regulation reduces the required set back of the buildings to five metres, then the council condition cannot be met.

They argue that subordinate legislation to enable conflicting legal requirements to be imposed on a building project is incompatible with rule of law requirement that the law be clear and certain. I share that concern. I wonder if the minister in his summing up could go to that concern specifically, because my understanding is that the council, while they will be expected to approve the proposal if it meets the planning scheme, can still do so with conditions. Those conditions may be imposed as a result of community consultation. That point has been raised by those law professors and does need some clarification on the *Hansard* about what capacity the council will have to impose conditions on their approval and what capacity, if any, the government has, for want of a better word, to override or reverse those conditions.

Finally, before I conclude my comments, I do apologise if these timeframes are already outlined in the bill and I have missed it, but it would be beneficial to hear directly from the minister around what opportunities for public input there have been. I know that there was a period of public consultation that closed on 25 May, but whether that is the end of the community consultation opportunities or whether council can still hear from community in their work when they start to consider the proposal and consider whether or not they put any conditions on their approval - have those opportunities for public feedback stopped or finished?

I may come to some other questions if we reach the committee stage, but for now, I think I have probably put enough on the record for today. While this is an unusual way to go about seeking approval to build something like a youth detention facility, it points to a broken planning system. For the Labor Party, the imperative to close Ashley as soon as possible is really front of mind and very important, because we have seen now decades of abuse. We want to be able to say that we have a youth justice system that not only keeps the community safe but keeps young people safe, and gives young people the absolute best opportunity for rehabilitation and to be able to make a better choice - to not end up, as we see with many young people, in the adult justice system as well.

With those comments, I will take my seat and look forward to the remainder of the debate.

[12.57 p.m.]

Ms ROSOL (Bass) - Honourable Deputy Speaker, I rise to give the Greens' response to the Youth Justice Facility Development Bill 2025. I want to begin by centring young people in our minds in this debate. This includes young people in the past who have experienced harmful detention in Ashley Youth Detention Centre, young people who today are detained in a facility that should have closed long ago, and young people who come from extreme disadvantage, including Aboriginal children and children who live with poverty and often significant trauma - children who are effectively punished for being Aboriginal or poor or unsafe.

We have not done well by young people who come into contact with youth justice in Tasmania, and this is well-documented. There has been untold damage to children over decades. There are stories that have been told and what we have heard is truly terrible. Young people have been abused and their rights have been repeatedly violated. In the middle of that, from the early 2000s, there have been calls for the closure of Ashley Youth Detention Centre.

Later in 2016, a government report recommended the closure of Ashley Youth Detention Centre, and yet it took five years beyond that report for the government to make a single move on closing Ashley. Eventually, in September 2021, the Liberal government announced plans to close Ashley Youth Detention Centre within three years by the end of 2024. That deadline was missed and here we are halfway through 2025 and, still, Ashley Youth Detention Centre remains open.

The government has failed to meet its own commitment to close Ashley. In 2023, the Commission of Inquiry called for the immediate closure of Ashley Youth Detention Centre.

Sitting suspended from 1.00 p.m. to 2.30 p.m.

YOUTH JUSTICE FACILITY DEVELOPMENT BILL 2025 (No. 19)

Second Reading

Resumed from above.

[2.30 p.m.]

Ms ROSOL - Honourable Deputy Speaker, in 2023, the commission of inquiry called for the immediate closure of Ashley Youth Detention Centre but, rather than take immediate action, the government has quietly adjusted timelines for the closure of Ashley Youth

Detention Centre. We found in a Department for Education, Children and Young People (DECYP) annual report that it would be 2026 before it closed. That timeline has now been pushed out until 2027 and, in reality, we are looking at 2028. The government has completely failed to do the necessary work to allow for the closure of Ashley Youth Detention Centre.

We know what that work is. It is laid out in the government's own Youth Justice Blueprint. The work is to create a holistic therapeutic justice system that focuses on supporting young people and their families where we know there is a risk the young person will become involved in criminal behaviour, and that reduces the drivers of youth crime. The work is to support families with universal interventions that ensure children are safe, housed, well fed and able to engage with education. That means investment in child safety services, housing, cost-of-living support and education.

The work is to provide diversion programs and interventions, and alternative bail facilities that give young people the best opportunity to change their behaviour. That is the real work of youth justice: holistic investment that takes into account all aspects of children's lives and responds to the needs of children with evidence-based interventions that reduce the drivers of crime and help them to change. Instead, we are left with ever-lengthening projections for the closure of Ashley Youth Detention Centre and youth justice reforms being progressed at a snail's pace.

On top of that, this government is actively working against therapeutic youth justice through their tough-on-crime mantra and their consideration of actions such as adult crime, adult time, which the Premier this morning confirmed in Question Time remains on the table for consideration by the government.

Punitive responses to youth crimes simply do not work. The outcome of harsh penalties for youth crime are increased recidivism and no change to youth behaviour. While the government claims to be doing the right thing for youth, it is doing the opposite. Its tough-on-crime policies will only result in more young people in our youth justice facilities.

Here we are today with a half-baked piece of legislation being pushed through with great haste - so much haste that the government has sent through not just one, but two emails this morning, one of them less than an hour before debate was due to commence. I have received copies of public submissions and the government's responses, two updated second reading speeches and amendments this morning. This is legislation on the fly. Tasmanian young people deserve better.

The reason for this haste is that the government has not done the work it needed to do in the time it needed to do it to close Ashley Youth Detention Centre. This bill gives them something to wave around and point to when they are asked what they are doing to close Ashley. They can claim to be taking action when, in truth, they have moved far too slowly, broken their own promises and let down the young people of Tasmania.

This is a terrible piece of legislation. It rides roughshod over established planning processes, overrides checks and balances, and opens the door to all sorts of planning changes happening without scrutiny. Planning processes are not just red tape designed to hinder development; they are processes established to ensure designs that are safe and appropriate for their purpose. This legislation will not do that. It opens the door to a youth justice facility built without proper process or scrutiny and without transparency.

Right now, we have a master plan. This does not provide the details of the facility design. In fact, the designs for the facility seem to be incomplete at this stage and still under development. Members of this place are being asked to sign off on designs that do not yet exist, or, at the very best, are still being worked out. You only have to look at the amendments distributed this morning to see that design is happening on the fly, with the gross floor area suddenly increased by 2000 square metres.

This legislation is an attempt to hide the government's inaction on youth justice, but two wrongs do not make a right. A failure to close Ashley Youth Detention Centre cannot be papered over with a faulty piece of legislation.

Interestingly, this bill does not even guarantee a timeframe for the building of a new youth justice facility. For example, in Part 2, clause 6(2)(b), the minister can substitute a new date for the commencement of building the development. Here we have a bill supposedly ensuring the new youth justice facility is hurried along, approvals signed off no matter what, facility built as soon as possible, and Ashley closed sometime, hopefully, eventually, maybe in 2028. However, the minister can change the timeline for the new facility, shift the date and potentially push things further out.

We are being leaned on to show our commitment to the closure of Ashley with a bill that does not even necessarily lead to the closure of Ashley, and certainly not on the timelines the government wants us to think it might follow. There is room in this legislation for it to fail to do what it says it will do. Given the government's total inability to do what it has said it will do on Ashley Youth Detention Centre, excuse our mistrust of this legislation.

Trust is an important word; it is an important thing - and right now trust is low. The commission of inquiry highlighted multiple desperate failures of the government to keep young people safe. It blew the lid off government institutions for all Tasmanians to see the damage done by those institutions, and it laid out a pathway to change, including greater transparency and scrutiny of government services. There lies another significant problem with this bill. It will effectively remove the new facility from scrutiny.

The government claims this is not true because the development process will run its usual course up to the point of a planning decision. We are being asked to vote today on this legislation on trust. We do not have a detailed plan to scrutinise and sign off on. We are being asked to suspend our duty to scrutinise and interrogate a significant development and just sign off on an unknown. We are being asked to legislate powers for the minister to intervene in the planning process at multiple points, allowing plans to be changed along the way without any scrutiny or oversight outside of the department. This bill allows the minister to make up regulations and make changes as he wishes.

We are being asked to sign away community rights to be notified about the development, to comment on it, disagree with it or request additional information. That is on top of the sham consultation process that has also taken away community rights. This bill has not really had proper consultation. It was tabled in this place before the community consultation period even closed, and then we have had a hurried response to submissions shared this morning and amendments on the fly. This is not giving proper consideration to the public submissions, including any concerns they have raised. Rather, this is a heavy-handed approach of blocking community appeals. Has the government considered drawing the community along with them

by genuinely engaging with concerns? That would be more likely to produce positive outcomes that allow the youth justice facility to go ahead.

The minister will respond that community members have been invited to two consultation sessions, and they will have an opportunity to make submissions during the development application consideration by Brighton Council. However, any issues community members might raise can be overridden by this legislation. No matter the outcome of the process, the plans have to be approved.

There is also the Public Works Committee when we are thinking about scrutiny. This legislation would withdraw the project from the operation of the *Public Works Committee Act*, as we see in clause 12, again removing the youth justice facility from parliamentary and public scrutiny.

Transparency, scrutiny, review - every project and government intervention needs it. With this project, of all projects, we see the need for scrutiny and review even more. History has shown us what happens when we do not have scrutiny. Look at Ashley Youth Detention Centre and its terrible, painful, damaging past. We cannot allow this to happen again, but passing this legislation would open the door to that because it removes the project from scrutiny when it allows the minister to make unilateral changes to plans without processes that allow review and feedback. How is that healthy? How is that the best for young people? The potential for secret plans challenges the validity of this whole design process. This legislation opens the door to a youth justice facility built without proper processes and without scrutiny or transparency. How is that in any way appropriate given the history of our state?

There are other contradictions within this bill. The *Building Act 2016* says in section 7:

> This Act prevails over the provisions of any other Act or any regulation, rule, by-law, guidelines, planning instrument, standard, condition, determination, or directive, made under any other Act that relates to the design of any building, building work or plumbing work.

However, this bill overrules that. Section 7 of the *Building Act 2016* does not apply in respect of the declared project, is what it says in this bill. The Youth Justice Facility Development Bill 2025 suddenly trumps the *Building Act 2016*.

This government knows that they have failed in taking action on just youth justice. They know they have dropped the ball and are running behind and so they introduce legislation that is heavy-handed so they can appear to be doing something.

I want to be very clear: there are two issues here and they should not be conflated or confused. First, there is the absolute, inarguable need to close Ashley Youth Detention Centre, something the government has repeatedly failed to do. Then, there are these plans for an alternative youth justice facility that override planning processes and will lead to less scrutiny of the facility.

The Greens remain absolutely committed to doing all we can to ensure Ashley Youth Detention Centre closes as soon as possible. This bill does not do that. It does not ensure Ashley Youth Detention Centre will close. It does not make up for the lack of closure of Ashley Youth

Detention Centre. It does not even ensure an alternative facility will start being built later this year.

Two wrongs do not make a right. Failure to close Ashley Youth Detention Centre cannot be corrected by a piece of faulty legislation that denies natural justice for community members, overrides planning processes, removes planning from public scrutiny, and gives no guarantee of anything concrete except signing off on plans that may or may not otherwise have been approved. It does not even speed things up that much. The Greens cannot support this bill.

I go back to what I said at the beginning of this speech: Ashley Youth Detention Centre needs to close, and a rushed piece of legislation will not make that happen. The real work needs to be investing in Tasmanian children and making sure they have the services and supports they need to live healthy, safe, happy lives. Where children do come into contact with youth justice, the work is to make sure there are therapeutic, evidence-based justice interventions that result in long-term behaviour change that keeps children out of youth justice facilities.

Whatever we do, we need transparency, scrutiny and as many eyes as possible to make sure we are doing the right thing as a state, and more particularly to make sure that the government is doing the right thing. That is the work we need to be doing. That is what the Greens will keep working for.

[2.44 p.m.]

Mr FAIRS (Bass) - Honourable Deputy Speaker, the new Tasmanian youth justice facility is a core element of the government's broader youth justice reform efforts. The new facility will provide secure, supportive care for the small number of children and young people who require detention. There is enormous support and expectation for this project to be delivered as soon as possible, and significant work has been undertaken to identify the right site and develop a design that meets these expectations. The government understands calls for the closing of the Ashley Youth Detention Centre sooner and to deliver alternative arrangements for young people on remand.

I would now like to speak to the process that this bill will enable in facilitating the urgent delivery of a new therapeutic youth detention centre at 466 Brighton Road, Pontville. From the outset, I note that the Youth Justice Facility Development Bill 2025 does not bypass normal planning processes. It provides for an assessment to be undertaken using the existing *Land Use Planning and Approvals Act 1993* in a particular way and only for this specific project. It does this by treating the project as permitted, meaning the application is subject to assessment by council officers to ensure it meets the requirements of the planning scheme, but the planning authority must grant a permit either unconditionally or subject to conditions or restrictions.

The development application that would be submitted to the planning authority - that being the Southern Midlands Council - will contain the same level of information as would be required under any normal application process. It also prevents third-party appeals which could add significant time to the project, which I understand could be delays of up to 12 months. Due to the nature of the project and the level of community sensitivity, there may be a greater likelihood of appeals being lodged.

While not all appeals ultimately succeed, they can still impact project timeframes and resourcing. This provides a level of certainty required to meet the time-sensitive objective of closing the Ashley Youth Detention Centre and transitioning to the new facility. This bill helps

to ensure the project follows all relevant planning and legal processes to help manage this risk. This approach is not being used as a general planning reform, but rather as a targeted response to a unique set of circumstances. The facility has already undergone consultation, and public engagement on the master plan is underway and will continue to be subject to rigorous planning scrutiny and parliamentary oversight. For a project of this importance, we believe it is incumbent on parliament to do everything it can to ensure that the facility can be delivered as quickly as possible.

The Tasmanian government remains committed to our ambitious youth justice reform agenda, including a new purpose-built youth justice facility that is in line with the recommendations from the commission of inquiry and our Youth Justice Blueprint 2024-2034. The facility is designed to support rehabilitation by creating a safe, respectful and therapeutic environment that addresses the underlying factors contributing to a young person's involvement in the youth justice system.

The site of the new facility at Pontville will only be over half the size of the current Ashley Youth Detention Centre, as per the commission of inquiry recommendation that the new detention facility should be small and home-like. The secure facility will have 20 beds onsite including 16 residential beds, two treatment beds in a health centre and two orientation beds for new arrivals.

The site adopts a building-as-perimeter model, whereby the buildings form part of the secure perimeter, meaning that the view from the windows looks directly out to the landscape and not to a fence line. This design approach is particularly important from a therapeutic perspective, as access to natural views, including open landscapes and animals, rather than security barriers, reinforces a connection to the outside world and provides motivation for change. Additionally, views of nature can help counteract feelings of isolation and confinement, supporting mental health and encouraging reflection and personal growth.

Given the Pontville location, the design draws inspiration from its rural setting, aiming to create a built environment that feels familiar, functional, and connected to its surroundings. The buildings will use materials like brick and timber and will feature either pitched roofs to align with the rural setting or an angled roof, which is more contemporary.

Another key feature to note is that safety of children and young people, staff and neighbours will be at the forefront as the design for the facility progresses. The design and layout of the buildings allow for extensive sightlines across the facility and passive supervision across the site. There will also be external secure courtyards associated with each residential building that sit on the boundary with a tensioned mesh roof. There will be extensive CCTV coverage across the site as well as movement detection radar technology.

The size of the site also gives the opportunity to create a larger buffer between the facility and surrounding properties, including the use of vegetation to provide visual screening. Importantly, the fencing will be located some 200 metres from the nearest private properties.

I also note that the master plan sets out a flexible framework for building design, allowing adjustments as planning develops. Final building forms will be determined through ongoing design development informed by operational needs, stakeholder input and best practices in youth justice facility design. This approach allows for a thoughtful and responsive outcome that best supports the facility's long-term objectives.

At its heart, the design of the facility supports a goal of helping young people build the skills, confidence and relationships they need to lead positive, fulfilling lives upon returning to the community. The design focuses on supporting the education and other services young people need to live positive lives and avoid reoffending when they return to the community. Most importantly, and I love this, young people will have access to education, life skills programs and vocational training, equipping them with the tools to become resilient, well-adjusted individuals who can engage positively with their communities.

I also note that cultural safety is a central component of the new facilities model. The new facility will be informed by views of Tasmania's Aboriginal people to ensure the inclusion of culturally enriching environments for Aboriginal children and young people that promote connection to family, community and country.

The facility will have dedicated cultural spaces to enable Aboriginal staff, elders and community organisations to provide specific programs to support Aboriginal and Torres Strait Islander young people within the facility. On site health and mental health services will also be available to meet individual needs and support behavioural change. These features will support the goal of providing a therapeutic, trauma-informed and culturally safe environment, all of which are key elements in reducing reoffending.

The Tasmanian government's vision is for the new facility and the Tasmanian youth justice system to be nation-leading and this government is working to implement an array of broader youth justice reforms as we continue to implement the commission of inquiry recommendations. Through our Youth Justice Blueprint, the government has set the direction for youth justice in Tasmania for the next 10 years to keep children and young people out of the youth justice system as a primary goal by building a therapeutic community-based system that prioritises early intervention and rehabilitation.

Using a public health approach, the blueprint focuses on strengthening supports with children, young people and their families through implementation of an integrated and multidisciplinary service system that promotes wellbeing and reduces engagement in antisocial and youth offending behaviours. The overall aim of this reform is to support young people in addressing the causes of their behaviour and to keep them out of detention wherever possible.

The result will be a service system that supports early intervention and diverts children and young people away from the statutory youth justice system. For those children and young people whose offending behaviour has escalated and involves a criminal justice response, the blueprint outlines an evidence-based therapeutic criminal justice approach that supports the young person to address the factors that led to their offending, preventing continued offending behaviours and ongoing involvement with the system.

When children and young people experience adverse childhood effects such as abuse, neglect, witnessing family violence, insecure attachment, death of the parent, not having their developmental needs met, exposure to drugs and alcohol, and caregivers with mental health issues, this can change the way their brains develop. We need to work with children and young people in ways that acknowledge their experiences, understand their responses and triggers, and offer opportunities to learn new responses and behaviours, establishing new neural pathways.

It is through this holistic approach that we can address the root causes of youth offending while also ensuring the safety of the broader community. To this end, I was pleased to see that the 2024-25 state Budget provided a total of $15.85 million over four years in line with the commission of inquiry recommendations and a Youth Justice Blueprint focus on early intervention and diversionary services.

We are investing in place-based diversionary approaches to target the root cause of youth offending. The new YADS (Youth After-hours Diversionary Service) model began in May 2025 in the Glenorchy and Bridgewater Police Divisions. Achieving the outcome set out in the blueprint is more than just building a new facility and closing an old one. It is about a redesign of the whole service system so that fewer young people are being held in detention and there are fewer crimes in the community because of our investment in a therapeutic approach that prevents reoffending.

A foundation element of a youth justice reform work is the Youth Justice Model of Care, which was released late last year. Our Youth Justice Model of Care is a first in Australia that applies to a whole youth justice service system, outlining a collaborative approach to services across government, community service providers and Aboriginal organisations working together in children and young people's best interests. It provides for a coordinated and consistent approach to deliver the trauma-informed evidence-based and culturally safe services to children and young people in contact with, or at risk of coming into contact with, the youth justice system and their families across Tasmania. It will guide agencies and community service providers in the development and implementation of youth justice policies, programs and services.

The Youth Justice Model of Care has been co-designed with children and young people, Aboriginal communities and staff from government and non-government organisations across the youth justice system. The principles of the Youth Justice Model of Care are informing the overarching framework for the design of the new Tasmanian Youth Justice Facility, the facility operation model and the services for youth justice practice framework. Implementation of the Youth Justice Model of Care is underway, including a communications and engagement-based campaign across the youth justice sector socialising the Youth Justice Model of Care; a self-assessment tool and online training to support organisations providing youth justice services to assess their current activities against the Youth Justice Model of Care and make changes as appropriate; and development of the Youth Justice Diversionary Services Framework to provide guidance for the procurement of services consistent with the model of care.

Working to a common model of care will ensure that service delivery is child- and young-person-centred and that there is a shared understanding of what a therapeutic approach to youth justice means. We will know that our youth justice model of care has been successfully implemented when there are fewer children and young people, including Aboriginal children and young people, engaging in offending behaviour.

The Youth Justice Facility Development Bill 2025 streamlines planning approvals to ensure the new youth justice facility is delivered by 2027, avoiding the possibility of delays of up to 12 months. The commission of inquiry highlighted the need for a safer, more therapeutic approach to youth detention, which is clearly what will be delivered through this project. This new facility will enable safe, respectful and therapeutic environment that provides the best scope possible to address the root causes of a young person's involvement in the justice system.

The government is seeking the support of this parliament to deliver this critical step in acting on the recommendations of the commission of inquiry as soon as possible. I would just like to say and pass on my sincere thanks and congratulations to the minister for putting this all together because it is a very hard sector and I really appreciate the minister's and his department's hard work in this area.

[3.57 p.m.]

Mr JENNER (Lyons) - Honourable Deputy Speaker, I think we all know that Ashley Detention Centre must close, and I thank the minister for bringing this to us today and for Mr Fairs' explanation of what is going on there and what is going to happen. It is important. I was on the youth court for 18 years and so I am quite au fait with these centres in the UK, but not so much here. I did not have much to do with Ashley, but obviously apart from its reputation. I am very much in the mind that we do need a new facility, but I have some fears that I would like the minister to allay for me.

I will keep it short because I appreciate other members wish to speak. While I acknowledge the government intends to replace the Ashley Youth Centre with a modern facility at Pontville, as we just heard, I have several concerns regarding the provisions of the Youth Justice Facility Bill, which I hope the minister can allay. As the project is being undertaken in my electorate of Lyons, I have had a number of constituents reach out to my office with their concerns and I am here today to relay those concerns. They are worried about how this development will impact the local community and they feel that their voices are not being properly heard by the decision-makers. They feel that their rights and concerns will not be heard, and the bottom line is, looking at the legislation, they may well not be.

There are several issues that I would like to cover, not only with the location of the proposed facility, which I will get to in a minute, but also the legislation itself raises some concerns. Section 10 of the bill is particularly concerning and it should be raising alarm bells for this parliament about the precedent that it is setting when it is willing to fast-track these planning projects. I do understand the reason for this one, but I brought it up this morning in my Question Time to the Premier about the amount of projects that are being fast-tracked. Section 10 of this bill mandates that the project cannot be appealed by any third party. This limitation could prevent legitimate concerns, and this is what has been put to me, from being addressed through the proper legal channels. It effectively removes community input and eliminates any legal recourse for people who may be directly impacted by the project. This is deeply troubling for these people, or so they are telling me, and I understand that. It undermines the community's ability to have their say in a significant development which will affect them. It also sets, as I said, a dangerous precedent for eroding the principles that communities should have a voice in the planning decision.

I also have a concern about section 9 of the act, which gives the minister power to direct change of land titles. If I am wrong on that, minister, please correct me. To me, this represents a complete overreach of a government authority. I would be appalled if someone had the power to do anything to my property without any say from me.

As I said, I understand some of the reasons that the government are putting in this provision, because I understand that we need speed on this actual planning process, but it should not be at all costs.

I understand there are very few options available to the government for the location of the site, and I recognise the strict requirements where a youth justice facility can be built. I went up there to look at the site the other day to see for myself and come to my own conclusion about the adequacy of the site. The site's proximity to the gun club, which I understand operates seven days a week, and a medical cannabis farm, which at all times you can smell - to be honest, I could not smell it on the day, but that does not mean it is not there - are concerns that residents have.

The children are obviously going there now. As I said, I was in the youth court for 18 years. One of the biggest issues that we have is putting these children in places where they feel totally comfortable and settled. This sounds like an amazing site, but the detention centre facility is troubling in the sense that it is next to a gun club that goes on seven days a week. It is next to a cannabis field, which you may or may not be able to smell, I have no idea - I could not, as I said. I do not believe that guns going off constantly and the smell of cannabis is going to be conducive to rehabilitation, but I am happy to be led by the minister if he can allay those fears.

I have my concerns, and while I acknowledge the urgent need to replace the Ashley Youth Detention Centre with a more modern facility, which this one is - it sounds amazing - we must ensure that the process is done properly and with respect to the democratic process that underpins our planning system.

Fast-tracking must not come at the expense of accountability, transparency, and community trust. We have a responsibility to ensure that this bill and any future developments it enables do not erode fundamental principles of good governance.

Minister, hopefully you have taken some of these points down and will address them.

[3.03 p.m.]

Ms BURNET (Clark) - Honourable Deputy Speaker, I thank the previous speakers for their eloquent and important contributions, including Ms Rosol, Ms Haddad and Mr Jenner, because a lot of those points were about the importance of wellbeing for youth in detention, which is such an important underpinning requirement. I am sure that the minister has that in mind.

I acknowledge that youth who are in detention facilities or justice facilities have quite often, nine times out of ten, come from traumatic backgrounds, and they rely on the state to protect them.

I acknowledge that the minister organised a briefing session that I attended with Ms Rosol, and I thank the various departments who were at that briefing and also at the public consultation, the second session of which I attended last week. That was on the draft master plan, and whilst that was open to the public - it ran for a couple of hours and was the second information session - it was right at the end of the day, so I had concerns raised with me that it was not accessible to many people who would have liked to have attended. This was according to people who were there and who had neighbours who could not get there.

