



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Wednesday 19 October 2022

REVISED EDITION

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Wednesday 19 October 2022

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

QUESTIONS

Project Marinus - Tasmania's Capital Contribution and Funding

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.02 a.m.]

Your Government has previously said that Tasmania will only receive 6 per cent of the benefits from Project Marinus, yet today it has been reported that Tasmania will be paying 15 per cent of the cost. How will you fund Tasmania's total capital contributions towards Project Marinus and where will that be funded from?

ANSWER

Mr Speaker, I thank the member for her question. Tasmania has a once-in-a-generation opportunity to take advantage of our nation's transition to renewable energy. Today we are taking an historic step in putting us at the forefront of delivering affordable, reliable and clean energy for decades to come. On the back of more than 100 years of hydro power history we are now unlocking the next wave of renewable energy development in Tasmania, driving future economic growth and job creation.

Tasmania has signed a partnership with the Australian Government under its Rewiring the Nation initiative to take the next steps in a Tasmanian energy package comprising Marinus Link, the North West Transmission Developments and Battery of the Nation. This partnership provides confidence for the project and a clear pathway for Marinus Link to a final investment decision in 2024 by addressing critical matters relating to the project's future, including how the project will be paid for.

Equitable cost-sharing arrangements between the Commonwealth, Tasmania and Victoria have been agreed, meaning that Tasmanian consumers will only pay their fair share. Under the current energy market rules, Tasmania would be required to pay 50 per cent of the project. This is clearly not fair. Driving this down to something that is equitable is something we have been working hard on with the Australian and Victorian governments as a part of this deal. We have been able to drive that share back considerably, to around 15 per cent, by taking advantage of the Commonwealth's initiatives under Rewiring the Nation and through actions available to the Tasmanian Government to ensure Tasmanian customers only pay their fair share.

We believe that this is a fair and equitable outcome for the state which will ensure that Tasmanian customers are the net beneficiaries of the project through access to more affordable, reliable and clean energy.

Project Marinus - Tasmania's Capital Contribution and Funding

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.05 a.m.]

I will ask the Premier again: how will you fund Tasmania's total capital contribution towards Project Marinus and where would that be funded from?

ANSWER

Mr Speaker, the 6 per cent figure is outdated. It did not reflect the growing interests in the development of new industries in Tasmania, including green hydrogen, and the expected economic growth for greater investment in renewable energy projects on this island. This is a good deal for Tasmania, setting us up for the future. We have a history of hydro-industrialisation going back more than 100 years. A clean, reliable energy future will attract business and investment to this state. It will create hundreds of jobs, provide us with energy security -

Ms O'BYRNE - Point of order, Mr Speaker, standing order 45, relevance. Could you direct the minister to go near the question he was asked? It was a very simple question with no preamble.

Mr SPEAKER - As I said yesterday and nearly every other question time, I cannot tell the Premier how he should be answering the question. Standing order 45 is relevance, Premier, and I ask that you remain relevant.

Mr ROCKLIFF - Thank you, Mr Speaker. Marinus Link and the North West Transmission Developments s will be regulated projects that will benefit all customers. They will earn a regulated rate of return that is sufficient to recover debt and provide a modest return on equity to owners. This means that, over the life of the project, there will be a sufficient income stream to fully pay off any debt associated with the project.

This is a transformational project that will secure the renewable energy future for Tasmania. We have been working hard and collaboratively with the Commonwealth Government. It will be a source of great pride for me and the minister for Energy today when we stand alongside the Prime Minister in securing Tasmania's future.

Marinus Link - Funding Details

Ms O'CONNOR question to TREASURER, Mr FERGUSON

[10.08 a.m.]

Tasmanians woke up today to news of the \$3.5 billion deal to deliver Marinus Link plus a \$1 billion loan for energy infrastructure upgrades, as we understand it. On their behalf, we want to understand how the state will pay its share and carry the associated billions in debt. Your colleague, the Energy minister, has confirmed that Tasmanian customers will ultimately pay 15 per cent of total project costs.

Can you lay out in clear language how a state already carrying significant debt, a state where your Government wants to spend \$750 million on a stadium, will cope with this extra financial burden and where the money is coming from, given that the Premier could not answer the question?

Will you commit to tabling the cost allocation methodology so Tasmanians can understand what Marinus means for the state's debt levels and, critically, their power bills?

ANSWER

Mr Speaker, this Government strongly supports this massive investment coming for Tasmania, which will generate not hundreds but thousands of jobs, particularly as Marinus Link and the North West Transmission Developments lay out the opportunity and a new environment for massive investment around the state in Battery of the Nation and hydrogen assets.

This Government has worked diligently to drive the best outcome for our state in partnership with the Australian Government. We have defended to the hilt the Tasmanian taxpayer and energy customers in this state.

Ms O'Connor raises a legitimate question regarding debt and borrowings. We have been able to negotiate with the Australian Government concessional finance arrangements that mean our state is in a better position to be able to afford the ongoing costs for the life of the asset.

Ms O'Connor - Can you explain that?

Mr FERGUSON - We have done that as a Liberal Government because we understand the way that you can manage the state's finances and protect the future of our state.

Ms Finlay - He does not know where the money's coming from.

Mr FERGUSON - This is not what the Labor Party in this state are up to. The state Opposition in the Labor Party have played cat and mouse on Marinus Link for years and have only ever asked questions in this place and in the media in order to undermine those projects, to sow doubt and confusion. To this day, we do not know where state Labor stands on this project. They are playing cat and mouse.

Ms O'CONNOR - Point of order, Mr Speaker, under standing order 45, relevance. We did not ask a question about Labor's position on this. We asked a legitimate question about where the money is coming from, how the state will pay for it, and whether the Treasurer will table the cost methodology.

Mr SPEAKER - I understand that but standing order 45 does not allow me to tell the Treasurer how to connect his words so that they are relevant to the answer. I am sure I will give him enough time and opportunity to do that.

Mr FERGUSON - Thank you for your ruling, Mr Speaker. I highlighted earlier that the member has asked a legitimate question regarding borrowings, and the Government will be having more to say about the nature of the agreement we have reached with the Australian Government - and the Victorian Government, for that matter -

Ms O'Connor - When will you say that?

Mr FERGUSON - Later in the day. I will emphasise what the Premier has already said -

Ms O'Connor - So you cannot tell parliament but you will tell the media?

Mr SPEAKER - Order, Ms O'Connor.

Mr FERGUSON - Marinus Link and the north-west transition development will be regulated projects that will be beneficial to all customers. They will earn a regulated rate of return that is sufficient to not just service but also to recover the debt and provide a modest return on equity to owners. What this means is that over the life of the project there will be a sufficient income stream to fully pay off any borrowings associated with the project.

I will also say that while today is a groundbreaking day in reaching an important milestone for the journey that this project has travelled now over, I think, six years, it has been a long-term ambition for our Government and this side of politics to secure Tasmania's energy future, to droughtproof this state once and for all, and to allow other states to assist in a cleaner globe. We have less emissions from Tasmania's renewable expertise. To get to a final investment decision there is still more work to do. The Government takes a position that other beneficiaries of these important assets will be needed to make contributions as well. That is part of the work we will be undertaking over the next two years. One thing that will not happen under our Government is that we will take our eye off the ball of everyday mum-and-dad energy consumers in this state and our major industrials. We will protect them as a result of the way in which we have conducted our negotiations with the Commonwealth and nonetheless attracting new investments to the state.

Ms O'CONNOR - Point of order, Mr Speaker. Before the minister sits down -

Mr SPEAKER - The minister has finished his answer. You have another opportunity to ask a further question if you wish.

Ms O'Connor - That was very sneaky, Mr Speaker. He knew he was going to be pulled up.

Mr SPEAKER - Order.

Marinus Link - Benefits for Tasmania

Mr TUCKER question to PREMIER, Mr ROCKLIFF

[10.13 a.m.]

Can you update the House on the importance of Marinus Link and how the Government is ensuring that Marinus Link delivers benefits for Tasmania?

Ms Ogilvie - Great question.

Ms Finlay interjecting.

Mr SPEAKER - Order, member for Bass.

Ms O'Connor - 'Great question', says Ms Ogilvie.

ANSWER

Mr Speaker, I thank the member for his question and considerable interest in this matter: Tasmania's renewable energy future. Renewable energy is in our DNA in Tasmania. On the back of more than 100 years of hydropower history, we are now unlocking the next wave of renewable energy development in his state, driving job creation, investment and future economic growth.

I find it incredible that those opposite, Labor, who claim history with respect to this matter, are now demonstrating they are anti-renewables. We are also ensuring Tasmania meets its ambitious renewable target of 200 per cent by 2040, a globally leading position, which it appears those opposite are not in support of.

