



**PARLIAMENT OF TASMANIA**

**LEGISLATIVE COUNCIL**

**REPORT OF DEBATES**

**Tuesday 29 June 2021**

**REVISED EDITION**



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**Tuesday 29 June 2021**

The Deputy President, **Ms Forrest**, took the Chair at 11.00 a.m., acknowledged the Traditional People and read Prayers.

## **TABLED PAPERS**

### **Government Administration Committee A - Special Report**

**Ms WEBB** (Nelson) - Madam Deputy President, in accordance with Legislative Council sessional order 5(14) I have the honour to present a special report of Government Administration Committee A in relation to an inquiry initiated by the committee on its own motion into the Commonwealth Horizontal Fiscal Equalisation (HFE) System.

I move -

That the report be received.

**Motion agreed to.**

## **LEAVE OF ABSENCE**

### **Member for Derwent - Mr Farrell**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) (by leave) - Madam Deputy President, I move -

That the President be granted leave of absence from the service of the Council for this sitting day.

**Motion agreed to.**

## **SPECIAL INTEREST MATTERS**

### **Helen and John Conway - Richmond Football Club**

[11.04 a.m.]

**Ms LOVELL** (Rumney) - Madam Deputy President, it gives me great pleasure to share with the Chamber today a little piece of this parliament's history which I hope members will find as intriguing as I did.

I welcome to the Chamber Helen and John Conway from the Richmond Football Club, one of the great sporting clubs in my electorate and one I am very happy to be a supporter of. John and Helen have been involved in the club for some 20 years now, with both taking on official roles in the club in 2002. Since then John has been president of the club and Helen has taken on committee roles, including treasurer and secretary for the majority of that time. Last

year, in recognition of this strong commitment to the club and to the sport, John and Helen were recognised with life membership of the Old Scholars Football Association. They are the first members of the Richmond Football Club to be awarded such an honour. I know there are many in this Chamber who would be pleased to hear that Helen was the first woman to be recognised with life membership of the association. Hopefully, she will be the first of many.

This achievement was recognised in the July 2020 edition of the *Eastern Shore Sun*, and I quote from the article outlining some of the achievements John and Helen have contributed to:

John demonstrated an enormous ability to lead a community organisation, develop healthy relationships with key stakeholders such as the Clarence City Council, plan for the health and wellbeing of club members, and, consider the best interests of the game in making strategic decisions. John's list of achievements at the club include nine senior grand finals, five wins; six reserves grand finals, three wins; the upkeep of Richmond Oval; the driver of \$2 million of capital improvements to Richmond Oval; the initiator of night football at the club; the establishment of the Richmond Mini Blues program and a strong advocate of Association representative football.

The article continues:

Helen has been secretary at the club for the past 17 years, and treasurer for many of those years. Her contributions to the club range across key areas including sponsorship, marketing, player registrations, fundraising, bar and kiosk operations, volunteer management, members, player apparel, stakeholder communication, matchday management, governance, and risk management.

That is quite a list. Without the extraordinary commitment from Helen and John, the club would be in a very different position. However, as impressive as their commitment to the club is, this is not my primary reason for inviting Helen and John here today. It came to my attention during a recent visit to the club that Helen actually used to live here at Parliament House. Helen's grandfather, Frank Debnam, was a caretaker at Parliament House. He lived here with his family, including Helen, for nearly 10 years from 1945, after World War II.

Annette and I have attempted to find out what we can about the Debnams and their living arrangements, but despite the Parliamentary Library's best efforts, there appears to be very little on record. In fact, the only mention the library could find was of Mr Frank Debnam in an article from the *Mercury* of Tuesday 12 September 1939 - prior to the time Helen and her family lived here. The article is titled 'Room in House of Assembly ransacked', and reports:

An occurrence in which two men, after making their way on Saturday into Parliament House Hobart, ascended to the upper storey and played havoc with the contents of the Opposition Party room ...

Sergeant Edwards stated that, following a call received at the wharf police station from the caretaker at Parliament House, Mr Frank Debnam, he went there, and entering the Opposition room, found the accused, one seated at a typewriter, and the other by his side. The room was in a state of disorder,

papers and books having been thrown about, while one of the doors was barricaded with chairs piled against it.

Asked what they were doing there, the accused said that they were under the influence of liquor and did not know what they were about. They were taken downstairs, but on entering the Parliamentary Reserve outside, bolted in opposite directions. Witness chased and secured Cecil Goodwin. The other was pursued by Debnam and his son-in-law, Sydney Waddington, and after a chase through St David's Park and along Harrington and Gladstone streets, he ran into the Esplanade Hotel, where he was caught by Waddington, and held until witness arrived and took charge of him.

Members will be pleased to hear that the two accused men - Richard and Cecil Charles Goodwin, pleaded guilty to the charge of having been in the building for an unreasonable purpose.

It is a great shame that so little formal record exists. But Helen tells me that the family lived in the area that we believe now houses the Opposition Party Room and offices, and that another family resided at this end of the building - the Boxhalls. Helen remembers her grandfather Frank had a little side business hiring caravans to members of the public. He used to store two or three at a time in what was then the backyard of Parliament House, probably about where our offices are right now. When parliament was not sitting, Helen and her sister had the run of Parliament House.

I believe that one of the Debnam family ended up marrying a member of the Boxhall family.

Helen's time living at Parliament House came to an end when her family bought a home in New Town, which I believe was when she was around 13 years of age. It must have been quite a childhood for Helen and her sister. Not many people can say they spent their childhood racing around Parliament House. I believe this is actually Helen's first visit back to Parliament House since she lived here, so she will be having a look around later to see what she can remember.

I was so intrigued when I heard about Helen's childhood here and thought members may be equally interested. I thank Helen for being here today and sharing with us a little piece of Parliament House history.

I congratulate Helen and John for their outstanding commitment to the Richmond Football Club. It is my absolute pleasure to have them here today.

**Members** - Hear, hear.

### **Zafira Fine Foods and Friends of Zafira**

[11.11 a.m.]

**Mr WILLIE** (Elwick) - Madam Deputy President, today I welcome Kirsten Singleton and Hanif Iqbal. It is my great pleasure to have them here today. Hanif's great success story is that he has just completed honours in medical research and he is planning on studying a PhD.

The context of that will be forthcoming. Kirsten is the owner of Zafira Fine Foods and the founder of not-for-profit Friends of Zafira Group.

The Zafira journey began in 2017 when Kirsten purchased a takeaway store in Moonah with Amin Safa, the president of the Hazara community of southern Tasmania. Kirsten and Amin shared a long-term vision to establish the premises as a training provider for former refugees and asylum seekers with a strong focus on bettering the lives of refugees from Afghanistan. It certainly was not long before the traditional Aussie takeaway store was operating as a new opportunity for many migrants. We all love our food and what better way is there to connect, learn, share culture and forge friendships than over a good meal.

In its early days Kirsten shared with me why she was so determined to make the Zafira concept work. Through Kirsten I learnt that our migrant communities in Tasmania, Hazara people in particular, were struggling to access work, training and education opportunities. Their migration journeys were amplified by trauma, systemic discrimination, limited or no education and persecution, which is still ongoing in Afghanistan. Coping with such extreme experiences, which we can only imagine, combined with a lack of English and opportunity, was creating health risks and social barriers for the Hazara people. The Zafira concept aims to improve the lives of our Hazara people and create opportunity for education and employment.

Since 2017, along with its sister not-for-profit Friends of Zafira, Zafira has provided employment for more than 25 migrants, as well as offering training and social supports. Former refugees, current refugees and students on temporary work visas have all worked at Zafira Fine Foods. Many have gone on to further education, training, work and business opportunities in Tasmania and even interstate. This includes founder, Amin, who left Zafira to operate his own successful tiling business in Moonah. Just recently Zafira staff also had the opportunity to collaborate with Lost Pippin Cider at Dark MOFO's Winter Feast and I am sure it will not be the last time we will see them there.

With kindness and dignity, the Zafira team is facilitating the integration of many Hazaras into the community. Additionally, the Zafira team aims to show our greater community some of the riches of Hazara culture and they are committed to developing awareness of experiences of refugees and building a greater understanding of Afghan culture and traditions.

I highlight the Zafira cultural experience classes, which anyone can participate in and I invited the Deputy President to come with me to Moonah this morning. My Labor Legislative Council colleagues and I attended a class and we were joined by students from Friends School. The students made a delicious Afghan meal under the watchful eye of Zafira cultural officer, Najibeh. Afterwards, we heard firsthand experiences from Afghanistan and we learnt about the culture and history. It was during this experience where I could see kindness, compassion, friendships and confidence that Kirsten has nurtured through Zafira Fine Foods.

Zafira Fine Foods and Friends of Zafira also have a community garden operated by volunteers and host community events which aim to bring the locals of Moonah together. Future plans for Zafira include employing a biocultural worker - an interpreter - to deliver a range of projects targeted at improving personal wellbeing and social inclusion of former refugees.

I have just been informed they have received a two-year Tasmanian Community Fund grant to assist with employment and training opportunities for the Hazaras. I look forward to



watching that work unfolding. Kirsten and the efforts of the Friends of Zafira group were recognised for their commitment to the Hazara community in the 2020 Human Rights Week Tasmanian Awards. Zafira means 'triumph over adversity'. It is reflective of a refugee's journey, but the same can be said for Kirsten's own journey in bringing her vision to fruition.

Despite the strain on her own wellbeing, Kirsten's selflessness has ensured migrant communities have been presented with opportunities previously not attainable, particularly in the northern suburbs of Hobart. Of course, all of us can enjoy Zafira every day of the week. I encourage you all to visit Zafira Fine Foods to sample the delicious and diverse flavours from Afghanistan and the Silk Road, say hello to the employees and thank the team for making difference in our community. It is truly an authentic experience you will not get anywhere else in Hobart.

### **Scotch Oakburn Middle School - Civics and Citizenship Unit**

[11.17 a.m.]

**Ms PALMER** (Rosevears) - Madam Deputy President, I do not think there is anything more nerve-racking than being asked to be a guest speaker at your child's own school. While, of course, it is an honour to speak at any school and for them to invite you to impart whatever knowledge you might have on young children, when it is your own child's school it takes on a whole new level of anxiousness. Will my child be excited I am at the school or embarrassed? Will they be proud of what I present?

Ringling in the back of my head - having had four children - I remember the words of my then 13-year-old daughter when I said to her she was really lucky to have me as her mum because I was pretty cool. She eyeballed me and quite bluntly said, 'It's the fact that you think you're cool that makes you so uncool.' Most unkind.

Still, when I was asked by Scotch Oakburn Middle School teacher, Mrs Meg Dondas, to address the grade 6 students as part of their civics and citizenship unit, of course, I agreed straightaway, hoping I would have better luck with my young son, Charlie. Scotch Oakburn College is an independent school and it has classes from early learning through to year 12. While its location is nestled in the member for Launceston's electorate, its students come from across Tasmania, including many from my own electorate of Rosevears.

I understand some of the students are actually on the other end of the cameras today watching proceedings here this morning and I certainly welcome them. The grade 6 students have been exploring the levels of government, how bills are proposed, how elections are run, and the roles and responsibilities of the premier. I was asked to simply add another layer to that conversation and to include in that conversation more specifically the role of the Legislative Council in Tasmania and its councillors.

It was a wonderful afternoon, with the children firing many questions at me and voicing their opinions. To say I was the one who was inspired is an understatement. That afternoon when I picked Charlie up from school I asked him what he thought of my presentation in the class and he said, 'You were okay', so I will take that as a compliment.

As part of the civics and citizenship unit, grade 6 made a road trip to Parliament House. They could not have picked a worse day for their trip. Heavy rain resulted in changes to their

plans, but they did make it to our reception area. They could not go any further due to COVID-19 restrictions. Thank you to the member for Launceston, Rosemary Armitage, for making the time to join me to meet dripping wet grade 6 students and teachers. Most of them wanted to know which electorate they would be voting in, if they were able to do so, and we did our best to answer their questions.

As part of the study unit, students were asked to write a principle for a bill outlining what they would like to see introduced if they were the premier. Various concepts were presented, including the need for more education about Tasmania's Indigenous people, and trying to get a Tasmanian A-League team. I asked Mrs Dondas to choose a couple of the presentations for me to highlight here today - presentations she felt reflected the mood of this age group. I doubt anyone in this place would be surprised to know that the environment was indeed the focus. From young Josh Mulford:

#### Refill Stations.

This bill will reduce one-use plastic bottle waste in Tasmania and pollution of the ocean. This issue needs to be fixed because it is affecting the whole earth. Sea life eat plastic and then they die or people will get that animal and then you might buy it a market, then you might eat it and then we will get very sick.

At tips they burn the plastic and it releases deadly greenhouse gases that cause climate change.

Josh wants to see free refill stations around Tasmania. He designed a water bottle and he designed the stations. He says the Government can pay for it, but it can raise revenue through advertising options on the bottles. As an incentive, Josh would also like to see taxes increased by 100 per cent on one-use plastic bottles.

My own son, Charlie, did his bill assignment on implementing harsher penalties on anyone who litters. Here is what he had to say:

#### Kill the Plastic.

My bill proposes that we will ensure there is a camera on every power pole and traffic light in Tasmania. The camera will be looking for people littering. If you get caught littering it will be a \$250 fine.

If this law was made when people received their first fine I guarantee they will not purposely litter again.

I did not realise he was listening to my conversations about community consultation and breakfast, but obviously he was:

Following community consultation across a wide range of age groups my research found that everyone would hate getting a \$250 fine and they would stop littering. Most people in our community care about the environment and this is why taxpayers will conveniently pay for implementation and management of the cameras, as well as the government.

I congratulate the grade 6 students from Scotch Oakburn Middle School for their enthusiasm for wanting to know how they can make a change in our society through legislation. I congratulate them for going deeper into the roles of our elected members. I congratulate their teachers for working with them to ensure that these 12- and 13-year-olds know their voice is important and we are listening.

### **Anthony Francis (Tony) Colman - Tribute**

[11.24 a.m.]

**Mr VALENTINE** (Hobart) - Madam Deputy President, on 24 October last year a very special person with significant connection to this place, passed away at the age of 74. His passing was most unexpected, way too early for a life so dedicated to those around him and the community which he so faithfully served. That person was Mr Anthony Francis Colman (Tony), an absolute master of his craft in heritage restoration. I thank his wife, Elizabeth, and son, Richard, for providing much of the information I am to share with you today and for allowing me the privilege, albeit somewhat delayed, to mark his passing in this House.

Tony was married to his much-loved partner in life, Liz, for some 48 years with whom he had two adult children, Richard and Angela. Tony was the son of the late Harry and Joyce Colman and brother of Roseanne. He was also the respected and admired father-in-law of both Ruth and Adam and the special, treasured Pop of Sophia and Lucy. They will all be missing him so much.

Tony spent his early childhood living at Anglesea Barracks and later the Brighton Army Camp where his interest in tradition and history began. While living at the Barracks he attended Albuera Street Primary School, over the back fence. At his funeral the story was recalled of him playing marbles in the dirt because there was no grass. I remember such times at my own school at Dunalley.

Tony's move to the Brighton Area School in 1954 provided quite a different environment with much wider open spaces, and where he had his first interactions with migrant Polish children, and those from Wybra Hall boys home.

These experiences may have been where the seeds of community service were first sown which Tony so obviously possessed, caring for his broader community.

Tony had fond memories of his days at Brighton Camp, of being transported to and from school in an army truck, including trips home for lunch, and several visits from Helen Reddy who would travel with her father to perform in Hobart for the national servicemen training at Brighton Camp. Another of his stories involved the camp mascot which was a goat of all things, how it would take part in official ceremonies. To ensure it was looking its best for the ceremonies it would be painted with white house paint and I am fairly sure it was not a live goat if that is what you may have been thinking.

Tony always maintained his interest in the Australian armed forces and regularly attended commemorative services, basically to never forget Tasmania's contribution to war.

The Boy Scouts introduced him to active community service with the 1st Claremont Scout Group after his family moved to the district in 1957. His interest in scouting was lifelong.

Attending Cosgrove High School was an education in itself, according to Tony. Being more athletic than academic he was a champion sprinter and keen Rugby Union player which was another of his loves, having played his last match in 2013 with the Golden Oldies at the age of 67, if my calculations are correct. You have to take your hat off to that, Madam Deputy President.

He apparently spent considerable time waiting outside the principal's office where he would admire and study the artwork adorning the adjacent walls, although that may only have been a passing interest as on more than one occasion he apparently received 'six of the best' so perhaps he was not so innocent after all.

Leaving school at 16 years of age, Tony commenced a French polishing apprenticeship with F H Vallance & Sons, a very well respected and pre-eminent Hobart furniture-making and restoration firm. The Vallances treated their employees as family which had a very positive impact on Tony's personal development. He also studied cabinet-making at the Hobart Technical College. Quite clearly, this developed his great love of fine colonial furniture, working his way up to foreman of the workshop.