I think having enabling legislation introduced and running a public consultation process at the same time has a raft of problems. We should not be rushing such important legislation.

This seems to be a repeating pattern of the government in relation to not giving the community enough time to really prosecute arguments that they intend to put forward.

Minister Jaensch's second reading speech makes this all out to be fast-tracking for a new youth justice facility. However, this is like putting lipstick on a pig. Minister Jaensch is doing nothing more than dancing to Minister for Planning, Felix Ellis', tune on yet again destroying Tasmania's planning system. I think this is a fundamental thing. Ms Rosol has said that there are two elements to this bill before us - there is the delivery of a youth justice facility, but make no mistake, this is an undermining of Tasmanian's planning system, yet again, by this government.

In the name of fast-tracking a youth justice facility development, every part of this bill dismantles how planning is done in Tasmania. It removes natural justice; it denies people's right to be heard, especially direct and near neighbours; and it takes away important checks and balances that this parliament has previously established. There were concerns and, as Ms Rosol said, we got a bundle of information this morning, the day that we are considering this bill, which just screams at you to say, 'What are you hiding? Why do you do this? Why do you just provide this bundle of information right at the last minute?' It really says, as far as I am concerned, 'We do not want you to scrutinise things properly.'

There were concerns raised by the Southern Midlands Council, which is the planning authority that will be considering this youth justice facility. Brighton City Council is also a key player in this, because part of the land that we are considering here is in the Brighton municipality - a driveway off Rifle Range Road, which will be a new entrance. Academics have written to the minister concerned about both planning and administrative law and how that might be eroded.

As I said, it removes natural justice; it denies people's right to be heard, especially direct and near neighbours; and it takes away important checks and balances that this parliament has previously established. I spoke to neighbours and I, like Mr Jenner, was out at the site. The site has been chosen, and I will ask a question of the minister in a moment in relation to that, but the site is, if not adjacent to, very close to a cannabis processing and growing facility. It is close to a gun club. It is close to Shene Road, which is where Lark Distillery is now located.

It is a very historic, important heritage place. Wybra Hall was a famous place where young people, mainly males, I believe, were sent for detention from 1955 to 1985. That is very close to this proposed facility.

If you want a checklist of how to dismantle the rules that govern Tasmanian planning, you need look no further than this bill. Mr Jaensch talks of how we need to fast-track this, just as we had to fast-track special enabling legislation for a shopping centre development at Stony Rise.

Others have already spoken to it, but I will talk about the timeline. In 2021 the commission of inquiry into child sexual abuse in institutional settings was established. In late 2021, the closure of Ashley was announced, and it was going to be closed by 2024. It was later shifted to 2026. Can the minister tell us when Ashley will now close?

There was then a scout around for flat Crown land, close to Hobart, as I understand. Can the minister explain what stipulations there were about what land was suitable and why the

purchase of land, such as there was for Brighton High School, which is a very successful project, was not considered?

In 2023, this site was selected and in 2025, ironically, we saw the introduction of this fast-tracking legislation. The delivery of the build is touted for 2027 and in 2028, four years later than promised, it is proposed that this southern facility will open.

This bill does nothing to hide the sins of the past or to deliver the project on time. We do not have a time. We do not know that this bill will make it any faster than going through standard planning processes. We have evidence that this government's is woeful at delivering most projects on time and on budget, not least something as important as treating youth well in the justice system. What could be more important?

While I am in no doubt that the government has heeded what is required for changes, will we definitely see the estimated 70 staff, which will be instrumental in making this facility work? Some will be allied health professionals, mental health and custodial specialists, with teaching staff required for the maximum of 16 young people. Staff shortages currently plague many professions and job cuts could be another reason for not delivering the care required. I was told that the ratio of staff to youth will be two to one. This is important, as are those learning facilities. All of these things would help fulfil the requirements of improving the life of the young people.

I want to know about the process of choosing the site. The site, with six direct neighbours, near a cannabinoid growing and processing facility, within earshot of three gun clubs on Shene Road, may contribute to trauma for those who have often come from traumatic situations. I spoke to a planner from Brighton Council who said there are times of the day when the smell from the cannabinoid processing facility travels quite some way. From that facility, it goes right down to the Brighton village or up to Tea Tree, depending on the wind and inversion. When the outdoor crop is growing and harvested, there is significant smell. What has been considered in relation to the impact on not only the young people there but also people working in the proposed facility?

I also want to know whether the impact of the gun club has been considered. Can we guarantee there will be no impact on the youth detained in the facility?

I now want to talk more specifically to the bill and all the concerns the Greens have in relation to this. First, the fast-track legislation denies natural justice. We had a letter from the general manager of Brighton City Council, James Dryburgh, who raised those concerns about undermining the confidence in the planning system and disregarding the principles of natural justice. Those are significant things. Mr Dryburgh is a planner by trade and has been involved in the land use strategy, so he would know full well the difficulties. Working to deliver strategic planning in this state is something I frequently talk about.

This fast-tracking legislation denies natural justice with zero evidence it will deliver the project any earlier. We cannot say that this will be any faster. The Tasmanian planning system has one of the quickest turnarounds across the nation. The amendment about elements that are prohibited is a red herring. The facility itself is not prohibited in the planning scheme, so perhaps the minister can clarify what he means in relation to this amendment.

The Southern Midlands Council planning authority is to consider this development application. The government has clearly decided not to go down the Major Projects or Project of State Significance pathway. You probably did not want to go near the Tasmanian Planning Commission. Could the minister explain why this was not considered as a robust approach if changes to planning considerations are occurring which will impact the Southern Midlands Council and its role as a planning authority?

There are six neighbours and others who may want to put in representations. There is nothing stopping them putting in representations, but having a say, having ownership - consultation is so important for an important project. It is better to have people with you rather than in fear of what may be proposed. I always think good consultation, saying, 'We have nothing to hide here,' is more appropriate, and having that consultation early is always better. The consultation sessions were around the draft master plan, rather than the individual planning application. There is concern about that.

Mr Fairs raised the issue about consultation with the Aboriginal community. It would be good to know how that consultation occurred and what sort of input from which Aboriginal groups were considered as part of that consultation.

Getting back to the Southern Midlands Council as the planning authority, it will only be able to approve with or without conditions and, as far as I understand, not refuse because it is not a prohibited use. Could the minister talk more to the amendment about that prohibited use versus having to approve something with or without conditions and then no appeal process or no appeal rights for representors unless they are the applicant? This is a major departure of planning in this state, which is very concerning.

We know that there are more ministerial powers with these changes to the legislation. There is an amendment which, if I am not mistaken, reduces the buffer for those who have that 20-metre buffer, but if there are changes afoot to that 20-metre buffer, they will have to negotiate with the proponent when there are boundary adjustments. Correct me if I am wrong, minister.

There are erosions of protections of the building code. Again, a dangerous precedent. One of the last things I will say is that this parliament has checks and balances in place, and one of those checks and balances is the Public Works Committee, Public Works process, or taking it to the Public Works Committee, will be abandoned in this process, and that usually looks at publicly funded projects to the value of $15 million or more and it is for this type of development or for other important checks for roads, bridges, schools, but apparently not necessary for a youth detention facility. I do not think that is necessary to take out the public works scrutiny. That is important and, again, this is a very strange way of working.

This should be a parliament that holds this government to account, that provides good legislation, that delivers on what it should, not a phony reason to undermine the planning system. This will do nothing to improve the speed of the delivery of closure of Ashley and a new state-of-the-art facility.

Minister Jaensch, sadly, you are acting like a puppet of minister Ellis by delivering this bill and all that it stands for. Labor backs this in with scant regard for how this erodes the rights of the community, of natural justice and of our planning system. I think that we should be questioning much more as a parliament. This is poor legislation and an ongoing attack on the

planning system in Tasmania. The Greens will continue to stand up for this insolent, bullish behaviour of government.

[3.23 p.m.]

Mrs BESWICK (Braddon) - Honourable Deputy Speaker, I welcome the opportunity to speak on the Youth Justice Facility Development Bill 2025. I acknowledge the progress when it comes to youth justice reform is overdue.

The commission of inquiry sadly confirmed that the current youth justice model is not serving Tasmania well, both from the perspective of the young people who navigate it and from the public safety point of view. Quite simply, something must change. It is broadly agreed that Tasmania needs to adopt a more therapeutic approach to youth justice, rather than the methods that have led to a disappointing rate of recidivism. A youth justice system cannot be a conveyor belt to adult prisons.

The closure of Ashley cannot come soon enough. We need a fresh start at a new facility that we can be proud of, which puts therapeutic care at the heart of everything we do. We need a place that is viewed as somewhere young people go to get the support they need to get their lives on track, not simply to be punished.

We have a unique chance to develop a new culture. We can properly invest in a model of care that has been proven to work. We need somewhere to safely house young people who make bad decisions, and it must be designed with their best interests in mind.

We need a youth justice facility that values staff and puts people at its core. We need to be able to attract highly skilled, motivated professionals, and for that to happen it must be a safe and rewarding place to go to work. It is critically important that we get this right and create a new youth justice facility that Tasmanians can have confidence in and we are not afraid to send our families to. Unfortunately, nothing is ever easy in Tasmanian politics and this bill has attracted significant criticism. The government's decision to bypass traditional planning processes has unfortunately put local government offside, with both Brighton and Southern Midlands councils voicing legitimate concerns. It is such a shame because, as I have just said, it is so important that this project has broad community support.

Once again, the government has put MPs in a difficult position where we are expected to vote on a proposal that has obvious merits but is marred by the government's approach. I appreciate the minister's desire to deliver this project as quickly as possible and the time his team have spent making sure the design meets the needs and the outcomes we want for this facility, but the decision to close Ashley was requested a long time ago and the announcement to complete this task occurred in September 2021.

There has been ample opportunity to get the ducks in a row to get this right and this 11th-hour legislation should not have been required. I note that the legislation allows for the minister to substitute new specifications and timelines. I would appreciate some reassurance that this power will not be abused. It is important that the community has confidence that the plans released publicly are adhered to and the scope of the project remains the same.

Planning power being overrun and handed to ministers is becoming a theme of this government and unfortunately it is eroding trust with some key stakeholders. I urge the government to work more collaboratively with councils when it comes to planning matters.

Mayors and planning experts are rightly concerned about the government's willingness to circumvent established planning practices.

Last week, Brighton Council raised concerns over the odour emitted from the medicinal cannabis facility or farm. It certainly raises my eyebrows that, should odour regularly impinge on the Youth Justice Facility, it would be very inappropriate. This is a serious risk which could happen at any potential site or become a concern at any stage for anyone closely located to a medicinal cannabis farm. I would appreciate the minister's plan for offsetting this risk. I think it is important that we in this House broadly consider the long-term management of this issue broadly.

I plan on supporting this bill because I strongly believe we need a new chapter when it comes to youth justice in Tasmania. The closure of Ashley has long been delayed and I do not want the government to have reason to delay it even further, but I would urge ministers to be aware that this approach to Tasmania's planning system is wearing thin for many parts of the community.

I had the utmost respect for many staff and elected representatives in the local government sector and they deserve to be treated with professionalism. There are massive delays in improving planning, policies, development of strategies and a framework that underpins this system. This needs focus and this needs to be completed. We are all tired of having bills that override the system before the House without the changes required being actioned.

I will be closely following the debate through the committee stage to ensure this bill is doing what it needs to do to meet the goals set out by the minister. I do not believe it should overstretch, but we do need to make sure we get this project moving as effectively as possible.

[3.29 p.m.]

Ms JOHNSTON (Clark) - Honourable Deputy Speaker, I rise to give my contribution on the Youth Justice Facilities Development Bill, and at the outset, as many speakers have already done, talk briefly about the history of why we are at this particular point in time and recognise the deep harm and hurt that we have caused many young Tasmanians for generations to come. I particularly want to recognise how important it is that Ashley is closed immediately.

That cannot be overstated: Ashley must be closed immediately. It is a call that I know that many in this House have made. It is a call that I know many in the community sector have made, the Children's Commissioner - many Tasmanians have called for the immediate closure of Ashley. It was a question that I asked in Estimates in 2022 of the then minister: could she guarantee that children in Ashley were safe and her inability to answer yes to that question led to then premier, Peter Gutwein, announcing its closure.

It is 2025 and it is still not closed. That is unacceptable. We know that children are not safe in Ashley; that was clear from the commission of inquiry report and we should have acted much faster and done much more by now to make children safe.

Instead, I suspect that this government has had its focus turned elsewhere. It has been clear, particularly from the rhetoric coming from this government over the last few months, that that focus has been on tough-on-crime measures rather than on prioritising proper processes for a new therapeutic facility.

It was very hard to believe the Premier this morning when he said he was 100 per cent committed to the Youth Justice Blueprint in answer to a question from my colleague, Mr Garland, when in the next breath he failed to rule out populist policies like 'adult crime, adult time'. It is not a genuine response from the Premier. It highlights that this government is more interested in playing populist politics than genuinely addressing the trauma experienced by Tasmania's young people, and that makes me incredibly sad and disappointed.

Let us be very clear: the way this bill has been framed is nothing short of, I believe, emotional blackmail. It is deeply insulting and disrespectful to the MPs in this House, but most importantly to young people who deserve our protection. This bill is a planning bill. It does nothing to close Ashley Youth Detention Centre and to protect children in custody at the moment. It is false and wrong and deeply disrespectful to try to conflate the two issues.

This bill is all about changing the planning process and modifying the LUPAA processes. It just happens that in this particular instance, it is changing the planning process for a Youth Justice facility. That is where the insertion of the emotional blackmail comes in but, if you take out the emotive aspects the government is trying to invoke, then it could be any type of project or proposal. It could be a health facility, it could be a library, it could be any other form of facility.

Notably, this bill does two critical things. First, it excludes third-party appeal rights. Third-party appeal rights are a fundamental right in any proper planning processes, and I note that it has been raised as a concern by a number who have had the ability to make a representation on this bill. I want to read into *Hansard* the letter received by the minister from Brighton Council, and I believe it was circulated last week to members of this place. James Dryburgh, the Chief Executive of Brighton Council, writes:

> Brighton Council is writing to you regarding the recently drafted Youth Justice Facility Development Bill 2025 that aims to expedite the assessment process and make the approval of the facility mandatory. While council understands the urgency behind this decision, it is important to highlight several critical issues that this approach presents.
>
> Firstly, council opposes this bill as it undermines a confidence in the Tasmanian planning system and disregards the principles of natural justice. The rationale of this expedited decision is based on time frames. However, it is important to note that the initial announcement of the closure was made in 2021 and the site was selected in 2023. It is not appropriate to compromise good planning practices due to perceived time delays.
>
> Furthermore, the removal of appeal rights is contrary to the objectives of the Resource Management and Planning System of Tasmania, which encourages public involvement in resource management and planning. Public participation is a cornerstone of our planning system, and removing this right would erode public trust and engagement.
>
> Finally, there have been a number of key issues raised from potential impacts from neighbouring uses. Whilst the extent of these is unknown at present, if they are found to have a significant impact, how will this be managed if approval of the facility is the only option?

> In light of these concerns, council urges you to reconsider the approach outlined in the bill and to ensure that good planning practices and public involvement remain integral to the decision-making process.

That is a brilliant letter which succinctly articulates the key and fundamental issues with this bill. It is not the first time this government has tried to push through legislation of this kind: trying to circumvent proper planning processes; trying to cut the community out of consultation and input into planning processes and decisions within their own local community; and cutting away their rights to appeal, to be heard and have their say.

The reason given by the government for this action for excluding third-party appeal rights is that they are concerned about any delay caused by an appeal. As Mr Dryburgh quite accurately points out, the government has had three long years to get this done, to do this properly and to follow proper processes. Now, because they have not done that, because they have had their focus turned on other things, they expect the community to go without basic rights because of their lack of prioritisation.

It is deeply concerning to me that the government is prioritising getting trees in the ground in August to try and tick a box to say they are taking some action on youth justice, rather than following proper planning processes and community consultation, as outlined in LUPAA.

The other notable thing that this bill does is avoid the scrutiny of the Public Works Committee. This is deeply concerning, because it is a very important mechanism this parliament has to scrutinise projects of this government. Again, the reason given for this is the concern about the delays caused. That sounds to me like a them problem, not a young person's problem or a community problem. The government's lack of action around this facility over a number of years should not be the burden paid by the community at large and young people.

This bill can be summed up by lack of proper process and a lack of prioritisation that is gross and obscene. It also lacks proper consultation. As the member for Bass noted earlier, the bill was tabled prior to community consultation taking place, which only closed on Friday. It is Tuesday now and no time has been given to properly consider the feedback from those members of the public and other organisations who have made submissions and give them due consideration.

It is particularly concerning for residents of the area now. I have spoken to one group in particular, the owners of Wybra Hall, and I have asked for permission to reference them in my contribution today. As I am sure most would be aware, Wybra Hall was what they used to know as a former boy's home. It was not a happy or safe place for many young boys in Tasmania. As the new custodians of Wybra Hall, they are acutely aware of the impact of getting this facility right, of locating it in the right place, of doing the proper consultation, of making sure that it is informed therapeutically and trauma-informed. They are deeply concerned about what this means for young people in Tasmania, what it will mean for neighbours and the impact on neighbours, the heritage, the precinct and the adjacent users of that particular site, and they feel very passionately that they ought to have their say and ought to be able to have their say right throughout the planning process. This bill strips away their right as a community member to have their say, or to make an appeal, if that is what they so wish to do. That is not okay. It should not be okay. We should not be blackmailed as a parliament into excluding people's rights in a community process.

I again point out, as others have done too, the tight timeframes for consultation. The fact that consultation only closed on Friday has led to two second reading speeches this morning being circulated with amendments. There has been no time for proper consultation with councils, with local residents and neighbours to talk about what those amendments might mean to them.

It was less than an hour before this debate commenced that we got the final second reading speech. That is not appropriate; it is not proper process. It is not as if we had not known that this is coming - that we needed to build a new youth justice facility. We have known for years and years, but this government's modus operandi is to leave it to the eleventh hour, the 59th minute to try and drop onto the table a process and say, 'Can you please pass this? It is urgent.' That is not okay.

Tasmanian children have been seriously wronged. Proper processes and care were not taken to protect them. You cannot fix one bad with another bad. This bill is poor process. It is not trauma-informed, it lacks consultation and is an abuse of the planning processes, and is deeply disrespectful to children and those in our community who are committed to protecting them. Thank you.

[3.40 p.m.]

Mrs PENTLAND (Bass) - Deputy Speaker, I rise to speak on the Youth Justice Facility Development Bill. This bill marks a significant step in Tasmania's journey to reforming our youth justice system. It is directly connected to our collective commitment to close the Ashley Youth Detention Centre and to build something better in its place. It aligns with the Government's Youth Justice Blueprint and responds to the findings of the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings.

I strongly support the goal of closing Ashley, and I know everyone in this House does. I support modernising our youth justice system, and I support the shift to a more therapeutic and rehabilitative model that provides young people with a chance to change their lives. These are reforms that are not only needed but are long overdue. However, while I support the objective, I have reservations about the process that the legislation sets out.

The approach the government has taken through this bill, in my view, is heavy-handed and lacking in the transparency that Tasmanians deserve. This bill does more than simply facilitate construction of a new youth justice facility. It overrides well-established planning process. It strips away the oversight of local councils. It removes any opportunity for members of the public to object, to appeal or to have their say in a meaningful way. The legislation compels the relevant planning authority to approve the development application. There is no discretion involved, no ability to assess the proposal on its planning merits and no room for independent review. Even if there are legitimate concerns raised by the local council or the community, this bill ensures they will not change the outcome. It also eliminates third-party appeal rights. Only the state government, as the applicant, will retain the right to appeal.

This is a fundamental departure from the usual principles of planning law. It creates a system where the government submits a development application and then rubberstamps it through its own process on its own terms, without meaningful scrutiny. The government opened public consultation for the master plan on 6 May and it closed last Sunday on 25 May, and while I welcome any opportunity for the public to engage, this consultation was not long

enough. A three-week consultation on a high-level master plan does not replace the formal planning process designed to ensure full and proper public input.

When communities are faced with major infrastructure being developed on their doorsteps, they are entitled to ask questions. They are entitled to express concerns about traffic, noise, safety, environmental impact, heritage values and the effect on local services. That is not opposition to reform. It is letting people participate in the process and it should be respected, not swept aside. This bill bypasses not only the community but also the Public Works Committee, which is another important safeguard. The committee provides a mechanism to examine large public projects and ensure they are justified, assess their value for money and allow elected members to scrutinise the details. Removing that oversight is not in the public's best interest.

Further, the bill gives the minister the power to change key development criteria by ministerial order. This includes the building size, the height, the set back from the boundaries and even the start date for construction. These powers can be exercised without needing to return to parliament. That is a significant concentration of power in the hands of one person and it should not be accepted lightly.

Another area of concern is the treatment of Aboriginal heritage under this bill. The legislation only requires action where a relic or object is discovered unexpectedly. There is no mandated cultural heritage assessment before development begins. Given the history at Pontville site and the significance of First Nations heritage across Tasmania, this is an unacceptable gap. Protecting Aboriginal cultural values must be more than a procedural afterthought.

I am not standing here to block the construction of this facility. I understand how important this project is to the government's reform agenda. I support the closure of Ashley Youth Detention Centre and I support a new facility that is designed to help young people rather than punish them, but we must not let urgency become an excuse for overreach. We must not allow the desire to deliver a policy outcome, no matter how worthy, to override the need for good process, fair consultation and democratic accountability.

This is about balance. It is about ensuring that we do not trade away the rights of communities for the sake of speed. It is about recognising that when governments engage openly and transparently, they are more likely to build public trust and public support. Fast-tracking the development of the youth justice facility in this way risks undermining that trust. It sends a message that local voices do not matter, that consultation is optional, and that the normal checks and balances can be ignored when politically convenient.

That is not the kind of government Tasmanians expect and it is not the kind of reform that will succeed in the long-term. I support the reform and I support the policy intent, but I really struggle to support the process outlined in this bill. I commend minister Jaensch and I share his heartfelt desire to shift to a more therapeutic model that provides young people with a chance to change their lives, but I urge the government to reconsider its fast-tracked approach, respect the planning system, respect local councils and respect communities.

When we deliver this facility in a way that is transparent, inclusive and fair, we can honour our commitments made under the Youth Justice Blueprint, while also honouring the

democratic principles that underpin good governance. The two are not in conflict. They can and must go hand in hand.

[3.47 p.m.]

Mr O'BYRNE (Franklin) - Honourable Acting Deputy Speaker, I rise to speak on the Youth Justice Facility Development Bill of 2025. These kinds of bills are always very difficult. They are fraught with compromise. They are fraught with establishment of precedence, and it is the responsibility of parliamentarians to weigh up needs and outcomes. In all of the work that we do, regardless of this bill or other bills, we have to weigh up: What is the outcome we are seeking to achieve? What are the needs that we are seeking to balance within the community? What institutions do we need to respect and understand? At the end of the day, these are the very difficult and compromised decisions. There is no perfect planning process. There is no perfect outcome in these kinds of matters when you are weighing up a whole range of needs, desires, wishes, and you are trying to affect an outcome in which we all believe.

All of the speakers have said the building of a facility of this type is exactly what we desire. We all said after the commission of inquiry that the children and their needs are our number one priority. The commission of inquiry was shocking. We heard shocking examples of abuse in government institutions, including the Ashley Youth Detention Centre but particularly in the Ashley Youth Detention Centre. We all agree that Ashley Youth Detention Centre needed to close, and it has taken too long to get us to this place.

Ashley Youth Detention Centre is a place that has been recommended to close. I have been on the record in this place pleading with the minister to close Ashley Youth Detention Centre. I do not second-guess the intent or the desire of the minister to affect that outcome. I respect his views and wishes in wanting to create an environment and a new facility where we can care for young people better, where we can provide them with a therapeutic environment and we can look at building a better future for those young people. The fact remains that wherever you decide to build a facility like this, there are going to be challenges. There are going to be people who disagree, regardless of the merits of the case of where you build it. Previous speakers have raised questions about the location, and some of the impacts not only on people who live close by, but also the activities undertaken within earshot and eyesight of where this new facility is proposed to be built. I look forward to hearing from the minister about how those matters can be dealt with and mitigated.

Regarding planning processes in Tasmania, many politicians get up and say, 'We must protect the principles of planning.' Others will say Tasmania's planning system is broken. I believe they are both right. We do need to protect our planning principles, but our planning system is broken. At various points, we are asked as a government to lean in, to effectively act as a planning authority, either directly or indirectly, to effect an outcome that is broadly good, broadly delivers on the wishes of a commission of inquiry and the will of the parliament, and that experts, health professionals and a whole range of people impacted by these facilities want.

I am reluctantly supportive of suspending and providing the government and the parliament with powers that effect an outcome where local councils and local community have a diminished role in what would be traditional planning processes. Not all the planning processes are going to be suspended. It is just some of the pointy-end stuff. I get that and I do not doubt the minister's intentions and motivations on this. He has a long history in local government, he understands planning and, as a former minister, he deeply understands planning.

We are not in a perfect world. The effect of going through the existing planning system and processes will mean that this facility will not be built for many years to come because of the processes and rights that are currently available. I am not here advocating that we extinguish people's rights under the planning process. Far from that. However, we have a unique set of circumstances. We have a facility that, regardless of where you build it, will cause some controversy. Based on the briefings, information, and the type of facility that is being proposed, when you weigh up the needs, I feel that we should, as a House, provide the government with the ability to try and build that facility in the location it has proposed.