The Government has made it a priority to deliver reliable, affordable and clean energy. Today's announcement demonstrates that this Government, working constructively and collaboratively with the Commonwealth Government, is taking action. Marinus Link will support a once-in-a-generation opportunity for Tasmania to take advantage of our nation's transition to renewable energy. It will unlock a pipeline of renewable energy projects in Tasmania, estimated to be around \$7 billion of investment. Those opposite appear to be positioning themselves today to say no to that \$7 billion of investment.

Today, with the Prime Minister, I will be announcing a package of support from the Commonwealth's Rewiring the Nation fund. This comes off the back of the National Cabinet agreeing to look at ways to accelerate the delivery of transmission projects such as Marinus Link. The Australian Energy Market Office's integrated system plan confirms that Marinus Link is an urgently needed and critical energy project that will deliver \$4.5 billion in net benefits to the nation. By working together we have been able to achieve a solution that, once Marinus is built, will see Tasmanian customers pay no more than 15 per cent of estimated total project costs across Marinus Link and North West Transmission Developments s. Without modelling, without Marinus, power bills will be going up.

This will keep our power prices low. This investment will put downward pressure on power prices. No Marinus - power prices go up. It is as simple as that. That is what the modelling says and it is high time those opposite got on board with that.

This low-cost financing from Rewiring the Nation will reduce the annual cost of Project Marinus for electricity customers by up to half. This will ensure Tasmanians' electricity bills will be much lower than they otherwise would be in a world without Marinus Link. We have also agreed arrangements for the shared ownership of the Marinus Link interconnector and additional Commonwealth support to progress the Battery of the Nation projects, including Tarraleah Power Station redevelopment and Lake Cethana pumped hydro. Importantly, Tasmania will retain 100 per cent of the North West Transmission Developments s and Battery of the Nation projects and Marinus Link will be headquartered right here in Tasmania.

With Marinus Link and Battery of the Nation, Tasmania will be well placed to provide affordable, reliable and clean energy. The globe is crying out for renewable energy and investment and we have it in Tasmania and a very positive future to extend on that.

This partnership with the Australian Government provides much-needed certainty for the project and a clear pathway to a final investment decision in late 2024 by resolving critical matters relating to the project's financing. This is a major step forward in the delivery of renewable energy and Battery of the Nation pumped hydro storage to the mainland, whilst securing Tasmania's long-term renewable future, unlocking the next wave of renewable energy development in Tasmania, attracting investment, jobs and a bold new economic frontier. This is a history-making agreement.

This project will complement the Tasmanian Government's plan for green hydrogen in Bell Bay and is critical to major industrial growth and expansion, and jobs and investment. If Tasmania is to support and attract new industrial and manufacturing industries, and support our transition to more electrification in homes and businesses, we will need more green energy. Marinus will deliver that green energy.

We must not lose sight of the fact that Tasmanians are contributing and leading in the global transition to renewable energy. We do not have the luxury of sitting back and waiting. We simply cannot afford to be left behind. We have to always lead from the front when it comes to renewable energy. We have done that in the past and will continue to do that.

Today's announcement means more certainty for developers about their investment decisions, certainty for Tasmanians of affordable, reliable and clean energy supply, and a pathway for intergenerational infrastructure needed to drive our economy and secure our future.

The growth of our renewable energy sector can be one of the most defining features of our Tasmanian economy for decades to come. It signals a new start of economic frontier for our state. Marinus Link secures Tasmania's future.

TasNetworks - Compensation for Primary Production Land affected by Proposed Transmission Lines

Ms FINLAY question to PREMIER, Mr ROCKLIFF

[10.20 a.m.]

Primary producers across the north and north-west are growing increasingly concerned about the impact TasNetworks' proposed transmission lines will have on their valuable productive land. Will you commit to ensuring the owners of primary production land affected by transmission lines will be fairly compensated using ongoing contemporary contracts?

ANSWER

Mr Speaker, I thank the member for Bass for her question. I understand we will be discussing this later today, as an order of the day. TasNetworks' North West Transmission Developments are of strategic importance to Tasmania's renewable energy future and underpin significant economic opportunities for the state, as well as helping to transform Tasmania into the smartest, cleanest and most innovative state. These developments will

unlock our low-cost dispatchable hydro capacity, pumped hydro storage and high-quality mineral resources. They are essential to enable Marinus Link, the Battery of the Nation and our emerging green hydrogen sector.

Understandably, there are some concerns in the community about these developments. They are large-scale infrastructure projects with a complex and long delivery process. TasNetworks is working with landholders and other key stakeholders including, as I understand it, the Tasmanian Farmers and Graziers Association, to ensure that landowner compensation frameworks are fair, equitable and contemporary, as they should be.

It is appropriate that landowners are fairly compensated for any additional easements that may be required to facilitate these developments. The Tasmanian Government is also working with other state governments and the Commonwealth under the new national energy partnership to improve community consultation on transmission line developments. Intergovernmental discussions are continuing regarding contemporary approaches to landholder compensation claims.

I have personally met with landholders regarding these matters. I been very open in our discussions to ensure there is consultation, and fair, equitable and contemporary compensation. There will be ongoing consultation.

Ms Finlay - Ongoing contemporary contracts for compensation.

Mr ROCKLIFF - Of course there will be ongoing consultation. We need to work with our landholders. Those opposite can be negative all they like - but in your negativity you are setting yourselves up to be against investment of billions of dollars coming into Tasmania, securing Tasmania's energy future - reliable green energy, which this state has built our brand on: clean, reliable, green and renewable energy, with a clear target of doubling our renewable energy capacity by 2040.

We cannot do that without Marinus Link. We cannot unlock \$7 billion worth of investment without Marinus Link. This is a transformational project that will have local jobs - thousands of local jobs - and \$7 billion of potential investment. We need, and we will bring, our Tasmanian community with us on our renewable energy future and that includes our farmers.

Thoroughbred Racehorses - Alleged Cruelty

Ms JOHNSTON question to MINISTER for RACING, Ms OGILVIE

[10.25 a.m.]

I want to raise with you today two allegations of recent abhorrent cruelty by thoroughbred trainers that have occurred under your watch. The first incident was in Devonport, where a trainer is alleged to have repeatedly whipped a horse approximately 43 times in a sandpit. I am advised there is CCTV footage of the incident and a number of witnesses. The second incident is from Brighton and involves a trainer beating a horse with a PVC pipe. Again, I am advised there is CCTV footage and witnesses. Both of these trainers are still training horses, despite their very public and disgusting acts of cruelty to horses in their care.

This smells, yet again, of an industry that puts profit ahead of animal welfare, and a regulator who is finding it all too difficult to enforce the rules and bare minimum standards of animal welfare - and all of this on your watch.

Can you confirm that these two incidents occurred? If so, why were the trainers not immediately suspended from training? How many more animals have to suffer before you intervene and demand that the Office of Racing Integrity (ORI) does its job and revokes the licences of cruel and unconscionable trainers across all three racing codes? I am sure we can all agree that beating horses is not okay.

ANSWER

Mr Speaker, I thank the member for her question. It is a very serious question. The use of whips in racing is a very serious matter.

We, as a Government, recognise the importance of ensuring animal welfare measures in racing meet with community expectations. We also recognise the extraordinary care the vast majority of industry participants provide to their animals. The Government and Tasracing - as we know, and as I have said many times - are investing more than ever in animal welfare measures for horses and greyhounds. This will only increase in the coming years.

We are currently underway with a complete review of the Racing Act. It has been 20 years since anyone has forced that kind of consideration of our legislation and our regulatory requirements. It would be really helpful if you would like to put to us other proposals you might have for improvement. That is well underway, but my door is always open, as you know, Ms Johnston. I have written to you three times on this matter. I have not received a reply, but I would be very happy to have that.

The Government, Tasracing and I will support any initiative or change that enhances welfare outcomes for racing animals. We will continue to work with national bodies and racing participants with regard to welfare developments and reform.

It is important to remember that the use of whips is subject to national regulation, and we comply with that. Tasracing complies with the Australian Rules of Racing and the Australian Harness Racing Rules, which govern racing and the conduct of races for thoroughbred and harness codes - including the use of whips in races.

I assume, Ms Johnston, that the matters that you refer to have been reported to ORI - so ORI is looking at them?

Ms Johnston - No. They are not looking at them.

Ms OGILVIE - If they have not, then you probably should do that. I assume that ORI is looking at those. It is not my role to interfere in investigations, so that will be allowed to go through as would be the normal course of both matters.

The use of whips is governed by rules that are brought into force in Tasmania through the application of the Racing Regulation Act 2004. The rules are, as I said, nationally consistent and heavily regulate the manner in which whips may be used, and also the types of whips that may be used.