In 1969 he purchased an 1850s former general store in Richmond which he converted to Ashmore Antiques, named after the builder of the store, William Ashmore. It was around this time that a young Elizabeth came into his life. They met at a vintage car rally that Liz was attending with her parents. Tony was driving a Model T Ford that he had restored with his father. Obviously, it was quite engaging for Liz as they went on to marry in January of 1972. In fact, 1972 was a good year for weddings.

In 1973, Tony and Liz had an overseas working holiday in England and Scotland. Back in the 1970s, 1980s and 1990s they imported antiques from there by the 20-foot shipping container load which he would then restore and sell through his own retail shops.

The Tasman Bridge collapse was a real obstacle for western shore customers wanting to travel to Richmond, so Tony and Liz opened a shop in lower Sandy Bay. This left the shop in Richmond vacant so they established Colman's Kitchen Tea Shop there, quite the reinvention. The tea shop operated seven days a week for seven years, as well as Ashmore Antiques continuing to operate.

The antique business was moved from Sandy Bay back to Richmond after the bridge reopened. Raising two children at the same time meant they really had their hands full. In fact, it is fair to say the tearooms and antique shop were both instrumental in Richmond becoming such a tourist destination. In the early 1980s, they built a workshop and warehouse in Campania and a new home. Ashmore Antiques continued to operate both restoring and retailing furniture in three more locations on the western shore - one in Sandy Bay, another in South Hobart and also Sullivans Cove here, with a workshop in Moonah.

To be honest, it makes me tired just thinking about the energy required. Tony restored building interiors in the mid-1990s among other pursuits of a heritage nature. The buildings he worked on included Government House, here in Parliament House, and the Tasmanian Museum and Art Gallery where he established the furniture heritage unit in 1998 which also provided services to other organisations. He also worked on the Treasury buildings, the Hobart Savings Bank, several Catholic churches and the Cathedral, widening his knowledge, skills and artistic flair.

Tony really valued working here in Parliament House restoring furniture and maintaining the asset register with Liz, given the significance of its heritage and importance to the state. He also appreciated the interest and friendliness from everyone he met here. He was a true gentleman, Madam Deputy President, I am sure you would agree. Tony and Liz went on to restore a real gem of an early 19<sup>th</sup> century cottage in West Hobart. It was in very basic condition and as Richard recalls, he wondered how on earth anything could be done with it.

He restored three of Hobart City Council's five trams to their former glory in functional condition which was a real task. His vision and that of others, including me, was to see them as a working tourist attraction, but also, I expect, to remind us of our path to the present day. I have literally just scratched the surface of Tony's life.

There are so many chapters to it, including his very significant dedication to Rotary, over the many years through Salamanca Rotary, including that of president and also undertaking the role of district governor. He was involved in an eclectic mix of nine or so associations and organisations and was never a passenger. I think we can be sure of that.

Suffice to say, we have lost a very special person from our community and this state has indeed lost a person with such knowledge and talent when it comes to our heritage fabric. I, indeed, will miss his ever-smiling face and insight on all heritage. I am sure you will all join with me in acknowledging Tony's service to this place and wishing Liz and their family much strength as they learn to live without Tony in their lives.

Vale Mr Anthony Francis Coleman.

**Members** - Hear, hear.

### **Deloraine Community Bank**

[11.33 a.m.]

**Ms RATTRAY** (McIntyre) - Madam Deputy President, earlier this year, in March, I attended the Deloraine Community Bank celebration. Prior to becoming the much-loved bank we know today, a small number of committed and dedicated members of the community set about bringing a banking service to the Meander Valley by establishing a successful business model designed to give its profits back to the community that supports it.

Amongst the many attendees were a number of the original board members and members of the steering committee who were acknowledged for their time and effort to bring the branch to the Meander Valley. The current board members, ably led by chair, Laura Richardson, all put in considerable time volunteering for the community bank and continually put the community's needs first and without question.

This work often goes unseen and is done behind the scenes. Their commitment is very much appreciated by the community. A community bank cannot just open. It needs capital to start and in attendance at the event were several original shareholders who put their money on the line and purchased \$650 000 worth of shares in this community bank to make the whole venture possible.

Without these shareholders and investors, the branch would have been nothing more than an idea and possibly a lost opportunity. This year the branch is in its sixteenth year with the doors opening on 27 July 2005. I am reliably informed one of the big keys in the success has been its consistent management with only three managers in 16 years. The original branch manager, John Taber, laid the foundations and worked extremely hard to get the business off the ground enticing many new customers to join the bank in town.

Darren Rumble took over from John and served as the manager for over 10 years and is the longest serving manager of the company. Darren and his team grew the business consistently, year on year, and in 2016 celebrated the milestone of reaching \$1 million going back to the Meander Valley community. Darren's 10-plus years with the branch was no mean feat and it is rare to have a manager at the helm for that length of time - actually it is rare to have a bank manager at any bank these days.

The part Darren played in reaching now \$2 million back to the community as well as creating a pathway for the next manager to take over in 2017-18, cannot be overstated and has certainly led to the success of the branch with the current manager, Simon Rootes, keeping the fine work of the branch on track.

To date, the \$2 million ploughed back into the Meander Valley community has been given in a variety of ways. Almost half a million dollars has been returned to shareholders, \$40 000 in donations, over \$700 000 in community group grants, almost \$500 000 in community group sponsorships and \$90 000 in scholarships sending local students to further their study.

Some of the biggest projects funded have been the Giant Steps pool, the Westbury community car and community bus, the new shed at the Deloraine showgrounds, new change rooms at the football club and the netball courts where the celebration was held.

These projects are in addition to the many small-scale projects along the way. Often the investment is the seed funding that groups need to start projects. By the bank committing \$20 000 that can be used to leverage a further \$50 000, then all of a sudden by partnering with local council, state and even federal governments, big projects are possible and can be delivered to this community. The Community Bank puts funding into every area of the community; sport, music, art, business, agriculture and many community events which attract people to come to the area including the Westbury and Deloraine car shows, the Deloraine Craft Fair and the Red Hills tractor pulling event.

Congratulations to the Deloraine Community Bank, its board, the branch team and the wonderful and supportive Meander Valley community. Also, a brief but important acknowledgement of community football at its best: 1 May, perfect autumn weather, big crowd and cold refreshments added up to a great occasion for the football heritage day at Pyengana. Key organiser, Michael LeFevre, and the many volunteers did a wonderful job to make the day successful. Enjoying themselves were a team of former players from the Pioneer/Gladstone club who were all presented with caps to commemorate the special day and their part in it. There were pictures, cups and premiership pennants on display from the once highly successful club which folded 41 years ago.

This is just one more day of the year to make use of the ground and it was an excellent country atmosphere that has become an annual event at Pyengana. Considering the success it will be so for years to come.

The day got off to an early start when Auskick participants strutted their stuff. Only a week earlier, those young Auskickers had played at half-time at the Anzac Day game between Hawthorn and Adelaide in Launceston. What a great experience for those young, enthusiastic footballers. An estimated crowd of about 900 soaked up the atmosphere of bush footy at the picturesque ground framed by tall gum trees behind one post and cypress pine at the other. Certainly, a great day.

### **Ralda (Topsy) Freiboth - Tribute**

[11.40 a.m.]

**Ms ARMITAGE** (Launceston) - Madam Deputy President, today I speak about a very special constituent of mine who lives in Launceston, Ralda Freiboth, who likes to go by the name of Topsy and turned 100 on 5 May. This is an amazing achievement on its own, but what makes it even more incredible is Topsy still lives at her home in Kings Meadows, makes the 1 kilometre walk to the shops and back a few times a week and is completely independent.

I went to visit Topsy a couple of days after her birthday to say hello and she made me feel so welcome and warm into her home, while we enjoyed some fruitcake I had made. I was struck by how homely Topsy's place really is, surrounding herself with photographs of her family and her collections of porcelain swans - of which she has hundreds - and seashells she and her son have collected over the years.

Topsy said she does not feel 100 and when you talk to her you can tell she is a person with a mind as sharp and alert as anyone else. She recalls she married her husband Tasman Freiboth on 31 July 1941 at the St Michael and All Angels Anglican Church in Bothwell. *The Examiner* even reported on the marriage with a small article at the time - a story that emphasises Topsy's connection to the state. Her husband, Tasman, joined the police force not long after the couple were married, which took them to Avoca and then Elizabeth Town, settling in Launceston not too long after.

Tasman and Topsy had one son, David, who is now 74. She enjoys the company of her two grandchildren and four great grandchildren, who she says are enormous sources of pride and comfort.

Tasman sadly died in 1978 and Topsy has remained independent ever since. She said she would not have it any other way. She tells me keeping active and positive by staying involved with her friends and family are just a couple of the reasons for her longevity. She gave up her licence at the age of 85, but does not let that be an obstacle for getting out and about, with wonderful and helpful friends and family.

I was very impressed by Topsy's projects around the house. Her garden, which is in beautiful shape, and her crocheting from little dolls dresses to shawls and blankets. Topsy's crocheting ability is second to none. She showed me some dolls dresses she had made with the finest coloured threads, which she makes with beads and a needle no bigger than an embroidery needle. I can barely read my emails without my glasses and take longer than I would like in

sending a text, but Topsy at 100 is making the most intricate sewing creations, explaining to me how she threads on the beads to the small needles. I am not surprised she does not feel her age.

It is a beautiful life that Topsy has made in Tasmania and she has much about which to be proud. A wonderful family, a strong network of friends and a warmth that only comes from a rich life that has been well lived. It is people like Topsy, the constituents who exude positivity and kindness that remind me of what makes our job so special. I am very lucky to know Topsy and to represent her and the people like her in this place. I look forward to talking about Topsy again for her 101<sup>st</sup> birthday next May.

## **MOTION**

### **Select Committee on Road Safety**

[11.40 a.m.]

**Ms ARMITAGE** (Launceston) - Madam Deputy President, I move -

That a select committee be appointed, with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place, to inquire into and report upon ways in which to improve road safety in Tasmania.

And that -

Ms Palmer;  
Ms Rattray;  
Dr Seidel; and  
The Mover be of the Committee.

I move this motion with regard to road safety as around 1200 people are killed each year on our roads and almost 40 000 are seriously injured.

The National Road Safety Strategy 2011-2020 targeted a 30 per cent reduction of fatalities and serious crashes in all jurisdictions. In Tasmania the rate of fatalities and serious crashes went up. On average, 300 people are killed or seriously injured on Tasmanian roads each year. Last year Tasmania failed to meet its National Road Safety Strategy target. In 2011, 24 people lost their lives on our roads while there were 272 serious crashes. In 2020, a year when we had COVID - when you would think there would be less cars on our roads - 36 people died and 283 were seriously injured. Between 2011 and 2020, on average 32 people died and 269 were seriously injured each year on our roads. Tasmania has the worst road safety record of any state. With 6.6 deaths per 100 000 population, this is far higher than the best performing state, Victoria, which has 3.17 deaths per 100 000 people. If we can match Victoria we could save 19 lives a year. It is really hard to image that with driving in Victoria compared to driving in Tasmania we have double the deaths Victoria has. It is quite mind-blowing.

During that time technology and infrastructure have all improved, driver training and licensing was improved and police were given better, more targeted enforcement options, so what do we need to do to change the trend? There are no silver bullets or easy answers.



However, we do need to have a deeper understanding of what is behind the figures and input is needed from a broad cross-section of the community - academics, motoring groups, police representatives, civil constructive representatives and the list goes on - which an inquiry would be able to do.

I believe an inquiry would enable a closer look at this issue and provide sound evidence-based and data-driven recommendations to help the Government tackle this issue. Even though public consultation on the new National Road Safety Strategy 2021-2030 is closed, it is believed we still may have an opportunity to influence it with data-driven evidence-based recommendations from an inquiry.

Obviously, we will need to tidy up our terms of reference a bit. To give an idea of the terms of reference, or where we would start, we would look at factors influencing Tasmania's performance under the National Road Safety Strategy 2011-2020, the causes and consequences of serious and fatal incidents on Tasmanian roads, how road design, construction and maintenance impact on road safety, the role of local government and the state government in improving road safety, the role of education in improving behaviours on Tasmanian roads, deterring and penalising poor behaviour on Tasmanian roads and the impact of road safety on the Tasmanian health system. They are all very important and particularly, we know the difficulty is with health and the waiting list, but also every serious injury not only has impact on our health system but also on people's lives and employment. There are so many factors to be taken into it and also the efficacy of the Road Safety Levy and other road safety funding issues and other matters incidental thereto.

It is a fairly simplistic inquiry looking at matters that may improve road safety. I would ask members to consider supporting this motion because it is very important and believe we could get some very good evidence-based data.

[11.50 a.m.]

**Ms RATTRAY** (McIntyre) - Madam Deputy President, I rise to support the member's motion to establish an inquiry into this important aspect.

When the member asked me about being part of this committee - I know my committee load is quite heavy at the moment and I do not see it getting any lighter in the near-to-medium, even perhaps a longer term future - but I just felt that this was such an important issue. I always take the opportunity to stand at this lectern and talk about safety aspects on our roads, given that I am probably one of the members, like yourself, Madam Deputy President, who spends a lot of time on our road network. I see a lot of aspects where things could be a lot safer if we had more input into some of the designs, even though we are not engineers, but when you are travelling on the road you see what happens.

I support the establishment of a committee to look at this. There is always the question as to whether the select committee is the right vehicle; should we use the admin committee process -

**Mr Valentine** - No pun intended.

**Ms RATTRAY** - No pun intended. Always it is swings and roundabouts from my perspective as to what committee looks at what particular reference. Certainly, on any

committee, you want people who are committed to the committee work because it takes a lot of your time and I have no issue in making myself available.

We have a good spread of members and I thank those other members who have agreed to be part of the committee: Dr Seidel for the bottom half of the state and then, potentially, if this is established, we have three more northern members but, as we know, we all travel south quite a lot.

**Madam DEPUTY PRESIDENT** - No-one from the north-west?

**Ms RATTRAY** - No-one from the north-west. I did not ask those to join and I do not recall asking the member who was invited and who was not. As we know in this place, we are members of the Legislative Council in the Parliament of Tasmania and we represent all of the state so I certainly have no issues.

I believe that we may need to spend a bit of time tweaking the terms of reference but I believe those aspects the member for Launceston spoke about are important. We may well find any member who is entitled or who would appreciate the opportunity - if they feel like they want to add something to a term of reference, by all means speak to the member for Launceston, the mover of the motion. I am sure the committee, if established, will be mindful of that and address that in their thinking when and if this committee is established. I would encourage all members to support the establishment of the committee.

Whatever a committee finds can only be of benefit to the Government, to the department, and generally to the people of Tasmania. I have never seen a committee yet that has not delivered a decent report with good initiatives, particularly in the way of recommendations. They do not always get implemented in a timely manner and that would be something that we, as members, need to be mindful of once the report is handed down and tabled. We should make sure that any government of the day continues to work on those recommendations because the committee would have worked hard and has the significant evidence to back up what has been proposed. I support the motion.

[11.54 a.m.]

**Mr VALENTINE** (Hobart) - Madam Deputy President, most people would realise that at this particular time Tasmania does not really stand proud when it comes to the number of motor vehicle accidents and lives lost over the last couple of years. It really is a very significant issue for our state and I am sure that a committee like this would certainly shine a light on important aspects in this space.

Being a motorcyclist myself, I know that there is a very keen interest in the motorcycle community with regard to this and they are concerned about wire rope barriers. Do not be surprised if you find that you get submissions regarding that issue, given the extensive number of wire rope barriers there are. I know that these things are brought up from time to time in the Public Works Committee when we are dealing with roads.

**Ms Rattray** - I understand that there has been some new evidence or information about wire rope barriers that has come forth since they have been significantly placed on Tasmanian roads. So that will be interesting as a former motorcyclist. I still have a licence but I do not have a bike any longer so I will be interested in having an update.

**Mr VALENTINE** - I could lend you one, if you want.

**Ms Rattray** - I have not had a significant crash; I have just dropped it a few times.

**Mr VALENTINE** - I have had one; I nearly lost my life.

The point is that it is a really important area and, we are being jovial here, but it is a significant concern and this will give the opportunity for a light to be shone on some of that. I am not saying which way it will go. That is for the committee to collate the information so I support the establishment of this committee.

[11.57 a.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Madam Deputy President, the Tasmanian Government is committed to reducing road trauma in Tasmania. The Government has a long-term vision of zero serious injuries and deaths on Tasmanian roads and is committed to working towards this target. There are no silver bullets in road safety. There are, however, proven initiatives that we know do work. Research, data analysis and modelling have identified the most effective road safety counter measures for reducing serious injuries and deaths on Tasmanian roads.

In December 2016, the Government launched the Towards Zero - Tasmanian Road Safety Strategy 2017-2026. The strategy is a 10-year plan for improving road safety in Tasmania with a short-term target of fewer than 200 deaths and serious injuries by 2026. The Road Safety Advisory Council (RSAC) took a lead role in developing the 10-year strategy, including facilitating community and stakeholder consultation, analysing potential measures and endorsing the key directions of the strategy and associated action plans. The strategy continues to be based on the best practice, Safe System approach to road safety. The Safe System approach recognises that people make mistakes, that our bodies are fragile and we need to create a more forgiving road system.