If it were a shopping centre, I would probably vote against it, but it is not. It is a facility that will create an environment where we give these young people a chance to change the cycle of their life. I appreciate that people do not necessarily want that to be built near them, but we are all in this together as a society, as a community, as a state. We have a responsibility to give the government the power to close Ashley. It has taken too long to even get to this point, in my view. I will be critical of the government on that basis.

I do not accept the independent member for Clark's sweeping criticism of people who are trying to affect an outcome and design an alternative pathway outside of Ashley. Sometimes people do not get it right, sometimes it takes longer than they hope and sometimes the work they do is not perfect, from one person's perspective. However, to say that the government and the department of people trying to build this facility do not care, is really disrespectful. I believe they do care. They are doing their level best to try and effect an outcome that has been recommended by the commission of inquiry and that we all know. To use this forum to brush all public servants and all people trying to do their best as uncaring, as incompetent, potentially - those were some of the inferences of those words - is more than a bit rude, minister. I feel it is disrespectful. We can critique people but do not attack them personally, particularly when they have no avenue of defence or response in this place.

I do feel compromised by suspending planning. I accept the opinion of the Brighton Council and their views. This is not ideal. The planning system in Tasmania is not ideal and, at times, we have to make compromises to effect good outcomes. It is a one-off provision that applies to this project at that place only. Yes, there is an argument to say it has created a precedent, but there is no precedent in closing Ashley. We are closing it, and we want one facility. This is not a blank cheque to the government. It is a very unique set of circumstances.

We can squabble about it, but you know what they say: you get 10 planners in a room, they are all passionate people and have their views and perspective, and I respect them. However, at the end of the day, we, as parliamentarians have to effect outcomes. Sometimes, that is imperfect and has some knobs on it, but this project is too important to be further delayed by a political squabble about planning. I look forward to hearing from the minister on the concerns and questions raised by other members, and how they are going to be responded to. I believe this will be a good thing for Tasmania, despite the concerns raised.

[3.57 p.m.]

Mr GARLAND (Braddon) - Deputy Speaker, I rise to talk on the Youth Justice Facility Development Bill 2025. I acknowledge that Ms Rosol has stolen many of my lines, although she said them more eloquently than I would.

The Tasmanian government first announced its intention to close the Ashley Youth Detention Centre on 9 September 2021. At that time, then premier Peter Gutwein stated that

the facility would be shut within three years and be replaced by two smaller therapeutic centres, one in the state's north and another in the south. Two years later, the commission of inquiry handed out its final report. It was no surprise that recommendation 12.1 states, 'The Tasmanian government should close Ashley Youth Detention Centre as soon as possible.'

Almost four years on from when the government first announced its intention to shut Ashley and build a new detention centre, we are being asked as a parliament to agree to fast-track the planning approval for the new detention facility and shield it from scrutiny by the Public Accounts Committee (PAC). This bill continues a disturbing trend by this government to bypass councils as the decision-makers and shut down reviews and appeals. It feels like every second bill being introduced into this place over the last 12 months has sought to interfere with the statutory planning process. However, excluding this project from scrutiny by the Public Accounts Committee is a new one.

This is the very same committee that has been shedding light on the *Spirit of Tasmania* berth 3 debacle and the stadium. With the extent of mismanagement displayed by this government, it would be highly reckless to do away with the scrutiny that the PAC will provide to the expenditure involved in this major project.

By limiting public involvement in this process and by removing appeal rights, the government is further serving to undermine public trust in the integrity of the planning system and in the government, as well as this project. Yes, there is the usual thin veneer of public consultation, but peer beneath the surface and you will soon see the council's hands are tied in terms of what it can do with the public's submissions. This is like the judge telling the accused they will get a fair trial after delivering the verdict. This sort of heavy-handed approach denies the project the social licence it desperately needs. Having witnessed firsthand the division that occurs in a community when a project is thrust on it with no social licence - and I am talking about the Robbins Island wind farm, for those who do not know - I will not be doing that to the Pontville and Brighton community.

I also pose this rhetorical question to the government and the opposition, which continues to support the government every time it seeks to cast aside the planning laws: What is the point in having planning rules if you constantly push them out of the way when you do not like them? The rule of law requires that there be one set of rules for everyone. No one is meant to be above the law. Has this government not learnt its lesson yet? Rushing leads to mistakes. The bigger the project, the bigger the mistake. We are not elected to make planning decisions. We are lawmakers and not planners.

I have one question for the minister: what is the current cost per day to detain a youth in the Ashley Youth Detention Centre, and is this likely to change when the new facility is built? I think it is important as we stand here and debate the urgency of this development that we also pause and reflect on the Youth Justice Blueprint and the commission of inquiry recommendations. Ms Rosol has already spoken to some of these.

According to the Youth Justice Blueprint, a new detention centre is one of 13 goals. A new detention centre is a bit like a crash mat at the bottom of a cliff. There are 12 other goals that are just as important in this blueprint. Eleven of them are concerned with trying to prevent kids from falling over the cliff in the first place. I remind the minister about some of the other actions that need to be progressed with equal urgency. I will start with reading from the Children's Commissioner's media statement from the end of April. Ms Crompton said:

> There is a critical gap in the current Tasmanian service system of a lack of safe, child-centred community spaces for children to access.
>
> Many young people I speak with talk about needing safe places to spend time together in their communities.

The people of Glenorchy know this too. They have seen the ice-skating rink and the pool close. I would like to know from the minister what his government is doing about this in Glenorchy and in Launceston.

I refer back to the Youth Justice Blueprint. It talks about the need for more appropriate pro-social activities to build support networks and strengthen community engagement. Consultation highlighted that for many children and young people, there is an absence of pro-social activities in which they can participate. It talks about an absence of mental health and alcohol and drug services, including inpatient facilities, meaning these issues cannot be addressed and can lead to offending behaviours.

It talks about the need to increase educational supports for young people disengaged from school, especially in primary school, including alternate education and learning options. It talks about the critical shortage of appropriate accommodation options for young people and families, and the need to increase the number of, and knowledge of, formal support programs and referral pathways across the state.

I conclude by saying that I will not be supporting this bill. This government has had four years to build community support for this centre and to bring the community along with them. It has had four years to engage with the council and develop plans that they will support. It could have got planning approval or a planning scheme amendment for the site by now if they had been organised a year ago. We have reached this point today through government delay and inaction, so do not come here to this parliament to ask us to bypass proper process and limit the weight the council can give to the views of the community because of your delay.

I conclude by also acknowledging the points raised by Ms Rosol to show how rushed and shambolic this process has been. At 9.50 a.m. this morning, just before Question Time, the government emailed me a 21-page document containing responses to the issues raised in the submissions by those who provided feedback. It also contained four proposed amendments. I have no idea how Brighton Council feel about these amendments. I do not know if they have even seen them. This whole process of rushing important bills through the parliament like this should be rejected by members. At 11.40 a.m., I received another email from the minister, including a completely different amendment to the most contentious clause of the bill. This clearly highlights why we should not be supporting this bill.

When you rush, mistakes get made. We cannot afford more infrastructure blowouts and mistakes, especially not with a project as important as this.

[4.04 p.m.]

Mr JAENSCH (Braddon - Minister for Children and Youth) - Honourable Deputy Speaker, I thank colleagues for their consideration of the matters and their contributions and questions today. I will aim to make my way through the issues you have raised. I also thank those who have taken up the invitation to receive a briefing, those who have visited some of

the drop-in centres and spoken to members of the community and done their own homework on these matters - I appreciate your investment of time and your interest in the matter.

I want to address a couple of recurring themes because if I can unpack those, then I think I will be picking up on matters raised by a number of different contributors. I acknowledge that everyone here agrees that we need to close Ashley as soon as possible, and for that to happen, unfortunately, we need an alternative and better detention facility for young people who cannot be placed elsewhere in the system and who the courts have determined must serve time in detention.

I think everyone would also agree that a facility of this kind, a very specialised, one-of-a-kind type of facility, will always be a sensitive addition to any community where it is located. There is no place where this would be an unremarkable and non-sensitive matter for a council or community, including neighbours, neighbouring property owners, et cetera, to be dealing with.

It is also true, though, that a corrections facility in Tasmania, under our planning scheme, can only be approved within the rural land use zone. It is not prohibited in that zone. It can be permitted. It is not permitted as of right use, so it needs decisions made about it. That limits the classes of land that are available to us. Because it is of a discretionary nature, whenever we started the process to seek approval for this development, we would face some risks of the project not proceeding or being delayed indefinitely through unplanned delays, including through third-party appeals.

It does not matter if we had started this in 2021 or if we are starting it now. Going through a Development Application (DA) process for this use in this zone through a discretionary process includes the risk that a council performing its function may determine that it is not going to issue a permit, or that, if approved, even approved with conditions, a third-party appeal may successfully engage the machinery of Tasmanian Civil and Administrative Tribunal (TASCAT) and court, potentially, and lead to delays of months or indefinitely for a project of this kind.

This is for a project that our parliament and Tasmania, working together, have determined that we must have in order to be able to close Ashley, and that can only be delivered on certain classes of land. In this case, we followed a pathway of selecting a site that meets the requirements to deliver a facility that is both in the right land use zone and within proximity to the CBD, where so many of the services needed to successfully deliver a therapeutic model of care are based - not in the middle of nowhere, but within 30 minutes of the CBD, where we have the mental health and other services needed to ensure that we can deliver on this therapeutic model of care.

I am concerned that so many contributions have characterised this as fast-tracking a project, and it being an assault on the fabric of the planning system, the role of councils, neighbours, even in some cases, it was said, on children themselves, which I think is a very unfortunate characterisation. This does not fast-track. All we are asking the parliament to do is to remove the risk of indefinite delay to this being delivered. It does not ask the parliament to make a planning decision. It does not ask the parliament to confer planning approval. All it does is ask the parliament to modify some aspects of the discretionary approval process under LUPAA so that we eliminate, to the extent that we can, unplanned or indefinite delays to this project commencing.

It does so, noting that the amendments that I have foreshadowed will confirm that it only anticipates that this project can get up if it is capable of being approved under the existing planning scheme. We do not intend to alter the planning scheme. The only thing we are doing is removing the options for it to be rejected outright on planning grounds and for third party appeals, which may delay it indefinitely. Now the project team has taken planning advice that leaves us confident that this development is capable of being approved under the existing planning scheme without changes to the planning scheme, and that the types of conditions that the council may apply on planning grounds in response to its community's concerns are matters that are within the scope of the project to be able to manage and deal with. We have a high degree of confidence in that.

I want to reset this. There has been a lot of characterisation of this being a political or somehow mean-spirited attempt to overturn the planning scheme and to assault the sensibilities of people.

I have undertaken, on behalf of this government, from this parliament, from our commission of inquiry and others, the challenge, the task and the responsibility for delivering the closure of Ashley Youth Detention Centre and the delivery of an alternative therapeutic youth justice facility as soon as possible and to do everything in my power to deliver that.

What I have at the moment is a site, budget, project, master plan, design, and I have a planning process which may enable this to commence construction this year and be completed in 2027, or it may be delayed for an unknown period due to the uncertainties built into the pathway that is in front of us. All I am asking the parliament for today is your agreement to modify that pathway in two small ways to remove the risk that we will not be able to deliver this project in a definite timeframe.

That is all that we are doing, and any characterisation that this is somehow politically motivated or lazy or catching up is inaccurate and unfortunate because no matter when this project was commenced, it would always have faced those risks. At this stage, in the context of why we need a new youth justice facility and why it is urgent, the prospect of a year or more or indefinite delay, I believe is unacceptable. I am asking the parliament to share the responsibility with me for eliminating that aspect, whilst the project still proceeds through a normal development assessment process, an application process, a public exhibition process, a public submissions process, assessment by the local planning authority against the planning scheme and assessment as to its ability to be approved under the planning scheme.

Then, and only then, can it receive a permit with or without conditions. Then we have the basis to proceed. A lot of the commentary about people having no rights, the council's role in the planning assessment being removed, people being denied the opportunity to have a say: those are all patently wrong and misleading, and they mischaracterised the information that has been in the public realm for three weeks now and which was covered in detail in the briefings that were held for those who chose to attend. It is wrong to be broadcasting to people that there is information in front of you that says completely otherwise. I do regret that some people have chosen to do that today. I think that is deeply unfortunate.

I am going to attempt to answer a range of other matters that have come up. I have 20 minutes in which to do it. From Ms Haddad's contribution, I would like to confirm that the council must approve the permit, but that it can only approve the permit if it can be approved under the planning scheme. This is one of the things that was raised in the Southern Midlands

Council's very constructive submission that they sent through to us, which has clarified and strengthened the bill in my opinion, and I thank the Southern Midlands Council for doing that.

They take out a bit of insurance with this because they are not going to be in a position where the act could potentially require them to give approval for something which does not meet the requirements of the planning scheme. It is ensuring that when they put their stamp on this to approve it, they are doing so affirming and in the knowledge that it can be approved under the planning scheme and that they are not contravening that. I appreciate the contribution that they have made, we have taken that on board, and I propose an amendment to remove doubt regarding that provision entirely.

Legal academics who wrote to us, and a number of others have referred to this matter as well, about the minister's ability to make conditions and the powers vested in the minister to alter criteria or conditions around the project.

As I am advised, there is absolutely no capacity delivered through this bill for the government to override any conditions of the permit issued by the planning authority, none whatsoever. Where there are references in the bill to the minister's ability to develop orders which would make changes is to those very simple few stipulations that are in the bill which describe the floor area of the development, its height, its requirements regarding the volume of wastewater that it will be treating, which go about putting an envelope around this particular development so that we know what the bill is talking about.

The ability for the minister to change that by order happens between the time that this bill takes effect and the development application being submitted, which means that if we agree to this bill today by a vote and it says that there is going to be 6700 square metres of floor space and as we proceed towards developing the detailed development application, the design has evolved and they say, 'Oh, we need a little bit more space, I have a power to change that number, but only by developing an order that I bring back and table in both Houses of parliament and which, if there are any objections, we have to debate and have a vote on.'

I cannot do it unilaterally, and I think Ms Burnet, you and others also said, 'Without coming back to parliament', which is wrong. It is only by an order, a disallowable instrument through this parliament, that I can change those three criteria that serve to give a known envelope to the development that we are talking about prior to it being submitted in a development application in July with the council.

For all those members who have been outraged by this power of the minister to make changes, overriding the planning scheme and overriding the parliament: that is entirely fictitious. It is very clear what that power is for. It is only about those very few dimensions of the project that are listed in the bill and the ability to adjust those in their detail before the matter is before the council, in which case they will be looking at a detailed design with all of those matters dealt with n it.

To be clear, for me to make those changes, an order would need to be developed, which would need to be drafted and tabled in parliament as a statutory rule under the *Rules of Publication Act 1953*. The order is subject to disallowance by parliament as Clause 6 (3) applies certain provisions of the *Acts Interpretation Act 1931* to the order as if it were regulations. This is something that we need to address because it is a mischaracterisation entirely of the bill.

Certainly, I can confirm, as with any approval under the *Land Use Planning and Approvals Act*, the Southern Midlands Council can apply conditions to the permit as long as they are consistent with the planning scheme and the requirements of the *Land Use Planning and Approvals Act*. The bill does not alter the planning authority's capacity to impose conditions or restrictions on the permit, and it provides no capacity for the government or the minister to override the conditions of the permit once they have been granted by the planning authority.

We need to put those issues to bed. A number of people have referred to them, either in ignorance or in deliberately mischaracterising the bill.

There were a number of references to opportunities for public input and consultation. I will go through a shortened history. Public consultation was undertaken to inform the selection of the site for the new facility at Brighton Road during March and May 2023. On 5 May 2025, the master plan for the facility and the bill were released. The public consultation was open for 20 days until the 25 May. Three submissions were received. One was commentary from the Brighton Council on its views on whether this was a good idea or needed or not. One was from the four academics from the university, and we have dealt with some of the matters they raised in the second reading speech already. The third was from Southern Midlands Council which, again, was seeking clarification and strengthening of the bill, which has subsequently been included in the amendments that have been foreshadowed.

It does not stop there, though. There have been opportunities for the public's engagement, not just since the master plan was released, but previously as well, regarding our intentions for the site and engagement with neighbouring landholders and the local community, and the Southern Midlands and Brighton councils as well. That will continue, as it has been in the background before the bill and the master plan were developed.

Assuming we are able to proceed into the development application process, the next opportunity will be when the Southern Midland Council undertakes public exhibition and seeks public submissions on the application through their normal planning process. That will be a period of 14 days. People are invited to have their say, as they would for any other discretionary approval process through the council. We anticipate that the council will, as usual, use public submissions to inform its consideration of the application and determine any conditions.

Ms Haddad - Can I just ask by interjection, minister, and I am not a planner or a former local government member -

Mr JAENSCH - Everybody else is.

Ms Haddad - so forgive me if this is a dumb question. That 14 day public display period that the council will do: is that the process through which conditions might be developed that the council could apply to the approval?

Mr JAENSCH - It is advertised. People are asked to consider it and ask questions and make submissions. Those submissions are considered alongside the project itself when the council is making its assessment against the planning scheme and that can inform any conditions they choose to place on it on planning grounds.

Ms Haddad - Thank you.

Mr JAENSCH - Interestingly, many of the matters that have been raised are just that people do not want a corrections facility next to them. There are things like lighting, the height of buildings, the effect on the landscape and the look of the place that have been already incorporated into the design so far and will continue to be in order to mitigate those impacts on the landscape, and the look and feel of Pontville as an area with heritage and a character of its own, and to avoid impacts on neighbours from lights and sound, and other matters. We will continue to do that.

The use of the site as a corrections facility is something that is up to the council to assess against the planning scheme under the discretionary process. If this was an abattoir, a fish processing factory or a mine, they are permitted uses in this land use zone and there would be no scope for those projects to be subject to public comment or appeal based on the use. Yes, on other things, but not on the use class. I am not saying that to be dramatic but, rather, to say that when we say that we are drastically contravening people's rights and natural justice because they cannot lodge an appeal against a project they have an objection to, nothing that is a permitted use in any zone is subject to those appeal provisions based on the use itself. On other overlays, yes, but not on the use itself.

What we are seeking to do here is to make sure that we are getting as much certainty we can about the process, treating it as a permitted project to the greatest extent possible for certainty's sake, but providing the mechanisms that are available to people through the discretionary process for the public exhibition and comment process and for council to condition at the outcome. That is to try and straighten up that perception.

There are a number of other issues to quickly work through, and I may need to ask for the Chamber's blessing to extend the time for my responses if I get close to the wire, although my colleagues might not thank me for that, because we have other business to get on to.

I will touch on a couple of other specifics from Ms Rosol's contribution. There was a flavour to Ms Rosol's arguments that we were asking the parliament to be the planning authority and to decide on something that was only designed to master plan level. This is not the case at all. We are not asking the parliament to make the planning approval. We are not pretending that the master plan contains sufficient information to make a planning permit from. That will be dealt with through the development application process. The DA will be submitted with the usual information required of it by the council for assessment through the normal LUPAA process. We are not asking the parliament to do that sight unseen, or with half the information or in ridiculously short periods of time. All the timeframes and the requirements for information will be furnished to the council for a compliant DA to go forward and be assessed properly by the Southern Midlands Council.

The other point made, and this was echoed by others, was that somehow this fast-tracking project - which it is not - is a fallacy because it does not set a date for the build to be completed. Again, that is not the purpose of this legislation. This legislation is to remove the risk that there will be a year or more, or indefinite delays, to delivering the project.

Projects of this kind, I am told, might have a normal timeframe of 18 to 24 months, more so if they are more complex like this one will be, because it needs very specific design elements to be dealt with. The department and our project team have been compressing that timeframe

as best they can to make sure we have the shortest possible timeframe to deliver it. What they cannot account for is what happens if the council rejects it, or if there is a third-party appeal which puts us on hold indefinitely until that is dealt with, which may result in the project not being able to proceed at all. That is what we are trying to eliminate and that is all.

This characterisation that we are trying to fast-track and that somehow the bill should be giving us a definite date for delivery is wrong. What we are doing is saying, please help us remove the risks that we cannot deliver this as soon as possible because of things outside of our control. If that is possible, the current timeframe that we have been given by our project team suggests that if we could avoid the delays of a possible rejection or appeal process, we should be able to deliver this project before the end of 2027. I would like to be held only to a date that I have some control over. What I am trying to do is remove things I do not have control over or that the project team does not have control over.

The other matter raised again and again is removing the new facility from scrutiny, which was in Ms Rosol's contribution, which I think leant into the idea that we are somehow going to secretly design and run this without anybody being able to keep an eye on it and make sure that it was appropriate and that terrible things were not happening inside. That was the flavour I had from Ms Rosol's contribution. Again, that is patently wrong. What we are doing is asking to remove the risks of indefinite delays to the project proceeding through an otherwise normal assessment process under LUPAA. It will still be conditioned under the building codes and all other requirements for development of custodial facilities, correctional facilities, et cetera, and subject to all of the design inputs that we have had from expert panels, from the Aboriginal reference group, a community reference group, the commission of inquiry and everyone who contributed to the process of developing the Youth Justice Blueprint, which again, this parliament seems to broadly support. That includes, most specifically, our Premier, who again reiterated this government's support for the blueprint this morning.

Removal of scrutiny was a very strong theme. It has been linked to the component of the bill which seeks to exempt the project from being put before the Public Works Committee, not the Public Accounts Committee, as Mr Garland said in error, but the Public Works Committee, which exists, if you look at its legislation, to determine if a project is really needed. Necessity is the term that is used in the legislation to outline the important role of the Public Works Committee. Is this needed as a thing to spend public money on?

Our argument with this is that the process of the Youth Justice Blueprint, the commission of inquiry, and numerous government inquiries and committees and scrutiny hearings that have demanded that we deliver this very thing as soon as possible in order to be able to close Ashley, have determined substantially that yes, we need to do this. The Public Works Committee process adds time and workload to the project team in supplying the Public Works Committee with all of its requirements for information, attending hearings, answering questions, site visits, et cetera, on a matter that we are doing because it is needed, and which has been reinforced as needed through very public processes.

It is the result of those processes, not a project that the government has dreamt up that the parliament or the public needs to be sure we really want or need. There is, I believe, consensus that we need to close Ashley and build a replacement facility that is more therapeutic and aligned to the Youth Justice Blueprint. The necessity for this is not in question and, therefore, the Public Works Committees role is not as important or needed in this context as it might be for a different type of project.

There was concern raised that consultation was completed before the bill was tabled. At this point, Speaker, I am going to request that somebody moves -

The SPEAKER - to grant you an extension of time.

[4.33 p.m.]

Mr WOOD (Bass) - Honourable Speaker, pursuant to Standing Order 115, I move -

> That the minister for Children and Youth have an extension of speaking time of 15 minutes.

Motion agreed to.

Mr JAENSCH - Thank you, Mr Wood. Thank you, Honourable Speaker. Thank you, colleagues.

The point was made that consultation was not completed before the bill was tabled. At the time that we tabled the bill, the intention was made clear that there would be a concurrent process of socialising the bill and seeking public comment on it, whilst also having it tabled in this place in order for it to qualify and mature for us to be able to bring it on for debate today, the earliest possible opportunity.

If we had waited for the consultation period to have concluded before tabling, we would not have been able to debate it this week. We wanted to be able to debate it this week with a view that, if we have the House's support, we could progress this through the stages so that we could commence the process of finalising and submitting a development application to build the new facility, which would enable Ashley to close as soon as possible. In this timeline weeks count, because if we get to a position where we cannot finalise this before the winter recess, it will be spring before we are able to take it up and progress it into the process.

These months count in a timeframe made up only of months, and that is why we have sought to do these things in parallel. The bill is simple. It does not have very many moving parts to it. We are grateful that people have taken the opportunity to look at it. We have received three submissions, and as I have mentioned, they have informed the final drafting, which is why you have had some amendments presented today and some updated wording, because we are taking notice of what people said throughout that process.

There were questions about a date of 1 December that is referenced in the bill, which is a requirement for commencement of early works for the project. That means that we do not go through the trouble of asking the parliament to support this to reduce delays only for us to get approval and then not do anything.

That is a requirement that says we must act with urgency and commence the project by that date or at any time before it, which is what we fully intend to do. It is a date that can also be changed by the order process that I mentioned earlier, so when it is being said that the minister has the power to change the date and therefore that we can deliver anything we want, that is again not true.

That commencement date is something where if I or the government sought to alter it, we would need to bring, as mentioned before, a disallowable order through both Houses of

parliament to be able to achieve that. It is not something that there is any new or delegated power for the minister to do, overriding anything.

I know that Mr Jenner is watching this, and I thank him for his contribution. I thank him more so for engaging with his constituents in his electorate who happen to be neighbours or members of the local community around Pontville. To the concerns of local community that they will not have an opportunity to be heard, I believe I have covered in laying out what the communication with the local community has been, the opportunities that have been afforded and the effects that they have had on the design of the facility so far. The next stage is that they will have the opportunity again to make representations to their council, which is obliged to listen to their voices and incorporate, where it can on planning grounds, their concerns and conditions on a permit.