The use of a whip in a manner other than what is consistent with the rules is dealt with, as I said, by the Office of Racing Integrity through sanctions. If somebody is found guilty, this could include fines, suspensions or disqualification - but nothing negates the responsibility of the participant to meet the requirements with respect of animal welfare under the Animal Welfare Act 1993.

As I said, we are open to suggestions and recommendations. My door is always open. I am always happy to work closely with stakeholders and all interested parties in this very important and serious matter.

Marinus Link - Jobs and Development

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

[10.30 a.m.]

Can you update the House on the opportunities for Tasmania from Marinus Link? How will it create Tasmanian jobs and enable a prosperous future for our economy?

ANSWER

Mr Speaker, I thank the member for his question and special interest in this important matter. The Tasmanian Rockliff Liberal Government has grabbed with both hands the opportunity to grow our renewable energy future, to grow our economy, to create more jobs, and deliver a cleaner environment through the arrangement with the Australian Government - a federal Labor government. We thank them for that opportunity to work together in partnership to get the job done and deliver for Tasmanians. We know the position of the Prime Minister on a day like today. When the Prime Minister is in town, everyone is very interested to know the views of state Labor.

Today is an historic day because it will set up decades of opportunity for more jobs growth and development in Tasmania. As a result of this agreement, we will be able to deliver confidence to take this project on a clear pathway through to 2024 and a financial investment decision at that time.

The confidence that Marinus Link and the arrangement we have with the federal government and the Victorian government will give confidence to further investment in renewable energy projects, particularly whether it is wind, solar or pumped hydro - I will come to that shortly - and green hydrogen. This is complementary to our green hydrogen future.

The sniping and criticism from the other side is not lost on me or anyone else here. Come on board. This is about taking Tasmania from 100 per cent fully self-sufficient to 200 per cent. Marinus Link will help us achieve that important objective, a world-leading objective. The law of supply and demand, more electricity will mean more jobs for Tasmanians, affordable, reliable, clean electricity growing on-island energy use.

Regarding Hydro Tasmania, we are supercharging Hydro Tasmania, giving them more opportunities to do more in growing the hydro capacity in this great state of Tasmania. What this means, with a government-owned Hydro Tasmania, is that any of those extra profits will

go to our schools, hospitals, roads and police, and more housing. This is the opportunity ahead for Tasmania.

With respect to the Tarraleah power station redevelopment, Lake Cethana pumped hydro, we are talking about a \$700 million development: 110 megawatts to 220 megawatts at Tarraleah and Lake Cethana pumped hydro power station. This will help Tassie to be the battery of the nation, with 750 megawatts, \$1.5 billion, and hundreds of jobs over these projects over many years. This is the opportunity, as the Premier said, opening up investment opportunities for billions of dollars - \$7 billion is the estimate - and thousands of jobs for Tasmanians going forward.

Regarding downward pressure on prices, I have said it before and I will say it again: this is a real opportunity. Power prices will be lower with Marinus Link than without Marinus Link. Marinus Link will help Tasmanians save money on their electricity bills. This is critical to the agreement we have with the federal government.

In terms of major industrials and the opportunities they will have to expand, do more and employ more Tasmanians, they will need access to clean, affordable, reliable electricity. We are going to deliver that.

In conclusion, I can inform the House that APA Group has announced it has entered into an arrangement to acquire Basslink for \$773 million. This is an excellent outcome for Tasmania and for Hydro Tasmania. Our negotiations have secured the outcomes from the 2020 arbitration, with the state receiving the \$50 million it was owed and Hydro receiving all the money it was owed following the arbitration. It is a good outcome because we fought for Tasmania's interest despite the criticism from the other side. We kept fighting. I make no apology for getting a good deal for Tasmania. We delivered.

Our renewable energy future is bright: Marinus Link, Battery of The Nation, green hydrogen, jobs growth, economic opportunity and a cleaner world.

Huntingfield Park-and-Ride Design

Mr O'BYRNE question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[10.35 a.m.]

The people of Kingborough and beyond welcomed your announcement about investment in park-and-ride facilities. The new \$6 million Huntingfield park-and-ride facility had people very excited about what this infrastructure could do to ease traffic congestion and make catching the bus easier. Sadly, this is an example of a good idea executed in a way that it is oblivious to the needs of the people who will use it.

As you know, one of the key factors for a park-and-ride facility to be successful is adequate shelter to keep passengers dry and out of the elements. However, the design of new bus shelters at this \$6 million facility fail this test miserably. People using the facility and the seats were recently drenched by the first southerly weather pattern, with passengers being exposed to the wind and rain. It is unfathomable that there are large gaps in the windows at the back of the shelters that allow rain and wind to pass through, further exposing passengers

to the elements. People are outraged and I have been inundated with complaints about the design of this facility.

This is a clear fail. How could you get it so wrong?

ANSWER

Mr Speaker, I thank the member for his question. I embrace the opportunity to respond to it because this Government is very proud of the Hobart southern projects we are embarking on.

The community has responded very positively to the new park-and-ride. Any of our members in this House who have travelled interstate or overseas have seen that other jurisdictions have been using park-and-ride for years. Our state has not. This is a public transport state that uses buses. We are a bus state. I want to expand on buses in our state. I want to expand on public transport. I have been very clear in the time that I have been in this role that I want to put more status on those buses. I want to see more direct express services. I want to see a more enjoyable experience. I want to see people, ultimately, being able to charge their phones on their buses, to have comfort and also to be able to take congestion off our roads, particularly in Hobart, which is suffering from congestion. We are trying to do it smarter.

For example, as we build the fifth lane on the Southern Outlet, the whole intention is that we do not just build another lane for the same old problems to come back to us in 10 years' time but to change the way that our mobility solution is being met by upholding public transport priority on that fifth lane.

Thank you for the question on the park-and-ride. We are bringing those into Tasmania, particularly in the Hobart region where, around the city, our investment is intended to encourage people to be dropped off at a park-and-ride and jump on the bus, or to go to the park-and-ride with their own car, park, maybe use the restroom, maybe leave their bike there, and jump on the bus.

I am aware of Mr O'Byrne's negativity on the bus shelters. I encourage him to be more constructive because we are -

Mr O'BYRNE - Mr Speaker, point of order. The *Macquarie Dictionary* definition of shelter says 'a place giving temporary protection from bad weather or danger' and so, standing order 45, relevance, could he actually talk about the shelter for the passengers.

Mr SPEAKER - I take the point of order. There is no need for an explanation.

Mr FERGUSON - Mr Speaker, what we have offered there is a new park-and-ride. It has room for 174 vehicles, including motorcycle and accessible base. It offers undercover seating for 30 passengers at a time, a modern amenities block with baby change facilities - which did not get mentioned in the question - secure storage for 26 bicycles, and also a quick drop-off lane.

I am aware of the negativity from the member from Franklin, who should be celebrating this because it is something he could not be bothered doing for his local community when he was in my job.

We have made a big investment there. Naturally, with any new asset and infrastructure we are always open to criticism and improvement, as to how we can improve it. We have no difficulty taking on board your criticism, Mr O'Byrne, to see if we can do an even better job in the future. I will not be apologising for offering transformational assets that change the way we put status and improvement on public transport in this state. Go no further - oh no, come on!

Mr O'BYRNE - Point of order, Mr Speaker. In the *Macquarie Dictionary* the word means 'to protect or shield from something harmful, especially bad weather - the hut sheltered him from the cold'.

Mr SPEAKER - Order. Please resume your seat, Mr O'Byrne. The minister has the call.

Mr FERGUSON - You are not serious, mate? Mr Speaker, I had just finished saying that if we can do better, if we can improve, I will take the criticism on board, but I will do it as gracefully as I can and take it as constructive criticism.

Members interjecting.

Mr FERGUSON - I have not quite finished. At the last election we took to the Tasmanian people a very bold plan around public transport. It was so positive in our posture and leaning into better public transport - not just buses, not just more disability bus stops, not just more services, not just more park-and-ride -

Mr SPEAKER - If you could wind up please, minister.

Mr FERGUSON - Regarding the software platform we are delivering through Metro for all public transport bus companies in Tasmania, the endorsement from the Rail, Tram and Bus Union was very flattering indeed. What they asked for at that election, when at that point Mr O'Byrne was on the verge of becoming the Labor leader, he was the shadow infrastructure spokesman -

Mr SPEAKER - If you could wind up please, minister.

Mr FERGUSON - The Rail, Tram and Bus Union is not usually our friend in an election but it begged the Labor Party to copy our policy. As for the criticism, I will take it on board and see if we can learn lessons from it. We are always open to constructive criticism.