The second action plan under the strategy, the Towards Zero Action Plan 2020-2024, details the Tasmanian Government's plans to invest more than \$75 million in road safety over the five-year life of the plan. This complements the Tasmanian and Australian governments' investment of \$1.5 billion on major state road construction projects to improve efficiency and safety on Tasmanian roads during the life of the action plan. The action plan targets our highest risk road safety areas, deliberately focusing on those initiatives that will gain the greatest reduction in serious injuries and deaths.

The selection of initiatives and programs was informed by extensive community engagement, stakeholder consultation and independent research and modelling. The action plan utilises a thematic approach that succinctly communicates the priority road safety areas that the Government will focus on over the next five years. The key themes are:

- (1) Making our rural roads safer.
- (2) Improving safety in our towns and cities.
- (3) Saving young lives.
- (4) Encouraging safer road use.

- (5) Making visitors safer.
- (6) Improving safety through vehicles and technology.

The action plan contains 42 specific measures to help bring down the road toll. The action plan is progressively delivering proven road safety initiatives within available road safety levy funding. These proven initiatives are being progressively delivered and will see future reductions in the road toll. Whilst these benefits are recognised, infrastructure takes time to deliver and it therefore takes time to realise the road safety benefits.

In the Tasmanian context improved infrastructure, lower default speed limits and increased levels of automated enforcement are the leading evidence-based approaches to reducing road trauma. \$20 million of road safety levy funding over five years has been allocated to road safety infrastructure projects on rural roads where 60 per cent of the fatalities occur. Cost-effective, mass action infrastructure treatments such as shoulder sealing, pavement markings, kerb warnings, roadside hazard removal and safety barriers reduce the risk of run-off-road and head-on crashes on high speed rural roads. These treatments are being progressively rolled out.

\$31 million of road safety levy funding over five years is also allocated to improving safety in our towns and cities, where one in four serious casualties are pedestrians and cyclists. This includes infrastructure upgrades to separate vehicles from vulnerable road users. Policy changes to the graduated licencing system introduced on 1 December 2020 mean that Tasmania now meets the enhanced model under the national framework.

The current project to enhance automated speed enforcement is the highest priority project for the RSAC and is well underway.

The Commonwealth Office of Road Safety recently finalised the new National Road Safety Strategy 2021-2030, which ministers supported at the last Infrastructure and Transport Ministers' Meeting on Friday 28 May 2021. The strategy is expected to be publicly launched in the coming months, subject to jurisdictions obtaining Cabinet approval of the strategy. The RSAC has agreed that the action plan will be reviewed in 2022, halfway through its five-year life. This will ensure it aligns with the national strategy. The Tasmanian Government believes that we have a mature governance structure for road safety.

RSAC was established in 2010 to provide leadership in developing the government's road safety policy agenda and strategic alignment, through recommendations on strategies and action plans. The RSAC monitors and provides advice and recommendations on initiatives, public education campaigns and programs that will reduce serious injuries and deaths on Tasmanian roads. The RSAC makes recommendations to the Minister for Infrastructure and Transport, and oversees expenditure of the road safety levy and other funds available for the purpose of improving road safety.

The RSAC comprises key stakeholders with the authority and responsibility for road safety in their organisations. Membership includes: an independent chair, an independent road safety expert, Tasmania Police, the Motor Accidents Insurance Board, State Growth and Local Government Association of Tasmania, Royal Automobile Club of Tasmania, Tasmanian Bicycle Council, Tasmanian Motorcycle Council and the Tasmanian Transport Association.

Whilst progress in reducing road trauma in the last two decades has been good, we recognise that it has stalled.

The Tasmanian Government, supported by RSAC, has a solid plan for combating the road toll in Tasmania. That plan is based on best practice, proven initiatives to reduce road trauma, and targets our highest risk road safety areas - deliberately focusing on those initiatives that will gain the greatest reduction in serious injuries and death. Implementation of those initiatives is underway and we will realise the benefits from those initiatives going forward. Having said that, Madam Deputy President, we support the motion.

[12.05 p.m.]

**Dr SEIDEL** (Huon) - Madam Deputy President, many Tasmanians spend more time on the road than they do with their families or children. The drive towards a more mobile society too often comes at a cost. Every year in Tasmania, we have over 30 fatalities and over 250 serious accidents. In the Huon Valley local government area, there were 160 reported crashes in the 12 months to December 2020, and we also had three fatalities. The number of reported crashes in the Huon LGA has really not changed significantly in the last five years; however, fatalities have increased each and every year.

We are talking about Tasmanians who are not coming home from work to be with their families. We are talking about Tasmanians who have lost confidence in navigating heavy traffic, on often substandard roads. They are often forced to just stay at home, and of course, that can lead to social isolation for so many who do not have any other transport option. It is a huge issue, in particular in regional and rural areas.

We are also talking about children who are anxious about riding their bicycle to the local sporting oval, and parents who do not feel safe pushing the pram to the local bus stop. It is part of road safety too. The state of our roads is appalling. Over 40% of roads in rural areas are unsealed. We do not have potholes in my electorate - we have craters. Locals are used to that by now. But tourists from mainland cities often experience gravel roads for the first time when they come to Tasmania, and far too often, those visits, those joyous occasions involve meeting our local paramedics and hospitals after a serious car accident. It is not that uncommon.

It is not always about cars, trucks and buses. We also are meant to have dedicated and safe cycling routes here in Tasmania. They were meant to encourage the uptake of cycling to and from work, to schools and to universities. However, while I was riding home from Parliament on my bicycle last night, I could not help but notice that we have more glass on the road than we have in my local bottle shop. I do not believe that is necessarily inspiring confidence. People are too often forced to walk on those roads as well, whether it be to catch a bus or to fetch the mail. I tabled a petition months ago, urging the Government to create a basic footpath next to the busy highway in Kettering in my electorate. I am still waiting for a response.

Road safety affects all of us and it should matter to all of us. That is why I am supporting the motion.

**Motion agreed to.**

## MOTION

### Joint Select Committee on Conduct of 2021 State and Legislative Council Elections

[12.10 p.m.]

**Ms WEBB** (Nelson) - Madam Deputy President, I move -

That a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place to inquire into and report upon -

- (1) All aspects of the conduct of the 2021 state election and 2021 Legislative Council elections and matters related thereto; and
- (2) That the number of Members to serve on the said Committee on the part of the Legislative Council be four.

Madam Deputy President, elections are a fundamental right for the citizens of Tasmania. Unfortunately, we are seeing a pattern develop in this state of Tasmanian voters losing confidence in the health and integrity of our elections and it is time to put an end to that pattern before it becomes entrenched and the integrity of our democracy becomes eroded. It is vital public confidence in the conduct of elections is actively maintained. Citizens deserve to have full confidence in the administration of elections and have an avenue to raise and have examined any questions or concerns.

This is in the public interest and such an inquiry proposed in this motion is within the purview of both Houses of parliament. Our parliament can and must play a key role in maintaining that public confidence.

Let me state at the outset, this move to establish a joint House committee inquiry is focused upon the conduct of the elections and matters arising and it is in no way intended to dispute the vote count or result. I have already placed upon the public record I accept the general election outcome for the House of Assembly and the outcome for the contest of the Legislative Council seats for Derwent and Windermere. To be perfectly frank, it would be disingenuous for the Government to claim surprise at the fact there are now calls for a forum in which to raise and hopefully resolve the myriad of contentious issues swirling around and throughout the circumstances of the 2021 state and Legislative Council elections.

To commence this debate, I thought it would be fitting first to go back to the beginning for all of us as members of parliament, especially as the opening of this Fiftieth Tasmanian Parliament has seen new members, both in this and the other place, take their respective oath of allegiance or affirmation. Even for those of us previously sworn in, bearing witness to those solemn pledges is always a significant reminder and opportunity to refocus on the privilege and responsibility each and every one of us holds on behalf of those who placed us here.

Further, it is pertinent to this debate to consider the Code of Conduct for MP's that was drafted and recommended by the Integrity Commission and which was adopted by both Houses in late 2018. The adopted Code of Conduct preamble states, and I quote:

Members of Parliament recognise that their actions have an impact on the lives of all Tasmanian people. Fulfilling their obligations and discharging their duties responsibly requires a commitment to the highest ethical standards to maintain and strengthen the democratic traditions of the State and the integrity of its institutions.

Compliance with the law may not always be enough to guarantee an acceptable standard of conduct. Members must not only act lawfully, but also in a manner that will withstand close public scrutiny.

This Code sets out ethical standards and principles to assist Members in observing expected standards of conduct in public office and to act as a benchmark against which their conduct can be measured.

The code goes on further and I will not read it all, but will make mention of the statement of values which fits with it. I quote from that statement of values:

This Code is derived from the fundamental values of the institution of the Parliament in this State. By adopting and upholding the Code, all Members of Parliament share in and support these values.

As Members of Parliament, we value:

- the public interest and the fundamental objective of public office to act solely in terms of the public interest;
- the improvement of the economic and social conditions of all Tasmanian people, and our service to our fellow citizens to achieve this;
- the promotion of human, social and environmental welfare through the responsible execution of our official duties;
- integrity, honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding, without harassment, victimisation or discrimination;
- respect for differences, equity and fairness in political dealings, with fellow Members of Parliament; and
- ethical political practices that support the democratic traditions of our State and its institutions, and the rejection of political corruption.

This code then, but for the purposes of this debate, these statements of values are particularly important and useful to help us focus as we consider the motion before us because it goes to the heart of what this motion is actually asking us to do as members of parliament. Fundamentally, this motion asks us, as elected representatives, to walk the talk of our code of conduct that we have all pledged to uphold in this place. It is asking us to put aside any personal discomfort we may feel about the outcome and findings of any such review and any implications such findings may hold for our respective political allegiances. It asks us, instead,

to place first and foremost our collective commitment to demonstrate, as per our code of conduct, the highest ethical standards to maintain and strengthen the democratic traditions of the state and the integrity of its institutions.

This motion is asking us to provide the Tasmanian community with an appropriate and accountable forum where they can raise their experiences and legitimate concerns pertaining to the May elections. All of us here are well aware that a range of concerns and questions were raised in the lead-up and in the period following the 2021 state election and Legislative Council elections. These arose from across the Tasmanian community, from political experts and commentators, from former and current elected representatives, and from concerned voters.

Other members here may well have received emails and other communications, as I did, from constituents and from Tasmanian community members around the state raising concerns and asking questions.

Indicative of those questions and concerns were the following: the legitimacy of the rationale provided for calling an early election for the House of Assembly; potential voter disenfranchisement in the Windermere and Derwent elections with the apparent failure to provide Legislative Council ballot papers at voting booths beyond the borders of Windermere and Derwent; issues with the pre-selection and subsequent resignation of Adam Brooks in the electorate of Braddon; the impact of concurrent House of Assembly and Legislative Council elections for the first time in the history of this state, including clarity on how the financial benefit accrued from the lower House election campaigning activities will be assessed against the legislated restrictions applied to the Legislative Council elections.

When such a range of persistent and real concerns are raised it is our duty to listen. When we hear such concerns voiced, it goes to the heart of the integrity of Tasmania's democracy and governance. It would be disrespectful and a grave disservice for us - those tasked with representing the community - to allow these questions and concerns to be dismissed, indeed swept under the carpet. Whether we agree with all, some, or none of these matters raised is immaterial.

The crucial matter is that, having resoundingly been put forward and heard, they need to be resolved. To be resolved they need to be aired, identified for further examination and inquiry within an appropriate and robust forum. To fail to do this invites a further erosion of public confidence in the institutions of our democracy and in this place. I will not be prosecuting arguments here today on the validity or otherwise of the concerns that I have mentioned as examples of those arising in relation to the 2021 elections.

This debate on this motion is not the place for such an exercise. Rather, this debate is on the validity of providing a formal, appropriate and accountable process for those arguments to be prosecuted by any Tasmanian citizen who wishes to advance them. However, I will speak briefly in this context about the issue of the concurrence of the general and Legislative Council elections. This is of particular relevance to this Chamber and I wish to note merely some matters on the public record.

The Premier, Mr Gutwein, has the distinction of being the first premier in Tasmania's history to set a state general election on the same day as a scheduled Legislative Council election. This decision to hold concurrent elections for the first time in our state's history is, in and of itself, a compelling reason to establish the joint select committee proposed in this motion



to undertake an election inquiry and review to ascertain the ramifications and impact of this historic first including, if it is ultimately deemed, that there were none of consequence.

It is important to understand and to learn from what transpired as a result of holding concurrent elections of both Houses of parliament for the first time in our state. It is our job, the job of both Houses of parliament, to do this. The possibility and perhaps the risk that there would be ramifications and impacts on concurrent elections was immediately identified by all independent members of this Chamber and many members of the Tasmanian community.

Further, it was identified by many holding these concerns that there were other options available to obviate the potential risks, namely, the Legislative Council elections can be held on any Saturday in May without changing the legislation.

Together with five Independent colleagues in this place, I wrote to the Premier expressing our concerns that concurrent elections provided an advantage to party-aligned candidates in Legislative Council seats being contested. Our letter requested that the Premier advise the Governor to shift the upper House election by two weeks to a weekend later in May, which would comply with both the Constitution Act and the Electoral Act. I will read the letter that we wrote to the Premier on this matter into the parliamentary record:

Dear Premier

Re: Legislative Council Election Date

As independent members of the Legislative Council we write to express our significant concern at your decision to set the House of Assembly election on the same date as the scheduled 2021 Legislative Council elections. Your decision to align Legislative Council and House of Assembly election dates were the first time in the history of the Tasmanian Parliament risks undermining the important and separate role of the Legislative Council in holding the government of the day to account. It is key to a healthy democracy.

Even had there been an imperative to set the date of 1 May for this House of Assembly election, a further option would have been to delay the 2021 Legislative Council elections to a later date in May for which there is provision in both the Constitution Act 1934 and the Electoral Act 2004. This option remains available.

Therefore, with regard to the 2021 Legislative Council elections our preference would be that the date for this election be immediately rescheduled for a later date in May to avoid the conflict of dates.

Regardless, we seek a firm commitment from you that should the Liberal Party be returned to government in this state election you progress and/or support legislative reform to ensure that in future such an alignment of election dates is not permitted, as is the case with a conflict with a date of a federal government election.

The alignment of elections provides an undoubted advantage to party affiliated candidates over independent candidates running in the Legislative Council elections.

This is clearly in opposition to the Legislative Council electoral system, which as designed provides an even playing field to all candidates through measures such as a separate election cycle, election spending caps and the disallowance of electoral spending for political parties or third parties.

Party-aligned Legislative Council candidates will significantly benefit from activities related to the concurrent House of Assembly elections, including whole of party election advertising, high visibility of party branding for House of Assembly election candidates, access to stakeholder functions, group media opportunities and public events organised and possibly funded by House of Assembly candidates, parties or third parties.

It is unclear how financial benefit from these kinds of activities will be assessed against the legislated restrictions applied to Legislative Council elections. Legislative Council elections occur on a separate and distinct electoral cycle. This provides the opportunity for Tasmanian voters to more fully appreciate and respect the differing roles of both Houses of Parliament.

House of Assembly elections are contested on a policy basis to form the government of the day. Legislative Council elections are contested to select members for the House of Review whose primary function is to hold the government of the day to account.

In a shared effort to ensure a strong, healthy Tasmanian democracy and appropriately functioning parliament for the Tasmanian people we ask that you give this matter full and fair consideration and provide a prompt response to the undersigned.

It is signed by Ivan Dean, Tania Rattray, Ruth Forrest, Rosemary Armitage, Rob Valentine and Meg Webb. That letter was sent on 31 March 2021. I seek leave to table that letter.

**Leave granted.**

**Ms WEBB** - The Premier declined the request to delay the Legislative Council elections to a weekend later in May. His response, received on 1 April 2021, stated:

Dear Members

Thank you for your letter of 31 March 2021 raising concerns regarding the timing of the general election for the House of Assembly which has been called for the 1 May 2021.

The question of whether there is any legal impediment to calling the general election on the same day as the Legislative Council election was considered before the election was called.

The power to call an election is an executive power, exercised in accordance with the Electoral Act and I am advised there is no legal or constitutional matter that would prevent both elections from taking place on the same day.

Additionally, the Executive Government is held to account by the Opposition in Parliament and is ultimately accountable to the Tasmanian community at an election. Accordingly, I do not agree with your position that it is the Legislative Council that exercises the primary function of holding the government of the day to account.

Even if such an argument is made, I do not agree that holding both elections on Saturday, 1 May in any way blurs the lines of the independent functions of the two Houses.

For these reasons, I will not be seeking for the date of either the general election of the House of Assembly nor the Legislative Council elections to be changed.

Your sincerely

Peter Gutwein MP  
Premier

Madam Deputy President, I seek leave to table that response.

**Leave granted.**

**Ms WEBB** - I will not presume to speak for any of my colleagues; but it would be a significant understatement to say that I find this response from the Premier disappointing. In fact, I find it disrespectful and ill-informed.