Mr Jenner also referred to the matter of the project not being subject to third-party appeal if the bill proceeds through. I have spoken to that already. The appeal process is not the only or main avenue for local neighbours and concerned parties to have their say or to influence the way the project proceeds. I have outlined those as through the normal DA exhibition and submissions process, which the council is obliged to take into consideration in setting its any conditions on a permit.

As I pointed out, this arrangement of people not having a third-party appeal right is not unique to what we are proposing for this pathway. It would apply to the use aspects of any development that is permitted under the relevant planning scheme and the land type. It is not unknown or unprecedented, and it is common where the process is dealing with a permitted use as opposed to a discretionary one.

We are modifying this so that in this case, for this project, at this site, the council effectively treats it as a permitted use, albeit with the public process aspects of a discretionary use - in some ways a best of both hybrid, providing certainty for the proponent but also a say for the community.

The section 9 reference that Mr Jenner made to the minister's power to change land titles - something that was of particular concern to him - exists in this context only because in this case the government owns two adjacent parcels of land, and the project will have a development on one and an access road through the other. The intention of the reference in the bill is that the minister has the power to make application to the other relevant ministers to make that into one title - to make two pieces of government-owned land into one piece of government-owned land, and for the new title granted to that combined parcel of land be the one that is referred to in the development application and the act, the substantive act. That means we can refer to one piece of land. That is the only purpose of that provision in the bill.

There was a comment made regarding proximity to other land uses, including gun clubs and the medicinal cannabis facility: these more for the effects of those neighbours on the facility rather than the other way around in this case. I can reassure members here that the government has, through its project team and consultants, been liaising with all surrounding land users to mitigate any impact either way in these arrangements, including working with the medicinal cannabis facility on alternative mechanisms for them to destroy their waste product that does not result in odours and smoke covering the local community. The government is prepared to invest in the trialling and piloting of alternative technologies, which I understand have commenced and have been successful at this stage but which require formal recognition

under the regulators that control their use of those controlled substances that they handle as well.

We are also in engagement with the gun club to mitigate the impact of noises coming from their activities, either by mitigations on their site or on the side of the youth justice facility to wherever possible reduce the impacts possible there.

There were comments made from Mrs Pentland, I think, that we should have undertaken Aboriginal site surveys. That has been undertaken. That was outlined in the process of the briefings. Aboriginal heritage surveys have been undertaken across the site. An identified, registered site has been noted. The plans for the footprint of the development on the site have been changed and the access to the site in order to avoid that registered site. There has been engagement with members of the Aboriginal community, Aboriginal Heritage Tasmania and the Aboriginal Heritage Council regarding the potential for there to be cultural interpretation and education for young people on the site in association with the registered site. We are very excited by the prospect of this being a model development for that early work to determine where there are risks of interaction with Aboriginal cultural heritage, changing the plan rather than dealing with it as an afterthought to accommodate and to avoid damaging Aboriginal heritage and making it a feature of this site; particularly given the unfortunate but real over-representation of Aboriginal children and young people in our youth justice system. I look forward to this being an important value add for the project on this site.

That being said, the references to the *Aboriginal Heritage Act* in this bill are very clearly to say that, for avoidance of doubt, we are not suspending any provisions of that act. It will apply as normal to this development for any subsequent stages, including unanticipated discovery of further Aboriginal heritage as we proceed through the project.

I believe that I have covered most of the substantive issues that have been raised in the debate so far. I would like to foreshadow amendments that have been circulated to all members here. They are of a predominantly technical nature to clarify, to remove doubt and to strengthen provisions in the case of the matter raised by the Southern Midlands Council, to ensure that they are clear that they are not being required to approve a permit that would not normally be able to be approved under the planning scheme. Those have been circulated to all members, and I would like to propose that we move into Committee stage and seek the House's support for us to move into Committee stage to consider those amendments and any other matters that are outstanding to deal with. Before I do, this is my last opportunity to thank some people who have been involved with getting this bill together and the project as well. In particular, and they are here in the Chamber with us today: Sharon Cody, Bryce Taplin and Shane Gregory from the Department of Premier and Cabinet, Peter Whitcomb, who is not here today, from the Department for Education, Children and Young People, Jane Wood and Lauren Smith and Christy Trambas as well from my office, who have guided me through the work.

I am very grateful to all those people for their diligent efforts to get this project and this bill into the shape it is for us to consider today and for their assistance with the briefings in particular for members of parliament from both Houses that have been provided on many occasions. With that, I commend the bill to the House.

Bill read the second time.

YOUTH JUSTICE FACILITY DEVELOPMENT BILL 2025 (No. 19)

In Committee

Clauses 1 and 2 agreed to.

Clause 3 -
Interpretation

[4.49 p.m.]

Mr JAENSCH - Under Clause 3, page 4, the amendment is - this is the definition of a relevant site under the *Land Titles Act*. I move -

> Page 4, clause 3
>
> *Remove* '1980'
>
> *Insert instead* '1980, as specified in the register under that act on the day this act commences.'.

This amendment is to ensure that the bill continues to apply after adhering the two titles associated with the 466 Brighton Road and 36 Rifle Range Road properties. Once the two titles are adhered, the existing title reference will no longer apply. This change will ensure that the bill continues to apply after the titles of the two adjoining properties are adhered. This is a matter I referred to in my summing up. This gives effect to that.

Ms BURNET - In relation to that adhering of titles, does that part of the application have to be considered by Southern Midlands or is it considered by Brighton Council?

Mr JAENSCH - I will just take advice on that, if I may.

The advice I have is that this is for the purposes of the declaration of the site, which is then to be referred to in the subsequent stages of the development application, et cetera. The output of this will be what is referred to in documentation that goes through formal processes with the councils who have a planning decision role.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 -
Meaning of *development*

Ms ROSOL - Why is the definition of 'development' so broad? It includes 'development' within the meaning of the *Land Use Planning Approvals Act 1993* and 'works' within the *Building Act of 2016*, which I would have thought would cover planning and building matters. What is the purpose of making the definition of 'development' a non-exhaustive list here?

Mr JAENSCH - I will seek some advice on the matter. I will try to get this right: I am advised that because the bill makes changes to the way that LUPAA and the *Building Act* apply

for the purposes of this bill, it is important that we include a definition which is recognised under both of those separate pieces of legislation. It is purely for the administration and the fact that those two other acts will recognise the development as being the same thing.

Ms BURNET - In relation to 4(1)(c), points (i) to (v), this seems to be a very random group of works relating to the following matters, whether permanent or temporary, i.e., roads and parking, fencing and signage, drainage and stormwater management, wastewater management and treatment, and infrastructure required for essential services. Could you explain whether this strange mixture is completely inclusive as a group of permanent or temporary works for those areas?

Mr JAENSCH - I will seek advice.

Thank you for your patience. The advice I have is that, in terms of this definition, there are matters covered under the term 'development' in the *Land Use Planning and Approvals Act*, there are matters covered under the definition of 'work' in the context of the *Building Act*, and then there are these remaining matters which are additional to those so that, in aggregate, it covers the range of things that can be considered under the heading of 'development' in this act.

DEPUTY CHAIR (Mrs Beswick) - The question is -

That clause 4 be agreed to.

The Committee divided -

AYES - 23	**NOES - 7**
Mr Abetz	Ms Badger
Mr Barnett	Mr Bayley
Ms Brown	Ms Burnet
Ms Butler	Ms Johnston
Mrs Dow	Ms Rosol
Mr Ellis	Dr Woodruff
Mr Fairs	Mr Garland (Teller)
Mr Farrell	
Mr Ferguson	
Ms Finlay	
Ms Haddad	
Mr Jaensch	
Mr Jenner	
Mr O'Byrne	
Ms O'Byrne	
Ms Ogilvie	
Mrs Pentland	
Mrs Petrusma	
Mr Rockliff	
Mr Shelton	
Mr Winter	
Mr Behrakis (Teller)	

Clause 4 agreed to.

Clause 5 agreed to.

Clause 6 -
Declaration of project.

Mr JAENSCH - Honourable Speaker, I move the following amendment -

Page 7, subclause 1, paragraph (b), subparagraph (i),

After 'in excess of'

Leave out '6875 square metres'

Insert instead '8875 square metres inclusive of the enclosed spaces for roof plants'.

The definition of 'gross floor area' in the Tasmania Planning Scheme is open to interpretation on what constitutes areas that should be included in the calculation of gross floor area. This amendment will increase the gross floor area to include the floor of enclosed roof plant spaces. The amendment is proposed for avoidance of doubt noting the variations in interpretation of gross floor area. It should be noted, however, that this does not change the footprint of the facility from the master plan. The footprint, scope and bed numbers remain the same.

In plain English, the shape and the extent of the buildings themselves is not sought to be altered, but we are aware that under some circumstances people may count the crawl spaces in the ceilings that have got air conditioners and hot water cylinders and things in them as floor space. Just so that there is no confusion, we are being explicit with this amendment that a bigger number, including both, does not mean we are making the facility any bigger.

Amendment agreed to.

Mr JAENSCH - I move the following amendment -

Page 7, sub-clause (1), paragraph (b), sub-paragraph (iii),

After '20 metres'

Insert 'or such lesser distance as is agreed with the owner of the land which adjoins the site on the boundary to which the lesser set back relates'

By explanation, the set back area is an important aspect for the adjacent private landowners as it protects their amenity and provides a buffer between this development and their property. The existing clause provides for a minimum of 20 metres, but this would have restricted the development at the boundary of 466 Brighton Road and 36 Rifle Range Road, which are both owned by the government.

As the design has progressed, it has been determined that being closer to this boundary is preferable as it provides greater set back from existing vegetation on the site and provides better flexibility for the layout of the facility. This amendment safeguards the set back provision at the shared boundary with privately owned properties whilst simultaneously permitting the development to take place in closer proximity to the boundary between the two government owned parcels of land. I am happy to clarify that further if anyone is concerned.

Ms ROSOL - In this amendment, it says the 'lesser distance as is agreed by the owner of the land which adjoins the site and boundary', but later on in the bill, in section 11, clause (2), it says that none of the sections of the *Building Act 2016* apply. That is the section that relates to people not being notified about things and not having any way of asking questions or seeking information or appealing anything.

How do you envisage these two parts of the clause fitting together given that they seem to be saying different things? The adjoining owners will be consulted, but in the other part of the bill, adjoining owners will not be notified or consulted on anything.

Mr JAENSCH - The amendment in front of us right now provides that there is a buffer between the development and the neighbours' boundary. It provides that there can be an agreement reached between the developer - the owner of the facility - and the neighbour, to make that a shorter distance by agreement. The specific case that we are anticipating here is when the government is going to have to agree with itself, as the owner of two parcels of land, to be able to work closer to that common boundary.

It is not anticipated that we are going to go anywhere near the 20 metre buffer of neighbouring properties. If so, it would be in the interests of developing something like screening vegetation or a boundary fence to separate the two. I do not think that there is an interaction between this clause and clause 10 that you referred to, but I will seek advice from my department.

I am advised that there is no interaction between these two clauses. We can talk about the protection work aspects in the clause 10 and 11 area as we progress through.

Ms ROSOL - I guess I am just trying to clarify the language. Clause 11 makes it pretty clear that there will be no consultation with adjacent landowners, but this says that there will be, so it is not so much about the distance or who owns the land, it just seems to be a contradiction there in the two different things, which I am wanting to clarify. That is all.

Mr JAENSCH - I think that the matter in the later clause relates to the issue of protection works specifically, whereas this is to do with maintenance of that set back and that by agreement that can be reduced. It is only anticipated that we would use this in the context of the government to the government-owned sites, but we had need to adhere to what the act says. In reality, I understand that the nearest privately owned land will be in the order of 200 metres - 150 metres from the development, a long way from the 20-metre buffer.

Ms HADDAD - My question is similar to the question from Ms Rosol. How will that interact with any possible conditions that the council might apply to their approval? The bill is stipulating a 20-metre set back, but if the council reinforces that or says a 20-metre set back is a condition of their approval as well as being required in the act, what would happen then? If

there is some kind of agreement between government and adjacent landowner for a smaller set back, how would that be handled if that situation arose?

Mr JAENSCH - I will say the view - rather than the advice, at this stage - of the advisers is that a council-imposed condition on a permit would overrule the provision here.

Ms HADDAD - That is interesting. I might just follow that up then. It is kind of the same question, but I should have been clearer when I asked the first one. The bill stipulates at least a 20-metre set back: 'this amendment will make be at least 20-metre set back or such lesser distance as is agreed between the owner and the owner of the land and the adjacent owner.' If the council was stipulated 30- or 40-metre set back, which they could do under the current drafting, that would still be acceptable and would override any later agreement for a lesser set back between the owners?

Mr JAENSCH - As I said before, and in our briefings, the members may remember the images of how much land there is around the development here: 150 metres-odd. We would anticipate there is considerable room for there to be stipulation of further set back if that was deemed to be required.

The matter of the government's relationship with itself in two adjoining parcels of land is what this seeks to address: that matter of 'by agreement.' This is also a timing and a sequencing matter because that matter of the two adjacent government blocks is only an issue if the development is proceeding before we have effectively merged the titles and made a new title out of it, which we anticipate would happen.

The approach that we are taking is to try and see: what if that was delayed for whatever reason and we needed to proceed? Were we going to find that we needed to separate our two blocks? We could not have development which straddled the two. That is why this is in here.

Ms HADDAD - Just to be clear, this is not about an agreement between government and a private landholder adjacent to the block.

Mr JAENSCH - It can be.

Ms HADDAD - It could be.

Mr JAENSCH - It can be between a government and a private landholder. The specific instance that we are anticipating is between the government and the government as neighbours to each other, which if set backs are rigidly adhered to, would create a problem for us because we anticipate moving across two properties. That is why we want to merge them into one title.

Ms HADDAD - Okay. Thank you. That makes sense.

Ms BURNET - Minister, in relation to that same clause, it talks about the amendment being 20 metres or such lesser distance as is agreed with the owner of the land which adjoins the site on the boundary to which the lesser set back relates. It could be the government in an adhered title situation, but it could be one of the other six neighbours.

My question is: how is that agreement reached? Is it a written agreement? How is that agreement formalised and what is the least distance of set back because it is just talking about

20 metres or such lesser distance as is agreed. For example, if I were living next to somebody who might say, 'This is what I want and I want to take 35 metres or 45 metres', how does that protect the owner of the other properties?

Mr JAENSCH - I will just preface this by, we have intentionally, as you have seen in the briefings, placed the development on the site, and one of the reasons that we are on this site is because it has room that we can set back a long way from neighbours and we can minimise impact on them and interaction with them along the boundaries.

The bill further seeks to provide that as a starting point condition. It allows for there to be agreement between parties to make that a smaller boundary if needed. I am going to seek some advice as to what the mechanism is for agreement there and how is it recorded.

The advice is that agreement would be reached through an exchange of documents signed and that that would be lodged with the development application if it was happening prior to the development application.

Ms BURNET - And the distance? I mean, is there a -

Mr JAENSCH - To be as agreed. It is at least 20 or a lesser distance as may be agreed.

Ms BURNET - All right. Well, that is a problem.

Mr JAENSCH - It is what may be agreed in the case that there needs to be a deviation from that default minimum. Again, we believe it is unlikely that this would ever be exercised because we are positioning things away from boundaries wherever possible.

Amendment agreed to.

Ms ROSOL - In relation to subsection (1)(e), it reads that the relevant site is not to be intended to be used or developed by the state for any other commercial purpose operated by the state. There seems to be a door there that has been left open for the site to in part be used or developed for a commercial purpose not operated by the state or for another non-commercial purpose. Are there any other intended purposes for the site? I am interested to know why this clause is in here, please.

Mr JAENSCH - I am advised that the purpose of this is to be clear that what the bill is focused on is the state's intention to use this site for a youth justice facility and for nothing else. It is not the state's intention to develop anything else on this site that this bill would apply to. There is the potential that, in conjunction with that, there could be other uses.

I know that one of the things that has been discussed has been the provision of equine therapy services, which would, if proceeding here, be done in agreement with and in connection with the youth justice facility. It could be seen as potentially an extension of that, but might otherwise be conducted by somebody that is not the state as the operator of that. It may or may not be a commercial venture; it may be a contracted service. This is to clarify, in keeping with clause 4, that this bill and this development is intended for the provision of a youth justice facility, nothing else.

DEPUTY CHAIR (Mrs Beswick) - The question is -

That clause 6, as amended, be agreed to.

The Committee divided -

AYES - 23	**NOES - 7**
Mr Abetz	Ms Badger
Mr Barnett	Mr Bayley
Mr Behrakis	Ms Burnet
Ms Brown	Mr Garland
Ms Butler	Ms Rosol
Mrs Dow	Dr Woodruff
Mr Ellis	Ms Johnston (Teller)
Mr Fairs	
Mr Farrell	
Ms Finlay	
Ms Haddad	
Mr Jaensch	
Mr Jenner	
Mr O'Byrne	
Ms O'Byrne	
Ms Ogilvie	
Mrs Pentland	
Mrs Petrusma	
Mr Rockliff	
Mr Shelton	
Mr Winter	
Mr Wood	
Mr Ferguson (Teller)	

Clause 6, as amended, agreed to.

Clause 7 agreed to.

Clause 8 -
Application of *Aboriginal Heritage Act 1975*

Ms ROSOL - I wanted to ask some questions about clause 8. I know it says 'For the avoidance of doubt', and I know that you talked about it earlier in your summing up speech.

I understand you explained the purpose of this section before, but it stipulates that the *Aboriginal Heritage Act 1975* applies to an object that was not expected or reasonably likely to be discovered during the development. This seems to imply it does not apply to objects that were reasonably likely to be discovered during the development.

Why does this avoidance of doubt provision not say that the *Aboriginal Heritage Act 1975* applies in respect of this development, full stop? Does this act erode some of the application of that act and if so, can you explain how it erodes it, if it does?

Mr JAENSCH - I am advised, as you pointed out, that this could feasibly stop at:

For the avoidance of doubt -

(a) the *Aboriginal Heritage Act 1975* applies in respect of an object or relic, under that Act -

You could stop there. The drafting has expanded on that to be clear that it includes heritage that has been identified through the studies undertaken on the site and managed for, together with heritage not known at the time the project commences, and that that will be dealt with under the normal unanticipated discovery provisions of the act, as for any other Aboriginal heritage in Tasmania anywhere.

Unfortunately, for the avoidance of doubt, inclusion here has created the question. The intention is very much that we are not seeking any exemption or modification from the normal application of the *Aboriginal Heritage Act*. In fact, substantial work has been undertaken across the site to identify Aboriginal heritage, and the project has been redesigned around that to minimise the risk of damage, disturbance or destruction.

Ms ROSOL - You referred earlier to the consultations you undertook with the Aboriginal community. Who did you consult with, and could you outline those consultations, please?

Mr JAENSCH - I have an extensive answer. Please excuse me while I confer.

I am advised that in the process, there has been: meetings with the established Aboriginal reference group for the project; a letter and invitation to come to the site to discuss the project and the proposed landscaping design, which was attended by seven representatives, I understand, from a range of Aboriginal organisations; a letter and poster were created to identify the master plan release and attend community drop-in sessions, including a dedicated session for the Aboriginal community, which was a direct request; follow-up phone calls to encourage attendance; a briefing for the Aboriginal Heritage Council on the proposed works to inform the future permit application. There has been the involvement of Aboriginal people and representatives through the formal reference group, but also onsite visits and discussion of the Aboriginal heritage on the site and how its protection is being incorporated into the design.

Clause 8 agreed to.

Clause 9 -
Application of *Land Titles Act 1980*

Ms ROSOL - You spoke about this earlier, but I want to clarify: in the clause, it provides the power to create, amend, rearrange or extinguish a folio of the register in relation to land that is affected directly or indirectly by the declared project. I understand that you said this was to do with land titles being owned and the division of where the land titles fall needing to be changed to make it easier to deal with. In that case, why is this clause so broad? Could it be used to amend folios that are not owned by the government that are indirectly affected by the declared project?

Mr JAENSCH - I will seek advice on that. I have confirmed that the intention, for the record in this second reading debate, is that this is intended to apply only to the two adjoining government-owned parcels of land and the ability to create a single title to bring them together.

Clause 9 agreed to.

Clause 10 -
Application of Land Use

Mr JAENSCH - Chair, I propose an amendment in clause 10, page 12, sub-clause (1)(b) -

> Page 12, subclause (1), paragraph (b).
>
> *After* 'or restrictions'
>
> *Insert* 'if the application is an application that is able to be approved under that Act'

In its submission, the Southern Midlands Council identified that under the current wording of the bill, a permit must be granted regardless of whether the application met the requirements of the scheme. This was not the intent of the clause. This amendment is to make clear the requirement that approval must be granted only where the requirements of the planning scheme can be met.

The amendment includes adding -

> … is able to be approved under that act to clarify that approval must be granted so long as the planning scheme allows the planning authority to do so under the Land Use and Planning Approvals Act 1993 for that application.

This is a matter that was covered in the earlier stages of the debate, and I am very grateful to the Southern Midlands Council for the constructive approach that they have taken to engaging with the project team and the draft bill through the exposure period and proposing this. It makes sense. It underpins our intention that this is not creating new planning rules, but rather taking a minimalist approach to modifying the process as it applies to this particular development, and that the Southern Midlands Council will not be required to issue a permit for something that is unable to be permitted under the planning scheme.

I commend the amendment to the House.

Ms BURNET - I understand why the minister may have made this amendment because, quite clearly, this goes to the nub of the planning changes in clause 10. There was a situation where not having that clarity made a mockery of things, and this amendment certainly would ensure that there was not some sort of wrongdoing or mistake by the Southern Midlands Council as the planning authority.

The Greens have concerns in relation to how this affects the way that planning is done in this instance. It is a very haphazard way of undertaking this. I am speaking where I can speak to the amendment, but also want to ask in relation to the clause itself, can the minister tell us

what happens if there are significant number of conditions - an onerous number of conditions? What would happen in that situation?

Mr JAENSCH - I do not think that a number of conditions necessarily confers onerousness or vice versa. We have sought and accessed significant planning advice in relation to this project. We are very confident that it can be approved under the scheme. We are also very confident that based on planning matters, there is some limitation to what conditions are able to be applied by the council.

The nature of those is something we are quite prepared to work with in terms of being a good neighbour, a good constituent of the municipality and the partnership and relationship we have with the council. We would endeavour to meet the requirements of any condition that has been put, especially if it goes to ensuring a good relationship with the neighbours to our property and ensuring that our facility can operate alongside their use of their land.

Ms BURNET - A subsequent question, if I may, Chair. In relation to the 42 days, which the Southern Midlands Council has as a planning authority to look at a development application and to approve, or, in some cases - not, obviously, in this case - to prohibit an application: have you considered what happens if the planning authority stops the clock?

Mr JAENSCH - Thank you, Deputy Chair. We have not sought to modify anything that may prohibit the council from stopping the clock for legitimate purposes, as it would under any normal assessment and a permitting process.

Amendment agreed to.

Ms HADDAD - Thank you, Deputy Chair. I had a question on clause 10, and this may again be showing my lack of history in local government, so forgive me if it is clear to others and not to me. Section 10(1)(c) reads that for the purposes of LUPAA, et cetera, a project may not be the subject of an appeal under that act other than an appeal by the applicant - the government.

I just wondered, does this clause prevent any appeals of any kind around the project, TASCAT or any other tribunal or court? In other words, in terms of the part that I am not expert in, are there other ways that appeals could be made outside of appeals under LUPAA, and if so, does this clause prevent any appeals of any kind?

Mr JAENSCH - I will seek advice. Thank you, Deputy Chair. I am advised that the clause has the effect of preventing third-party appeals under LUPAA. Other avenues of challenge are not affected by this act.

Ms HADDAD - Okay. I should just clarify that other avenues of appeal, either to TASCAT or, for example, to the Supreme Court or elsewhere - well, that would be the only other likely avenue, but -

Mr JAENSCH - I think the TASCAT process would be in relation to an appeal under LUPAA. Other matters in terms of courts would be separate, not affected by this act.

Ms HADDAD - Okay. I think I am seeking legal advice from you now, but could a LUPAA appeal be lodged in the Supreme Court without going through TASCAT?

Mr JAENSCH - Are you a lawyer asking me for legal advice on local government?

Ms HADDAD - Not a real lawyer.

Mr JAENSCH - Okay. I will ask somebody else. All the 'not lawyers' agree that our understanding is that if you wish to lodge an appeal under LUPAA, it has to be under LUPAA, and that if we are -

Ms HADDAD - And that means TASCAT?

Mr JAENSCH - If we are, through this legislation, removing the pathway for third-party appeals under LUPAA, that is specifically what we are doing. Other legal pathways of challenging a decision or outcome remained available to an applicant.

Ms HADDAD - I will just ask for a bit more detail. I suspect that a *Land Use Planning and Approvals Act* appeal probably would not be considered as a first matter instance in the Supreme Court. I could be wrong; the courts generally have looked pretty unfavourably on parliamentary attempts to remove appeal rights, generally, and that has been considered in Supreme Court findings as well as High Court findings.

One of them is referred to in the submission from Anja Hilkemeijer and others, and that is the case of Kirk and Industrial Relations Commission of NSW. My understanding of that case is that it enshrined the finding that the High Court made in federal jurisdiction around plaintiff S157, which was a 2003 case that basically said parliaments cannot remove the right of administrative review of administrative decisions.