Power Prices

Mr WINTER question to PREMIER, Mr ROCKLIFF

[10.42 a.m.]

Last week the CEO of Alinta Energy warned power prices could rise by 35 per cent next year. When asked about it, Lisa Chiba, the managing director of Momentum Energy which is a Tasmanian government-owned retailer, said, 'I think we all see there are going to be big increases next year'. Given that, do you also accept there are going to be big increases in power prices next year and, if so, will you finally back Labor's plan to cap power prices next year?

ANSWER

Mr Speaker, I thank the member for his question. Marinus Link will put downward pressure on power prices, with a \$3.5 billion investment, attracting \$7 billion worth of investment. Without Marinus Link, power prices will go up. With Marinus Link our energy future of renewable energy, green power, is secure. I can guarantee that.

I can also guarantee that this will always be a government that puts downward pressure on power prices and supports Tasmanians with their cost-of-living expenses. We have done it before and we will continue to do it again because we know energy prices are a real cost-of-living issue for Tasmanians. I wish those opposite paid more attention to that when they were in government when power prices went up 65 per cent for Tasmanians. I cannot remember too much support for Tasmanians at that particular time.

Our Tasmanian Energy Assistance Package includes an increase of \$61 in addition to the annual concession of a \$119 discount and a boosted and expanded \$50 million Energy Saver Loan Scheme and no charge for aurora+. There is also our energy bill buster, a \$180 payment that provides for better outcomes for most concession customers, better than Labor's flawed 2.5 per cent price cap. Annual bills for typical Tasmanian residential and small businesses customers remain the lowest in the nation when compared to bills under regulated tariffs in other jurisdictions.

We will always support Tasmanians with cost-of-living challenges. We have demonstrated that with our bill buster payment of \$180. We have demonstrated that by supporting the organisations that support vulnerable Tasmanians, such as our Neighbourhood Houses, some 35 around the state, with \$50 000 each as part of our cost-of-living measures. We will always be a government that supports vulnerable Tasmanians and Tasmanians with disadvantage. We will always be a government that will put downward pressure on the cost of living. That is our history, unlike their history of 65 per cent power prices increases when they were last in government.

Huntingfield - Delay in Construction of Housing

Ms HADDAD question to MINISTER for STATE DEVELOPMENT, CONSTRUCTION and HOUSING, Mr BARNETT

[10.46 a.m.]

Tasmanians are in desperate need of housing at every level. In another example of your Government's failure to deliver infrastructure, your Government promised 500 new houses at

Huntingfield, with legislation passed in 2018 that was supposed to fast-track the process. Nearly five years later there is still nothing but a vacant block of land, while thousands of people wait for housing. You have tried to lay the blame at the feet of the council for these delays but you know the council has approved the development application and you must accept that the delay has been caused by your Government. After nearly five years of waiting, can you confirm when the first house will be built at Huntingfield?

ANSWER

Mr Speaker, I thank the member for Clark for her question. I am very pleased to receive a question from my counterpart, Ms Haddad, of state Labor. It raises the question with respect to the role of the local mayor at the time and what efforts the local mayor made to support more housing for their local community in that municipality of Kingborough. What efforts were made? What initiatives were made? What proactive steps were taken by the then mayor of Kingborough?

Opposition members interjecting.

Mr BARNETT - Hello? I cannot hear a word. There is nothing, Mr Speaker. There was nothing done by the local mayor to progress housing in his local community. You contrast that with this Government. This Government has, in a historic milestone event never before in history, put more money and more effort into more houses for more Tasmanians faster. What about the record? They do not like it.

Ms WHITE - Point of order, Mr Speaker.

Members interjecting.

Mr SPEAKER - Order. The Chamber should be silent.

Ms WHITE - My point of order is under standing order 45, relevance. The question is a serious one because people are homeless. Can the minister address the question, which is when will the first house be built, given we have been waiting five years?

Mr SPEAKER - First of all, under standing order 45, relevance, as I have said before I cannot tell any minister how to answer questions. The second point is that we have to give the minister enough time. There has always been a certain amount of preamble in the question and in answering that same question I always allow ministers the opportunity to give some overview of the issue.

Mr BARNETT - Thank you, Mr Speaker. Clearly, they do not like to hear the facts. Truth getting in the way of a good story from the Opposition. That is what they are up to: taking a point of order when they were hearing the cold, hard facts of the member for Franklin, the former mayor of Kingborough.

There is no government in history that has done more to support housing and with a bold plan for the future.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr BARNETT - I am trying to answer the question, Mr Speaker.

Mr SPEAKER - And I am trying to listen to it. The House will come to order.

Mr BARNETT - Mr Speaker, what I am trying to demonstrate to this House is \$204 million in this year alone -

Ms O'Connor - In half the time, we built twice as many homes as you.

Mr SPEAKER - Order.

Mr BARNETT - \$538 million over the forward Estimates; \$1.5 billion over the next 10 years through to 2032. They know, because I have shared in here before the housing supply orders. We know that we have had eight. One of those was Huntingfield. I have made it very clear in terms of the process -

Ms White - Try to build at least one house before the end of the year.

Mr SPEAKER - Opposition Leader, order.

Mr BARNETT - They are asking me the same question again. They know the process with the housing land supply orders. We are trying to get more houses built faster. We have got them out and there is a process. There are the infrastructure upgrades; there is the planning process; and the development approval process through the local councils.

Mr Speaker, we are keen as a Government to do everything we can. If we can do more, please let us know because I am very keen to hear.

I have a very good relationship with the community housing providers and the sector - and guess what, they communicate. We have a reference group, we get the feedback, and we take on board the feedback. That is why we passed our Homes Tasmania Bill, to the chagrin of the state Labor Opposition. They opposed it. Everything we are trying to do, you oppose. Knock, knock, knock. Criticise. We are sick of it.

Coal Projects in Tasmania

Dr WOODRUFF question to MINISTER for ENVIRONMENT and CLIMATE CHANGE, Mr JAENSCH

[10.51 a.m.]

The Australian Youth Climate Coalition (AYCC) Tasmania (lutruwita) held a climate action rally yesterday. We asked them what they wanted to ask you about. They shared their deep concerns about new coal projects in Tasmania, and rightly so. Your Government is supporting a new coalmine in Fingal and advertising a huge new coal exploration licence. That is in addition to your recent gifts of taxpayer money to coal exploration projects.

Minister, this is AYCC's question to you:

We need a renewable future with no fossil fuels. There is no such thing as clean coal, and the Fingal Valley Coal Mine is a huge step back for a climate-friendly Tasmania.

As climate change minister, you have a responsibility to protect the environment and do everything you can to prevent further devastation. We are facing a climate crisis. The floods in northern Tasmania are just beginning.

Minister, what will you do to prevent new coal projects in Tasmania?

Ms O'Connor - Good question. Pity none of your colleagues listened to it. Too busy heckling over petty things. Listen to the kids? Not interested.

Mr SPEAKER - Order. The minister has the call.

ANSWER

Mr Speaker, I thank the member for Franklin for her question on behalf of young people concerned about the state's future and our energy future. I hope they, today, join with us in welcoming the commitments that have been made, that provide certainty for Tasmania's renewable energy future through the signing of today's agreements with the Australian Government regarding Marinus Link.

Marinus Link is going to be fundamental -

Dr Woodruff - Talk about the subsidies to coal. That is what they want to know.

Mr JAENSCH - for Tasmania to realise its potential to develop our resources in renewable energy generation, to export them, and to provide for more than our current needs in electricity. If we are going to fully electrify our economy we have to go beyond providing our current electricity needs from renewable energy sources. We are going to have to start replacing imported fossil fuels, which are still used in our economy, with electricity or other fuels derived from our renewable energy sources, so -

Dr WOODRUFF - Mr Speaker, standing order 45, relevance. I draw the Minister for Environment and Climate Change - and for Education, Children and Youth - to their question to you about your support for coal in Tasmania, and what you are going to do to stop it.

Mr SPEAKER - Order. If you do not have a point of order, could you resume your seat. The minister understands the question, I am sure, and he is answering it. Allow him that opportunity.

Dr Woodruff - The children have asked this question.

Mr JAENSCH - Mr Speaker, I anticipate that the children who have asked this question are very interested in my answer. I want to make sure they understand the important work that is underway to ensure that Tasmania, in the future, can not only continue to meet its electricity needs from renewable energy sources, but that we have the capacity to generate more

renewable energy to meet our future needs, to replace fossil fuels in our economy, and to export into the national electricity market so that other states and other Australians can do the same.

I am aware that the previous Labor-Greens government granted a mining lease to HardRock Coal Mining in 2013 for category two minerals, being coal, in the Fingal Valley. Since the granting of the lease, apparently no mining of coal has occurred.