As much as any premier or government of the day may wish it, political convenience and bold-faced assertions do not define or shape the fundamental roles and principles of our Parliament - the institution which sits at the centre of our democracy.

The Legislative Council is a House of review. It is a House of legislation, and it has the key role in holding the government of the day to account. This role of the Tasmanian Legislative Council is outlined on page 3 of the Legislative Council Annual Report 2019-2020 and is described as follows:

The Legislative Council as the Upper House of the Parliament of Tasmania can be described as democratic with an independent character. The role of the Council is threefold:

- (i) to authorise the raising of revenue and the expenditure of State monies;
- (ii) to examine the merits of legislation; and

- (iii) to provide a Parliamentary check on the Government of the day. In modern times the role of the Legislative Council has expanded from the base of being a purely legislative body to a House that involves itself in the examination and analysis of actions, decisions and workings of the Executive Government.

When I consider the Premier's reply, I also hark back to the code of conduct and in particular these points from it:

Fulfilling their obligations and discharging their duties responsibly requires a commitment to the highest ethical standards to maintain and strengthen the democratic traditions of the State and the integrity of its institutions.

Compliance with the law may not always be enough to guarantee an acceptable standard of conduct. Members must not only act lawfully but also in a manner that will withstand close public scrutiny.

Our statement of values is something that also comes to mind where it says: 'As Members ... we value ... respect for differences, equity and fairness in political dealings with fellow Members of Parliament; and ethical political practices that support the democratic traditions of our State and its institutions, and the rejection of political corruption.'

To reiterate, for the health of our democracy, the matters relating to concurrent elections and those other concerns and questions that have arisen, also remain unaddressed despite the Premier's assertions otherwise. They need to be resolved. They need to be aired, identified for further examination and inquiry within an appropriate and robust forum. This begs the question where and how might this occur, and whose jurisdiction applies.

Initially, the Integrity Commission was thought by some to be an appropriate forum for examining some matters raised in relation to the elections. However, we now know that the Tasmanian Integrity Commission has ruled itself out as a viable option, in light of a particular election-related referral that was submitted to it. Its advice - as recently reported in the media - apparently was that this referral was outside of the commission's jurisdiction: 'because misconduct allegations against Mr Gutwein fell within the election period'.

The commission's chief executive officer was then quoted by the ABC on 11 June this year as saying:

The impact of the Parliament's dissolution is that sitting members no longer hold their seats in Parliament. They cease to be MPs and are no longer public officers. We acknowledge that government ministers retain their ministerial role during the election period and remain subject to the ministerial code of conduct. However, given we only have jurisdiction over ministers due to their status as MPs, I can confirm that we do not have jurisdiction over ministers, including the Premier, during the election period.

I am sure this was an interesting and disturbing revelation to many Tasmanians. It appears we have ministers who are not members of parliament, contrary to the fundamental principles of a Westminster parliament. It also appears that the Integrity Commission still lacked

jurisdiction, even within that select group to which the Premier - as minister of the Crown - belongs.

If the Integrity Commission's advice is the case - and at this stage we have no reason nor means to counter it - those non-MP ministers and their freewheeling caretaker government arrangements are in an incredibly powerful position for that period of time, without a pesky parliament to hold them to account. In addition, they also seem to be beyond the jurisdiction of the state's integrity watchdog during election periods, on the basis that parliament is dissolved.

King Charles I would cheer this arrangement. This situation of ministers who are not accountable to parliament, even for a relatively brief period of time, highlights the importance of caretaker conventions. And yet, that is one area where serious concerns have been raised with me and perhaps to others here, in light of the May elections.

The bizarre situation about when is a minister not an MP and subsequent implications for independent oversight, parliamentary accountability and caretaker conventions, is another matter that would be sufficient to warrant the proposed parliamentary election inquiry that this motion puts forward.

With the Integrity Commission having ruled itself out of contention, we move on. Some may have wondered at the suitability of the Office of the Ombudsman to undertake some form of review of aspects of the 2021 election. However, although the Tasmanian Ombudsman is recognised as an integrity entity, it is perceived and accepted by most that the scope of this proposed election review is also beyond their remit.

It may be the role of the Tasmanian Electoral Commission. The Electoral Commission is a statutory independent and impartial body. It is responsible for the conduct of the elections of both Houses of this parliament, as well as local council elections, other statutory elections, and the implementation of electoral boundary redistributions. It is quite standard for the TEC to be a participant in inquiries by making formal representations to relevant parliamentary reviews.

For example, the TEC made a submission to the previous Liberal government 2018 review into the Tasmanian Electoral Act 2004, both in 2018 and again, in response to that review's interim report, in 2019. It is not the role of the TEC to undertake an inquiry into the full range of matters that have arisen as questions and concerns relating to the 2021 elections.

For example, it would not be within the TECs role to fully examine the political decisions surrounding the circumstances of the election, such as the choice to hold concurrent elections. Further, when it comes to other matters, such as concerns about other lack of access to upper House election ballot papers, then we would be put a risk of placing the TEC in the untenable position of investigating itself.

Although all of the entities, particularly the TEC, would provide very useful information and insight into any inquiry, it is beyond their jurisdiction to conduct the proposed election review inquiry themselves. There does not exist an appropriate non-parliamentary mechanism or forum by which to undertake the necessary rigorous and public examination of legitimate matters pertaining to the May 2021 elections. Therefore, the responsibility comes back to this parliament. I had a quick look to see whether other parliaments have established appropriate mechanisms by which to fulfil this very responsibility and let me share what I found.

The federal parliament has a Joint Standing Committee on Electoral Matters. The role is primarily to conduct inquiries into such matters relating to electoral laws and practices, and their administration as may be referred to it by either House of the parliament or a Minister. This includes a standing review of each federal election during years federal elections are held. When each federal election is reviewed by this joint standing committee for that inquiry, the committee consist of 10 members comprised from both the House of Representatives and the Senate. It includes government and opposition, minority party and independent members.

This federal standing committee has reported on a range of interesting matters pertaining to the conduct of our national elections and broader related matters, included one that concluded just last month on the future conduct of election operations during times of emergency situations. In May 2020, this committee reported on the Commonwealth Electoral Amendment (Lowering the Donation Disclosure Threshold) Bill 2019, a topic we would find interesting in this jurisdiction.

Significantly, the committee's most recent election review is 'Report on the conduct of the 2019 federal election and matters related thereto', tabled in December 2020 which provides specific matters pertaining to this debate we have today. That report's forward, written by the committee chair Liberal Senator Honourable James McGrath, states:

Australia is lucky. We are blessed that we live in one of the oldest and most successful democracies in the world. Our good fortune has come not through chance. Our democracy works because over a century, a lot of people, paid and unpaid, have worked to make it so through blood, sweat and tears. Our democracy works because countless Australians have made the ultimate sacrifice to protect the freedoms inherent in democracy. As society has changed, so should our electoral system be fine-tuned. Now is the time for immediate action by Parliament on certain changes and for a longer conversation about other reforms.

This most recent federal election report - members here may be very proud, and in fact, should be very proud to learn that this most recent report recommended to increase fairness and to reduce the luck of the ballot draw while minimising the so-called donkey vote, a Robson rotation of candidates on the ballot paper should be introduced for the House of Representatives in tandem.

There you go, Madam Deputy President, a Tasmanian initiative we have utilised for decades, it is now being advocated via that regular and routine election review process for introduction into the federal electoral system for the express purpose of increasing fairness. That must be the fine-tuning referred by the chair of that committee in his opening.

The review report of the 2019 federal election contains 27 recommendations, which I will not detail now, but suffice to say they span a range of related election matters, which some of us here may or not agree with, including reforms to the Electoral Act, operations of the AEC, tackling issues with donor transparency and implications of electoral roll maintenance for local government, to mention a few of the areas covered. They are all based on reviewing what did or did not work with the operations of the 2019 federal election, matters arising from new specific considerations generated by that election, as well as longstanding and more long-term proposed areas for change.

I note that the Tasmanian federal members who participated in the 2019 federal election standard routine review were Senator Carol Brown as Committee Deputy Chair, Senator Eric Abetz, Senator Catryna Bilyk, Senator Helen Polley and Senator Anne Urquhart.

After going back through this standing committee's report on the last eight federal elections which take us back to 1998 when John Howard was elected Prime Minister, I stopped counting. However, in the period spanning those eight elections, both federal Labor and Coalition winners of government were involved. Neither attempted to hinder this standing committee from fulfilling its election review role. Indeed, they have actively participated in the process. That is a very interesting precedent for us to consider in relation to the motion we have before us. Surely, if federal Labor and Liberal representatives can participate in such an election review process nationally, it cannot be an imposition to do so here in Tasmania.

At the state level, there are also examples of similar standing parliamentary committees dedicated to electoral matters. The New South Wales Parliament has its dedicated Joint Standing Committee on Electoral Matters. That committee's remit is as follows:

- (2) The Committee inquire into and report upon such matters as may be referred to it by either House of the Parliament or a Minister that relate to:
  - (a) the following electoral laws:
    - (i) Electoral Act 2017 (other than Part 3);
    - (ii) Electoral Funding Act 2018; and
    - (iii) Those provisions of the Constitution Act 1902 that relate to the procedures for, and conduct of, elections for members of the Legislative Assembly and the Legislative Council (other than sections 27, 28 and 28A);
  - (b) the administration of and practices associated with the electoral laws described at (a).
- (3) All matters that relate to 2(a) and (b) above in respect of the 23 March 2019 State Election, shall stand referred to the Committee for any inquiry the Committee may wish to make. The Committee shall report on the outcome of any such inquiry within 18 months of the date of this resolution being agreed by both Houses.

Again, similar to the federal standing committee, New South Wales has a dedicated parliamentary committee for examination of all electoral law-related matters plus a review of their state elections as a matter of routine. Its current 10 members consist of four Liberal MPs, three ALP MPs, two National MPs and one Shooters, Fishers and Farmers MP. The latest report of this New South Wales committee was *Administration of the 2019 NSW State Election* tabled in October last year. Its recommendations ranged from electoral expenditure and caps, funding the New South Wales Electoral Commission, early voting options, nomination processes, accessible voting, compliance and enforcement resourcing, amongst other matters,

some general as well as some specifically raised in the context of that state's 2019 state election. In his foreword to this report, Committee Chair, Liberal MP, Mr Lee Evans, states, and I quote:

Administering the free and fair elections that the people of NSW rightly expect in a democracy such as ours is a major undertaking and I would like to commend the NSW Electoral Commissioner, Mr John Schmidt and his staff for their professionalism in delivering the election in March 2019.

Mr Evans further continues:

The inquiry has been a valuable opportunity for the Committee to hear from a range of stakeholders about the conduct of the 2019 NSW State election and to reflect on what worked well and where improvements could be made for future elections. The Committee's recommendations are wide-ranging, covering election timeframes and the campaign period, the electoral roll and the ballot paper, early voting, election day and compliance with and enforcement of the electoral legislation.

Madam Deputy President, those sentiments fit exactly within the text and intent of the motion in my name currently before this House. It is also worth noting that clearly the New South Wales Parliament does not consider the existence of a NSW Electoral Commission somehow negates its own oversight responsibility. Instead, they serve different functions and work in a complementary manner to benefit the people of New South Wales.

Lastly, I will move onto our neighbours in Victoria whose Standing Electoral Matters Committee is a joint investigatory committee of that parliament. Its remit is:

The committee's functions are to inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with -

- (a) the conduct of parliamentary elections and referendums in Victoria;
- (b) the conduct of elections of Councillors under the Local Government Act 2020;
- (c) the administration of, or practices associated with, the Electoral Act 2002 and any other law relating to electoral matters.

The committee's functions are not intended to repeal, alter or vary section 94F or 94G of the Constitution Act 1975.

The current membership of this Victorian standing committee is 10 MPs, with four Labor, three Liberal, one Animal Justice Party, one Victorian Greens and one Liberal Democrat. This Victorian joint standing committee has held inquiries into issues as diverse as voter participation and informal voting, political donations, electronic voting, civics and electoral participation in Victorian state parliamentary elections, social media impacts on elections, as well as the routine review of the 2006, 2010, 2014 and the most recent 2018 state elections. The foreword from Chair, Labor MP, Lee Tarlamis opens with this statement:



The Electoral Matters Committee plays an important role in keeping our democracy strong. This includes conducting inquiries like this one after each state election. These inquiries provide an opportunity for any member of the community, any candidate or any other stakeholder to share their experiences and to suggest improvements to the system. The inquiries provide an opportunity for scrutiny of the Victorian Electoral Commission and for regularly reviewing the appropriateness of electoral law.

I believe these sentiments could, and should, preface an equivalent Tasmanian parliamentary report detailing the findings of a similar opportunity provided to any member of the Tasmanian community, following each of our state elections.

It is clear other jurisdictions consider it appropriate and necessary to place the responsibility on elected members of parliament to undertake this public and transparent mode of election review. These routine election reviews may or may not identify specific issues or problems with any particular poll, but they also canvass, consult and make constructive recommendations intended to improve their respective democratic institutions.

The federal committee's recommendations to adopt the Robson rotation is an example. Such positive work should also be undertaken by this motion's proposed committee. It may have cause to look into the matter raised by the member for McIntyre during her Address-in-Reply speech last week: 'maybe it is time Tasmania explores the option of fixed-term elections'. Any of these matters may be considered under this sort of inquiry.

In those parliaments that I have discussed, MPs of all political persuasions and affiliations participate in their respective parliamentary electoral review inquiries as a matter of course - and apparently without feeling threatened in any manner. These routine parliamentary reviews are accepted as exactly that - routine maintenance and investment in the important and vital aspect of our democracy which is our free and fair elections.

It is also worth noting, in relation to some suggestions that the TEC is already the entity undertaking our election processes health check - all these jurisdictions which have parliamentary standing committees review their elections also have their equivalent to the TEC. Federally, the AEC undertakes a similar role to the TEC in administering elections. As does the NSW Electoral Commission and the Victorian Electoral Commission. In those jurisdictions it is not perceived as a case of either/or; instead there is a clear recognition of the different roles and functions required and provided by both.

As clearly articulated in the Victorian committee report I referred to, these inquiries provide an avenue for those electoral commissions to also be scrutinised as well as provide their own feedback.

This brings me to touch briefly on an accusation that I found levelled against me for proposing this committee of inquiry and that is that the call was somehow motivated by sour grapes. Unsurprisingly, we have already heard that calls for a rigorous public and transparent review of the unprecedented conjunct May elections is somehow just a bad case of sour grapes or actually in one media report it was described as the pursuit of personal bugbears.

Not only is that attempt to diminish and dismiss this serious proposal sadly predictable, it is also very telling of those seeking to mischaracterise the intent and the motivation behind

this proposal. I want to flip that spurious assertion that this is somehow sour grapes to call for Tasmanians to have the same democracy oversight mechanisms as they are afforded at the federal level and just as their fellow citizens receive in New South Wales and Victoria. In actual fact, it is very much sour grapes for the victors of any election to deny such oversight. Indeed, it could be regarded as well beyond sour grapes and perhaps veering into an inappropriate or at best ungracious misuse of power.

It should be unremarkable for electoral winners to have the courage of their convictions to stand up and say, 'I am prepared to participate with good faith in the health check of this system to check it is still delivering best practice on behalf of voters, as well as potential future candidates. If there are areas that can be strengthened and improved then I want to be part of that'.

That is all this motion is requesting, that in the absence of any viable and appropriate alternative we in good faith allow and participate in a public, transparent health check of the system that placed all of us here. Each and every one of us in this Chamber are successful candidates, privileged to be elected on behalf of our respective electorates and to act in the interests of those electorates. As successful contesters of our own parliamentary elections we need to now face up, and front up, to our responsibilities as parliamentarians to graciously and courageously put first, and act in the interests of, the parliamentary democracy of which we are but temporary custodians on behalf of all Tasmanians.

To suggest that we do so could not be further removed from spurious sour grapes motivations. It should be beneath anyone privileged to be an elected representative here to allow it to be mischaracterised as such.

This motion does not present a radical or subversive idea. As we can see in the routine and established practices of some of our interstate counterparts, proud conservatives, including governments led by prime minister John Howard through to current Prime Minister, Scott Morrison, have all voted during each commencement stage of their respective parliaments to reconvene their standing committees with the responsibility of reviewing the election just held, which delivered their victory, just as newly elected Labor, federal and interstate governments have done at a state level. Then they have participated, along with their political opponents, in those election reviews.

To conclude, if not here, where? If not us, who? The recent ABC 2021 Australia Talks survey asked respondents to indicate their level of agreement with the statement: 'Politicians in Australia can generally be trusted to act in the interests of the people they represent.'

I was deeply dismayed to see that amongst our fellow Tasmanians 76 per cent disagreed with that statement. Three in four Tasmanians disagree that we here, each of us, can be trusted to act in the interests of those we represent. Even more heartbreaking than this figure is that this figure has worsened substantially from only two years ago in 2019 when it stood at 64 per cent. This distressing public perception is entirely on us. It is our, and only our, responsibility to turn this around and clearly 'business as usual' is driving it in the wrong direction.