In other words, the parliament constitutionally cannot remove the right of someone to appeal a tribunal decision to the Supreme Court or a Supreme Court decision to High Court and so on but by potentially removing the right for someone to begin that process, if they cannot have an appeal, first of all I heard in TASCAT, we are kind of doing that. I would just make a statement basically that it is a dangerous pathway for parliament to go down, to remove rights of administrative review. A clause like that could potentially be subject to some kind of future legal challenge if anyone was minded to do that.

Mr JAENSCH - I will let the statement stand for what it is. We have provided the rationale for the change that is proposed and the reasons for it in this case. I will point again to the matter that there are planning matters routinely dealt with by councils for uses under a range of different land-use zones that are permitted by the planning scheme where rights of third-party appeal on the matter of the use are not provided for at all.

This is not without precedent in the planning context. It is routinely applied to projects or uses that are permitted in a zone. In this case, we are seeking to effectively make this use permitted for this purpose for this decision.

Ms BURNET - I wonder if I could ask another question in relation to clause 10. It was a question that I asked earlier, minister, which I did not actually get an answer for. I cannot work out where else I could ask it. This is clearly looking at a planning authority, the Southern Midlands Council, which will be affected. Why was the decision to keep it in Southern Midlands Council as the development authority rather than going to the TPC for major projects or project of significance?

Mr JAENSCH - I do not think this is strictly clause 10 of the bill, but I am happy to go back to it. My understanding would be that we just do not need to. This would not qualify for the normal prerequisites for a minister to declare a project to be a major project. Its scale and complexity do not crossover multiple council boundaries. It is adjacent to one, but it would not meet the normal requirements of a major projects process and most of the elements and the relevant range of regulators is quite simple in some ways.

It is a very complex project to design and build and to operate well because of the nature of the sensitive use but from a planning perspective, it is a relatively straightforward project in terms of a use on a piece of land. It is not like a Bridgewater bridge or something in its complexity that needs to be dealt with that way. So, no call, no reason to take this to a different authority, and we have been very grateful for the Southern Midland Council's constructive engagement with how to make this safe for them and certain for us.

DEPUTY CHAIR (Mr Behrakis) - The question is -

That clause 10, as amended, be agreed to.

The Committee divided -

AYES 23	**NOES 7**
Mr Abetz	Ms Badger
Mr Barnett	Mr Bayley
Mrs Beswick	Ms Burnet
Ms Butler	Mr Garland
Ms Dow	Ms Rosol
Mr Ellis	Dr Woodruff
Mr Farrell	Ms Johnston (Teller)
Mr Ferguson	
Ms Finlay	
Ms Haddad	
Mr Jaensch	
Mr Jenner	
Mr O'Byrne	
Ms O'Byrne	
Ms Ogilvie	
Mrs Pentland	
Mrs Petrusma	
Mr Rockliff	
Mr Shelton	
Mr Winter	
Mr Willie	
Mr Wood	
Mr Fairs (Teller)	

Clause 10, as amended, agreed to.

Clause 11 -
Non-application of *Building Act 2016*

Ms ROSOL - I have some questions about this, noting again that there seems to be quite a contradiction here, like a feedback between the *Building Act* prevailing over all other acts, but this act prevailing over the *Building Act*, which prevails overall.

What notional advantage is there in waiving the requirement to even notify affected landholders of protection works, because surely a notification would not delay the overall project? Would it not be relatively easy to concurrently progress any protection works required? How would progressing protection works delay the overall completion times?

Mr JAENSCH - I thank the member for the question. The *Building Act 2016* will still apply to the project, and approval for building and plumbing works will still be required. The bill modifies the requirements related to protection works that occur after a permit is granted but prior to construction commencing.

Protection works, just for context, are typically required where building works are undertaken in close proximity to existing neighbouring properties and buildings to ensure the construction works do not impact on those adjacent properties. The bill does not remove the requirement to undertake protection works and where it is required, these will be completed before construction commences.

I am advised that it is highly unlikely that there will be any works undertaken on this site that will affect neighbouring properties to the extent that protection works will be required by virtue of the set backs, the size of the property and the location of the development on it.

However, the purpose of the bill itself is to remove potential for unplanned and indefinite delays. It has been identified that, in the past, in other circumstances, this act and its specific requirements for notification periods and agreements between neighbours before construction can commence is technically a possible area for there to be unplanned delays in this specific requirement for notification periods and agreements between neighbours before construction can commence is technically a possible area for there to be unplanned delays in this project commencing. Therefore, while we will still be bound by the obligation to undertake protection works where they are warranted, we want to remove the risk that the project may be indefinitely delayed by the inability to reach a specific agreement with a neighbour on that matter.

DEPUTY CHAIR (Mr Behrakis) - The question is -

That clause 11 be agreed to.

The Committee divided -

AYES 23	**NOES 7**
Mr Abetz	Ms Badger
Mr Barnett	Mr Bayley
Mrs Beswick	Ms Burnet
Ms Butler	Mr Garland
Ms Dow	Ms Johnston

Mr Ellis	Dr Woodruff
Mr Fairs	Ms Rosol (Teller)
Mr Ferguson	
Ms Finlay	
Ms Haddad	
Mr Jaensch	
Mr Jenner	
Mr O'Byrne	
Ms O'Byrne	
Ms Ogilvie	
Mrs Pentland	
Mrs Petrusma	
Mr Rockliff	
Mr Shelton	
Mr Winter	
Mr Willie	
Mr Wood	
Mr Farrell (Teller)	

Clause 11 agreed to.

Clause 12
Non-application of *Public Works Committee Act 1914*.

Ms ROSOL - Chair, just to reiterate what I said earlier, the Greens have heard what the minister said in relation to this clause and the reasons that he has given for it. We do not agree. We think that it is important that public works are scrutinised and that the Public Works Committee does important work. We do not have a question here, but just a statement that we do not agree with this clause.

DEPUTY CHAIR (Mr Behrakis) - The question is -

That clause 12 be agreed to.

The Committee divided -

AYES 23	**NOES 7**
Mr Abetz	Ms Badger
Mr Barnett	Mr Bayley
Mrs Beswick	Mr Garland
Ms Butler	Ms Johnston
Ms Dow	Ms Rosol
Mr Ellis	Dr Woodruff
Mr Fairs	Ms Burnet (Teller)
Mr Farrell	
Mr Ferguson	
Ms Finlay	
Ms Haddad	
Mr Jaensch	

Mr Jenner
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mrs Pentland
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Winter
Mr Wood
Mr Willie (Teller)

Clause 12 agreed to.

Clauses 13 to 16 agreed to.

Title agreed to.

Bill reported with amendments.

SUSPENSION OF STANDING ORDERS

Third Reading Forthwith

[6.18 p.m.]

Mr JAENSCH (Braddon - Minister for Children and Youth) - Honourable Speaker, I move -

> That so much of the Standing Orders be suspended as would prevent the bill from being read the third time forthwith.

Motion agreed to.

YOUTH JUSTICE FACILITY DEVELOPMENT BILL 2025 (No. 19)

Third Reading

DEPUTY SPEAKER (Ms Finlay) - The question is -

> That the bill be now read a third time.

The House divided -

AYES 22	NOES 8
Mr Abetz	Ms Badger
Mr Barnett	Mr Bayley
Mrs Beswick	Ms Burnet

Ms Butler	Mr Garland
Ms Dow	Mrs Pentland
Mr Ellis	Ms Rosol
Mr Fairs	Dr Woodruff
Mr Farrell	Ms Johnston (Teller)
Mr Ferguson	
Ms Haddad	
Mr Jaensch	
Mr Jenner	
Mr O'Byrne	
Ms O'Byrne	
Ms Ogilvie	
Mrs Petrusma	
Mr Rockliff	
Mr Shelton	
Mr Willie	
Mr Winter	
Mr Wood	
Mr Behrakis (Teller)	

Bill read the third time.

COMMUNITY PROTECTION (OFFENDER REPORTING) AMENDMENT BILL 2024 (No. 56)

Second Reading

Resumed from 8 May 2025 (page 89).

[6.24 P.M.]

Mr FERGUSON (Bass) - Deputy Speaker, I rise to support the Community Protection (Offender Reporting) Amendment Bill 2024, which is appropriately named Daniel's Law in honour of Daniel Morcombe. I believe members of our House are greatly blessed to have Daniel's parents, Bruce and Denise Morecombe, in the Speaker's Reserve, joining us in the Chamber today. On behalf of all of us, thank you for your presence here today, Bruce and Denise.

Bruce and Denise Morcombe have spent 20 years tirelessly advocating for stronger child protection laws right across our country, including in their home state of Queensland, after the tragic loss of Daniel. We are so grateful for their advocacy and tireless work in calling for necessary change across this country. They are fine Australians. We grieve with them at the loss of young Daniel all those years ago. I am sure all members of our House would far prefer that our community did not need this bill but, unfortunately, it is a sad truth that we do. To the Morcombes; they deserve a medal, each of them. They have, in fact, been given medals by our country. They have each been awarded a Medal in the Order of Australia, such is the esteem in which our country holds this remarkable Australian family.

Daniel's Law represents an important step forward in our response as Tasmanians to a very serious issue our community faces. That is the ongoing threat posed by convicted sex

offenders, particularly those who have offended against the most precious members of our community, as I always say, our children. They are the most precious - first the most vulnerable - they are the most precious members of our community. They deserve our complete sense of care and obligation. This bill fulfils a commitment made by this government to ensure that the vital information held on the current offender register is collected, recorded and now, for the first time, disclosed, with the simple objective of protecting children, but also adults in the community, from harm.

The original act was introduced 20 years ago in 2005 to require offenders convicted of sexual and other serious offences to keep police informed about their whereabouts and for the offender themselves to have the duty to provide their personal details for a period of time while registered as reportable offenders. On this point, I pay tribute to former member David Llewellyn, a friend of mine and colleague of this Chamber in times past. He is a good man and was an effective minister in his time. On behalf of the government at that time, he introduced legislation - I looked it up and the bill's original title is:

> A bill for an Act to require certain offenders who commit sexual or certain other serious offences to keep police informed of their whereabouts and other personal details for a period of time (to reduce the likelihood that they will reoffend and to facilitate the investigation of any future offences that they may commit), to enable courts to make orders specifying certain offenders to be reportable offenders, and for related purposes

It almost captures, from 20 years ago, what the parliament of that time was setting out to do. Notice that there is no discussion about a proactive disclosure process, but that is what we are doing here today, amongst other things.

Our legislation must keep pace with best practice in protecting our children, knowing how modern technology has evolved to make opportunity for potential offenders. It also recognises mobility patterns around our country; people are on the move, and people who want to escape the strong arm of the law will try to move about and potentially avoid detection by law enforcement. It is also needed to keep pace with a stronger understanding of sexual offending patterns, particularly online.

Daniel's Law has been drafted by the minister, and I congratulate minister Ellis. He is such a hardworking, dedicated and focused minister to deliver better legislation. This law has been drafted to align the act with contemporary national and international principles of child protection. If we do not proceed with this bill, we will, unfortunately, watch other state jurisdictions do a better job than us of protecting children, so it is very timely.

The original bill deliberately had an offender-centric model, an offender-centric paradigm, which was really about, having set up the scheme, that it is the offender who is presented with their responsibilities to act and make their information known to law enforcement.

We are actually moving toward a more matured, if I can say, approach going forward, one that actually has as its priority - its central paradigm - is about the child safety, the vulnerable person's safety. What rights does this family have as regards information that they deserve to have, that up until now they have not been allowed to have? We are saying if this information is known and it is relevant to this family, they deserve to have it.

It is not for just anybody to type a search query into a database and find out who are the local sex offenders in their state. That is not what this is about. It is for those people who are finding themselves in domestic scenarios where they ought to know, then they can now know that a person with whom they have entered into an intimate relationship - if they are on the register, absent this bill, they may never be told about the history of somebody who is now residing in their home with access to children. That is a very important shift that is occurring over these now 20 years.

We are about strengthening the offender reporting regime, and I note that other states, including Queensland, South Australia and Western Australia have already moved in this direction. For me, one of the key elements and the key substantial new developments in this legislation is to ensure that appropriate and adequate information is recorded on the register, and it is able now to be disclosed for the purpose of monitoring offenders, protecting children and mitigating the risk of serious harm that we know is caused to children and the community more generally by sexual offending.

I will run through some of the key aspects. Information on the register will be made freely available between agencies that are involved in monitoring offenders and/or involved in child protection to enable better prevention of child sexual abuse. The new disclosure scheme, which I have touched on, allows parents and guardians to apply for information about whether a person who has regular unsupervised contact with their child is a registered sex offender. There are new offences for breaches of confidentiality and vigilantism to balance the disclosure of information from the register.

That has been an important principle, I might add, that has been part of the design and also part of the consultation. There has been strong feedback about the importance of maintaining the integrity of that, because I will just make a quick point. If you make it open-source as some states in other jurisdictions - not Australia - have done, then there is no point of having a commissioner-led model that is secure. If you want to move to a vigilantism approach, an open-source approach, then you are actually creating a whole new set of problems. It moves away from that notion that the crime must be punished by a sentence, whereas the registration of the community protection register is actually consequential to, and potentially in parallel with, the punishment.

How do we make sure the community is protected and that risks are being appropriately mitigated? There are new provisions there to make sure that there should not be those breaches. When people for the first time get their access, which I have previously said should be their right, they will now have that information. It is for them and them alone, because they obtained it on the basis of that new intimate relationship or that new person who has entered into their lives or into their family home. It is not to be shared on Facebook, social media or by idle chatter in the community. That protects the integrity of the system.

There are new provisions there in relation to young offenders. I will not go into that, but that has been carefully worked through with the youth justice team. There is stronger wording to ensure that the courts are able to consider the safety and protection of children and the community as paramount in deciding whether or not to make an order at all of registration of a convicted sex offender. Again, it is shifting that paradigm away from the offender only back to child safety and community protection, that wider remit, which I think is so important.

I must admit to having been somewhat surprised to find that there are still scenarios where, if I could put it this way, some may slip through the cracks - of people seeking employment who are not fit to work with children based on their criminal history. There are still instances where that can occur, and this bill deals with that loophole, as I would call it, to prevent reportable offenders from working in child-related areas of employment. If time permits, I could speak to some of the community group scenarios where that could also apply.

Do we not agree that Tasmania Police, having been made aware of this information because of an order of the court about a person who has been convicted of a very serious offence against a child, ought to be empowered to go and knock on the door of the business, church, scout group, soccer club or family home and provide those people who deserve to know with the information that somebody who has entered into their lives is potentially a risk? They need to know it because you cannot manage that risk if nobody has told you.

There are also provisions to assist with the investigation and prosecution of recidivist offenders. Back to the disclosure scheme - the creation of this disclosure scheme will be an innovation of this parliament and every member of this House who chooses to support this, and I think it has wide support, will have fulfilled our duties as MPs from electorates around Tasmania to keep Tasmanian children safer.

It will allow information about whether a person is a sex offender to be confidentially shared with members of the community, as I said, to allow them to make an informed decision about people who have regular, unsupervised contact with their children. Remember, we are not just talking about situations where a Working With Vulnerable People card is obligatory. Think of the many walks of life where the organisation or the family home or the informal association of people around a sporting club is not actually, in all cases, obliged to seek evidence that a person has a card. This bill will deal with that.

I want to speak specifically on the disclosure scheme amendments that will allow a parent or guardian or a carer of a child to make an enquiry about a specific person. This is a significant development. The new disclosure scheme is empowering those people, parents, guardians and carers, to be able to access this vital but sensitive information when they have genuine concerns about the safety of their children.

Can I emphasise this point: a person will not be able to randomly check names of people that they know or they are curious about or they have heard about to see if they are on the database as a registered sex offender. They do not have the right to that information; I do not have the right to that information. It needs to work, and it does work, far more appropriately than that. It is not a broader and indiscriminate release of information. It is targeted, it is needs-based, it is a rights-based process that is designed to support parents and caregivers in making informed decisions where a child may be at risk.

In preparing for this debate, I had a good look at the Daniel Morcombe Foundation story and the website. May I quote from the website? These are the words from the family:

> The register would particularly assist single mothers who are most at risk when looking for a relationship online. To reiterate this point, Bruce Morcombe offered the following anecdote; "Just relate to our personal story, Brett [Cowan] was married and she had no idea about his previous

> offending - he was convicted twice - and went to jail for very violent crimes against kids.

I hope that is okay if I share that, and I again thank the Morecombe family for their incredible generosity in sharing their story with us all.

To make this point clear: without this bill, Daniel's Law, there is currently no legal mechanism for a parent to know if their romantic partner is a registered sex offender. Police can know but not be allowed to tell that innocent unsuspecting person who has entered into the most intimate of relationships and even invited somebody into the most trusted environment, the family home. Police are given the trust here to manage this process, and I know that they are trustworthy of managing the register on an ongoing basis. After all, they have been doing so for 20 years. We trust police and look to them to continue to manage it with the same integrity that they are renowned for and have been doing.

As we now step into this new disclosure arrangement, the minister is proposing and others are supporting some review mechanisms. I think that is perfectly robust and appropriate. The bill also includes in itself robust safeguards to prevent the misuse of information, which I have discussed earlier. A person who receives information receives it because they have a right to it, because this House, this parliament, has declared that, 'Yes, you do have the right to that information. We want you to at least know it, but you must not now share it. That is not the basis on which you were given that information. You were given it because you needed it, not because your friends needed it. If they feel they have right to it, they can apply just like anyone else.'

I also want to make the point that this disclosure scheme is not an attempt or a vehicle for further punishment, mistreatment or humiliation. However, for anyone who may be listening to the debate or who is reading the record who is a past sex offender: You lose certain rights when you abuse those people. You forgo some of your privileges as a free citizen when you stole the innocence from that other person. If you do not want to be subject to these kinds of oversights by a parliament, by a police service, by a law like this, then do not commit the offence in the first place.

However, having said that, the principal punishment is what is dished out by the court after a conviction. That is what we call sentencing. I wish it was stricter than it is already. I have said that a thousand times in this place. We continue to take strong steps there against significant and persistent opposition in relation to mandatory sentencing, but I will leave that for another day. We need to demonstrate to our community that we have not left stones unturned and that we have not had opportunities go past us when we know there are things that we can do to strengthen our laws for the most vulnerable and most precious Tasmanians - our children.

In closing, I commend the proposed amendments that are foreshadowed, I think, by the minister. Time will not permit me to discuss those, but it feels to me that there is a consensus that has developed. A number of members of our Houses and parties have been on something of a journey, and I welcome that. I am grateful for the sense of collaboration that has emerged over time. This is about ensuring that every single child in Tasmania, every boy, every girl is afforded the full protection of our legal system. The bill is tough, but it is fair. It reflects our government's and hopefully our parliament's unwavering commitment to child safety, and for every child to grow up safe, free and happy in our state.

SITTING TIMES

Mr ELLIS (Braddon - Minister for Police, Fire and Emergency Management) - Deputy Speaker, I move that -

> For this day's sitting, the House shall not stand adjourned at 7.30 p.m., and that the House continues to sit past 7.30 p.m.

Motion agreed to.

[6.45 p.m.]

Mrs BESWICK (Braddon) - Honourable Deputy Speaker, I welcome the opportunity to speak on the Community Protection Offender Reporting Amendment Bill 2024 and thank those who have taken the time to brief me and my office on this detailed piece of legislation. I recognise Bruce and Denise Morcombe and their incredible dedication to making Australia a safer place in honour of their beautiful son, Daniel. Thank you to all who are sitting in the Chamber this evening.

This bill is a very difficult read. It is confronting and sadly reminds us of the many ways our family members can be hurt. It also makes us consider the intersection of community safety and personal rights and freedoms. Reading this document brought to my mind the various experiences I have had and the people I have known or known of who have been accused, where investigations have been undertaken without closure or where convictions have occurred. I initially found the requirement to report passwords, allow access to VPNs and random home searches quite confronting, but how else do we ensure there is accountability and make sure they are not reoffending?

After working through the intensity of emotions and attending a briefing from department staff, I was finally able to review the bill in detail and I can absolutely understand the concerns of members of the House that the bill might not be as well written as it could be. I have quite a few detailed questions on clauses which may be answered in summing up or in Committee, and some which just may be my less experienced brain.

Before I go into the weeds, I would like to mention staff at the Office of Parliamentary Counsel (OPC); they are very good. It must be hard for them to hear their work regularly questioned in parliament. This bill tidies up the rules around offenders who are underage, ensuring that they are not placed on the register willy-nilly. As we know, most perpetrators were first victims, and I pray we continually improve in how we respond and support victim-survivors and their families to ensure they have the best possible lives.

It creates logical minimum reporting periods as well as enabling information-sharing amongst government departments. This proposed bill switches the expectations on the courts from considering whether an offender should be added to the register to considering if the offender should not be added.

This change should support the culture change we are looking for after the commission of inquiry. The wording in clause 8, section 1C clearly points out this goal. In deciding whether exceptional circumstances exist under Section 1B(b), the court is to make paramount the

consideration of the safety and protection of children, adults and the community. After this change, section 10 of the act got a little confusing and I would ask the minister to clarify.

Clause 10 of the principal act - Matters to be taken into account - talks about the information which should be taken into account when considering whether to make an order.

> (1) In deciding whether to make an order under section 6 or 7 in relation to an offence, the court may take into an account the following:

If the emphasis with this amendment is now on when not to make an order, then should not the wording in this section be about what the order should include, the length and strength of the order, not whether or not it be made?

We then move into electronic monitoring and surrendering passports. I hope we only use electronic monitoring as a very last resort. I am confused with the wording used in these paragraphs:

> For a period specified in the order not exceeding 12 months, or for any further periods specified in the order.

Is it a maximum of 12 months or is the timeframe here irrelevant because the magistrate who is making the order can override the timeframe anyway?

In clause 14, we have a very reasonable ability to apply for a change of orders. Section 10C (2) has me a bit confused. I read this as saying that the magistrate must give leave to make an application. Obviously, the magistrate must prove and make any changes, but I am not sure that it makes sense to seek leave to get approval to apply for a reassessment of risk and any changes to an order. I feel like there is an extra step there.

I have to ask: is question 10D required? It seems fairly obvious that an offender should not reoffend. Is this trying to say that an offender should not do anything which goes against an order? Is this clause necessary and was it missed in the principal act originally and has been causing issues? Obviously, some of the reportable offences are not illegal activities as such. How is this section different from clause 45D in the principal act?

In clause 19, the bill gives the commissioner or their delegate permission to order a person who is charged to report certain information and to tell their employer of their circumstances.

Minister, could you please explain why the Commissioner takes the action in this case? How would the Commissioner know that the charge has been laid? How will this information be communicated to the alleged offender prior to a first court appearance? It is my understanding that first court appearances usually happen within a very short time from arrest. Is this clause practicable?

I will also point out that the bill specifies that a notice must be in writing. I have several visually impaired persons who are now regularly contacting me with concerns with documents, particularly legal ones, they are unable to gain the intended information from due to them not being able to receive it in an accessible format.

We have recently passed a bill which states that all government organisations must have processes which are disability-accessible, and we should not be assuming that all alleged perpetrators can access information equally. Is there a way this paragraph can be amended to ensure all charged persons are able to comprehend what they are being required to do? I realise this is a particularly difficult in cases where things are so formal and structured.

In regard to the charged person relaying their charges to employers or potential employers, have you considered the advice which government may be able to provide to employers regarding how to manage this information? What is done if an employee discloses that they have been charged? I am sure that most organisations and businesses that have interacted with children have considered this scenario, but we have a responsibility to support them through this.

I understand it is anticipated that close contacts who are to be informed should be invited to our Arch centres and that the goal would be a trauma-informed approach. Should this be stipulated in some way? It could be very difficult for some to attend an Arch centre, especially for those in remote areas. I appreciate our police undertake sensitive conversations and deal with complex issues daily, but are we confident we will have the best processes in place for these conversations?

It is also important that these support services are properly funded. In clauses 20 and 22, reporting requirements are detailed to include updating the registrar on an as required basis, in particular if they are to be in overnight accommodation with children present for more than one night or travelling interstate. This is a wise provision, but I think we should be cognisant of the practical implications of this. Could you please confirm the timeframe the reporter has to keep the register updated?

I am thinking of a scenario such as a family member being hospitalised on their deathbed and there is no time to arrange alternative accommodation. Travel is very last minute and things like that. I realise that it is most likely that any child in such a scenario would have parents who are aware of the offender's convictions. However, how simple is it for them to report in and what would happen if they forgot in the stress of an event?

In clause 20 (1AA)(c), if we are inserting as paragraph after (ed), is it not (ee) not (ef)?

In section 27A, I bring your attention to the capability of the Commissioner to suspend and order should an offender have a cognitive impairment or mental illness, and then is required to again inform the offender in a written format. This is the exact scenario I was imagining when I mentioned my concerns with similar wording earlier in the document. Minister, some additional thinking about these courses would be valuable.

Regarding clause 34A, we set up some very clear parameters around where it is legal to harass someone. I am not sure why this is included. I understand that we are trying to reduce the likelihood of public displays and keep a perpetrator from being harassed in public, and therefore they can be safe to do their groceries, but I am not sure why it is okay for them to be harassed in their homes.

As we move to clause 41, I was stunned to find the removal of the words 'in writing'. It is interesting the Commissioner is able to provide information to other entities, and it is not written.