Our focus is on Tasmania's renewable energy future, our capacity to continue to meet our needs, and our capacity to replace fossil fuels with renewable energy resources.

Ms O'CONNOR - Point of order, Mr Speaker. The question relates to what the minister is going to do about coal and preventing coal. He has deflected it. This is for the kids, Mr Speaker.

Mr SPEAKER - I am sure the minister heard the question. I cannot put words into his mouth, as I have said before. He will answer it the best way that he sees fit. I will allow the minister to continue.

Mr JAENSCH - Mr Speaker, as Minister for Environment and Climate Change, I have clearly laid out that our absolute priority is to power Tasmania's future electricity needs, and replace fossil fuels in our economy with energy from our own renewable energy sources as part of a national electricity market.

Project Marinus - Benefits for the ICT Sector

Mrs ALEXANDER question to MINISTER for SCIENCE and TECHNOLOGY, Ms OGILVIE

[10.56 a.m.]

Over the past two and a half years, we have realised how much importance is being put on our information, communication and technology around the world. We have seen a lot of small businesses flourish in Tasmania and developing this sort of technology, but also other businesses relying on this particular product for efficient delivery of their services. Can you please detail for the House, in the context of Marinus Link, the benefits that would be provided for this particularly critical ICT sector?

ANSWER

Mr Speaker, I thank Mrs Alexander for her question. What a great question, and what a great day it is today. We are at a turning point for telecommunications coverage in Tasmania. I could not be more proud to be the minister for ICT at this time.

We know Tasmania could be the nation's cleanest, smartest and most innovative state. Through the opportunity offered by Marinus Link and convergence that is happening in our clean energy and telecommunications industries, Tasmania will roll out the economic potential that sits in our state. As the minister for ICT, science and tech, it is such a great day to be here talking about this.

The RICT team is at the ready to support the additional capacity that the Marinus telco cable can bring. It is very exciting, as minister. We have a strategy in place for Tasmania's digital future. The Marinus Link has the potential to deliver a substantial uplift in capacity - 150 times the existing telco capacity across Bass Strait, creating also greater route diversity and reliability, and enabling greater competition.

This is a substantial opportunity for Tasmania. We will add additional capacity, choice and resilience to our communications sector. I would like to take a moment to say, and send a clear message to the sector, that I will endeavour to bring all industry stakeholders to the table in this big discussion that we need to have.

Our strategy includes a vision and a plan for the network layer of Tasmania's digital and communications infrastructure. We will help to ensure that Marinus Link telecommunications cable opportunities are commercialised and integrated into our overarching long-range strategy, to ensure Tasmania is at the forefront of connectivity for the nation.

The Marinus Link telecommunications cable will augment Tasmania's optical fibre capacity. An RICT sector which is booming will undoubtedly benefit from the roles that Marinus will bring. Just imagine the opportunities for tradies, techs, telco workers, systems integrators and engineers during the build. This project presents an opportunity to deepen our state's cable capacity and add to resilience, which we know we need. It presents an incredible opportunity for generations of Tasmanians to gain work experience and secure technical roles right here but with global reach. We understand the need to put downward pressure on the cost of data services to help Tasmanians connect and do all that we can to close the digital divide.

Supporting increased infrastructure level connectivity is an essential component of ensuring Tasmanians have the best possible network we can provide. It is fundamental and essential to all Tasmanians' daily lives that we have a resilient, reliable, affordable telecommunications network that allows all of us to live and work and transact, to do business and engage with the world. Our vision for Tasmanians to have access to a state-of-the-art telecommunications network and new elements are always welcome.

The Marinus telecommunications link is a piece that fits into our strategic plan for a connected, savvy, smart Tasmania. It helps us drive our knowledge economy, commercialise our IP and dig deeper into advanced manufacturing, defence industries and science. It will help bring the world's knowledge right to the school desks of our children.

Our Government has been working with telecommunications partners to provide improved access to digital infrastructure and mobile services in rural and regional Tasmania as part of the Regional Connectivity Program and we will continue to work closely with our partners. We know that digital connectivity is an essential driver of economic growth and our Government recognises the important role that our ICT sector plays in the effective functioning of the Tasmanian economy. It is foundational. We need to get this right. The growth potential that exists in this sector is astronomical.

The Tasmanian Government - and it was really wonderful to announce this a few weeks ago - recently released the Tasmanian ICT Sector Capability Scan and in it we learned that our critical ICT sector employs over 9000 people and is projected to grow to more than 12 000 by 2026. This is an industry for Tasmania that was worth \$1.7 billion in 2021 and is expected to grow to \$2.1 billion in 2025.

We are going from strength to strength and an important driver of that growth is connectivity. By growing our fibre-optic capacity we will create additional skills pathways, jobs and new industries, things that we can be proud of and work in, and our kids can work in, for generations to come. We will grow the pipeline of the ICT workforce for the delivery of this project for the businesses that will move here, attracted by additional capacity, clean green energy, Tasmania's enviable lifestyle and for the businesses that want to start up here and we have seen some great ones happening already.

Mr Speaker, Marinus Link is an exciting opportunity for the Tasmanian community and for the sector and it is a project that will help to secure Tasmania's economic and digital future.

Studentworks

Ms O'BYRNE question to MINISTER for EDUCATION, CHILDREN and YOUTH, Mr JAENSCH

[11.03 a.m.]

You have, quite thankfully, backflipped on your decision to close Studentworks in Launceston, and we appreciate that, but there remain concerns about the model and the type of educational facility that you plan to put in place. Can you rule out requiring that the trades-qualified staff who currently work at Studentworks will have to reapply for their own jobs, which will be established at a much lower rate of pay and conditions?

ANSWER

Mr Speaker, I thank Ms O'Byrne for her question. I also thank the board of Studentworks for the very positive and constructive way they have engaged with me and with my Department for Education, Children and Youth on the matters of what the future Studentworks looks like. We know that it has a strong history and has made an invaluable contribution to the lives of many young people and families in Launceston and surrounding districts over generations. We respect that and we want that tradition to continue albeit in today's operating environment. The options available today for young people who, for various reasons, may be disengaged or unable to thrive in a mainstream school environment, are far greater than they were generations ago. The options then may have been to move them into other trajectories which made more use of their manual skills rather than focus on their need to achieve levels of literacy and attainment in education that they could take into their future life.

The world has changed and Studentworks needs to change with it. The board has agreed with that, supported that and we are now embarked on a new pathway forward.

Ms O'BYRNE - Point of order, Mr Speaker. My question was quite specific. I thanked the minister for backflipping on the closure and it was the only preamble. My question was whether the existing staff have to reapply for their own jobs at a much lower rate of employment?

Mr SPEAKER - I am sure the minister heard that and was getting relevant to that point.

Mr JAENSCH - Thank you, Mr Speaker. I believe it is legitimate given the discussions that have been had in here in the past and outside regarding Studentworks that I was able to

provide a bit of an update of what our intentions are. We are working with the Studentworks board on the details of the model, including staffing for the T4 at Studentworks approach. I will be able to report to the parliament in more detail as the operational details of that are confirmed.

Sporting Fixtures in Launceston

Ms WHITE question to PREMIER, Mr ROCKLIFF

[11.07 a.m.]

Yesterday when I asked about the economic damage former Liberal premier Robin Gray has forecast for Launceston as a result of moving sporting content to your \$750 million stadium in Hobart, your Attorney-General said, and I quote, 'I could have sworn Hobart was the capital city'. Can you see why Tasmanians in the north do not trust you to look out for their interests when your most senior ministers make arrogant comments like that? Do you think sporting content should be moved from Launceston to Hobart just because it is the capital city?

ANSWER

Mr Speaker, I thank the member for Lyons for her question. We want more opportunities for the north and that is what a nineteenth AFL licence will deliver: our ability to finally become part of the great national competition of AFL and AFLW. There will be more opportunity for AFL content. Do not forget our investment that we are putting into York Park, UTAS Stadium, of \$65 million. Do not forget the investment that we are putting into Dial Range of \$25 million. This is a huge opportunity for all Tasmanians to secure the code of AFL and AFLW in Tasmania.

I recognise and understand the value of our partnership with the Hawthorn Football Club and I have appreciated it very much. I have said publicly to the president and others what a great economic opportunity that has been for many years. We will ensure content of AFL and AFLW in the north and the north-west, backed up by our commitment of \$65 million at York Park or UTAS Stadium and at Dial Range in Penguin with \$25 million. That is our commitment to the future of the north and the north-west.

As I have said before, if we truly want to have an AFL and an AFLW licence, the 19th licence here in Tasmania, we have to unite as a state. We cannot afford to pick off each other, region after region. We have to unite as a state and all Tasmanians have to believe when it comes to AFL and AFLW. We have to believe that we can do it. An AFL licence, we can do it, with investment in the south, north and north west.