In the one week since the opening of this Fiftieth Tasmanian Parliament, one week ago today, it is interesting to note that the Government in this week has issued at least four separate media statements regarding sport and the AFL.

I am in no way disparaging football. I recognise the significant role it plays and the joy it brings to many in the community. However, the point I make is this: can you imagine if our Government went into bat for the health and integrity of our democracy as it goes into bat for a Tasmanian football team? Imagine if the Government was as ferocious in its defence of Tasmania's right to a modern, robust and rigorously transparent and accountable parliamentary democracy as it is in defending the state's right to its own football team.

Imagine if our Premier threw down challenges to other states to try to best us, not in goal kicks but in levels of public confidence. Just imagine that.

I doubt we would need to be holding this debate today on this motion if that scenario was real instead of imaginary but I believe it is possible for us to achieve it.

I believe in us, here in this place, and it is with that hope of the possible that I bring this proposal to the parliament for consideration, and hope that all of us here who with great solemnity pledge to uphold those principles outlined in our code of conduct will see this not as a challenge but as an opportunity to act upon the pledges of responsibility to the Tasmanian people beyond any other affiliation.

This motion asks us to put partisan tribalism aside and instead don the one set of colours that is Tasmania's democracy, to put first what is best for the Tasmanian people over what may be best for ourselves or our political party.

It is with that hope that we can come together to collaborate for this greater good.

I commend this motion to the House.

[12.57 p.m.]

**Mr VALENTINE** (Hobart) - Madam Deputy President, the amount of public comment that has been occurring since the election was called to my mind means that there are aspects of this that do need scrutiny.

The same-day election is obviously something that has caused some interesting comment from various individuals. We had Professor Richard Herr having an article in the media and a past parliamentarian, John Cleary, having opposing views on this House. There were comments about spending caps and whether it was reasonable or otherwise to have those in the Legislative Council who are subject to an \$18 000 cap, I think it was, running against those who had the same \$18 000 cap but had the benefit of being able to campaign with those who did not have that cap.

There are a number of issues that the same-day election caused and that led to the letter to the Premier, as all would be aware.

It is interesting to me that in considering the motion that the member has actually brought to us today, it is very important that if an inquiry like this were to take place that it needs to be done in an open manner and be transparent. It needs to be done where we do not go in with our minds made up but we listen to opinion, and all those who are on the committee listen to opinion. It is an opportunity for members of the public to have their say.

When I am thinking about these sorts of inquiries I am always aware that members of the public may approach us to advocate a certain position or otherwise but an inquiry gives them the direct opportunity to put their thoughts and feelings down and to make a submission and I think that is very powerful. In this case, given the level of -

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

## **QUESTIONS**

### **COVID-19 - Check in TAS App**

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

[2.31 p.m.]

With regard to the COVID-19 Check in TAS App, will the Government detail:

- (1) Whether the Tasmania Police or any other agency has made any applications to access data collected by the Check in TAS App and if so:
  - (a) the total number and date of those applications made;
  - (b) the reasons and purposes cited to justify those applications;
  - (c) the number and date of any applications that were partially or wholly successful.
- (2) Whether any request to access data collected by the Check in TAS App would require a court order and if not, what the request process entails.
- (3) The non-health related circumstances under, or purposes for, which data collected by the Check in TAS App would be considered legitimate to be accessed?

## **ANSWER**

Madam Deputy President, I thank the member for her question.

- (1) The Department of Health has not received any requests from Tasmania Police or any other organisation for access to personal information that has been collected through the Check in TAS application. The agency has received requests from other government agencies for data. However, such requests have not been for personal information. The agency routinely provides statistical data to other government agencies, such as the number of downloads or the number of check-ins, to allow agencies to assess the level of compliance with the use of the application.

- (2) The direction issued under section 16 of the Public Health Act 1997, Contact tracing, No. 5, which was made by the Deputy Director of Public Health on 14 May 2021, provides the legal basis for the mandated use of the Check in TAS application and the collection of personal information. Section 147 of the Public Health Act governs the disclosure of personal information, with the direction also specifying that information kept in respect of a person under the direction is information that has been obtained for the purposes of:
- (a) the management, detection, notification, treatment or prevention of the spread of COVID-19;
  - (b) managing a threat to public health or a likely threat to public health as a result of COVID-19; or
  - (c) ensuring compliance with and enforcing the Public Health Act.

Further, the act and the direction state that the information obtained must not be used or disclosed other than as authorised under the act or another act. This means that the information can only be disclosed for the purposes of rapidly identifying possible contacts that may be exposed to COVID-19 at, or in connection with, a relevant location. Therefore, other statutes may provide for the disclosure of personal information in other circumstances. For example, the Australian Health Practitioner Regulation Agency has broad information collection powers. Similarly, a warrant or subpoena may require the production of information. Information collected under the directions is only kept for 28 days.

- (3) As noted above, other legislative requirements may authorise the disclosure of the information in certain circumstances. Tasmania also has a bilateral agreement with the Australian Government to facilitate access to the data for contact tracing purposes only.

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### **Recognition of Visitors**

**Madam DEPUTY PRESIDENT** - Before calling the next question, I welcome the students and supporting staff here from The Hutchins School. It is nice to have students back in our Chamber.

**Ms Webb** - And the girls from St Michael's Collegiate school.

**Madam DEPUTY PRESIDENT** - My apologies. It has been a long time since we have been able to have students in here. Welcome. I hope you enjoy your time here and learn something from this fine Chamber.

**Members** - Hear, hear.

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**Department of Education - Statistics on Bullying and Assault Incidents in  
Tasmanian Schools**

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

[2.36 p.m.]

Madam Deputy President, I asked these questions in Estimates last year. The minister, Mr Rockliff, gave an undertaking to provide answers out of session, but did not do so. I asked the questions of the Leader's office again in March, and was not provided the answers at that time. Then an early election was called. I submitted the questions again after the election, but no answers were provided last week. We come here today, and I still do not have the answers.

I will ask these questions every single day until I get an answer.

- (1) The figures held by the Department of Education related to the level of bullying in Tasmanian schools in 2016, 2017, 2018, 2019 and 2020.
- (2) The number of student-on-student assaults or other incidents of physical violence that occurred in Tasmanian schools in 2016, 2017, 2018, 2019 and 2020.
- (3) The number of student-on-teacher assaults, or other incidents of physical violence that had occurred in Tasmanian schools in 2016, 2017, 2018, 2019 and 2020.
- (4) The number of workers compensation claims resulting from stress or other psychological injuries to Department of Education employees in 2016, 2017, 2018, 2019 and 2020.
- (5) The number of suspensions for bullying, harassment, stalking of another student in 2016, 2017, 2018, 2019 and 2020.
- (6) The number of suspensions for bullying, harassment, stalking of a teacher, or another staff member in 2016, 2017, 2018, 2019 and 2020.
- (7) The total number of student suspensions in 2016, 2017, 2018, 2019 and 2020, including a breakdown by grade.
- (8) The number of incidents occurring in schools reported to Police in 2016, 2017, 2018, 2019 and 2020.
- (9) The number of sexual assaults reported in 2016, 2017, 2018, 2019 and 2020.
- (10) The number of family violence notifications made by schools in 2016, 2017, 2018, 2019 and 2020.
- (11) The number of child safety notifications made by schools in 2016, 2017, 2018, 2019 and 2020.

I will get very repetitive if I do not get the answers.

## **ANSWER**

Madam Deputy President, I apologise to the member of Elwick. My office has been making concerted efforts to obtain those answers, and will continue to do so. I apologise for the delay.

### **Check in TAS App**

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

[2.39 p.m.]

Madam Deputy President, following up on a question from the response to my question on 25 March 2021 regarding the Check in TAS App access issues, I note from the answer, and I quote:

General retail is not captured under the Public Health direction in relation to contact tracing, as these premises are not considered to have the same level of risk that the businesses, organisations, and events listed in the directions where patrons spend time on the premises for more than 15 minutes.

It goes on:

However, the Director of Public Health will continue to monitor the situation closely and has the ability to extend these requirements to use the Check in TAS App to other sectors, industries, premises and businesses in Tasmania, if required.

There is still concern in the community that these larger businesses, including supermarkets and large hardware stores and retail stores are not considered to have the same level of risk as those others on the direction list. So, my two questions are:

First, what is the outcome of monitoring this situation closely?

Second, in the interest of community safety, will the Government request that the Director of Public Health reconsider adding these premises to the mandatory Check in TAS App?

## **ANSWER**

Madam Deputy Speaker, I thank the honourable member for her questions.

In relation to both of questions, the Director of Public Health is actively considering including general retail amongst the list of additional premises at which Check in TAS is required to be used. It is anticipated that an announcement on that will be made in coming days.

## **Lactation Support for Women on King Island**

**Ms RATTRAY on behalf of Ms FORREST question to LEADER of the GOVERNMENT  
in the LEGISLATIVE COUNCIL, Mrs HISCUTT**

[2.41 p.m.]

Regarding lactation support for women living on King Island:

- (1) Is access to a lactation consultant considered an essential service for postnatal women facing breastfeeding challenges?
- (2) At a cost of \$500-plus to see a private lactation consultation at the woman's own cost off island:
  - (a) Has Patient Travel Assistance Scheme (PTAS) funding been applied for to support travel costs to access a lactation consultant?
  - (b) Has PTAS support ever been declined for access to a lactation consultant?
- (3) What are the breastfeeding rates over each of the last five years for women living on King Island:
  - (a) at hospital discharge?
  - (b) at six weeks postpartum?
  - (c) at six months postpartum?
- (4) Currently there is no Tasmanian Health Service (THS)-funded lactation consultant position on King Island:
  - (a) Will the employment of a permanent part-time lactation consultant be considered to ensure women are supported to breastfeed and support the THS-registered midwife; and
  - (b) If not, why not?

Those questions are not only of interest to the King Island residents but I am sure also the Flinders Island and Furneaux Group residents.

### **ANSWER**

I thank the member for asking those questions on behalf of the member for Murchison.

- (1) The Tasmanian Health Service provides a lactation consultant service to King Island through telehealth by referral from either the resident midwife on the island or THS outreach services.



- (2) The minister is advised that the Patient Travel Assistance Scheme has no record of receiving any applications in relation to accessing a lactation consultant.
- (3) The following data relates to breastfeeding babies discharged from the North West Private Hospital who reside on King Island. It should be noted that eight- and six-month data includes babies registered with Child Health and Parenting Service Tasmania born at any location across Tasmania or interstate who reside on King Island. This can lead to variability in the total number of clients across the three categories.

It is easy enough to read so I will read that into *Hansard*:

- (a) At hospital discharge in 2016, 85.7 per cent; 2017, 100 per cent; 2018, 100 per cent; 2019, 83.3 per cent; 2020, 100 per cent.
  - (b) At six weeks postpartum, 2016, 100 per cent; 2017, 80 per cent; 2018, 86 per cent; 2019, 88 per cent; 2020, 65 per cent.
  - (c) At six months postpartum, 2016, no data is available for this year; 2017, 64 per cent; 2018, 85 per cent; 2019, 88 per cent; 2020, 77 per cent.
- (4) The minister is advised that child health assessments on King Island are provided in addition to lactation consultants support via Telehealth. A child health nurse provides child health assessments and parenting support, including breastfeeding support. The current service levels appear to be providing the support needed.

## **LEAVE OF ABSENCE**

**Member for Prosser, Ms Howlett**

[2.45 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council)  
(by leave) - Madam Deputy President, I move -

That the honourable member for Prosser, Ms Howlett, be granted leave of absence for the remainder of this day.

**Motion agreed to.**

## **MOTION**

**Joint Select Committee on Conduct of 2021 State and Legislative Council Elections**

**Resumed from above.**

[2.45 p.m.]

**Mr VALENTINE** (Hobart) - Madam Deputy President, prior to lunch I was commenting on the fact that an inquiry can provide an opportunity to gauge public opinion in a formal way. That could be very beneficial. I was also commenting on issues to do with spending caps and how that may or may not impact on elections.

It is also an opportunity to be able to explore some of the constitutional issues. I wonder about how it fits with the Constitution. I read the Constitution and I find that section 45 of the Constitution says that:

Except as otherwise expressly provided in this Part the Council and the Assembly shall, in all respects, have equal powers.

Clearly, the Houses have a different primary focus. I do not think there would be too many who would disagree with that. That is the other place being the House concerned with policy and this place one of review. They are different purposes, there is no question. If you read section 42 of the Constitution it talks about what this House is unable to do with, for instance, the money bills. If they were Houses with equal power and equal purpose then there would not be any fettering of what this House is allowed to deal with. Clearly, there is a difference.

Does having an election on the same day overtly confuse members of the public as to what the purpose of the upper House is, or the lower House for that matter, and as such unduly interfere with or ultimately fetter the power of this place? They are interesting questions. I do not know the answers to them. An inquiry could provide an opportunity under matters related thereto to explore some of that. That might be an interesting thing to do. I will listen to other points of view, as I do, and I will be interested in listening to other contributions on this particular one.

I can see the impetus for the motion. I will listen carefully.

[2.49 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Madam Deputy President, today I speak on this motion on behalf of the Government. I will state up-front to make it unequivocally clear that the Government will not be supporting this motion.

As members should be or are aware the independent Tasmanian Electoral Commission and the Electoral Commissioner already have statutory responsibilities for the independent and impartial conduct of elections and referendums as enshrined in Tasmanian law under the Electoral Act 2004.

In fact, under this framework the Tasmanian Electoral Commissioner, Mr Andrew Hawkey, not only prepares annual reports that detail information and analysis of Tasmanian elections, but also prepares regular reports on parliamentary elections. This means there is already an impartial legislative framework in place for conducting, administering and reviewing elections within Tasmania. Accordingly, the establishment of a parliamentary committee to inquire and report upon the same thing would simply be a duplication of this statutory process making it at best, unnecessary and at worst, a complete and utter waste of public resources.

I now expand on these points. As I have mentioned, the Tasmanian Electoral Commission and the Electoral Commissioner have statutory responsibilities for the independent and impartial conduct of elections and referendums under the Electoral Act.

One of these responsibilities includes laying before each House of parliament an annual report on the performance of its functions and the exercise of its powers, as well as reporting on any matter arising in connection with the performance of its functions or exercise of its powers. Importantly, the annual report includes review commentary regarding all elections conducted within that period.

The functions and powers of the commission under the act include:

1. Advising the minister on matters relating to elections;
2. Providing information and advice on electoral issues to the entire parliament and in government;
3. Investigating and prosecuting illegal practices under the act.

In accordance with these powers the TEC does regular review and report on all Tasmanian elections. The commission has broad powers to do all things necessary or convenient in order to carry out these functions and powers and rightly maintain strong independence in this regard. The TEC, through the commissioner, is answerable only to the Parliament of Tasmania.

The importance of the independence of electoral commissions generally, is well established and it is important that nothing we do in this place affects that status. Powers and independence of the Electoral Commission are with the electoral administration and administrators and that impartiality with which they act and are seen to be allowed to act, which is fundamental to the integrity of an election.

The International Institute for Democracy and Electoral Assistance, a leading intergovernmental organisation working in the area of electoral assistance, has said that electoral management bodies are: 'The primary guarantor of the integrity and purity of the electoral process.' Others have similarly argued that independent electoral commissions are the single most important factor in ensuring free and fair elections.

The TEC - with all electoral commissions in the country - has operated as the key body responsible for the conducting of elections since the time of Federation. Of course, the Government acknowledges and supports the important role of parliamentary select committees to look into specific matters from time to time. There is no question that it is an entirely appropriate role of parliament for this process to occur with respect to some subject matters.

However, it is important to note that historically the select committees in Tasmanian parliaments have looked into specific matters or policy areas of concern, rather than duplicating the role and responsibility of an independent statutory authority already responsible for this process and, in this case, one that is pivotal to delivering independent and impartial elections and referendums in the state.

As a point of comparison, there has been a recent inquiry into the Tasmanian Electoral Commission in 2015 chaired by the member for Launceston. However, a stark point of difference with that inquiry is that a new select committee was not established; rather, it was conducted by a sessional committee for Government Administration B.

The terms of reference for that inquiry were also more appropriate, as it looked at the administration and any identified deficiencies of the Electoral Act, as well as resourcing available to the TEC, in contrast with this proposal which specifically aims to look to replicate the work and the role of the TEC.

In light of this, the question needs to be asked as to whether the member has failed to recognise that the independent review and scrutiny she is calling for already routinely occurs through the legislatively enshrined functions of the Electoral Commission. Or, is she calling into question the standard of work or ability of the Electoral Commissioner in carrying out his duties?

I query why the member has brought this forward, as the motion appears to be simply politically motivated. She states that the main purpose for a joint select committee to be stood up to inquire into elections is to deliver a general review of the administration of elections as opposed to the election outcome. This purports to be based on community concerns and a lack of public confidence in the process. However, as pointed out in an electoral editorial published on 24 June her motives do sound suspiciously like they would be used by those who would rather bring into question the legitimacy of the outcome.