In clause 43, 44CA(2), members of the public can only apply for information from the register if the person had had at least three days in a 12-month period of unsupervised access to a child they are responsible for. This wording would preclude someone who wanted to vet a potential babysitter from applying for information before they had employed them. Is there a way we can enable pre-access application with reasonable grounds to expect them to have the required contact? I note the delivery of the answer to the question is at the discretion of the Commissioner. The use of 'may' rather than 'must' in this circumstance could preclude the need for the person under query from having had access to children prior to the parent or care raising the question.

While I am comfortable with this bill in general, I acknowledge the legitimate concerns raised with me and my office regarding the establishment of a disclosure scheme. It has been rightly pointed out that someone's absence from the register does not automatically mean they pose no threat. We must avoid creating a false sense of security. There are also legitimate concerns that some onus is shifted onto a parent or guardian, given they will now have access to the disclosure scheme.

I thank the parliament for its patience as I work through my questions. I am sure many of my concerns will be addressed as the debate continues. We must do everything we can to keep our children safe from harm.

[6.55 p.m.]

Ms BUTLER (Lyons) - Honourable Deputy Speaker, I rise to speak on the proposed Community Protection (Offender Reporting) Amendment Bill 2024. I acknowledge Denise and Bruce Morcombe who are here in the Chamber this evening. Thank you for your time on Sunday and for your warm hospitality, and I cherish having that time with you on Sunday and you making yourself available to me. I cherish my 20-year badge as well, which you kindly provided to me as a gift. It is really important to acknowledge what this badge represents and the message that you represent. This badge is very much in honour of your beautiful boy Daniel, and I think it is very important that we acknowledge that today in the House, and also your tireless efforts to seek justice and to create a safer Australia. You really have been tireless in your efforts to do that.

Some of your efforts have been through your foundation and your education programs and also the countless amount of lobbying, work, communication and consultation that you have undertaken with different politicians around Australia for two decades, nearly: you are coming up to that. I very much felt that on Sunday when you were running through different prime ministers that you have friendships with, that you have had that dialogue with and that you know on a personal level. It is very much down to the sheer amount of determination and tenacity from you both. Thank you so much for your time on Sunday. I really appreciated it.

We support the intent of this bill, and that is to provide greater sharing of information between agencies, and to parents, guardians and carers of children to protect children and the community from reportable offenders. We do have concerns about the method of consultation and certain aspects of this bill, and we have circulated amendments to members for their consideration. We look forward to debating other amendments that have been provided by other members in this House as well.

When we get to Committee stage I think it is just wonderful to see so many people from this House who have paid such interest to this bill and have really gone down the rabbit holes

on each clause; have really looked into how we can best create laws to keep our children safe. I have found that to be a really positive process, working with other members in this House in a collaborative way to try and make sure that we get this bill as right as we can do in the House of Assembly.

When this bill was first tabled in 2024, I read it a few times over the summer break, as I know quite a few people in the House did. I noticed there were some inconsistencies with that drafting. Of note were the clause notes pertaining to the Community Protection (Offender Reporting) Amendment Bill 2023 for the Community Protection (Offender Reporting) Amendment Bill 2024. The bills are very different.

Upon further investigation of the consultation notes provided by a number of key stakeholders, they all referred to the Community Protection (Offender Reporting) Amendment Bill 2023, a significantly different document. Most submissions to the consultation were scathing, pointing out a plethora of damning legal inconsistencies. There was nothing within the consulting package referring to 2024 - pretty much just the disastrous 2023 bill.

Sections of this bill, according to the original and second reading speech - and we will get to the changed second reading speech as we progress - were triggered by Judge Turnbull's, of the Federal Circuit and Family Court of Australia, referral to the Commission of Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings. I quote the minister's second second reading speech:

> … restrictive operation of the confidentiality and release of information clauses in the Act. Judge Turnbull requested the legislation be reviewed to ensure it is properly protecting children by allowing for information on reportable offenders to be readily accessible by Child Safety Services to determine whether children coming to notice were at risk of sexual abuse.

With this in mind, with the understanding that this bill is part of a group of work dealing with the recommendations of the commission of inquiry (COI), and also very aware that one of the main underlying themes of the COI was the need to consult with victim-survivors and sector organisations, we took a victim-informed lens to this bill and embarked on our own consultation. Quite simply, we think that the consultation work on the new bill is still not complete.

Survivors and child protection experts have lived experience we cannot ignore. This bill should reflect their wisdom, not bypass it. We are pushing for real consultation, not rushed politics. To implement changes which are trauma-informed and evidence-based in accordance with the COI, and I quote from the COI report:

> We also recommend that the governance structures for the child sexual abuse reform strategy and action plan incorporate the voices of children and young people and adult victim-survivors of child sexual abuse, including institutional child sexual abuse.

I, like most of my colleagues in this place, do take legislation very seriously, and we understand the gravity of getting these things right. We understand the seriousness of the COI and want to make sure that transparency, accountability and consultation are at the forefront. We all want to make sure that children are safe. We simply could not understand why we had

clause notes which were headlined from the 2023 bill. We had a lot of consultation work, which was good consultation work, on the 2023 bill, but basically nothing on the 2024 bill to inform us of what the experts considered appropriate or not appropriate, what they are opposed to, and what they supported within those two bills. They are significantly different bills.

We decided to contact each group who originally submitted to the original bill: the Grace Tame Foundation, Angela Sdrinis, director of Angela Sdrinis Legal, Sexual Assault Services, Tasmania Legal Aid, the Children's Commissioner, Engender Equality, PAT, Australia's Right to Know, representing all major outlets including ABC, Seven, Fairfax, et cetera, to inquire whether they had made another submission, as the bill was substantially amended. Most did not know the bill had been tabled, were not aware of the significant changes that had been made, and were not provided an opportunity to resubmit.

One of the key stakeholders, the Commissioner for Children and Young People, who provided a submission to the 2023 bill, did not resubmit to the 2024 bill. We have no idea as legislators whether the interim Commissioner for Children and Young People supports this new bill. Can the minister answer whether the interim commissioner was consulted on the 2024 bill and whether the interim commissioner is supportive?

This is a substantial bill. It creates new offences and contains provisions that make significant changes to existing laws, and establishes new laws. According to the minister's second reading speech, it is part of the commission of inquiry recommendations. This is a massive document, and it is to do with the protection of our greatest assets, our children. It is so important that we get this right.

Angela Sdrinis, director of Angela Sdrinis Legal, part of the team responsible for the group action in relation to Ashley Youth Detention Centre, explained the importance of this legislation to me as part of a larger jigsaw puzzle. The commission of inquiry recommendation implementation is all part of a larger jigsaw puzzle. Each piece of the puzzle must fit perfectly to complete the jigsaw.

I am aware that within the last week Bravehearts have issued a media release advising that it supports the bill. Beyond Abuse CEO Steve Fisher has also, in the last few days, issued a media release supporting the bill. Both statements were issued a month after the bill was set for debate. We are not questioning the integrity of these statements. What we would like to know is why both groups issued statements in the last few days. My question to the minister is: why were these statements of support not provided to members of the House when the bill was tabled or when we were briefed? I suspect the honest answer is because they were not consulted until recently or maybe issuing a supportive statement for media purposes was the government's purpose. I do hope I am wrong.

I know I sound cynical, but it seems the minister is even more preoccupied with the selling of this bill than the government is behind this bill, more concerned with making it look like everything is okay with the bill than doing the proper consulting on it in the first place. We want to make sure the t's are crossed and the i's are dotted. We want to make sure our community is safe and the secrecy that sex offenders historically rely upon is dismantled.

A number of submissions to the Community Protection (Offender Reporting) Amendment Bill 2023 requested more consultation of the next draft, including Tasmania Legal Aid (TLA), which said:

> The TLA welcomes future opportunity for comment or consultations about further amendment or implementation.

The Tasmanian Family and Sexual Violence Alliance said:

> Going forward, we would welcome further discussion with the Tasmanian government about the proposed amendments and would encourage the government to consider the necessity of stakeholder consultations in the development and implementation of any future legislation concerning family and sexual violence.

The Tasmanian Family and Sexual Violence Alliance (FSVA) presented an amazing submission to the 2023 original bill. The alliance paid a consultant to do this work and it was exactly what the commission of inquiry suggested when they talked about the implementation of commissioning legislative reform. The steering committee represented Engender Equality, Huon Domestic Violence Services, Laurel House, No to Violence, Sexual Assault Support Service, Women's Legal Service Tasmania, Yemaya Women's Support Service, Women's Health Tasmania and independent victim-survivor representatives. They used a really concise consultation method. I will read their consultation method into the *Hansard* because this is what we need to be doing whenever we are dealing with any commission of inquiry recommendations and the implementation of those into legislation. This is the kind of work that has to be best practice. It has to be done well. The consultation methodology was described as follows:

> For the purpose of this submission, the Tasmanian FSVA contracted an external consultant who was supported by Laurel House to review the legislation and relevant evidence, and facilitate consultations with FSVA members, victim-survivors and parents of children who had been subject to child sexual abuse. Victim-survivors and parents were recruited through an expression of interest process, advertised on social media and via email, and support was provided by Laurel House counsellors and staff with lived experience.
>
> In total, the consultations included 10 victim-survivors, two parents of children who had been subject to sexual violence and one parent of a child who had been convicted of a sexual offence. While efforts were made to recruit participants of all genders, all registrations were from people who identified as women or gender-diverse people, possibly due to the time constraints of the broader consultation. Consultations were held one-on-one and in small groups via video conference, utilising a semi-structured interview with open-ended questions as prompts.

That is your gold standard. That is how you do it. This is the only group where victim-survivors and people with lived experience were consulted and documented, in line with the advice from the commission of inquiry. What beggars belief is that, after the substantial changes were made to the bill, this group did not have an opportunity for re-consultation. They put all this work into this, the government made really large changes to that bill and no one went back to them and said, 'What do you think about the changes we have made, because there are a massive number of changes?' Legal Aid was contacted and did not provide another submission in March 2024. That submission was also not made available by the department

when asked in briefings. My question to the minister is: why was submission not made available to the parliament even when asked in briefings whether there were any further submissions?

For these reasons, on 7 May 2025, members of parliament wrote to the minister requesting that the bill be withdrawn. This had nothing to do with the intent of the bill or the policy behind it. However, we did not feel, as a group, that the consultation was adequate. We wrote the letter to the minister as an olive branch. We did not want it publicly known that we were requesting for the bill to be withdrawn and redrafted. We wanted to make sure, because of the sensitivity of the content, that it could be done in good faith with the offering of an olive branch. We finally received a response to this letter from the minister yesterday evening, 26 May, after countless requests. I will seek leave to table this and read the content of the letter into the House. Is that okay, if I do that?

DEPUTY SPEAKER - Reading it in is fine. You have to seek leave to table it.

Ms BUTLER - I will just read it in, then. It was written on 7 May 2025, addressed to the Honourable Felix Ellis MP, Minister for Police, Fire and Emergency Management and headed 'Request for withdrawal of the Community Protection (Offender Reporting) Amendment Bill 2024 for redrafting':

> Dear minister,
>
> We write in relation to the Community Protection (Offender Reporting) Amendment Bill 2024, currently tabled in the House of Assembly. We have serious concerns with the standard, lack of consultation and potential legal implications of the Community Protection (Offender Reporting) Amendment Bill 2024. A number of the groups who provided submissions as part of the initial consultation process to the draft Community Protection (Offender Reporting) Amendment Bill 2023 support our concerns. Most were not provided an opportunity to make further submissions to the substantial changes within the Community Protection (Offender Reporting) Amendment Bill 2024.
>
> We would, therefore, formally request the bill be withdrawn and redrafted. We support the intent of the bill; however, do not believe the process of consultation is robust and informed. Whilst we currently withhold our comments on the policy direction of the Community Protection (Offender Reporting) Amendment Bill 2024, we do recognise the need for legislation which is well-informed and meets the themes of recommendations of the Commission of Inquiry (COI) into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. The implications of allowing the bill in its current form to progress through parliament would be detrimental to the important task of ensuring all recommendations of the COI are informed, adequately consulted and should not undermine our current standard legislation. We look forward to your response.

That was signed by myself, Jen Butler, Tabatha Badger MP, Craig Garland MP, Kristie Johnston MP, Andrew Jenner MP, and David O'Byrne MP.

We finally received a response from the minister on the evening of 26 May, which did not accept our request for the withdrawal.

I met with Denise and Bruce Morcombe on Sunday. After the conversation I had with Denise and Bruce, we decided that we would try to amend the bill and continue the work to do what we could to improve the bill. We believe that the consultation was really inadequate for the seriousness and the implications of this bill.

For the record, there was never any mention of this bill being named Daniel's Law until very recently - not in any of our second reading speeches, in any of our briefings, or in any of the passage of this bill. It was only the same day as the minister received this letter that the media release went out afterwards stating that the law would be called Daniel's Law. I think it is important that that is noted.

We support naming the bill Daniel's Law, and that certainly is not the issue. I would like to ask the minister, though, why he persisted with media announcements as such when the bill was about to be debated, and knowing he did not have the support of the House for the bill due to the lack of consultation? I am curious as to why you proceeded when you had the option of withdrawing, undertaking the appropriate consultation and redrafting the bill? We really did try to keep our parliamentary business discreet and professional.

I will quickly run through different sections of the bill. Section 34A - Conduct intended to cause harassment of reportable offender or charged person. The bill provides for a parent, guardian or carer to a child who has regular unsupervised contact with the child for at least three days per week to apply to the commissioner to find out if a person is a reportable offender. The commissioner advises the applicant to keep the information secret under section 44D; the applicant is, subject to section 34A and 34B, to keep the information secret, whether the action taken by the recipient of the information's conduct is intentional or reckless.

The bill addresses anti-vigilante action by creating an offence under section 44D. The penalty is six months' imprisonment, where offences against sections 34A and 34B incur a penalty of up to two years' imprisonment. We consider the insertion of section 34A as somewhat unnecessary, as a person undertaking conduct intended to cause harassment can be charged under the Tasmanian Criminal Code.

The drafting of section 34A is not clear as to whether the person inciting the harassment of the reportable offender knows that the person is a reportable offender. The section therefore could lead to the nonsensical result that a person is prosecuted for having the poor luck of inciting harassment of a person who coincidentally happens to be a reportable offender. The section does not specify that the harassment has to be about the fact that the person is a reportable offender. We understand the minister will be introducing amendments to deal with that uncertainty.

Section 44 - Prescribed entities and parents, guardians or carers to keep information secret. The drafting suggests that disclosure of any information would be an offence. Taken to the extreme, the person's reporting name would be on the register. My question to the minister is therefore: are entities then prohibited from using the person's name at all? This question was also put by Tasmanian Legal Aid.

From the briefings, my question was - because it is really important to try to imagine legislation in a practical sense and how it actually plays out in real-life scenarios - if a victim-survivor who qualifies as a parent, guardian or carer of a child contacts the register to seek advice about whether a person is on the register and is advised in the affirmative, and they disclose that information to a family member, child or a support person, is that a chargeable offence?

I was advised in the briefing that yes, it is a chargeable offence. However, there are discretionary powers. We do not consider discretionary power is sufficient in response to this clause. We have raised this issue with the minister, and I believe amendments may also go some way to addressing this issue.

I think it is important that we run through a scenario so we can get a greater understanding of how the bill operates. If Jill - I will use the name - obtained information from the register that a person who regularly babysat her children is on the sex offender's register, can Jill discuss the matter with her husband? That would be my first question to the minister.

Can the minister step through that, and also whether Jill can share the information with her ex-husband, the children's father? This is what these things look like in reality. If Jill is speaking to her husband and her ex-husband, the father of the children, about the family babysitter, will that be an offence under this act? Could Jill face imprisonment for disclosing the information to her husband or disclosing the information to her ex-husband? Through the reading of this bill, yes, she could - and that is not okay. It is not okay for people who have that information provided to them to potentially face imprisonment if they share that information. It is too much.

Section 45B - Publication, display and distribution of identifying information of a reportable offender. If a victim-survivor wishes to rely on section 194K of the *Evidence Act* to share their stories with the public or other victim-survivors, they could expose themselves to committing a reportable offence punishable by penalties such as imprisonment. It is imperative we provide as much opportunity for victim-survivors and their support people to be able to speak their truth - to be heard and not silenced.

I believe the minister also has some amendments that he will be bringing to our committee addressing that concern, and also amendments allowing victim-survivors to speak openly about a reportable offender when they are the victim of that offender.

At the moment, the bill does not allow victim-survivors to identify their abuser unless the minister provides permission. That is untenable and frankly offensive. The way this bill is drafted could potentially see a victim-survivor in prison for two years for not having the permission of the minister. I look forward to that amendment.

Section 34B calls into question journalists being able to print information given to them by victim-survivors if the charged sex offender is on the register. If a recipient of information advises a journalist of a reportable offender, the journalist may be asked to name their source. Tasmania's shield laws under 194K and 126B of the *Evidence Act* do not specify journalists are protected. If a warrant is issued by police for the information of the source to be provided, the journalist might not be protected.

A journalist may be hesitant to report on information a victim-survivor provides to them due to the sex offender being on the register. A victim-survivor who is provided with information from the register is not allowed to openly speak about their abuse, even if the victim-survivor is checking to see that the offender is still listed. Once the information is provided and they share that information with anyone, they are in breach and can be charged and imprisoned.

I look forward to the minister's amendments to fix that, because that is another error within the bill. I am very much running out of time, but this is a substantial bill.

If we look at section 10A on reportable offenders submitting to electronic monitoring by wearing or carrying an electronic device, and that magistrates can restrict or stop access to the internet, can the minister outline how these clauses will be monitored in a practical sense - for example, MyGov, banking, medical appointments? Will funding be allocated to this monitoring side of the bill, because it is quite extensive, and will there be additional funding to support that additional monitoring within the bill?

Also, we are wondering about what the process and timeframes are under section 44AA - Provision of information to corresponding register. What are the process and timeframes for disclosure with corresponding register schemes? Are all states and territories in line with Tasmania's laws? I know the minister's office did provide us information about the difference between South Australian law and Tasmanian law, and we appreciated that.

In short, we support the greater sharing of information, but one of the issues as well, and it was one of the reasons why this bill was apparently put together according to your second reading speech, was the sharing of information between Child Protection and the Family Law Courts. We know the Tasmania Legal Aid has stated that, 'The sharing of information needs to be proactive, not reactive.' This bill takes a reactive stance to that, not a proactive stance. Can the minister provide us with details of why that approach has been taken?

We will have amendments which we will be tabling in Committee. We thank the minister's office for their time in trying to work with us to provide these changes to try and fix this bill, and we look forward to having a look at all the amendments. I think it is going to be a very long Committee.

[7.26 p.m.]

Ms BADGER (Lyons) - Honourable Deputy Speaker, I rise to speak on behalf of the Greens on the Community Protection Offender Reporting Amendment Bill 2024. We would also like to acknowledge Bruce and Denise Morcombe here with us in the Chamber and acknowledge they have been in this place all day waiting to hear this debate. Thank you.

It is fair to say, as other members have touched on, that this bill has resulted in very mixed feedback from stakeholders and from the community. All emotions aside, and under the situation, I am frankly appalled that we are in this situation today, on what is such an important matter, and I am sorry to all the stakeholders and the sector advocates and organisations who have not been heard.

To recap the background of this bill for the sake of *Hansard*: a version of this bill was first tabled in 2023, and then what we have in front of us was re-tabled in late 2024. At that point, stakeholders were still deeply concerned about the contents of the bill, including the fact

that there appear to be basic drafting flaws, and I will speak on those later on. To be clear, a public disclosure aspect of the bill is not a commission of inquiry recommendation.

On 7 May, as member for Lyons, Ms Butler, alluded to, members of this place sent a joint letter to the minister in good faith asking him to withdraw and redraft the bill so we could debate this once and do it right, noting that there was no opposition to the principal intent of the bill. The minister did not even acknowledge the letter, but less than 24 hours later, he was in the media announcing that the bill, which was first tabled in 2023, now had a name change as Daniel's Law.

At 11.00 a.m. on the day of the debate was when the new second reading speech was circulated. Today, we will have a debate. For how long exactly, we still have not actually been told. We are going to have a debate, today or at some point into the future, into a Committee whereby the government will be required to amend its own bill, as will many other members of this place. That situation is articulating exactly what all of us had put forward in this place, trying to avoid, so that that did not happen.

The integral action would have been for the minister just to redraw the bill, draft it properly with consultation, devote it as Daniel's Law, and re-table it. Then it may have passed smoothly but here we are, and we are likely to come back and have to go through this again.

Minister, I understand your office has reconsulted with a select few stakeholders, so perhaps you would like to inform this place precisely which organisations were consulted recently, how these stakeholders were identified for consultation, and did your office reach out to all who made submissions on this bill?

The Greens' ultimate position on the bill will be determined based on the final bill that is before this House after the various amendments. There is a range of matters in this bill that the Greens are comfortable to support. The provisions dealing with interagency information-sharing and a presumption that a person who was a child at the time of offending is not to be declared a reportable offender. These are two matters in particular that are in line with addressing the issues that are identified in the commission of inquiry.

We also support amendments allowing the register to share details with a register in another jurisdiction and a court. Similarly, we support amendments that provide greater flexibility in dealing with a change in circumstances, and this includes the ability for a magistrate to vary, extend or revoke a Community Protection Order if there has been substantial change in circumstances, and the ability for the Commissioner to suspend reporting obligations in certain circumstances. There is also a range of more technical amendments that we support, such as the most recent order prevailing in the event of an inconsistency and allowing for alternatives to reporting in-person where necessary. One of the elements of this bill that is deeply concerning to the Greens is the proposed community disclosure scheme.

I note that in the minister's second reading speech, all versions of it, they had only provided for a brief paragraph in respect to this component of the bill. This paragraph provided a very basic description of the scheme. The intended purpose was not outlined, nor was the evidence nor arguments for the scheme articulated. I will say that our briefing - and thank you to the members of Tasmania Police who provided it - did provide a fairly detailed explanation of the purpose of the scheme as well as the intended operation of the scheme. I think it is a shame that those details that were shared in the briefing were not fully included in the second

reading contribution because the details of how a scheme is intended to work operationally varies significantly from how a straight read of this legislation would.

For example, this bill provides a parent or guardian the need to provide evidence that a person they are making a disclosure request in regard to has or has had regular unsupervised access to their child; that is, the person has had three days of unsupervised access in a 12-month period. What was made apparent in the briefing is that this alone would not qualify a person to be provided with a disclosure. Rather, a person would have to demonstrate that they had reasonable grounds for concern.

The briefing also described an intended system where an applicant for disclosure would result in an involved contact point that would allow for advice to be provided to concerned parents or guardians and for information to be collected by police that would provide them with important intelligence regarding registered offenders or other people of concern in the community. These details provide for a much better understanding of how the scheme is intended to operate than is readily apparent from the second reading speech. However, it has to be said that these matters at this stage are only intent and the bill does not mandate that this occurs, and the extent to which this intended process becomes and remains a reality will be dictated by resourcing as well as the present and future administrations.

The scheme in this bill before us is based heavily on the Western Australian legislation, which has been operational since 2012. In many cases, this is almost just copy and paste, so we can look at the Western Australian experience and what evidence they have there as to the scheme's effectiveness. The Western Australian scheme was also reviewed in 2018, and although the review does appear to be significantly flawed - I will come back to that - it does contain some data. Indeed, it is the conspicuous absences of data that the Greens believe to be instructive.

I say the review appears significantly flawed because a read of the review makes it very clear that it is set out simply to validate the scheme. For example, in respect of the community disclosure, the review concluded:

> The scheme can be considered effective as it meets the primary purpose of which it was developed; that is, to make information publicly available.

It did not assess whether the scheme increased public safety, prevented offending or assisted to identify breaches of the obligation of registered offenders. At the time of the review in 2018, the scheme had been operational for six years and only 16 disclosures had been made under the scheme.

Given the small number of disclosures made, it seems likely that if in the course of any of those disclosures, breaches of the obligations of registered offenders were identified, this would have been discernible by the reviewers and reported on in some form, but no such finding was made. It is also worth noting that of those 16 disclosures across six years, they were made in the context of the jurisdiction in Western Australia, where, at the time, there were 3500 reportable offenders. Tasmania has 400 reportable offenders.

If Tasmania were to follow this trend, noting that this proposed bill is almost identical to Western Australia's, this would be one successful disclosure here every three years. Given we have hundreds of well-evidenced independent recommendations from the commission of

inquiry still to implement, is the expenditure and resourcing of this scheme, with such a low expected uptake, really a good use of our time and budget? The Greens do not think so.

I think it is also important to truly reflect on the actual value of the scheme and what value that would provide to both policing and community safety.

A person may access the scheme when a child under their care has unsupervised access to a person who is behaving in a way that gives rise to a concern that they may be a registered offender. In these circumstances, regardless of whether or not that person is a reportable offender, ideally this should mean that the child is removed from the care of that person of concern and that their behaviour is reported to police regardless. In the absence of a scheme, a person in these circumstances is able to remove their child from a person's care and report their concerns to police.

The introduction of this scheme does not create a new pathway. Whether or not a person is a reportable offender would not be able to guarantee a child is safe. Their behaviour should be reported to police either way. As was stated in most submissions on this bill, we do not want to see a situation where the community has a false sense of security in the register alone in keeping children safe.

Where is the foundational support for those accessing the register? Where is the uptick in investment into the services that can support those who have experienced sexual assault or abuse themselves, who have children, partners or anyone else who has?