Project Marinus - Climate Change Benefits

Mr WOOD question to MINISTER for CLIMATE CHANGE, Mr JAENSCH

[11.10 a.m.]

Can you provide an overview of how Project Marinus can support emissions reduction and action on climate change?

ANSWER

Mr Speaker, I thank my colleague, Mr Wood, member for Bass, for his question and his interest in Tasmania's renewable energy future, and our response to climate change.

Tasmania's emissions profile continues to be the envy of the nation and the world. In 2020, for the seventh consecutive year, Tasmania has maintained net negative emissions. Our emissions are 121 per cent lower than they were in 1990 while in the same time, our economy has doubled and more than 50 000 jobs have been created. This nation-leading achievement is due to our sustainably managed forest estate and our long-term renewable energy advantage.

We know we cannot stop here. Australia, the world, and Tasmania need to make the transition to a low-emissions economy. Australia has a 43 per cent emissions reduction target by 2030, on our way to net zero emissions by 2050. As members know, we are currently in the process of legislating our own target of net zero emissions or lower from 2030. This would be the most ambitious in the country and one of the most ambitious in the world.

In 2020, we achieved self-sufficiency in renewable electricity and we have put in place a legislative target to reach 200 per cent renewable electricity generation by 2040. These targets will guide our action on climate change, emissions reduction and renewable energy well into the future.

To support the transition to a low-emissions economy, the Australian Government has a goal to boost the share of renewables in the national electricity market to 82 per cent by 2030. Jurisdictions have agreed to a new national energy transformation partnership - the first integrated national energy and emissions agreement. Under the partnership, the national energy objectives will now include emissions to guide the energy transition, in conjunction with other objectives including affordability, reliability, safety and the long-term interests of consumers.

The Australian Energy Market Operator, through its 2022 integrated system plan, confirms the vital role Marinus Link will play in Australia's optimal path to net zero emissions. Through Tasmania's world-class wind energy resources and deep hydro storages, we can take a leadership role in meeting this challenge. In fact, modelling demonstrates that Marinus Link can lead to savings of at least 140 million tonnes of carbon dioxide equivalence by 2050 while delivering reliable, affordable and clean power.

Marinus Link opens the door to electrify our economy and reduce emissions. It also supports our nascent green hydrogen industry and our target to become a significant producer by 2030. This can support emissions reduction in hard-to-abate sectors like heavy industry and transport.

Tasmania's Emissions Pathway Review identifies 16 best-fit opportunities to reduce emissions. Many require switching to renewable electricity. This includes supporting the uptake of EVs in the transport sector, which will see emissions cut by 550 000 tonnes per year. As at 30 September 2022, there are now 1100 electric vehicles on our roads and sales of electric vehicles are growing. The electrification of boilers for low to medium-temperature process heat could see emissions cut by 125 000 tonnes per year and replacement of diesel fuel consumption in our primary industries - in pumps, for example - could cut emissions by up to 55 000 tonnes carbon dioxide equivalence per year. Expert economic analysis undertaken by

Victoria University demonstrates that by adopting these and other opportunities to reduce emissions, Tasmania can generate higher economic growth and more jobs than a business-as-usual model.

Mr Speaker, I will add that today is National Ride to Work Day. More renewable electricity can support Tasmanians to get out of their cars and onto an e-bike, which have been taken up in great numbers across the state. We are also beginning to see enthusiastic adoption of electric vehicles on our roads. They all need Tasmanian renewable energy.

To achieve these opportunities, to grow our economy and jobs, we need to realise more of Tasmania's renewable energy potential through investment in more wind, solar and pumped hydro generation, all of which depend on Marinus Link. It is time for Labor to abandon its relentless negativity about our future in the National Electricity Market and get behind Tasmania's renewable energy advantage and today's historic Marinus Link agreement.

Time expired.

PETITIONS

Finfish Farming Moratorium and Legislative Council Inquiry Report

Ms Johnston presented a petition from approximately 377 citizens of Tasmania and an e-petition from approximately 1140 citizens of Tasmania requesting that the House call on the Government to:

- (1) Place a moratorium on all finfish farming expansion, including the plans for expansion in northern Tasmanian coastal waters in Commonwealth controlled waters of Bass Strait, until open, honest and comprehensive public consultation is completed;
- (2) Fully consider all 68 recommendations of the Legislative Council Committee Inquiry into Finfish Farming in Tasmania; and
- (3) Finalise a Salmon Industry Growth Plan

Petitions received.

Legislative Council Inquiry Report into Finfish Farming and Salmon Industry

Ms Johnston presented a petition from approximately 297 citizens of Tasmania and an e-petition from approximately 1287 citizens of Tasmania requesting that the House call on the Government to:

- (1) Implement all of the recommendations of the Report of the Legislative Council Committee Inquiry into Finfish Farming in Tasmania;
- (2) Finalise an evidence-based, sustainable and consultative Salmon Industry Growth Plan; and

- (3) Require the cessation of all salmon farming operations, as a matter of priority, within Long Bay (Port Arthur) and remediate the area.

Petitions received.

LEGAL PROFESSION AMENDMENT BILL 2022 (No. 45)

First Reading

Bill presented by Ms Archer and read the first time.

SITTING DATES

[11.20 a.m.]

Mr FERGUSON (Bass - Deputy Premier)(by leave) - Mr Speaker, I move -

That the House at its rising adjourn until Tuesday 25 October next at 10 a.m.

[11.20 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I spoke about this briefly yesterday. There has not yet been an explanation from the Government to the parliament about what happened with the apology that was supposed to happen yesterday. The acting Leader of the House and Deputy Premier still has not provided that.

I want to put on record our disappointment in the way this happened. On 29 September, Labor and the Greens received a text message from the Leader of the House about 10 minutes before we were to sit that day explaining that there would be a motion around the apology and setting up an apology.

Unfortunately it does not appear as though that was particularly well organised or at all consulted with victims/survivors and instead of us dealing with an apology yesterday which, as well intentioned as it might have been, does not appear to have been at all well thought-out or properly dealt with by the Government. In good faith Labor supported that and I am sure other members did so as well, assuming that the Government had done the requisite consultation. Instead, obviously that work had not been done and the date proposed was offensive to some - potentially many - at least those I have spoken to. A supplementary date was then provided for next week and, as we understand, for some particular reasons around another death - this time in Ashley Youth Detention Centre - that date was not appropriate either.

We recognise that this is a really important topic and it is very important that the parliament gets this right. What the Government proposed to do and what it did was not right. It reflects poorly on the parliament that we prepared to do that as it was announced and it was not delivered at all.

I sincerely hope that from this point forward the Government does get it right because this is a very important matter and one I am very keen to see thoughtfully carried out from this point forward.

[11.23 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I strongly echo what Mr Winter has just said. It is very clear that the commitment to an apology to victims/survivors was always intended on the Government's part to be sincere. It did come from a good place. That is why the House resolved that united we would set aside that time in the House's business for the apology. Like Mr Winter, I have also spoken to victims/survivors and there have been layers of retraumatisation as a result of the way the Government dealt with this.

On behalf of the Greens as members of this parliament, I express my very great sorrow about the way it has been mishandled by Government. It is possible to have the best of intentions, as I have no doubt Government members did, but to get it badly wrong because you are not thinking things through - it is about extending your empathy so you can consult with victims/survivors and understand how much hurt it might cause if you get it wrong.

I am still a bit uncertain procedurally about what happened because the House resolved that we would apologise yesterday. Since then we have had another date and now another date. As we understand it, the apology will be on 8 November. We have to get this right and be unreservedly apologetic, sincere and respectful. It is one of those issues where there needs to be unity within the House for those people who are victims/survivors who will be either watching in person or watching remotely.

I cannot help but draw the conclusion that the reason the Government made such a hash of this is because they are so diverted by this stadium folly, by spin and by treacherously abandoning Tasmanians to COVID-19 that they are not, as Labor might say, getting the basics right. If you are going to commit to an apology to people who have been damaged, who suffer and who still experience trauma as a result of failings of the state, it is doubly important that the state gets it right.

We will be looking forward to an update from the Government on the proposed new date and also some clarity about the procedure for establishing that date. The earlier we can engage with the people we represent who are victims/survivors the better.

[11.26 a.m.]

Mr FERGUSON (Bass - Deputy Premier) - Mr Speaker, I am not wishing to engage in a political debate around the subject matter that has been raised by the member opposite and Ms O'Connor. However, I will ask members of this House to leave room for grace that the Premier has been very carefully managing this process - and we are all human beings; none of us is perfect - as sensitively and as delicately as possible. We are very conscious as a government of not wanting to make matters worse for any Tasmanian who has been traumatised in the past.