While our implied freedom of political communication is a fundamental principle protected by our Constitution, it would be a failure of this Parliament to allow individual members the ability to circumvent the independent scrutiny processes already in place. Nor should we fall into the trap of trying arbitrarily to call into question the administration of our democratically run elections, or impugn the character of the commissioner responsible for this administration simply on the basis that some were unhappy with the result.

Surely it is the duty of every member here to respect the legitimate view of every Tasmanian voter and not treat voters like fools by calling foul play when the results do not go their way or the way they wanted.

This motion suggests the Parliament disrespects voters by suggesting they are not capable or able to make up their own minds about who they wish to vote for and/or to be in government. If there are concerns about matters of fraud, manipulation or otherwise illegal practices relating to an election it is also important to point out that it is everyone's responsibility to report this to the Tasmanian Electoral Commission for proper investigation and prosecution if required, in accordance with its role under the act.

The member has indicated that one of the reasons claimed to support the establishment of a select committee includes concerns around the legitimacy of the rationale for calling an early election for the House of Assembly. As the member is aware it is the Governor, not the Premier or government, who ultimately decides on a request to dissolve parliament and call an election. While no member should reflect on the Governor in this place, I can say that as Tasmania's head of state the Governor has the authority to refuse or grant a request. Is the member suggesting that it is necessary for the Parliament to call into question and review her judgment or decision as well?

I will not comment further on the Premier's reasons for requesting an earlier election. This was an issue discussed and extensively debated throughout the election, providing Tasmanians the ability to clearly voice their views on this matter at the polls. Regarding the member's concerns about the holding of concurrent House of Assembly and Legislative Council elections, I would like to remind the member that dual elections are regularly held both at the federal and state level for those with bicameral systems like Tasmania, with half of their upper Houses going to an election at the same time as their lower Houses.

Finally, we already have built-in checks and balances into our rule of law to ensure an impartial framework exists for Tasmanian elections. Every member here already has the ability to scrutinise the work that is undertaken by the TEC, as the commissioner's reports are tabled annually with ample opportunity to question findings during existing parliamentary processes.

The addition of a parliamentary inquiry process to review and report on the same subject matter would not add any further value and is considered an unnecessary duplication of public resources. Accordingly, the Government will be voting against this motion.

[2.59 p.m.]

**Ms LOVELL** (Rumney) - Madam Deputy President, I will make a short contribution on this motion. The reason that it will be relatively brief is because to me this is quite straightforward and clear. I understand that there have been some concerns raised in the public, in the media and through various channels around different aspects of this election. I believe we should put those matters aside and think about this as a matter of process. I asked the Parliamentary Library to look into what happens in other jurisdictions to find out whether this is something that would be out of the ordinary or whether this is something that would be consistent with what other parliaments do as part of their normal business.

Through that, I established that most other parliaments either have currently or have had in the past some form of either standing or select committee or some form of legislation that triggers an inquiry into the conduct of elections. The federal parliament has a Joint Standing Committee on Electoral Matters. In the ACT, their electoral act triggers an inquiry after each election. In fact, it is only the Northern Territory that has not had any committee ever looking into these matters.

To me, what is being proposed by the member here is not out of the ordinary, it is not unreasonable. It is certainly not inconsistent with what happens in other parliaments across the country. We know that the Government has acknowledged previously that electoral reform and donation reform is needed so this, in itself, indicates to me that there are matters that need to be scrutinised.

Both the former premier, Mr Hodgman, and the current Premier, Mr Gutwein, have made commitments around electoral reform. However, they have failed to deliver those commitments. In fact, we have had two elections since those commitments were originally made. In the meantime, we have not had a bill tabled before the parliament; we do not know their intention.

In the meantime, surely this committee, at a minimum, provides an additional level of scrutiny in the interim until we know what legislative reform is being proposed by the Government. A committee of this type may help to inform that legislative reform. I know that the member has explored other legislative solutions to some of the concerns that were raised

and, whilst a solution has not been able to be reached in that regard, again I believe that this committee could help to inform that in terms of a more permanent, agreed-to, enduring fix to some of these concerns.

One of the major concerns during and after this most recent election is something that came to light which, I will admit, is something that came as a surprise to me. That was the issue with the Integrity Commission not having oversight of either elected members or candidates or parties, but particularly elected members, during an election period. I was really surprised by that because my understanding was that, as an elected member, I was answerable to the Integrity Commission at all times.

What I have learned is that during an election period, I am not. I am still an elected member until I am either re-elected or not but I would not be answerable to the Integrity Commission. I do not think that is okay. Again, this committee would provide that extra level of accountability and scrutiny around some of those issues that, whether or not they came up during this election, may come up in future and may require an additional level of scrutiny that currently does not exist. It does not exist for parties; it does not exist for elected members; it does not exist for candidates. At the moment it is free-for-all, pretty much.

I do not believe that this is anything to do with the result of the last election. For me, personally, I accept that the Liberal government was re-elected and I congratulated the Premier for that in my reply to the Governor's Address, as did, I believe, most members. For me, this is nothing to do with the result. This is to do with all of those levels of scrutiny that people may have believed were there that, we have discovered, are actually not there.

I do hope that this committee will be supported. I have discussed this with my party colleagues both here in this place and in the lower House. We all welcome an additional level of scrutiny that can do nothing but help bolster public confidence in our electoral system and in the conduct of parties, the conduct of candidates and of members of parliament during that critical period.

I am really disappointed to hear - and I will admit I only caught part of the Leader's contribution - but I am really disappointed to hear some of the assertions that were being made around the motivations of the member for Nelson. That is really unfortunate, particularly here in this place. I do not support that at all. I do not believe that the member for Nelson has any reason to be disputing the result of the election or any of the assertions that were being made.

I honestly think that this is just about providing that level of scrutiny to further boost public confidence in our electoral process. For me and colleagues I have spoken to, we believe that can only be a good thing.

I do hope this will be supported. While I hear what the Leader has said here in this place I hope the Government and the Premier will take notice for once of this Chamber and on what this Chamber will, I hope, support, and will act accordingly.

[3.05 p.m.]

**Ms ARMITAGE** (Launceston) - Madam Deputy President. First, I have no question about the legitimacy of the outcome of the election. I certainly have no issue about when governments call an election. When they consider it necessary it is up to the government of the day, so certainly I do not have a problem there.

I, too, have been looking into what other states do and have done. I notice currently that New South Wales and Victoria - as a matter of course - both have an inquiry into the administration of state elections with the last ones being at their last state elections. Obviously, the federal government do also, but is a little bit of a different matter to us.

I was also reading in *The Examiner* newspaper, 24 June, that political analyst, Richard Herr, said there should be inquiries held after each state election as a matter of course as they were at a Commonwealth level. As we have seen almost every election has been controversial in one way or another, he said. Professor Herr said he hoped the inquiry, if held, would discourage any repeat of concurrent elections. He said it would be in the Premier's interests to have an inquiry to legitimise his decision to call an early election. Whether that is the case or not, I will certainly leave that up to the Premier.

The main issue I had, and I know many other independent members in this House had when we all penned the letter to the Premier, was the calling of the election on the same day as the upper House election. I take note of the Leader's comments that it does happen in many other states.

In many other states they do not have the privilege we do of having mainly an independent House and that is no reflection on any of the party members. Party members are all wonderful people and I do not have a problem there.

I do see this House as a house of review. I have difficulty seeing this House as a house of review if we have purely party members, because obviously party members will support, Opposition members will likely oppose. It is just the nature of the beast. Hence the reason this House has been held up in many quarters as such a great place is because of the fact we are mainly, or had been, independent and able to review legislation independently and without any favour whatsoever.

That is my main issue when I am looking at whether we hold this up or whether we do not. I understand what the Government did was not illegal. It certainly was probably a political strategy and some would say a very good political strategy. Was it appropriate? Well, I do not believe it was, but politically you can understand any incumbent government is going to act in their own interest to secure another term in government. That is a natural thing that would happen.

Should we assume the average voter did not understand the difference between the two Houses? I think most voters do understand, but when they are placed almost like at a federal election with two sheets of people, it is very easy just to fill them both out without having in your mind that the upper House or Legislative Council is a different beast. It is something that is not totally understood in our community, the Legislative Council. It is only every six years it comes up in someone's electorate, so it is not something they are dealing with on a regular basis. I know when I go out and around, having been on Launceston City Council, many people think I am still on Launceston City Council, because Legislative Council for Launceston, Launceston Council, it is a confusing matter.

People are smart and they do understand, but sometimes when you are in there just looking, and you go from one sheet to another - it is very easy to go: 'Labor, Labor, Liberal, Liberal' without thinking, 'Okay, this is the House of review, maybe we need to look at it a little differently'.

I do not want to reflect on our candidates who have just been elected because they are great people. I am purely looking at it as an independent House of review. It is difficult saying that because I like the members who are all here.

On the other hand, it is questionable whether a state as small as Tasmania should be expending resources into an inquiry. I consider we all put up inquiries for the very best reasons and I do not believe the member for Nelson is doing it for political reasons.

I understand, Leader, that sometimes the comments in speeches may or may not be written by ourselves; but I do not believe that people put them up for political reasons. In this House, people do them for the right reasons. Independent members are not party-driven and perhaps comments like that are unfortunate and can have an adverse effect.

Would having an inquiry now clear the air and probably lead to legislative change? Maybe it would; that would be a good outcome, especially for independent members. I agree with the member for Hobart, that the Legislative Council must have caps on funding. I believe it is very important. I would like to see much lower caps on the other place as well.

Kristie Johnston has been elected as an Independent in the other House. That must be very difficult when you see the money that can be spent in the lower House. I agree with caps on the upper House to give everyone a chance to get elected, not only parties. I agree with the member for Hobart that when you are part of a party you are going to have flow-on from the party, particularly when it is an election at the same time.

I can understand why the motion has been brought. I do not see it as a reflection on the election at all. I believe the election was legitimate. I believe the Liberal Government was elected in its own right and it has done very well, so I am not looking to question the legitimacy of the election outcome. I do not see any issues there at all or about when it was called. That is purely up to the Premier and the Governor of the time to make those decisions. I will certainly listen to any further comments that are made.

[3.12 p.m.]

**Ms RATTRAY** (McIntyre) - Madam Deputy President, I rise to make a brief contribution to this motion. I thank members for their contributions, because I did not find this an easy decision to come to - not because I do not appreciate scrutiny, but because it is something new and requires some consideration. I intend to support the motion.

The Leader mentioned that we already have a committee process to look at electoral reform. I was part of that committee. However, I believe the motion for a joint select committee is appropriate because the other House will be invited to be part of that inquiry. I believe that is important, because this is about the electoral process for all parliamentarians. I support all the Legislative Council committees that are formed and the processes gone through in this place. But in this particular area, it is important to have all, from both Houses, represented on this proposed joint select committee.

Similar to the member for Rumney, I was somewhat surprised as well that the Integrity Commission could not look at matters that were sent to them for investigation or inquiry post the election and during the election. Do we need to look at the remit of the Integrity Commission? That would be something that would come under the joint select committee's



remit, if it was under the terms of reference to look at that. Maybe there is a suggestion or a recommendation about expanding the Integrity Commission's powers if that is the case.

It is totally appropriate that that particular situation is looked at, because we know that you remain a member of parliament until 12 midnight the day before your election. So, at midnight on 6 May 2022, the member for Elwick and I will no longer be a member. We will be a candidate. We were already a candidate, but no longer a member.

**Mr Willie** - Not for long though.

**Ms RATTRAY** - I am certainly in your camp there. I do not want it to be too long. But it takes time to get a result from an election. Just ask the member for Windermere, and the member for Rosevears, how long it takes to get that call to say that you are across the line.

I found that very interesting, and I thank the member for Rumney for sharing that. I had heard that during the course of the conversation about this debate, whether supporting the joint select committee or not. It is appropriate that there is a body that looks at issues about elections.

We all know that during election time the Electoral Commission has a significant workload. I make no reflection on the members who have been elected to this place. By all means I absolutely welcome them. They are sent here by their communities and we welcome everybody and that is the absolute truth. But I found it interesting that there was some feedback after the election about some confusion surrounding the Legislative Council divisions and the overlap of state boundaries. I believe some voters turned up in one electorate at one polling booth and they were told they had to go somewhere else to be able to vote for both the state and the Legislative Council in their respective division.

There is already some confusion about that and it should be looked at. Possibly a recommendation would come out of a joint select committee inquiry about how to address that particular issue in the future. We want people to be involved in that democratic process. If you put up barriers - we already know that the Legislative Council does not always, or never, receives the same percentage of voters as the House of Assembly election. We cannot understand why people are not super engaged with what we do. Unfortunately, they are not necessarily as engaged as we are.

We want to do everything we can to encourage people to be engaged, so if something like that was looked at through a joint select committee process, then I am more than happy for that to occur. There has been ample discussion on this issue. I appreciate the Leader putting forward the response of the Government, but it does happen in other jurisdictions. If we could get fixed-term elections it should only be once every four years that there would be a need for a post-election inquiry. It is not like it is going to be on an annual basis, I expect, so let us have a look and see what might come up through some terms of reference.

I am sure there will be an ample number of people putting their names forward to be a member of that committee. At this stage, I have no issue in supporting the member's intent to establish a joint select committee, particularly for those first two main reasons.

Again, like the member for Launceston, I have absolutely no hesitation in supporting the result of the House of Assembly election and the election of the Legislative Council members to this place.

[3.21 p.m.]

**Ms WEBB** (Nelson) - Madam Deputy President, in the first instance, thanks to those members who have spoken on the motion. I very much appreciate their contributions. I note the support expressed by the independent members of the Chamber and from the ALP member who spoke to the motion and I am very pleased to see that support.

It is interesting that the member for Rumney and also the member for McIntyre spoke of their surprise about the revelations that the Integrity Commission does not have jurisdiction over MPs in general elections during the electoral period because technically they are not MPs.

Actually, I would point out that it is an even more interesting circumstance because, thinking that through while you were discussing that here in your contributions, there is actually a difference between the two Houses. When a general election is called for the lower House, parliament is prorogued and so that indicates the end of those members' times as members of parliament and they become candidates. At that point in time, we are led to believe by the Integrity Commission that the Integrity Commission has no jurisdiction over them during that election period.

We are different from that here. Parliament is still in existence across the time that we campaign for our elections and, as the member for McIntyre rightly pointed out, we actually stay members right up until election day so we are not in a similar situation of participating as a candidate for election while also not being a member of parliament and, therefore, under the jurisdiction of the Integrity Commission.

Here is an interesting thing in itself too, is it not? As members in the two Houses, there is quite a distinct difference over our accountability related to our integrity across the time that we campaign. When we are running for re-election as members here, we will never have the luxury of being absent from the responsibilities that we are going to be held to account for through the Integrity Commission and its processes. We will always have that sitting over and above us and being accountable to it while we campaign for election.

Apparently, we are given to believe and understand that is not the case for our colleagues in the lower House. That is quite extraordinary. It may be that I have misconstrued that too. It may be that there is actually a different reality to this that needs even further examination and explanation. As the member for McIntyre rightly pointed out, this is precisely the sort of matter that could be unpicked within the context of this proposed joint select committee of inquiry into the election.

Again, in and of itself that should be enough justification to hold it. Why would we not unpick this in the most open and accountable way through a parliamentary inquiry process? The member for Rumney also raised the unresolved electoral reforms and I agree that, in the absence of those being progressed, some things may come up in this process. Were it to go ahead, it could be valuable to feed through to the ongoing progress of those reforms.

The member for Launceston, thank you for your contribution. You mentioned and contributed some of those comments from Richard Herr as an expert on these matters and his entreaty to parliament and to the Premier to engage with this process. That is valuable input from an outside expert on the potential value of this. I thank you for your support of the motion.

The member for McIntyre, thank you for your contribution. I agree it is not necessarily an easy decision to come to. It is not something that has occurred before so it does actually ask us to give it due consideration. I agree with you that it is the most appropriate way to approach this and why I have proposed it this way is that both Houses of parliament would do this in a joint fashion through a joint select committee.

We have seen other states who have progressed these sorts of processes take that approach as the most appropriate. I will not say much more on that other than to thank you for your contribution.

I am reluctant to speak in too much detail in response to the Government's contribution. I pre-empted most of the things they would say in the contribution I made at the beginning of this debate and my views on those positions are contained in my first speech. I will say a couple of short things.

One I did speak about earlier, but will reinforce now briefly. The Electoral Commission exists and has a particular statutory role. Absolutely nothing in this proposal takes away from, pre-empts, overtakes or replicates that role. Just like, as I said, in every other state where the parliament engages in a review of elections, they also have their own electoral commissions and it is not an either/or matter. It is something that can sit quite happily in terms of public confidence and the public being reassured that appropriate processes are there. You can have an electoral commission undertaking its activities and providing a report on those activities, perhaps reviewing them internally and that is fine. They are answerable to the parliament. One key way that we have statutory bodies to answer to the parliament is through things like inquiries and committees. It is entirely reasonable.