Off the back of this legislation, minister, how much and where will you be investing to support services to those who access the register? How much will this government be investing into education and community awareness for recognising the behaviour of a child who may have been put at risk and the behaviours of perpetrators, such as grooming?

In addition to the notification of whether or not a person is a reportable offender, being a redundant step in this case, it is also potentially a risky one. I recognise that it is intended for this scheme to operate in a way that communicates to people that just because a person is not a reportable offender, it does not mean that they are safe. However, schemes do not always operate as intended.

Another concerning piece of information contained in the review from the Western Australian legislation is that there were three convictions under their vigilante provisions during the review period. Three is not an insignificant number in the context where the total number of successful applicants was 16. That is almost 20 per cent disclosures under this scheme resulting in a person being convicted of a vigilante offence. Both the disclosure scheme and the vigilante offence provisions in this bill are again based on the Western Australian model. Not only is this a concern in terms of vigilante behaviour, but it is also a concern that a scheme providing no tangible benefit to community safety could result in the criminalisation of 20 per cent of its successful users. All of this gives the Greens significant pause and concerns about the risks and the lack of benefit associated with the proposed disclosure scheme.

The Western Australian scheme, again near identical to this, has been operating for over a decade and yet the government has been unable to provide any evidence of benefit to community safety or police intelligence. To the contrary, the evidence suggests otherwise. On this basis, the Greens will be moving to remove these provisions from the bill.

We also have two technical amendments to this bill in relation to the definition of reportable contact in the principal act. This bill makes two references to reportable contact in relation to a charged person in the proposed new sections 15C and 15E. The problem is that the definition of reportable contact in sections 3 and 17(4) in the principal act applies to a reportable offender. The current definition reads 'reportable contact in relation to a reportable offender contact with a child means the contact listed in section 17(4).' Section 17(4) similarly sets out that a reportable offender is taken to have had reportable contact with a child if the reportable offender meets the conditions listed in paragraphs A through to D.

A 'reportable offender' is a person who is sentenced to a reportable offence and who is subject to a court order to be placed on the register. The purpose defined of a charged person applies to a person who has been charged with a reportable offence whereby proceedings have not actually been finalised. This means that reportable contact definitionally can only occur in respect of a reportable offender. The proposed new 15C(1) and (1)(c) in this bill allows:

> (1) The Commissioner may give to a charged person, who is not a child, a notice in writing requiring the person to provide to the Commissioner -
>
> …
>
> (c) information regarding any reportable contact that the person has or expects to have with a child.

The problem with the clause is that a charged person cannot, by definition, have any reportable contact with a child, as only a reportable offender can have reportable contact. The proposed new 15E similarly allows the commissioner to advise 'in respect to a charged person' details to any parent, guardian or carer of a child with whom the person has had, or the commissioner reasonably believes may have reportable contact. Similarly, it is not actually possible for a charged person definitionally to have reportable contact.

Our amendments to clauses 5 and 20 simply amend that definition of reportable contact to also apply to a charged person. All other references to reportable contact that are in the principal act explicitly only apply to reportable offenders. Our amendment would not have any impact on the existing provisions under the principal act. The only effect of this amendment is to address the anomaly that would prevent the proposed sections of 19C and 19E from operating as intended.

The feedback from the Commissioner for Children on the bill recommended an amendment to clause 8 to reverse the presumption of inclusion on the register for children. They stated:

> noting that children as young as ten can be subject to this law, it may be appropriate for there to be a presumption that a child is not named on the register unless the court is satisfied that the child poses an unreasonable risk of committing a reportable offence.

On this basis, we have prepared an amendment to provide that the court may not make such an order unless the court is satisfied that the child poses an unreasonable risk.

We are also concerned that there may be some unintended consequences in the offence provisions of the proposed new section 34B, which creates an offence for publishing, distributing or displaying any identifying information other than that which is in accordance with the act. The definition of identifying information is limited to this information accessed or disclosed under the act. Our concern is that the proposed section 47A allows for the commissioner to publish identifying information in some circumstances. If the police were to publish the details of a registered person whose whereabouts were unknown, our read on the current section 34B is that a person could potentially be charged for sharing that information on social media, for example.

Our amendments would amend the definition of 'identifying information' to exclude information disclosed under section 47A. In our view, it is unreasonable to establish circumstances where information is made public by the police and members of our community could unknowingly be committing an offence by sharing that information, which is already public, thinking that they are doing the right thing, trying to help out.

Finally, I would like to thank all of the stakeholders and organisations who have been tirelessly trying to work across the Chamber in the past few weeks with the Greens, the independents, with Labor and also with the government to try to fix what are anything from substantial drafting concerns to very basic drafting flaws, so that we can try to get this right. We will see what happens in the committee stage of this bill, because with the saga that it currently is, who knows what kind of legislation we are going to get at the end of it.

This is an appalling way to go forward. It is completely unacceptable. I hope in my time I never see anything quite like this again.

[7.44 p.m.]

Ms JOHNSTON (Clark) - Honourable Speaker, I rise to make my contribution on the Community Protection (Offender Reporting) Amendment Bill 2024. Like others in this place, firstly I would like to acknowledge the Morcombe family, Bruce and Denise, here today in the Gallery. I want to acknowledge and thank you for your determination in working so hard to create change that would protect other children from the horrific fate that your son suffered. Thank you very much for all that you do. No parents should ever have to experience a loss of their child under those circumstances, and I am deeply sorry for your loss.

I am deeply concerned about this bill, as others have expressed, both about the process of it arriving in this House for the second time and key parts of its content. Again, I want to extend my apologies to both Denise and Bruce for having to sit through this tonight, where we forensically go through the flaws in this bill. I want to reiterate, as others have done, the really good will and intent of members of this place to get this bill right, to make sure we protect children. That is our absolute intent. I apologise that you are sitting through this tonight, hearing a lot of the flaws here. That was not our intention and it is certainly not what we wanted to occur, but it is what it is.

First to the process: not only had the first draft of the bill not been as widely consulted on as the government claimed, the second draft has not taken on concerns of key stakeholders in this policy area - namely, the organisations that work with victim-survivors of sexual abuse. To sideline the views of the very organisations that government rely on for advice in this area and that will do a lot of the support work, counselling and advice for those affected by the

bill - should it become law - is deeply disrespectful. Ignoring the expert advice is setting the legislation up for failure.

That brings me to my second area of concern with this bill and that is its contents. The government, or should I say the minister, Mr Ellis, who I hold responsible for the conduct of this bill, has been disingenuous on two fronts. One, that thorough consultation has occurred when I know, from my many discussions with stakeholders, this has not occurred. The second, more worrying front, is that the minister, Mr Ellis, says this bill will keep children safe. Well, as it currently stands, I am sorry to say that this is simply not true, and it goes to the heart of the issues with this bill.

The first issue is that the vast majority of child sexual abuse is not perpetrated by someone who is on the register or who is known to be perpetrators. The worry amongst the sexual assault support sector is that if someone applies the register and the person they inquire about is not on the register, it will give them a false sense of security that the person the child is spending time with is a safe person. Sadly, we know that this is not always the case, and it has been highlighted by the small numbers who are on the register in Tasmania.

In briefings, we were told that police would recommend disclosures about some on the register would occur at Arch centres, but again, there are only two of those at the moment in the entire state, so this will not be practical for many Tasmanians. Of course, providing that additional advice and support accounts will require resourcing, so we will expect to see that reflected in Thursday's Budget, assuming the government is confident this bill will pass.

I point out that there has been some discussion over the last few days about guidelines and draft guidelines from the commissioner, how that information will be shared and the appropriate places in which it will be shared. That is important information; it would be very useful for members of this House to have an understanding of this prior to the debate of this bill.

We want to make sure that people who are accessing this kind of information are well supported, have been given the appropriate advice, that it has been trauma-informed in the way the information has been given to them, and that they have the appropriate wraparound services. Not all Tasmanians can access an Arch centre. Not all Tasmanians want to access an Arch centre. We need to understand how we can do this in a trauma-informed way.

The second and fundamental issue with the bill is that the register and disclosure regimen is not something the commission of inquiry has actually called for. The relevant recommendation is 20.9, which says:

> The Tasmanian Government should maintain a central cross-government register of misconduct concerning complaints and concerns about child sexual abuse and related conduct. This register should contain records of substantiated and unsubstantiated matters, including those that did not proceed to investigation.

This is a long way from a publicly accessible offender register and smacks of populist politics over evidence-based policy, something we are sadly very used to seeing with the minister, Mr Ellis.

Evidence from around the world is clear: public sex offender registers do not necessarily work as deterrence and do not necessarily work to keep children safe. Another issue is that we already know the legislation will not be complied with by key users of the register and we have had concerns raised with us in briefings about this.

Police and parents have given feedback that they will work around certain provisions in the bill as they are currently drafted. Police have indicated that they may need to turn a blind eye if parents and carers share information with each other beyond the scope of this bill. Parents have indicated that they, too, will ignore the inability to share information with other parents and carers. You have to ask: if the government is aware of this, then why is it intent on pushing ahead with the bill, rather than withdrawing it and taking the time to get it right? A bit later on in my contribution I will talk about examples. Perhaps the minister can give us some examples of how the bill will practically apply.

There is some concern and confusion from parents, carers and guardians about what information they can actually share. They are concerned and confused that they could unwittingly get caught up in unlawfully sharing information about a person on the register while trying to act to keep their child safe. That is the express opposite to what we hope this bill will do.

This also places the police in a really unworkable situation due to the nature of the drafting of this legislation. It relies on discretion of a police officer at the time to try to decide whether the person was acting with a vigilante intent, whether they were trying to act to protect their child and to make a call on that. That is an impossible situation to put the police in. I do not think it is fair that the lack of consultation and thoroughness in which this legislation ought to have gone through, puts police in that position, because police want to make sure that children are safe. That is their job, but if it comes to potentially criminalising parents, carers, or other support people for knowing information or disclosing information, then that puts them in an awful position.

Key stakeholders have also raised concerns about clause 43, in particular - the application by parent and guardian or carer for disclosure. They are concerned that there is limited evidence to support the effectiveness of community disclosure schemes in improving community safety, as I have discussed before. Such schemes may exacerbate risks of reoffending by contributing to social isolation, unemployment, vigilantism, and housing instability of individuals on the register. Community disclosures may create a false sense of security among families and the broader public. That is a real and serious concern, and certainly one that the organisations working in this area are very concerned about.

It risks reinforcing harmful stereotypes and misconceptions about people on the register, given the very broad classes of things that they could be on the register for, with impacts for victim-survivors and community safety. It can place the burden on parents and carers to actively seek information, and there are risks of it being weaponised in the context of family violence and family law proceedings.

I want to pause here to take the time to give a few examples. I hope the minister can talk us through about how this bill as it currently stands would apply in the community. I will use, if I may, the member for Lyons's Jill, who she used beforehand.

Jill is a single mother and is in a particularly nasty family law proceeding with a dispute regarding access and residency arrangements. As we know in family law proceedings, it is often one party accusing the other party of being a bad parent. They will use all sorts of things, such as, 'You were two minutes late to pick up a child from school' or 'You did not take the child to the doctor on time', all those kinds of things.

It is a potential now that the failure to make an inquiry or to seek information about a whole range of people in that child's life may be weaponised by one party against the other. So, Jill might be in the position where she has a new partner, and that new partner has a family member who lives nearby that the children often go and stay with. She has moved house and sometimes the next-door neighbour might look after the children, the children are enrolled in football and so they spend time with the coach. They are struggling at school, so they have engaged a tutor to help that child.

Would Jill be required to go and make an application in regards to all those people, to try to avoid the failure to make an application from being weaponised in a family law court proceeding?

If Jill did, for instance, make an application for all those people, there needs to be some legitimate concern to give warrant to the police inquiring on the register. Jill might not have legitimate concerns, but she is just worried that the failure to apply would be weaponised in a family law court proceeding.

What happens then for the police to have to make that call about whether those concerns are legitimate or not, and how does Jill express that in a family law court proceeding? I pose that question to the minister.

Let us think about Jill now. Unfortunately, Jill is suffering in a terrible family violence situation and applies because she has some concerns about her partner at the time with whom she is living. She applies and finds out that her partner is on the register. She is living with the partner with her children and she needs to escape very quickly, because she is very concerned about the safety of her children. She rings housing, or her landlord or real estate agent, to say, 'I need to get out of this house now; I need to leave immediately. I cannot disclose what the urgency for that particular matter is.'

If she accidentally says, 'I need to leave because my children are at risk from a sex offender,' is that disclosure something that she could be prosecuted for? Would she become a criminal if she divulged that information in trying to escape domestic violence? I pose that question to the minister.

Let us say Jill has her children engaged in football in the local football club, and she has some concerns about the footy coach. She decides to make an inquiry about the footy coach and discovers that the footy coach is on the register. She tells her partner, 'Sorry, our son or daughter cannot play football anymore because the footy coach is on the child sex offender register'.

She has disclosed to her husband. Is that allowed? Then what does she do about telling her child? 'I am sorry, son, daughter, 15-year-old, you can't play football anymore.' If it was my child, they would be instantly asking, 'Why, mum? Why can't I play football? I am going to ignore you and go down to the footy clubrooms anyway.'

Could Jill tell her child, 'I am sorry, you cannot engage in football because the coach is on the register?' Is that a breach of the act? I would think that you would want to tell your child the very reason why you are trying to keep them safe and why they cannot engage in activity, but under the construction of this act at the moment, that appears to be unlawful.

What about if Jill makes an application and finds out that someone significant in her child's life is on the register and needs to seek support about that information from the myriad organisations that help with victims of child sexual abuse, and in doing so, feels a need to disclose to that organisation the scenario and the circumstances that this person finds themselves in and accidentally discloses the person's identity? Is Jill again breaching the law?

These are really legitimate, practical concerns about how this law will apply. They need to be addressed.

Finally, the scenario where Jill has engaged a babysitter. There are a few parents at the local school and they all have the same babysitter. She has had some concerns about the babysitter. The person has not been required to have a Working with Vulnerable People check. They are just a local friend of a friend. They think it is all safe, but it turns out this person is on the register. Jill knows that there are five other parents at that school who use the same babysitter. She cannot tell them. If it was me, I would be wanting to tell another parent. It would make me sick to my stomach that I could not protect other children. If she did, she would be disclosing information that is unlawful, and she could be prosecuted and criminalised.

There are other practical implications. I hope the minister takes the time to talk through those scenarios and what would happen in those circumstances because these are the questions that support services, police and all those other people are going to get asked if this bill passes.

There are also real concerns regarding children as registered persons. While there are distinctions made between adults and children within the bill, children as young as 10 may still be subject to the principal act, which raises significant concerns, particularly given the data of the prevalence of harmful sexual behaviours amongst young people.

While clause 8 - proposed subsections 6(1A) to (1C) - provide a framework for the application of judicial discretion, these provisions should be further clarified to support informed assessments of the developmental, psychological and contextual factors that contribute to engagement in sexual offending.

The legislative test under clause 8 - proposed subsection 6(1A) - requires a court to consider whether a child possesses an unreasonable risk, but this does not amount to a presumption against registration. I note that the Children's Commissioner has recommended that in practice, the complexity of the law in its application to children is significant and warrants greater sensitivity, particularly given the drivers of children's engagement in sexual offending are highly varied and nuanced, and are often driven by maltreatment or trauma themselves. I note that one sexual support organisation has recommended that this test be 'significant risk'.

As others have said, a final point I would like to raise is that I, along with 18 other members of this House - the majority of this House - wrote to minister Ellis in good faith last sitting week with our concerns about this bill. We only received a reply to that letter last night. On top of this bill not being based on evidence, opposed in crucial areas by key stakeholders

and not in alignment with the commission of inquiry recommendations, the minister has not even bothered to properly engage with his colleagues about this bill, despite our desperate attempts to try to engage.

This is the height of arrogance and not a sign of good faith in working with the parliament to get the best laws we possibly can with regard to the safety of children. I have talked with a number of organisations who have worked with the government over the last week or so in the attempt to try to have some consultation, and they remain very clear in their representations to me that they are deeply concerned with this bill.

They see some fundamental flaws, and their clear preference is that the bill be withdrawn and reworked so we get the best laws - laws that work and reflect their intended purpose to protect children. They are concerned that that is not what we have before us today. We are in the position now of having to significantly amend this bill on the floor of the House - everything from major, significant amendments to minor technical issues - to try to get the best law.

It is not good governance and it is not how things should be done. For all those reasons, as I said, my preference was for this bill to be withdrawn and thorough, proper consultation to be conducted so that we can get it right. I note that there are a number of amendments, including from the government itself, which is an indication that they have not got it right. There are lengthy amendments from Labor, the Greens and Mr Garland as well - thank you for circulating those. I thank my colleagues from Labor, the Greens and the crossbench for their amazing willingness to try to work to get the best outcome for this.

This has been a really collaborative approach from the opposition and crossbench, undertaken with true intent and purpose to get the best outcome. I express my disappointment and my sorrow to the Morcombes for having to sit through this. We will try to make sure that Daniel's Law is the best law possible and reflects what you want in terms of keeping children safe.

I ask the minister to reflect deeply on the appropriateness of his actions. I ask that when we move forward with this bill, if we do indeed move forward with this bill, that you work more collaboratively, not only with your colleagues in this House, but with the very services that will be required to implement this bill.

Debate adjourned.

ADJOURNMENT

[8.04 p.m.]

Mr ELLIS (Braddon - Minister for Police, Fire and Emergency Management) - Honourable Speaker, I move -

That the House do now adjourn.

Mike Sweet - Tasmanian Trucker

[8.04 p.m.]

Ms BUTLER (Lyons) - Honourable Speaker, I inform the House that about three weeks ago I had a picture sent to me of a section of St Marys Pass, where a double fuel tanker was travelling down the pass with some cars banked up on either side of that. I had that on my social media and I was talking about how the Albanese Labor government had provided $10 million for the potential rerouting of St Marys Pass to be looked at. That picture went viral across social media with some amazing commentary and reactions. A lady named Janine Sweet picked it up because her husband is Mike Sweet, and he was the driver of the B-double fuel tanker that was in the photo. Janine and Mike invited me to spend a day on the road with Mike Sweet in his B-double fuel tanker. I met him at Scamander and we drove from Scamander to Bell Bay and Bell Bay back to Scamander. It was an absolutely amazing experience. I had not spent that amount of time in a truck of that size.

It was so good to spend time with Mike. It was interesting because I had never met Mike Sweet before. I did think as I was walking up to the truck, 'What happens if this man cannot stand me? What am I going to do, what happens?' He actually confessed at the end, he said, 'I was thinking, gosh, what happens if this woman cannot stand me?', so it was pretty interesting.

We had such a good day. He has been driving trucks for 48 years. He has actually driven over 5 million kilometres. He is one of the most experienced truck drivers on Tasmanian roads. He is a legend. He is a humble legend, but he is a very well-known legend and very highly regarded in the trucking fraternity across Tasmania. His dad was also a truck driver, and he took on the family business from his dad, and Mike does the bulk of the mechanical work on his truck as well.

He is retiring in about another three weeks. I really value the insight that Mike provided to me on our trip. I think there were particular sections of that route which he could explain to me from the truck drivers' perspective. It really showed the narrowness of some of those roads. There were some really dangerous areas, especially a bridge which I think most people in the Chamber would remember. It is colloquially known as Red Hill Bridge, and it is the concrete railway bridge about 4 kilometres from the Conara junction as you are heading towards Avoca. It is quite a thin bridge. When you have two heavy vehicles that are meeting each other on that bridge, there is literally no room for any error at all. They almost do not fit. I think there has been a fatality in that area, and there have been a lot of incidents in that area. Mike was able to run through that as the most dangerous section of the Esk Highway.

We also went on some beautiful roads. The road from Launceston to Bell Bay is a stunning piece of road. He was talking about why that is so good - you have this great visibility, you have brilliant shoulder width, you have a lot of space. It was obviously built for purpose, and gold stamp - and still in pretty good nick when you compare it to other parts which may only be three years old and you can see they are already falling apart, especially some of the areas along the Midlands Highway, just past the Conara junction and further up towards some of those Longford turnoffs.

There is also the St Marys Pass which we went up and also came back down. He was radioing other truck drivers from one end to the other end to ensure that they both were not meeting those narrow bends at same time, because it is impossible for both of them to pass that.

I kept my eye on the side mirror all day as Mike drove. We stopped at different fuel stations to deposit fuel, because he is a fuel tanker. He did not go outside of that white line on the left-hand side of that highway for all that time. He is amazingly skilled and amazingly patient. I will report back to the House on Red Hill Bridge and also some of the structures on the St Marys Pass.

Time expired.

Frank MacDonald Memorial Prize

[8.09 p.m.]

Mr FAIRS (Bass) - Honourable Speaker, I rise tonight to talk about my participation in this year's Frank MacDonald Memorial Prize. The initiative is in honour of our last World War One veteran and gives six year nine students the chance to travel to Brussels and France in what I can only describe as the most educational and emotional journey I have ever been on. What I experienced and learned is still very raw, but I will do my best to get through it tonight. I was told by many before I left that this tour would affect and change me. While I did not think that much of it at the time, I can honestly say it has.

You can watch as many movies, TV series, look at photos, read online articles and all that sort of thing about the scale and horror of World War One, but unless you are standing there on a battlefield - and we toured many where there are to this day thousands of bodies under you that will never be recovered, always be missing and unknown, and families getting no closure whatsoever. It is hard to process that. How can you? I am still asking myself that.

This war saw mankind at its worst, absolute worst, but during their journey, there were glimpses of mankind at its best, like at the Cobber sculpture which stands as a memorial to the Australian service and sacrifice at the Battle of Fromelles on 19 July 1916. It was the first action on the Western Front and the battle proved disastrous. It is regarded as the worst 24 hours in Australian military history. Australians suffered more than 5500 casualties. Almost 2000 of them were killed in action or died of wounds, and some 400 were captured. For context, in that one night at Fromelles, the Australian casualties were equivalent to those in the Boer, Korean and Vietnam wars combined.

This memorial may be quite emotional. It depicts an Aussie digger carrying out a mate. It got me thinking. Despite our soldiers dropping like flies and getting cut to pieces through artillery and machine gunfire, the Aussie spirit to save their mates shone through. I will never forget attending the Anzac dawn service at Villers-Bretonneux and laying a wreath with one of the prize winners, Henry, from Devonport.

The Last Post sounding out from the tower was just amazing and sent shivers down my spine. It still does. As did the community breakfast at Le Hamel. To this day, the locals turned out in droves to thank our diggers for saving their town. A touching moment was when the youngsters from the local school turned out and presented us all with knitted poppies and pictures that they drew and that they made especially for us. It was just so special and emotional and moving.

Also my pilgrimage, paying tribute and laying a wreath to a bona fide war hero in James Ernest Carter from Launceston at Mouquet Farm in France is something I will never forget.

I want to sincerely thank Premier Jeremy Rockliff for the amazing opportunity to represent him, the Tasmanian parliament, and all Tasmanians. I am truly honoured.

I want to congratulate this year's participants: Grace Swan, of Rose Bay High School, Isabelle Scott, Parklands High School, Lilith Fleming, Taroona High School, Lorette Smith, Latrobe High School, Henry Payne, Devonport High School and Noah Johnson, St Aloysius Catholic College. I am so impressed how you embraced this journey and how you grew with the knowledge gained. It was incredible to witness.

Every one of you young Tasmanians on this journey should be so proud of your pilgrimages as well. They were so inspiring. I would like to acknowledge the rest of the team as well - because that is what we were, we were a team. To the teacher chaperones, Mr Greg Rawlings from Hutchins, Ms Annette Parker of Triabunna District School, RSL Rep Big Johnson and of course, our tour leader, Emily Smith, thank you so much.

To our battlefield expert Rob Deer, himself a nine-tour veteran and who the participants called little Rob - because, Speaker, I was big Rob and he was little compared to me - but, thank you. His knowledge was irreplaceable and so inspiring. Seriously, it was amazing what Rob knew and how he would talk about it to us. Rob is based in the UK, and he and his sons and father are actually on the Western Front at the moment, as I speak. I was just messaging him. Thank you so much. It was truly memorable.

Summing up, I would like to say to this place please, if you get the chance to go to the Western Front in France and Belgium, please just do it. It is life-changing and to all up-and-coming Grade 9 students, please enter the competition. Let us keep our World War One diggers and memories live on for generations to come. Lest we forget.

Macquarie Point Stadium - Comments by Mr Abetz

[8.14 p.m.]

Mr BAYLEY (Clark) - Honourable Speaker, I want to start by reading in a quote about the stadium from Minister Abetz in response to a very good question from Mr Willie about the source of stadium funding. The minister said:

> This is a project that is currently about 50 per cent designed. There will be other matters that need to be dealt with along the way and that is one of them, that, at the very beginning when the business case was made out for the stadium, it was very clear what the capital impact or contribution would be, and then the balance would be by way of public-private partnerships and/or borrowings. That has always been made clear.

I will pause and highlight the fact that it is pretty extraordinary for this parliament to be asked to vote to approve a stadium that is only half-designed. However, I want to focus on the comment from the minister about the stadium's business case. I will read again what the minister said:

> At the very beginning, when the business case was made out for the stadium, it was very clear what the capital impact or contribution would be, and then

> the balance would be by way of public-private partnerships and/or borrowings.