I invite members to reflect on the fact that we are debating a motion around when the House next sits. As to matters of the mechanics and the housekeeping nature of how we will move on 8 November procedurally, I believe I can expect a sense of unity in this House about how we will conduct our business on that day and will no doubt demonstrate a great show of unity around the sincerity of that apology.

I ask members to be patient and to encourage ongoing dialogue between our various officers and the Premier and his team as they work very closely with victims/survivors and organisations that represent those who have been wounded in the past, together with the

CARCRU team which has been useful in helping to guide government in sensible decision-making in this space.

I do not like to see these matters being debated on the Floor of the House in this way right now so I will leave my comments there and commend the motion to the House.

Motion agreed to.

MATTER OF PUBLIC IMPORTANCE

Housing Delivery

Mr SPEAKER - We now move on to the matter of public importance. I need to inform the House that because of the time and private members' time starting at 12 o'clock we will be a few minutes short of the 35 minutes for this debate.

Mr FERGUSON (Bass - Deputy Premier) - Mr Speaker, on your indulgence only, if that is okay, I indicate that later in the day our Government backbench members will be offering their private members' time for Government business.

[11.28 a.m.]

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

That the House take note of the following matter: housing delivery.

The matter of public importance today is one that is very important to all Tasmanians and increasingly important for people across every social demographic. That is the unprecedented and growing housing crisis that we are seeing unfolding under the watch of this Liberal Government.

People have heard me speak in this place many times around the crisis that is being felt in the social and government housing sector, where this Government really deprioritised housing as a policy area when they came to government. They have recently made some big promises and they are doing their best to play catch-up in a situation where they dropped the ball after coming to government in 2014. The numbers speak for themselves.

When they came to government the wait list was around 2300. That is still a lot of families waiting for housing. It is now up around 4500 and, even on the Government's own projections, is set to grow to over 5000 over the forward Estimates. The wait time was around about 21 weeks. That is still a long time to wait for a house, there is no question about that. Since the Liberals have been in power in this state that wait time has blown out and hovers between 70 and 90 weeks. We know that those people who are waiting for those 70 or 90 weeks are sleeping rough, sleeping in their cars, couch surfing with family and friends or staying in shelters - if they can get into shelters, which are absolutely full and having to turn away people in unprecedented number.

That is just in the social housing sector, where this Government has almost gone out of its way to make housing less of a priority compared to previous governments. We are paying the price for that now. Tasmanians are paying the price for that now. Tasmanians like a young

mum I spoke to just yesterday, who was in a shelter but the time she was able to stay there had expired. She was let go from that shelter into homelessness. She is now sleeping in her car with five kids, aged between 12 and five years of age. It is completely unacceptable. It is affecting the schooling for the older children. It is unsafe. It is cold. We might be heading into spring, but it is still cold. That is the crisis that we are seeing in the social and government housing sector.

In addition to that, we are seeing a crisis never before seen in Tasmania in the private housing market. House price sales are astronomical. Private rents are going up at such high and rapid rates that people are being squeezed out of the private rental market. In the past, the social housing sector might have been able to sit as a safety net for people being squeezed out of the private rental system, but that is no longer the case, not only because of those long wait times, and the high number of people waiting, but also because there are now working families - sometimes with two incomes - who do not qualify for social or government housing, and yet they cannot afford to rent in Tasmania's expensive private market anymore.

In the last couple of weeks, we have seen data come out that private rents in Tasmania are some of the highest. In fact, it is now cheaper to rent in Melbourne than in Hobart. On average, you would pay about \$3000 less in rent if you were renting in Melbourne than if you were renting in Hobart. That is incredible, Mr Speaker. Added to that, we know Tasmanian wages are on average around \$10 000 a year lower than mainland wages. You put those two facts together and household budgets are getting tighter and tighter.

A report released just a couple of weeks ago, from PropTrack, showed that the share of rental listings that are under \$400 a week in Tasmania has dropped to only 9.8 per cent, from 34 per cent in March 2020. In just two and a half years, the number of dwellings that were on the private rental market for below \$400 a week has dropped from 34 per cent to 9 per cent. That is the worst in the country.

One example of where the Government could be making a difference is by increasing supply. The Government needs to be dealing with emergency housing options as well, but increasing supply at every level of the housing market must be the number-one priority.

One example of where the Government has completely and utterly failed to increase supply is Huntingfield. That was a big promise that the Government made - originally about 200 homes when they came to government in 2014, under minister Petrusma - then minister Jaensch took that portfolio and increased that to 500 homes. Indeed, fast-track legislation went through this parliament, where the people of Kingborough and Tasmania were expecting action quickly, but the Government has dragged their heels on the developments at Huntingfield. They failed to consult very well with the community. Perhaps that is one of the reasons that they are pulling back on that now.

The community has known for generations that there was going to be housing of some kind or another on that site. This Government promised fast-tracked results, and has failed to deliver. It is nearly 70 hectares - could be acres, I am terrible with distances - but it is a large block of land. It is still a vacant block of land in a prime position for development and for housing to increase supply to those who need it - social housing as well as private rental and for-sale housing. This Government is trying to lay the blame for those delays at the feet of the council, which is completely unfair, Mr Speaker.

This Government knows that, following the fast-tracked legislation that came through this parliament in 2018, the planning DA has in fact been approved by council, and they are waiting for government action. They are waiting on government action on the development of housing, and they are waiting for government action when it comes to the infrastructure developments that are needed to support that site - roundabouts, roads. Tasmanians are desperately crying out for all of those things, but this Government has failed to deliver.

Huntingfield is just one example where the Government has made big promises and has failed to deliver. Tasmanians need the Government to come good on their promises, but at the moment we are seeing almost no evidence of that.

[11.35 a.m.]

Mr BARNETT (Lyons - Minister for State Development, Construction and Housing) - Mr Speaker, I am pleased to be able to speak on this matter of housing delivery. I thank the member, Ella Haddad, for her comments. I believe she has a big heart and she wants to make a difference. Having said that, she is part of a Labor Opposition that has been very critical of the Government's initiatives to progress. With respect to her last observations that it is all about increasing supply as a top priority, that is absolutely true. We are on a unity ticket in that regard, and as a Government.

We have, historically more than ever before, committed \$1.5 billion to build 10 000 new homes by 2032. That is a massive commitment. Never before in history has a government made a commitment like that. In this budget alone, \$204 million; over the forward Estimates \$538 million. We are putting our money where our mouth is. Compared to when Labor was in government, we are spending 700 per cent more.

Ms O'Connor - We built twice as many houses as you, in half the time.

Mr SPEAKER - Ms O'Connor, order.

Mr BARNETT - Mr Speaker, with the opportunity I would like to make the point that not only are we spending over 700 per cent more on new housing than the last Labor-Greens government, our commitments are already resulting in real-world delivery of housing for those in need.

Ms O'Connor - Seriously. Twice as many as houses in half the time.

Mr BARNETT - We have interjections from a former Green housing minister under a Labor-Greens government -

Ms O'Connor - Yes, who delivered twice as many houses as you did, in half the time.

Mr BARNETT - Our commitment of spending 700 per cent more than when you were in government.

Ms O'Connor - You are not spending it. It is monopoly money at the moment.

Mr SPEAKER - Order. Ms O'Connor, you will have an opportunity to contribute. The minister should be heard in silence.

Mr BARNETT - Thank you, Mr Speaker. Let us go back to fundamentals. All Tasmanians deserve a roof over their heads. I am proud to have had this portfolio since April this year. I am pleased to be working with Lara Alexander, my parliamentary secretary. I acknowledge her experience and background in this space. I acknowledge and thank the community housing providers and the sector for their feedback and their positivity with respect to the Government's ambitions and objectives. It is appreciated. We are working shoulder to shoulder with the sector to get the job done, to build more houses faster. That is our ambition and I appreciate it.

We set up a reference group - and this of course was criticised by the state Labor Opposition. State Labor seem to be having a different view from federal Labor with respect to a few matters, including Marinus Link. In terms of this commitment, it is fundamental. We are working with the community housing providers, the building construction sector. We have an MOU with the building construction sector. We are committed to building more houses faster.

Last weekend, on Saturday, I was out releasing a tender for 200 modular homes - 50 modular homes a year over four years. We have to do things differently. We have to be innovative and creative. That is what we are trying to do. We are taking the feedback from the sector on board. We did that with our Homes Tasmania legislation, which we passed - notwithstanding the opposition from those in this Chamber.

I know there is a heartfelt commitment to make a difference, but there was opposition. I am noting that on the way through because we did have great support, and that is why it is was passed in the upper House. We have every intention to deliver on that - which is why, by mid-next year, we hope to have a 20-year housing strategy.