I will say right here and quite clearly, I am not in any sense impugning the Electoral Commissioner or the Electoral Commission in putting forward this motion. To suggest that I am doing so is absolutely disgraceful on the part of this Government, absolutely disgraceful. How dare they verbal me in that way and suggest that is what I was doing. If that is what I am being accused of doing, that is what the state government and parliament of New South Wales and the state government and parliament of Victoria are also doing. That is what the federal parliament and the federal government are doing when each of those jurisdictions engages in parliamentary reviews of their elections, alongside the fact they also have electoral commissions associated with each of the jurisdictions.

If I am impugning the Electoral Commissioner and the Electoral Commission then that accusation is actually by this Government being levelled at the state parliaments and federal parliament at that same time.

Nothing about this motion and the inquiry process that it seeks to establish circumvents any processes currently in place that the Electoral Commission is undertaking. In fact, it is complementary. Reviews and reporting by the Electoral Commission would feed naturally into a parliamentary inquiry into the election. They will become excellent and valuable pieces of evidence for the Electoral Commission to put forward. That would be the normal course of events.

Dual elections are held in other jurisdictions of course. They have never been held here and no other jurisdiction has the particular arrangements in place around their upper House that we have had here in this state for 170 years. Tasmania is different to other jurisdictions. We

may ask, if dual elections are held elsewhere, then they could surely be held here. I believe other jurisdictions which have dual elections have, without exception, party-dominated upper Houses. Tasmania, until last year, had never had a party-dominated upper House and that is because of the particular design that this state gave to its upper House and the electoral process that sits around it.

The question is not whether it is possible to have dual elections; it is about the potential impact of dual elections. I believe that is a particular matter for examination through a process such as this inquiry. The inquiry would enable us to ask, 'Having experienced an instance of concurrent dual elections for the first time in 167 years, what has that meant for the particular design that we have for the elections of the Legislative Council?' What impact has it had, given that we have very particular designs in place around our electoral cycles, our electoral rules and the way we operate our upper House elections. That very question warrants an inquiry, so that we - and the Tasmanian community - can be made aware of the impact and ramifications and so that consideration is given to that as we go forward.

It is extraordinary that the Government would accuse me of putting forward this proposal for a joint select committee inquiry for political purposes. I thank other members who provided support to me on this matter in their contributions. It is an appalling and ridiculous accusation to make. What political purpose do I have? I am not a member of a party. I am not associated with any party. I am an Independent in the upper House. I do not face election for another four years. There is no political purpose for me to put this forward as a proposal.

The Government is again exposing its glass jaw on this issue. What a shame, to default to personal attacks and spurious accusations in this place to accuse me of being political in suggesting this inquiry. There is every reason to contemplate and to progress committees of inquiry of this sort, in a parliamentary democracy and system such as ours that values transparency and accountability, and values the role and functions of the Houses of its parliament. I know that is true, because it occurs frequently in other similar jurisdictions, as we have all canvassed here. To suggest that putting this forward as a proposal for this parliament is based on political motivations is astonishing. It is ridiculous and offensive.

I suggest that, with its historic third term election victory, the Liberal Government should attend to its glass jaw. It is inappropriate for the Government to be reacting in this defensive manner, with personal attacks on members and colleagues in this place. It is time to grow up, and if this Government had any guts it would do what its counterparts in other jurisdictions, at state level and at federal level, do as a matter of course. It would support this effort to improve and strengthen our democracy.

**Madam DEPUTY PRESIDENT** - The question is that the motion be agreed to.

**The Council divided -**

**AYES 8**

Ms Armitage  
Mr Gaffney  
Ms Rattray (Teller)  
Dr Seidel  
Ms Siejka

**NOES 3**

Mr Duigan (Teller)  
Mrs Hiscutt  
Ms Palmer

Mr Valentine  
Ms Webb  
Mr Willie

## PAIRS

Ms Lovell

Ms Howlett

### **Motion agreed to.**

**Ms WEBB** (Nelson) - Madam Deputy President, I move -

That a message be transmitted to the House of Assembly and requesting its concurrence therein.

### **Motion agreed to.**

## **SUPPLY BILL (No. 1) 2021 (No. 10)**

### **Second Reading**

[3.42 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Madam Deputy President, I thank members for the cooperation of private members and Government to get their business done this week. I certainly appreciate it.

I move -

That the bill be read the second time.

As members are aware, the 2021-22 Budget will be presented on 26 August 2021. It is anticipated that royal assent for the 2021 appropriation bills will be granted in early to mid-October 2021. As is standard practice when a budget has not been passed by the commencement of the budget year, a supply bill is needed to make interim provision for the appropriation of funding from the Public Account to enable the provision of government services until the budget appropriation bills are enacted.

Treasury estimates that an appropriation totalling \$2202.1 million is required to enable the continuation of the normal services of government, including services in respect of parliamentary and statutory offices for a period of four months to 31 October 2021.

This amount has been determined with reference to actual agency expenditure for the first four months of 2020-2021, the revised 2021-22 Estimates as presented in the 2020-21 Revised Estimates Report and in consultation with relevant agencies. Madam Deputy President, in accordance with current appropriation conventions, two supply bills have been prepared.

The bill reflects the allocation of agency outputs to ministerial portfolios in accordance with the structure of the Tasmanian Government. Supply Bill (No. 1) 2021 makes an interim

provision for the appropriation of \$2189.7 million for the services of the Government. This includes \$1947 million of expenditure on operating services; a further \$222.7 million is provided for expenditure for capital services to allow the Government's infrastructure program to continue to be delivered in the new budget year.

In accordance with section 21 of the Financial Management Act 2016, \$20 million has also been allocated for the Treasurer's Reserve to meet expenditure which cannot be reasonably foreseen and which is necessary for efficient financial administration.

Supply Bill (No. 2) of 2021 makes an interim provision for the appropriation of \$12.4 million for the services of the Government in respect of parliamentary and statutory offices for operating services expenditure.

These supply bills are administrative in nature as they provide for the continued provision of existing government services and capital expenditure pending parliament's consideration of the Budget for the 2021-22 financial year.

If any member were to speak on this bill wishing to go to a briefing, I will happily facilitate that. I commend the bill to the Council.

[3.45 p.m.]

**Mr WILLIE** (Elwick) - Madam Deputy President, we are at the end of the financial year and the budget has not been scheduled at a normal time. That means we have two supply bills outside of the budget process before us. The Supply Bill (No. 1) has more than \$2 billion-worth of new expenditure, which is based on the revised Estimates in the Revised Estimates Report. We need to keep the parliament running too, along with a number of other statutory bodies and there is over \$12 million in the second supply bill.

**Madam DEPUTY PRESIDENT** - No, that is a separate bill. We are just dealing with this one.

**Mr WILLIE** - We are only dealing with one? It is just that the second reading spoke about both.

**Madam DEPUTY PRESIDENT** - I know the Leader did refer to it, but we are only dealing with Supply Bill (No. 1) at the moment.

**Mr WILLIE** - I will leave that one and we can come to that at another time. It is effectively four months of funding for the next financial year for the continuation of government services, wages and essential services like hospitals and schools, and other things that we rely on every day.

If the Government could clarify this question I would be appreciative. The election commitments are not included in the Estimates? That is my understanding. It is unclear how the Government will progress election commitments in the next four months because they are unfunded. There is also a chance that this may not receive royal assent by 1 July. That means - and I am sure you are well aware of this - that the Government may need to use section 27 of the Financial Management Act to fund up to 20 per cent of the appropriation of last year's budget as an interim measure. If that occurs that would be the first time that will have occurred under that act, which is a fairly new act, but it does say something.

Last week, members in this place, yourself included, Madam Deputy President, discussed the Fiscal Sustainability Report released by Treasury. This appropriation bill makes no consideration of that. This supply bill shows that the Government is literally without a plan. With no budget, agencies are just being told to follow last year's budget for the time being while the new budget is being developed.

This supply bill and the rush to move it through the parliament before the end of the financial year is treating the Legislative Council with contempt. It is an important bill, a significant bill with a huge amount of expenditure. Supply bills of this nature should not be rushed through the Legislative Council or through the parliament because the Government cannot organise itself.

[3.49 p.m.]

**Ms RATTRAY** (McIntyre) - Madam Deputy President, I listened to the member for Elwick in his contribution to the second reading speech in regard to the Supply Bill (No. 1) and, yes, it is significant, not only in its monetary terms, but in its function. Again, when I was considering whether to support this bill or otherwise I did not feel I had an option. If this is not supported then how do we keep the parliament going?

Whilst I understand the member's concern about some matters, I do not feel I have an option here. We had an election; it takes time to put together a budget and obviously there needs to be some time and we need to keep the parliament and all of the departments going. Otherwise, what do we do? Do we just stop? On the strength of that I will be supporting this bill into the Committee stage. I do not know what else we would do because if we do not have the finances to fund departments, the state and keep us going, then I do not see we have done our job.

[3.50 p.m.]

**Ms ARMITAGE** (Launceston) - Madam Deputy President, we are again looking at another very bottom-heavy year in terms of parliamentary business with the state going into election mode during April and May and having only two weeks before the winter break. It is extremely important to pass Supply Bills (No. 1) and (No. 2) to keep our state at work, so I will keep my remarks brief.

Supply Bill (No. 1) is set to appropriate \$2 189 745 000 to provide for the continuity of government services until the date of the 2021-22 Budget supply bill is passed which is set to occur in October. Contained in this sum is \$1947 million for operating services and a further \$222.7 million for the continuity of the Government's infrastructure program through the new financial year. These are significant sums. The Government has stated these are largely administrative costs and I am inclined to show flexibility here when there are still uncertain circumstances relating to the pandemic, the election and the state's overall economic position.

Australia retained its AAA credit rating and Tasmania was reported as the country's strongest economy for the fifth quarter in a row in the last CommSec State of the States Report in April. I note, however, not all Tasmanians are feeling the prosperity that characterises Tasmania's economic position at the moment. I gather the ambitious plans and promises unveiled by the Government during the election campaign will be more fully costed and planned in the budget come August. The longer it takes for the Government to address matters of inequity, particularly around housing and health, the more difficult they will be to address. To this end, I am expecting some impressive costed policy measures in the budget.

As I reviewed this bill, I noted that the sum to be appropriated by this bill was determined with reference to actual agency expenditure for the first four months of 2020-21, the revised 2021-22 Estimates and consultation with relevant agencies. I wonder if the Leader could make any comment about the extent of that consultation with the agencies and indicate whether the sums contained in the bill will be sufficient for their operations until October. In other words, are we certain they will be adequately resourced until then?

I emphasise despite Tasmania's positive economic position relative to the rest of the country, not all Tasmanians are feeling the benefits. We need to be considering what challenges will lie in the years ahead and to address them as soon as possible.

According to the latest Fiscal Sustainability Report from Treasury, projected health expenditure is the single most significant driver of the projected future fiscal challenges for the state, being the largest expenditure category that is set to grow at a significantly greater rate than projected revenue growth. This is, perhaps, obvious to some but to see some of the numbers in black and white is jarring.

It is incumbent upon the Government which now has a mandate to govern for all Tasmanians for the next four years to ensure the state's relatively strong economic position translates into recovery for everybody. Day in and out I hear horror stories of people on housing waitlists and young people whose dreams of home ownership become further out of reach. As a result, young people are putting off or avoiding altogether buying a home or having children. Many young people consider growing a family a luxury which they cannot afford, and the country's population is set to seriously decline over the next 50 years. We must act as soon as possible to avoid this bleak future.

Madam Deputy President, I support this bill and look forward to the Government's innovative approaches to solving these issues in the upcoming budget.

[3.54 p.m.]

**Mr VALENTINE** (Hobart) - Madam Deputy President, quite clearly, we cannot afford to have a public service that does not operate and do its job.

Can you just imagine that being the case? It does not bear thinking about. Last year, we had a circumstance where we had this pushing out of the budget, and it was entirely due to COVID-19. This year it is because of an election being called. We will get the opportunity to scrutinise the amounts that are actually being voted through today.

**Mr Willie** - Excuse me, Madam Deputy President, but the budget was not scheduled in August because of the election. It was already scheduled for August.

**Madam DEPUTY PRESIDENT** - It was a response to COVID-19 delaying last year's budget, do you remember?

**Mr VALENTINE** - Okay, for the record, sorry. My misunderstanding there. But the main point I make is that we will get an opportunity to scrutinise this. It is not like we cannot scrutinise it, and in August we will do that. If you look through the various agencies concerned here, and the amounts that have been dealt with, there are significant areas of expenditure and capital services, in particular, that I expect are keeping the wheels of government rolling.



I do not see that there is any reason whatsoever to be stopping this from going through. It would be foolish to do that. I look forward to the opportunity to scrutinise it more closely during the Estimates process and for myself, that would be on a different committee and a different set of agencies. I look forward to that opportunity. I support the bill.

[3.57 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Madam Deputy Chair, I will just seek some advice.

The member for Elwick was asking how is the Government going to fund its election commitments. All election commitments will be funded through the budget appropriation bills. The Financial Management Act provides flexibility to enable the Government to fund election commitments prior to an appropriation act being passed. Under section 21(3) of the Financial Management Act, the Treasurer is able to issue and apply funding from the Treasurer's Reserve in the absence of an appropriation where the Governor has, in writing, approved that expenditure. The Government has already commenced fulfilling its election commitments with \$4.7 million funded this year, including funding to 111 organisations through the Local Communities Facilities Fund.

Did a section similar to section 27 exist under the previous financial management legislation? In the event an appropriation act for the forthcoming budget has not received royal assent before 1 July, section 27 of the FMA gives the Treasurer power to issue and apply amounts for up to the first two months of the financial year that may be necessary to meet the current and recurring requirements for that year, before the passing of an appropriation act. The Treasurer's powers in relation to providing supply under the FMA is similar to that of the previous Public Account Act. Section 14A of the PAA provides the ability for agencies to allow operational and existing capital activities to continue when a budget appropriation act for that period was not in force.

And the last question from the member of Launceston, I think. Supply bills are developed in consultation with agencies, particularly in relation to the level of appropriation for capital services which has been adjusted to account for specific project expenditure where necessary. Agencies have confirmed there is adequate funding.

**Bill read the second time.**

## **SUPPLY BILL (No. 1) 2021 (No. 10)**

### **In Committee**

**Madam DEPUTY CHAIR** - I would like to explain that this is where we will postpone clauses 4 and 5 and then come back to them. Please do not think that we are missing some. For the information of the member for Windermere, that is part of the process for supply bills. We will also go through the Schedule in an itemised fashion, so that is something that we will also do through this as well.

**Clauses 1 and 2 agreed to.**

**Clause 3 agreed to.**

**Clause 4 -**

Issue, application, and appropriation of \$2 189 745 000

**Mrs HISCUTT** - I move -

That clause 4 be postponed.

**Clause 4 postponed.**

**Clause 5 -**

Purposes of appropriation

**Mr WILLIE** - A point of clarification, Madam Deputy Chair. If I want to ask a question on the clause, I can do that after we postpone it, can't I?

**Madam DEPUTY CHAIR** - When the Schedule is read there will be an opportunity to ask questions as an itemised department there, if that suits the member. If it is specific to an area, a department, through the scheduling process, you can.

**Mr WILLIE** - Can I ask the question now?

**Madam DEPUTY CHAIR** - We will come back to clause 5. Is the member comfortable with that?

**Mr WILLIE** - Yes. No, I found the department in the schedule so it is fine.

**Madam DEPUTY CHAIR** - Thank you.

**Clause 5 postponed.**

**Clauses 6 and 7 agreed to.**

**Schedule 1 - Purposes of appropriation 2021-2022**

**Brand Tasmania**

Premier

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for the Prevention of Family Violence

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Sport and Recreation

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Sport and Recreation

Capital Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Disability Services

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Children and Youth

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Children and Youth

Capital Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Aboriginal Affairs

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Women

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for State Development, Construction and Housing

Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for State Development, Construction and Housing  
Capital Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Community Services and Development  
Operating Services

**Item agreed to.**

**Department of Communities Tasmania**

Minister for Veterans' Affairs  
Operating Services

**Item agreed to.**

**Department of Education**

Minister for Education  
Operating Services

**Mr WILLIE** - In summing up, the Leader said there was provision to use the Treasurer's Reserve to progress election commitments. My question for this part of the schedule is: has the Department of Education requested some expenditure from the Treasurer's Reserve to progress election commitments and if so, what is the amount over the next four months?

**Mrs HISCUTT** - There have been no requests from the Education department, or any department.

**Mr Willie** - No department has requested any funding to progress election commitments?

**Mrs HISCUTT** - That is the answer: no department has requested any.

**Item agreed to.**

**Department of Education**

Minister for Education  
Capital Services

**Mr WILLIE** - The Government committed to \$105 million of capital expenditure in commitments for the Department of Education so there will be no progression of that for the next four months is my understanding.

**Mrs HISCUTT** - The departments were asked to give their projected capital expenditure estimates and that has been provided for in this Supply Bill so they should be able to continue full steam ahead.

**Mr WILLIE** - It is my understanding that they were asked what the four months of expenditure were for the first four months of this year, so if they are just giving that amount it will not include election commitments for the next four months. Is that correct?