He repeated a very similar statement on ABC Radio this afternoon. The problem is that that is not true. I have page 65 of the business case here, a page that has become rather infamous thanks to Mr Abetz. This is the page where the actual funding model for the stadium is laid out. On this page, there is a table titled 'Cash Flow, Capital Funding', then underneath it, it lists the funding sources. Despite what the minister said at least twice today, the public-private partnership is not included in the business case funding model. Borrowings are listed here in the business case, yes. In fact, contrary to the government's current absurd argument, these borrowings are listed as a source of capital funding. However, there is no public-private partnership in the business case funding model, which is what the minister said. This is a basic fact that is not in dispute. The minister must correct the record.

Of course, we know the idea of public-private partnership was actually first put forward well over a year after the business case was released as part of the Premier's cost cap promise at the election. The whole point of the cost cap announcement was to override the business case by changing the funding arrangements for the stadium through the introduction of private funding. The government's position changed from saying it would borrow money to fund the stadium cost shortfall, to saying it would fund this shortfall through private investment. That is why the Premier said at the last election:

> $375 million will be invested, not a cent more, and of course, the rest to come from the private sector in a true partnership to realise that vision.

The minister has said on numerous occasions now that borrowings for the stadium were always part of the plan. If that was the case, that means the Premier was dishonest with the Tasmanian people throughout the election. Let me read again the Premier's quote:

> $375 million will be invested, not a cent more, and of course, the rest to come from the private sector

No mention of borrowings. In fact, the Premier did not mention borrowings being a source of funding once in the entire press conference about his cost cap promise, nor in the media release about it. He did not talk about borrowings in the campaign at all. Borrowings were part of the plan in the 2022 business case, but the Premier promised they were no longer part of the plan at the 2024 election. Now, they are back as part of the plan.

The government, and this minister specifically, are pretending borrowings are not capital, despite the fact that their own stadium business case, which they love to talk about, contradicts them. Regardless of anything else, the minister said the stadium business case's funding model included the public-private partnership when it did not. That is a fact. The minister must correct the record again.

Rosny College Production of *Newsies*

[8.18 p.m.]

Ms BROWN (Franklin) - Honourable Speaker, I rise tonight on the Adjournment to speak about an event that I went to recently. I had the pleasure of attending the opening night

of Rosny College's production of *Newsies*, which is a personal favourite of yours. It was a truly cracking show with over 60 students involved to bring this production to life, including onstage, backstage, in the orchestra, and front of house. It was a shining example of what dedication and creativity in a school can achieve.

I will acknowledge a few key people whose vision and leadership were central in the success of this production. The director, Clare Latham; co-musical directors Suze Quinn and Matthew Ives; Nicole, who was the costume designer and, gosh, those costumes were good. It really captured the character and the grit of the time.

I want to make special mention of the two leads, Isaac, who played Jack Kelly, and Sophie, who portrayed Katherine Plumber. From the very first scene, Isaac set the tone for the entire show, belting out the opening number of *Santa Fe* with heartfelt conviction. He was joined on the stage by Finn, who played Crutchy, who was a favourite character of mine. It was not just the leads; every single student on that stage made it something truly special. Their passion and commitment brought the musical to life. It was really moving and memorable as a musical. I want to put on the record how truly sensational it was.

For those who are not familiar with the storyline, it is a real-life story of newspaper boys who went on strike in 1899 in New York City and it follows the ragtag bunch of kids who sold papers. One day, the publisher decides to hike up the fees and so, what do we do when there are unjust things? We form a union and go on strike. As somebody who values the union movement, this show made my union heart very happy. The themes of solidarity, standing up for what is right, standing by your mates and pushing back against unjust things were front and centre of this show, and the cast delivered those messages with such fire. I walked out of that show really pumped up to pay my union fees that week.

Congratulations again to everyone involved: the staff members, the students and everybody supporting this outstanding production. There is still time to see it and I encourage everybody to seize the day and book your tickets.

The SPEAKER - I think you all should be very proud of me for not bursting into *Seize the Day* there.

Kim Brundle-Lawrence - Tribute

[8.22 p.m.]

Mr SHELTON (Lyons) - Honourable Speaker, I rise this evening to pay tribute to a wonderful woman who has dedicated her life to volunteering for community organisations for the last 60 years, Kim Brundle-Lawrence of Carrick. Now a Lyons resident, Kim began her lifelong love of volunteering at the age of nine while in primary school, where students were offered the chance to participate in a first aid course. This led her to join a Red Cross youth group in high school and from there, the love of volunteering grew.

During her 60 years of volunteering with the Red Cross, Kim has worked in all areas, from reception to meal delivery, trauma teddy coordination, patient transport and social visits to have a cup of tea with a community member in need of a chat. She has travelled to Queensland many times during floods, cyclones and crisis recovery and also to Victoria to assist in the bushfire recovery.

Kim's volunteering is not just limited to Red Cross. For the last 35 years she has been a part of the Carrick volunteer fire brigade, joining with her now late husband, Peter, to give back to the community. This was back in the days when women did not generally join organisations such as this. At the time she questioned, 'Why can't a woman join?' so she did join and continues to volunteer there today, working as a permit officer and brigade secretary.

Kim is an extremely busy lady and her time volunteering has covered many organisations. She is involved in 14 volunteer committees including Lifelink Samaritans, City of Launceston RSL Band, Launceston City Band, the Veterans Car Club, in which her late husband, Peter, was also heavily involved, the Carrick Neighbourhood Watch and the Motorcycle Riders Association. She also holds a committee position on the board of the Australian Institute of Emergency Services, where she can proudly provide a voice for emergency services by speaking out on issues that affect members and the community in general.

It is no surprise that Kim has been awarded a life membership of the Red Cross and, in 2019, she received the Medal of the Order of Australia for her commitment to volunteering. She has no plans to retire from volunteering and I am pleased to say that the local community is in great hands while she continues her valued place in the volunteering world.

I first met Kim and Peter when I became involved in the Meander Valley Council and they were involved in the Carrick community. I am proud to say she is friend of mine.

To Kim Brundle-Lawrence, we thank you for your hard work and dedication and look forward to seeing you do what you love for many years to come.

Macquarie Point Stadium

[8.26 p.m.]

Ms BURNET (Clark) - Honourable Speaker, I rise tonight to talk about the Macquarie Point Stadium. It is a pity that the debate over the stadium at Macquarie Point has become the most divisive issue in Tasmania today. The harassment of members of the Legislative Council and the smearing of any and all experts who point out the multiple flaws in the project certainly shows part of that division.

There is the threat that without this specific stadium, in this specific place, right here and right now, Tasmania will lose the team that we have waited so long for - and all this during a cost-of-living crisis at a time of global uncertainty. How did we get here?

The Greens do not object in principle to government spending money on projects that do not necessarily return a financial benefit, just as we do not when there are improvements to social and environmental outcomes, but this is far from that.

As the government has rightly said, if a cost-benefit analysis was the only rubric by which we made decisions, we would not build any hospitals and we would not be investing in schools or roads. There are intangible benefits to elite sport that go beyond the extra dollars spent in nearby restaurants or increased participation in programs like Auskick. On the other hand, the costs are not just those we see on the balance sheet.

What is the cost of abandoning the truth and reconciliation park proposed for Macquarie Point, breaking any goodwill and trust that was had with the Palawa community? What is the cost of taking a wrecking ball to the planning system, as we have witnessed when a decision does not look like it is going your way?

When we balance the unarguable negative impacts of the proposed Macquarie Point Stadium against nebulous future positives, there can only be one conclusion. It does not stack up. It is not worth the risk of saddling future generations of Tasmanians with the enormous bill for this folly. This is the result of a classic boys club carve-up. This terrible deal implies that a sporting juggernaut, the AFL suits from Melbourne, is a more powerful negotiator than our state government.

This proposal was often wrongly compared with stadiums in other capital cities. Macquarie Point is not the Docklands. Adelaide Oval is in the city centre where there has been a growing population for over 150 years. Western Sydney has a population of 2.5 million.

Professor Philip Thales, former City of Sydney councillor and 2024 Australian Institute of Architects gold medallist, has suggested we could be looking at the most expensive stadium in the world in terms of cost per seat per capita.

The Tasmanian Planning Commission (TPC) interim report laid bare a number of insurmountable flaws with the stadium plan. These will certainly not be satisfactorily addressed by enabling legislation. The flaws are fundamental; they are built in.

Even if we could afford it, even if we wanted it, the stadium looming over the Hobart waterfront and its beautiful heritage is utterly incongruent with what makes this place special. It does team Tasmania a disservice. We urgently need more housing. We urgently need more investment in health, education and public transport. I am glad the Treasurer is here to hear this in the budget week.

Governing involves making choices about what projects take priority. We must move on from this fever dream. The Devil's AFL licence is for 12 years. A pragmatic approach spelled out recently in *Tasmanian Times* would see the team play primarily at Bellerive and York Park for their formative years. Once the team is established, it will be clear whether a new stadium is really required for them to take the next steps. If it is, this must happen in a consultative way that engages the whole community instead of secret deals behind doors on our behalf.

The first thing that needs to happen is that we must come to our collective senses and abandon the Macquarie Point Stadium before it is too late.

The House adjourned at 8.31 p.m.

APPENDICES

Appendix 1

Petition No: **7 of 2025**

RESPONSE TO PETITION

TITLE OF PETITION: Petition No 7 of 2025 Member of Lyons – Salmon farming leases off Yellow Bluff

The petition of the undersigned citizens of the electorate of Lyons calls on the Government to "stop further expansion and permanently withdraw all leases for fin fish farming in Storm Bay, Fredrick Henry Bay and Norfolk Bay."

GOVERNMENT POSITION:

This Government is focused on providing certainty and stability for Tasmanians, keeping our economy strong, creating more jobs and building confidence in our regional communities, and we want to see the industry continue to sustainably grow, innovate and remain a key economic driver. We are also committed to managing our waterways for all Tasmanians, including future generations, which is why the salmon industry is subject to extensive regulation.

The Tasmanian salmon industry is the most regulated and monitored primary industry in the state, if not the country. This includes regulation through the following legislation:

1. *Marine Farm Planning Act 1995* - Planning, zoning and allocation of marine farming lease areas and controls on their use and development.
2. *Living Marine Resources Management Act 1995* - Licensing of marine farms, whether in sea or on land, and permitting for the development of marine farming.
3. *Environmental Management and Pollution Control Act 1994* - Environmental management of salmon farming, as well as other environmentally relevant activities that interact with the environment.
4. *Inland Fisheries Act 1995* - Regulation of land-based hatcheries, nurseries and farms (finfish).
5. *Biosecurity Act 2019* - Regulation of biosecurity relating to marine and freshwater salmon farming operations.

6. *Agriculture and Veterinary Chemicals (Control of Use) Act 1995* - Regulation of handling, use and application of veterinary chemicals to ensure human, environmental and animal health.
7. *Animal Health Act 1995* - Regulation of matters relating to animal disease.
8. *Animal Welfare Act 1993* - Regulation of the welfare of farmed animals and of interactions between humans and wildlife.
9. *Nature Conservation Act 2002* - Regulation of interactions with wildlife.
10. *Water Management Act 1999* - Management and allocation of surface and groundwater (freshwater) resources.

These regulations are monitored and enforced by the Department of Natural Resources and Environment Tasmania (NRE Tas) and the independent Environment Protection Authority Tasmania (EPA).

The EPA is responsible for environmental standards and regulation of marine and freshwater finfish farms with which aquaculture companies must comply.

RESPONSE:

- No finfish farming is proposed or permitted to be conducted in Fredrick Henry Bay or Norfolk Bay.
- It is understood that the critically endangered red handfish (*Thymichthys politus*) is highly restricted to only a handful of locations near and around Primrose Sands in Fredrick Henry Bay and that these locations are over 20 kilometres away from the nearest finfish marine farming lease area in Storm Bay. The red handfish is not threatened by finfish aquaculture activities.
- The coastal waters of southeastern Tasmania are subject to what is arguably the most intensive and comprehensive environmental monitoring and modelling of any coastal area in Australia. Decades of peer-reviewed independent research conducted by world leading scientists at IMAS and the CSIRO underpins the regulatory framework that applies to salmon marine farming operations across the region.

- The current Marine Farming Development Plan (MFDP) areas and associated marine farming zones and leases in Storm Bay, including Petuna's North Storm Bay MFDP, were established following proponent-led statutory planning processes that commenced in 2017 and 2018 and were considered in accordance with the provisions of the *Marine Farming Planning Act 1995* (the Act). These planning processes included extensive environmental impact statements, consideration by the Director EPA and public consultation, all of which is on the public record and available to review on NRE Tas's website.
- While it has not yet done so, Petuna is entitled to apply for an amendment of the North Storm Bay MFDP, marine farming zone and lease pursuant to the provisions of the Act which, as noted, would involve statutory consultation.
- The Government supports decision making that is informed by evidence-based science and consistent with the provisions of relevant legislation. In this regard, Government does not support any moves to remove sustainably operated finfish marine farming lease areas that are subject to best practice environmental management and regulation by the independent EPA.
- There is no documented evidence that finfish farming in Storm Bay has had a detrimental effect on recreational fishing stocks. Moreover, the most substantial effect finfish farms have on recreational fishers in Storm Bay, is that fishers must navigate around marine farming lease areas.
- Government strictly regulates marine farming operations, with regular shoreline inspections and marine farming equipment audits under a dedicated compliance and inspection program.

Eric Abetz MP

MINISTER FOR BUSINESS, INDUSTRY AND RESOURCES

Date: 12 May 2025

Appendix 2

Petition No: **1-2025**

RESPONSE TO PETITION

TITLE OF PETITION:

The petition of the undersigned Citizens of Tasmania draw to the attention of the House that the business of meat processing in Tasmania has become concentrated among a small number of large-scale operations, resulting in:

- More stress and cases of poor treatment of animals, which also leads to lower quality meat;
- Environmental impacts including increased greenhouse gas emissions, higher 'food miles', and less sustainable waste disposal; and
- Impacts on regional communities including loss of local jobs, skills and small farms, as well as reduced 'paddock to plate' tourism and hospitality opportunities.

Your petitioners request the House to call upon the Government to:

1. Introduce legislation to facilitate and encourage best practice on-farm, local and regional slaughter, meat processing and waste disposal.
2. Invest authority for development approvals and operational oversight of relevant facilities in the Chief Meat Inspector; and
3. Fund appropriate training and accreditation for producers and workers throughout the supply chain.

GOVERNMENT POSITION:

The Tasmanian Government has been working with industry over the last twelve months to find innovative solutions for on-farm processing that don't compromise food safety, animal welfare or environmental standards.

We want to support our small, local producers to prosper, while protecting our reputation as a safe food supplier and maintaining consumer confidence and market access for Tasmanian meat products.

Improving access to small-scale and mobile meat processing can also help reduce transport stress for animals, lower emissions, and support local jobs and supply chains. These broader benefits are being kept in view as our work progresses.

On-farm and mobile commercial livestock slaughtering and meat processing is able to be undertaken now subject to relevant standards being met, but we are keen to see if there are opportunities to make it easier to do business in this way..

On 7 March 2025, Biosecurity Tasmania convened the first of three meetings with the principal petitioner Matthew Tack, Sprout Tasmania CEO Jennifer Robinson, and other industry representatives. The meetings were also attended by representatives from the following government entities responsible for, or associated with, the regulation of livestock processing (small scale and mobile) in Tasmania:

- Local Government Association of Tasmania
- Consumer Building and Occupational Services
- National Heavy Vehicle Regulator
- State Planning Office
- Environment Protection Authority
- Waste Recovery Board
- TasTAFE
- TasWater
- Department of Health.

These meetings have been chaired by independent Chair, Felicity Richards, who is also chair of the Tasmanian Livestock Processing Taskforce.

The meetings have identified that a key issue underpinning the petition is the complexity of applying for approval to operate a small-scale or mobile abattoir in Tasmania. Small-scale is interpreted as a facility processing less than 100 tonnes of meat product per year. There are currently 14 small-scale abattoirs operating in Tasmania. There are currently no mobile abattoirs. Importantly, the legislation does not prohibit a mobile abattoir from being established in Tasmania as long as it can show compliance with the relevant standards.

Furthermore, the meetings have scoped the regulatory requirements associated with applying for approval to operate, and subsequently operating, a small-scale or mobile abattoir in Tasmania.

Biosecurity Tasmania is now working collaboratively with other agencies to develop the following:

- A guide for individuals and businesses seeking to establish and operate a small-scale or mobile abattoir in Tasmania. The guide will include an overview of all requirements, a business plan template, and information about how to apply for the necessary approvals.
- A framework for consultation between regulators to minimise duplication in the approvals process; ensure consistent information is provided across agencies; clarify areas of responsibility; and ensure smooth and timely referrals between agencies.
- A list of regulatory challenges, administrative and/or legislative, which may need to be addressed, to be referred to the relevant department and responsible Minister for consideration.

The principal petitioner, Sprout Tasmania and other industry representatives will continue to be consulted as this work is undertaken.

Draft guidelines are expected to be developed by mid-to-late July 2025.

In response to the three specific matters outlined within the petition, the following responses are provided:

1 *Introduce legislation to facilitate and encourage best practice on-farm, local and regional slaughter, meat processing and waste disposal.*

A review of existing legislation is being undertaken and where legislative changes are identified as necessary to address challenges or encourage best practice, they will be brought to the attention of the relevant Ministers.

2 *Invest authority for development approvals and operational oversight of relevant facilities in the Chief Meat Inspector; and*

The review of existing legislation will consider if the current approvals process, as legislated, is appropriate. The development of a framework to improve consultation between regulatory agencies will assist in the smooth and timely processing of applications.

3 *Fund appropriate training and accreditation for producers and workers throughout the supply chain.*

The guidance material being developed will assist producers to better understand their obligations with respect to establishing and operating a small-scale or mobile abattoir. The Certificate III in Meat Safety Inspection, required to be held by at least one person on site at an abattoir, is available from Registered Training Organisations on the mainland. The accessibility of this qualification - including the feasibility of local delivery options - will be considered as part of the regulatory review.

Jane Howlett MP
MINISTER FOR PRIMARY INDUSTRIES AND WATER
Date: 26 May 2025

Appendix 3

Petition No: **6 of 2025**

RESPONSE TO PETITION

TITLE OF PETITION: Rabbit Infestations in Tasmania

The petition of the undersigned Citizens of Tasmania draw to the attention of the House:
the significant issues faced by rural and peri-urban communities in Tasmania due to significant increases in the population of rabbits around Tasmania and the damage being caused by this introduced, invasive species to the environment and infrastructure in these communities.

Your petitioners request that the House call on the Government to:

- Work with the Federal Government to secure a reliable means of controlling the invasive rabbit population in Tasmania beyond the reliance on a single laboratory,
- Work with the Federal Government and landowners to develop alternative biocontrol measures to mitigate the exponentially increasing rabbit populations,
- Create a grant scheme that will fairly compensate community groups, organisations, departments, and farmers in exceptional circumstances who have used their own resources to deal with the plague impacts caused by government inaction, including to rebuild structures compromised by warrens.

GOVERNMENT POSITION:

Work with the Federal Government to secure a reliable means of controlling the invasive rabbit population in Tasmania beyond the reliance on a single laboratory

There was a nationwide shortage of Rabbit Haemorrhagic Disease Virus (RHDV or calicivirus) in 2024 due to difficulties associated with obtaining critical laboratory reagents required to produce the virus. The Department of Natural Resources and Environment Tasmania (NRE Tas) was on a waiting list with other jurisdictions for the virus to become available. Importantly, sufficient virus supplies were secured to undertake a comprehensive calicivirus release in Autumn this year.

In Australia, RHDV1 is only manufactured at the New South Wales (NSW) Department of Primary Industry - Elizabeth Macarthur Agricultural Institute. The virus is sold in a freeze-dried form at a cost of approximately $120 per vial.

The virus itself is reproduced in live rabbits which have been specifically bred in closed environments to ensure that the rabbits have not been exposed to calicivirus. It takes numerous rabbits at each stage of the process to produce one vial of RHDV1 and it is a highly specialised process.

The NSW Department of Primary Industry has recently brought the rabbit breeding component of virus production inhouse, with the intent of safeguarding a constant supply of rabbits to allow a consistent production of the virus.

Given the complexity of production and the comparatively small quantities of virus required for Tasmanian use, producing RHDV1 within Tasmania would not be a cost-effective proposition at this time.

It is understood that the CSIRO is currently researching the use of rabbit organoid systems (3D cell culture systems that mimic miniature organs) for growing and studying rabbit caliciviruses in vitro. Should this development come to fruition, it could greatly reduce the cost of virus production and widen its scope.

Work with the Federal Government and landowners to develop alternative biocontrol measures to mitigate the exponentially increasing rabbit populations

The Tasmanian Government uses science-backed wild rabbit control methods and is supportive of alternative rabbit control technologies being developed. The development of such technologies requires research to determine their practical application, suitability in the environment and the public's acceptance or social licence to implement them.

This work is being guided at a national level through 'Australia's Rabbit Biocontrol Pipeline Strategy' (Australias-Rabbit-Biocontrol-Pipeline-Strategy.pdf), which was released last year and has been endorsed by all Australian governments at both the State and Federal levels. The Strategy outlines ten recommendations to improve the use of existing biocontrol agents and develop new biocontrol tools.

One of the key recommendations of the Strategy is to undertake proof-of-concept studies on the technical feasibility of genetic biocontrols for rabbits modelled on successful strategies applied in model vertebrate organisms.

The Strategy, developed by an experienced group of scientists from NSW, South Australia and Victorian Government agencies and the CSIRO, also highlights the importance of better integration of biological control with conventional controls, as well as an increased focus in extension and adoption methods.

Create a grant scheme that will fairly compensate community groups, organisations, departments, and farmers in exceptional circumstances who have used their own resources to deal with the plague impacts caused by government inaction, including to rebuild structures compromised by warrens.

Asset protection, and shared responsibility between government, industry and land managers, are accepted principles for the management of invasive species in Tasmania and nationally. The General Biosecurity Duty (GBD) in the *Biosecurity Act 2019* (Tas) reinforces the notion of "shared responsibility" through the general biosecurity duty, which directly places responsibility on people and entities to avoid creating biosecurity risks and impacts.

For established pests such as wild rabbits, landowners have primary responsibility for managing rabbits on their land. The Government's role is to support land managers/owners, through maintaining a regulatory framework and providing advice on best practice. NRE Tas delivers a rabbit management program that supports landowners and statutory land managers to control rabbits impacting on the land they own or manage. They also assist landowners through providing baiting services using Pindone and biocontrol using calicivirus when conditions are suitable. NRE Tas has been undertaking a comprehensive calicivirus release in the Autumn of 2025 to support landowners and land managers who are experiencing rabbit impacts.

Creating and delivering a Rabbit Impacts Grant Compensation Scheme would be expensive, complex to administer, and could perversely discourage landowners and land managers from proactively managing rabbits on their land. Such compensation schemes have not been found to be cost-effective and no other State Government has such a scheme in place at this time.

Landowners can obtain information about rabbit control techniques and developing a rabbit control program from the NRE Tas website at: https://nre.tas.gov.au/invasive-species/invasive-animals/invasive-mammals/european-rabbits. They can also contact Biosecurity Tasmania at biosecurity.tasmania@nre.tas.gov.au or on 6165 3777 should they wish to discuss rabbit management options for their property.

Background

Rabbits have been described as Australia's most economically significant vertebrate pest (Cook et al. 2013), with substantial impacts on both agricultural and environmental values (Commonwealth of Australia 2015). Wild rabbits are widespread throughout Tasmania and therefore eradication is not considered viable. Control programs delivered by Government must therefore be linked to high priority outcomes and the protection of shared values, such as high value agricultural assets and significant environmental values.

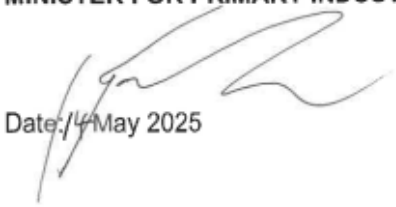
There are agreed management principles and goals identified in national and State frameworks and strategies underpinning established pest management work. These include: The Framework for the National Management of Established Pests and Diseases of National Significance (National Biosecurity Committee, 2016), developed as part of Intergovernmental Agreement on Biosecurity (IGAB); the Tasmanian Biosecurity Strategy 2013-2017; and Biosecurity Tasmania's Strategic Plan (2019-2024).

These documents promote asset protection as the management aim for established species; the importance of shared responsibility; the value of cooperative approaches / partnerships between stakeholders; government support of industry and community groups, and Government as the sole investor only where they are the public asset manager.

Biosecurity Tasmania's Strategic Plan (BT, 2019) identifies core services, including: the provision of support and advice to land managers; maintenance of biosecurity awareness; and engagement programs promoting shared responsibility. Also relevant are the enforcement of agriculture and veterinary chemical regulations and upholding appropriate animal welfare standards. A key objective of implementing these principles is that management and control options by Government for established species concentrate on public benefit and supporting strategic actions by others. Doing so ensures that our limited resources can be directed towards prevention and incursion response, rather than the ongoing, resource-hungry management of established species. The Government intends to continue to manage and deliver the strategic release of biological control agents (calicivirus) while educating land managers and service providers that calicivirus is one of a suite of management tools.

Jane Howlett MP

MINISTER FOR PRIMARY INDUSTRIES AND WATER



Date: 14 May 2025