**Mrs HISCUTT** - That is correct.

**Item agreed to.**

### **Finance-General**

Treasurer  
Operating Services

**Mr WILLIE** - The Leader in summing up said that if needed the Government could access the Treasurer's Reserve. What is the total amount in the Treasurer's Reserve currently?

**Mrs HISCUTT** - Last financial year it was \$80 million but because this is for a four-month period there will be \$20 million allocated to it.

**Mr WILLIE** - My question then is, does the Government think that \$20 million is sufficient to progress election commitments over the next four months across government, across all departments?

**Mrs HISCUTT** - All agencies have given an indication of how much they needed at that stage and that is accounted for in here.

**Mr Willie** - Election commitments are unaccounted for.

**Mrs HISCUTT** - The agencies have given a projection of how much money or funds that they would need in the Supply Bill to continue doing what they are doing -

**Mr Willie** - How much they spent in the first four months.

**Mrs HISCUTT** - and that is accounted for here.

**Item agreed to.**

### **Finance-General**

Minister for Finance  
Operating Services

**Item agreed to.**

**Finance-General**  
Minister for Finance  
Capital Services

**Item agreed to.**

**Department of Health**  
Minister for Health  
Operating Services

**Mr WILLIE** - I wish that my esteemed colleague, the member for Huon, was here to maybe join in. The Government committed to an election surgery waiting list blitz. Will that be progressed in the next four months with the current funding allocation? If not, will the Department of Health be requesting the Treasurer's Reserve to progress their way through that list?

**Mrs HISCUTT** - At the time that the agencies were asked to provide their expenditure requirements, this is the figure that came through. It was based on the current year's expenditure but we have not had any requests for any more funding yet. I cannot really answer your question as yet; it might be a policy question to put through.

**Mr Willie** - It is not. It is a financial question.

**Mrs HISCUTT** - Yes. We cannot really answer that question yet because the agencies were asked to give their projected expenses, what they would need for the next four months. This is the figure that the departments have asked for.

**Mr WILLIE** - So the departments were asked to give their four-month average spend or the amount it cost to operate the department on current projections for the first four months of the year. That does not include election commitments so, Leader, are you saying that for four months the election surgery waiting list blitz will be stalled because there will not be sufficient funding to progress that commitment?

**Mrs HISCUTT** - If agencies decide they need more money to do what they need to do, they can access more funds under section 21(3) of the Financial Management Act.

**Mr Willie** - Which is the Treasury Reserve.

**Mrs HISCUTT** - Yes, Treasurer's Reserve.

**Mr Willie** - There is \$20 million there for all of the departments to access if they need it.

**Mrs HISCUTT** - That is correct.

**Item agreed to.**

**Department of Health**

Minister for Health  
Capital Services

**Mr WILLIE** - This is extraordinary really. Is the Government in paralysis for four months? They cannot progress their election commitments because the appropriation bills do not contain funding for their election commitment. My question to the Government is how are they going to progress their election commitments and capital upgrades for the health services that Tasmania needs?

**Mrs HISCUTT** - It is projected these things will ramp up gradually.

**Mr Willie** - After four months.

**Mrs HISCUTT** - If the departments say they need more money in that time they will access the Treasurer's Reserve. It is not going to happen tomorrow, it will happen over time.

**Item agreed to.**

**Department of Health**

Minister for Mental Health and Wellbeing  
Operating Services

**Item agreed to.**

**Department of Health**

Minister for Mental Health and Wellbeing  
Capital Services

**Item agreed to.**

**Department of Justice**

Attorney-General and Minister for Justice  
Operating Services

**Item agreed to.**

**Department of Justice**

Attorney-General and Minister for Justice  
Capital Services

**Item agreed to.**

**Department of Justice**

Minister for Corrections

Operating Services

**Item agreed to.**

**Department of Justice**  
Minister for Corrections  
Capital Services

**Item agreed to.**

**Department of Justice**  
Minister for Workplace Safety and Consumer Affairs  
Operating Services

**Item agreed to.**

**Department of Justice**  
Minister for Workplace Safety and Consumer Affairs  
Capital Services

**Item agreed to.**

**Ministerial and Parliamentary Support**  
Premier  
Operating Services

**Item agreed to.**

**Department of Police, Fire and Emergency Management**  
Minister for Police Fire and Emergency Management  
Operating Services

**Item agreed to.**

**Department of Police, Fire and Emergency Management**  
Minister for Police Fire and Emergency Management  
Capital Services

**Item agreed to.**

**Department of Premier and Cabinet**  
Premier  
Operating Services



**Item agreed to.**

**Department of Premier and Cabinet**  
Premier  
Capital Services

**Item agreed to.**

**Department of Premier and Cabinet**  
Minister for Science and Technology  
Operating Services

**Item agreed to.**

**Department of Premier and Cabinet**  
Minister for Science and Technology  
Capital Services

**Item agreed to.**

**Department of Premier and Cabinet**  
Minister for Climate Change  
Operating Services.

**Item agreed to.**

**Department of Premier and Cabinet**  
Minister for Local Government and Planning  
Operating Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Primary Industries and Water  
Operating Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Primary Industries and Water  
Capital Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Aboriginal Affairs  
Operating Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Heritage  
Operating Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Parks  
Operating Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Parks  
Capital Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Environment  
Operating Services

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Environment  
Capital Services.

**Item agreed to.**

**Department of Primary Industries, Parks, Water and Environment**  
Minister for Racing  
Operating Services

**Item agreed to.**

**Department of State Growth**

Minister for Skills, Training and Workforce Growth  
Operating Services

**Item agreed to.**

**Department of State Growth**

Minister for Skills, Training and Workforce Growth  
Capital Services

**Item agreed to.**

**Department of State Growth**

Minister for Infrastructure and Transport  
Operating Services

**Item agreed to.**

**Department of State Growth**

Minister for Infrastructure and Transport  
Capital Services

**Item agreed to.**

**Department of State Growth**

Minister for Energy and Emissions Reduction  
Operating Services

**Item agreed to.**

**Department of State Growth**

Minister for State Growth  
Operating Services

**Item agreed to.**

**Department of State Growth**

Minister for Resources  
Operating Services

**Item agreed to.**

**Department of State Growth**  
Minister for Hospitality and Events  
Operating Services

**Item agreed to.**

**Department of State Growth**  
Minister for the Arts  
Operating Services

**Item agreed to.**

**Department of State Growth**  
Minister for Tourism  
Operating Services

**Item agreed to.**

**Tourism Tasmania**  
Minister for Tourism  
Operating Services

**Item agreed to.**

**Department of Treasury and Finance**  
Treasurer  
Operating Services

**Item agreed to.**

**Department of Treasury and Finance**  
Minister for Finance  
Operating Services

**Item agreed to.**

**Schedule agreed to without request and without amendment.**

**Postponed clause 4 agreed to.**

**Postponed clause 5 agreed to.**

**Title as read is part of the bill and the bill taken through the remainder of the Committee stage.**

**Bill reported without amendment and without request.**

## **SUPPLY BILL (No. 2) 2021 (No. 11)**

### **Second Reading**

[4.26 p.m.]

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

That the bill be read the second time.

In accordance with current appropriation convention two supply bills have been prepared: one to provide funding for the services for government and the other to provide funding for the services of the Government in respect of the parliamentary and statutory offices. I recently outlined the need for the supply bills to be introduced to parliament this financial year in my second reading speech on Supply Bill (No. 1) of 2021. The information provide in that speech applies equally to this bill.

Supply Bill (No. 2) 2021 seeks parliament's approval to provide for the appropriation of \$12.4 million out of the Public Account for expenditure on operating services in 2021-22 until the budget appropriation bills are enacted.

I commend the bill to the Chamber.

[4.28 p.m.]

**Ms RATTRAY** (McIntyre) - Madam Deputy President, a brief offering, my view for the Supply Bill (No. 2) is the same as it was for the first one. Obviously, these are important functions of the parliament, including the Office of the Governor, the Office of the Director of Public Prosecutions, the Ombudsman, Legislature General, Integrity Commission, Audit Office and the House of Assembly and the Legislative Council. Again, all important functions of the parliament and the democratic system that we have in Tasmania.

I note that in all of the appropriations there are no capital services so it is all operating costs and no capital services in this one but I do support the bill.

**Mr WILLIE** (Elwick) - Madam Deputy President, it is important to get it on the record in terms of the statutory offices and how those amounts were determined and what engagement they had in the process. If the Leader could respond to that question that would be good.

**Mr VALENTINE** (Hobart) - Madam Deputy President, it is simply to say that if we want the officers of this particular House to remain employed then we need to pass this.

[4.29 p.m.]

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Madam Deputy President, in answer to the member for Elwick, yes it was done under the same

processes as with the agencies. They were asked for the next four months projections and that is where it sits.

**Bill read the second time.**

**SUPPLY BILL (No. 2) 2021 (No. 11)**

**In Committee**

**Clauses 1 to 3 agreed to.**

**Clause 4 -**

Issue, application and appropriation of \$12 354 000

**Mrs HISCUTT** - Madam Deputy Chair, I move -

That clause 4 be postponed.

**Clause 4 postponed.**

**Clause 5 -**

Purposes of appropriation

**Mrs HISCUTT** - Madam Deputy Chair, again, I move -

That clause 5 be postponed.

**Clause 5 postponed.**

**Clauses 6 and 7 agreed to.**

**Schedule 1 - Purposes of Appropriation 2021-22**

House of Assembly

Speaker of the House of Assembly

Operating Services

**Item agreed to.**

**Integrity Commission**

Attorney-General and Minister for Justice

Operating Services

**Item agreed to.**

## **Legislative Council**

President of the Legislative Council  
Operating Services

**Mr WILLIE** - My first question, and this can probably apply to many of the statutory officers' work. Are any of the officers concerned that the budgetary amount allocated in this appropriation bill would not be enough to cover the four months, whether that is through their plan of work or something that was coming up? Was there any feedback from these organisations that the appropriation would not be enough?

**Mrs HISCUTT** - I think the Government has had positive feedback that they were quite adequately funded. There was positive feedback and the agencies feel that they will be adequately funded for the next four months.

**Mr WILLIE** - Could the Government confirm that feedback was received from all statutory officers who were in the schedule about their appropriation?

**Mrs HISCUTT** - Yes. They all put their figures in. Is that what you mean?

**Mr Willie** - The feedback on the Government's position in terms of the four months.

**Mrs HISCUTT** - I think the agencies put forward the amount of funding that they requested and that is what is here.

**Mr WILLIE** - For anyone following at home, and I know there will be heaps of people -

**Madam DEPUTY CHAIR** - They will certainly know that the member for Elwick has been busy.

**Mr WILLIE** - Some people might note that the Legislative Council has quite a larger amount of expenditure to operate than the House of Assembly for the four months. I was quite curious about that so I asked the President and he informed me that with the lower House members, despite having an extra 10 members, their electorate offices are funded through the Department of Premier and Cabinet (DPAC) and ours are funded through this allocation. So that is largely the extra expense, along with some of the committee work which this House has a particular function.

**Mrs HISCUTT** - Thank you for that clarification.

**Mr WILLIE** - I did not want anyone thinking we were expensive to run.

**Item agreed to.**

Legislature General  
President of the Legislative Council and the Speaker of the House of Assembly acting jointly  
Operating Services

**Item agreed to.**

**Office of the Director of Public Prosecutions**  
Attorney-General and Minister for Justice  
Operating Services

**Item agreed to.**

**Office of the Governor**  
Premier  
Operating Services

**Item agreed to.**

**Office of the Ombudsman**  
Attorney-General and Minister for Justice  
Operating Services

**Item agreed to.**

**Tasmanian Audit Office**  
Treasurer  
Operating Services

**Item agreed to.**

**Schedule 1 agreed to without request and without amendment.**

**Clauses 4 and 5 agreed to and bill taken through the remainder of the Committee stage.**

**TREASURY MISCELLANEOUS (COST OF LIVING AND AFFORDABLE HOUSING SUPPORT) BILL 2021 (No. 12)**

**Second Reading**

[4.39 p.m.]

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

That the bill be read the second time.

On 16 March 2021, the Premier delivered the State of the State Address in which he outlined the Government's response to the Premier's Economic and Social Recovery Advisory Council report and the Government's road map to secure Tasmania's future.

In that address, the Government promised to increase the conveyance threshold for the first home buyer and pensioner duty concessions from \$400 000 to \$500 000; double the land



value at which land tax becomes payable from \$25 000 to \$50 000; increase the maximum land value threshold by \$50 000 from \$350 000 to \$400 000; halve the premium rate of interest charged on unpaid tax; and allow for land tax bills over \$500 to be paid by three instalments over the year.

In the lead-up to the 2021 Tasmanian state election, this Government also committed to boost the First Home Owner Grant from \$20 000 to \$30 000; introduce more frequent vehicle registration payments to help smooth household bills; and provide a two-year waiver of duty on the purchase of new and second-hand electric and hydrogen fuel cell vehicles.

This bill delivers on the Premier's Address and election commitments. The Premier's Economic and Social Advisory Council report, released in March this year, clearly noted the challenges inherent in our housing market at this time. This is why we are taking targeted action to boost supply, support home ownership, and support families. One such action is increased support for first home buyers and pensioners downsizing, in the form of increasing the threshold for the 50 per cent conveyance duty concession from \$400 000 to \$500 000. This change, which reflects current market conditions, will take effect from 16 March 2021.

The Australian Government and Tasmanian HomeBuilder grants have been a resounding success in boosting the Tasmanian building and construction sector and supporting local jobs and the Tasmanian economy. The Government will continue the momentum generated by these programs by increasing the existing \$20 000 First Home Owner Grant to \$30 000, to take effect from 1 April 2021. The Government's continued focus on the construction of new homes will build on the increased employment and housing supply resulting from the HomeBuilder programs. This also means that Tasmania will have the most competitive First HomeOwner Grant offered by any jurisdiction in Australia.

This Government recognises that the private rental market remains challenging for landlords and renters alike. Sufficient support to tenants and landlords has been provided during the pandemic on top of already existing measures that have been in place for some time, including the three-year land tax exemption for all newly built housing made available for long term rental, and one-year exemption to encourage short stay accommodation properties to be made available for the long-term residential rental. Further assistance will now be provided to landlords and tenants by contemporising existing land tax thresholds.

This bill increases the tax-free threshold for land tax from \$24 999 to \$49 999 with the middle tax band threshold now starting from \$50 000, and increases the top tax band threshold from \$350 000 to \$400 000.

Based on 2020-21 data, these changes will save around 70 000 Tasmanians up to \$613 on their land tax bills. It will also mean an additional 4 100 landowners will now pay no land tax in the year ahead, reducing the need to pass on this cost in the form of rental increases.

This Government also understands that the COVID-19 pandemic has created challenges for many taxpayers. To assist taxpayers this bill allows the Government to halve the premium rate of penalty interest charged on unpaid tax from 8 per cent to 4 per cent. It also provides for all land tax bills over \$500 to be paid by three instalments over the year. This will allow around 68 per cent of land taxpayers to now pay by instalments.

This Government acknowledges the need to ease the cost of living pressures for Tasmanian households, and recognises that motor vehicle registrations represent a significant household expense.

To enable the introduction of quarterly vehicle registration payments, this bill caps the Motor Accident Insurance Board premium duty at \$20 per annum and allows the duty to be calculated to align with the vehicle's registration renewal period while continuing to apply the existing calculation in limited circumstances.

Being able to spread the annual vehicle registration cost over four payments without applying additional Motor Accident Insurance Board premium duty, presents a benefit to those owners who want or need to utilise quarterly payments, particularly those facing financial hardship.

High up-front costs have been identified as one reason why people may choose not to purchase an electric or hydrogen fuel cell vehicle. To encourage more Tasmanians to get behind the wheel of these vehicles and build on Tasmania's record of climate leadership, this Government will waive the duty payable on the purchases of new and second-hand electric and hydrogen fuel cell vehicles for two years from 1 July 2021. This initiative will increase the number of newer, safer and cleaner vehicles in the Tasmanian vehicle fleet, by encouraging more people to make an initial purchase of a vehicle without an internal combustion engine.

As these vehicles are subsequently sold into the second-hand market, the state will see an increase in its stock of alternative-powered vehicles. This bill gives effect to the Government's tax initiatives announced in the Premier's Address, as well as Liberal Party commitments made in the lead-up to the 2020-21 Tasmanian state election to secure Tasmania's future. These measures reflect the Liberal Government's continued support for Tasmanians throughout COVID-19, reinforces the Government's commitment to provide more sustainable housing outcomes across Tasmania, ease cost of living pressures and help Tasmania play its part in the response to climate change.

I commend this bill to the House.

**Debate adjourned.**

## **ADJOURNMENT**

**Mrs HISCUTT** (Montgomery - Leader of the Government in the Legislative Council) - Madam Deputy President, we will have a 10-minute break and meet at 5 p.m. in Committee Room 2 for the briefing on this bill.

I move -

That the Council at its rising adjourn to 11 a.m. on Wednesday, 30 June 2021.

**Motion agreed to.**

**The Council adjourned at 4.47 p.m.**