This is important. We want to do an analysis between now and then and assess where those homes need to be, the various groups in the community, whether it be women and children, whether it be older Tasmanians, whether it be younger Tasmanians. With family violence and domestic violence, it is important to respond to those concerns and we are responding. We are taking onboard that feedback.

In question time today there was a reference to comments and views with respect to this Government about Huntingfield. I want to address that because we have a whole range of works currently underway on land subdivisions at Huntingfield, Rokeby, Burnie and Wynyard. We have rezoned over 47 hectares of land for residential development, creating the potential for around 700 new housing lots through our housing land supply orders, which again, Labor criticise. It is unfortunate we could not get the development application for the Huntingfield subdivision approved more quickly because the then Kingborough mayor, the current member for Franklin, Mr Winter, so vehemently obstructed, criticised and put his efforts and body in the way of delivering those 450 new housing lots on land that this then council had long identified for residential development.

How is this, Mr Speaker? What about the pot calling the kettle black, the duplicitous behaviour of the member for Franklin, using this for no doubt political purposes in the Kingborough municipality? We will not be thwarted and, as minister, I welcome the feedback on how we can do it better. I welcome the positive, constructive feedback, whether it be from my Labor counterpart or the stakeholders in the community. If we can do this better and faster, sing out.

Over the last 12 months we have delivered those 381 new homes, including 56 in August. It was great to catch up with Brian Lipman at Wirksworth Integrated Aged Care Living across the river in Howrah. I caught up with Jillian in Ravenswood and saw her lovely home as part of the 28 new homes that have been delivered there in the last few months. It was great meeting with Emma, the first My Home customer who has been able to purchase her first home in partnership with government. To deliver more social and affordable housing is our ambition and we will not relent.

[11.43 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, the problem the minister has is that he lives in this fantasy land where he thinks that a promise to spend money in the future is delivery. It is not. It is an absolute fantasy. The truth is that, as the 2022-23 State Budget said, since the commencement of the Affordable Housing Strategy in 2015 and to the end of January 2022, 1254 new long-term homes have been built.

Between 2010 and 2014, in a Labor-Greens government with a federal government that took housing delivery seriously, we built twice as many new, affordable homes in half the time. It is insulting to hear this minister pretend that a promise is a tangible because it is not. It means nothing to Tasmanians who cannot afford to rent or buy and who fear homelessness and eviction.

As to the Housing Register data, I remind the minister again that in the Labor-Greens government, a Greens housing minister had the housing waiting list at its lowest level in a decade. It was then sitting at 2100 applicants - still too high. When the Liberals came to government there were 2100 applicants on the Housing Register. As of today there are 4455 applicants, with the budget projecting that it will rise to over 5000. Again, overpromising and underdelivering every time with this Government.

The rolling 12-month average for time to house priority applicants is now 71.2 weeks, up from 58.9 weeks a year ago. We also have a huge issue with short-stay accommodation, which this Government refuses to act to regulate, so you have councils like Dorset Council using the mechanism of a waste levy to levy hire charges on Airbnb property owners because they regard those properties as a commercial venture, which they are.

We also have rents absolutely soaring. The Domain rental report documents massive rent growth in Tasmania. Rents in Hobart are at a record high, with the medium rent at \$540 a week, and suburbs like Rokeby and Brighton have seen rises of 60 per cent in rents. Elsewhere rents are up too, with big increases in Devonport and Launceston. Of course it is families who are caught up in this failure of the Liberal Government over the past eight years to really take the need to deliver social, public, affordable housing.

I mention the case of Barry. Barry, his partner and two children have lived in a Lenah Valley property for nine years. Housing Tasmania needs to conduct maintenance to the kitchen so the family has to relocate. Barry says this major work is only required because the property has been neglected for maintenance previously. The family knows the work is necessary and appreciates it will be done. However, the way it has been handled by Housing Tasmania, I very much regret to say, has made life extremely difficult for Barry and his family.

Barry's children both have special needs and so the location they move to is really important. They were only given the opportunity to view the property they are supposed to

call home for three months or more last Thursday, when they were supposed to move on Monday this week. The property is totally unsuitable for his children's needs and does not permit pets, which poses a huge problem because Barry's son has a pet dog he loves very much.

We asked the minister's office and appealed to them to consider Barry's case on Friday and we are really happy that they immediately got in touch with Housing Tasmania. Barry expected to hear something after that. Instead, he sat by his phone all weekend worrying about what could happen. After we prompted the minister's office, and they in turn acted immediately to prompt Housing Tasmania on Monday, Barry finally got his answer. He and his family must relocate to the unsuitable accommodation. Barry was told his family had 24 hours to be out of their long-term home and that workers would be sent to change the locks at 1 pm yesterday.

Is this a way to treat a good tenant of nine years? No, it is certainly not a good way to treat anyone. When the workers showed up yesterday the family refused to leave, and now they are very worried about what is going to happen to them. They have not done anything wrong but they are scared that they could now face eviction.

Mr Speaker, this is a question for the minister: what is next for Barry and his family? We certainly hope a better solution can be found. This is what Louise and Barry have said to Housing Tasmania:

We absolutely understand that the house at 1 Cranswick Ct, Lenah Valley, needs repair. I believe years of poor maintenance practices have led to the degradation of this property and brought this kind of situation to a head.

We, Louise, Barry, Emily and Nicholas, all believe we have done nothing wrong in these present circumstances. In fact, we have been worthy tenants for the last nine years, quiet and respectful tenants and neighbours, hence we do not understand why are you treating us this way. How can you expect to send us to a property - insurance have told us it is a minimum of four months' work - which we could only access to view last week on Thursday, and this was only one working day before you schedule our departure time from Lenah Valley?

Having viewed the property on Thursday we became acutely aware that it was unsuitable. This arrangement you have made with the property at Warrane on our behalf is completely inappropriate for the needs of this family. We do not say this lightly. We do not want to cause problems, but forcing us to move to the property at Warrane will compromise both the safety and wellbeing of this family.

Do you not know that Emily has cerebral palsy and other complicated health needs? Do you not know that Nicholas has autism?

Furthermore, I do not understand why you are sending tradesmen over to the property at Lenah Valley today to change the locks. Why are you doing this? Barry and I have repeatedly told you that we are not leaving the property at Lenah Valley to move to the temporary accommodation at Warrane.

I say again, we absolutely understand that the property at Lenah Valley needs fixing, but the arrangement you made on our behalf is unsatisfactory and

compromises particularly the wellbeing of Emily and Nicholas. I am hoping there will be an extension of time before works begin on the property at Lenah Valley so as to find another suitable temporary accommodation for my family and I.

These situations arise because for years after being elected, this Liberal government, under then premier Will Hodgman, did not put one extra red cent into building more homes. It was not until the 2016-17 state budget that we began to see some new money going into the delivery of social and affordable housing. That is what is happening here. You have a government that is playing catch-up. You have a minister who is playing with Monopoly money and we encourage him to get on with the job.

Time expired.

[11.50 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I rise to make a contribution on this very important topic. Listening to the minister for Housing talk about housing, his words in question time today were, 'No government has done more for housing', or words to that effect. Those words brought laughter. The statistics show that this Government has been the worst government for housing in this state. The minister must see all the letters that 24 other members must send to his office from our constituents who come to us with housing issues. For him to stand up there and say that his Government is doing a good job on housing is embarrassing for him.

All the constituents, the constituents that Ms O'Connor just mentioned, all of us have sent letters to this Housing minister and housing ministers before about the dire state of housing in this state. There are victims of domestic violence. The one I sent to the minister only last week or two weeks ago, was from the victim of domestic violence who is getting to the end of her stay at Jireh House who desperately needs a place to go when that term expires but has not been able to find any accommodation. There were people from Redwood Village who had to come to parliament in order to get a house from this minister. He wants to stand up here and say that this Government has done more than any other. It is fanciful. It is clearly not true.

This goes to the same point that Ms O'Connor raised: announcing something is not the same as actually doing something. In order for you to build a house, you actually have to build it. Saying you are going to build housing is not the same as building it. Saying you are going to fast-track Huntingfield is not the same as actually building houses there.

I have a fantastic media release from 26 October last year. It was from the then housing minister, Michael Ferguson, headed 'More homes for Tasmanians in Huntingfield'. He says:

More than 200 Tasmanian households will have the opportunity to buy a new home after the welcomed unanimous approval of Stage 1 of Huntingfield by the Kingborough Council last night.

One year ago, minister. You went in front of the cameras the other day saying it had not been approved. You did not even know that you had an approved development application at Huntingfield. You are the Housing minister. It is the biggest housing subdivision that you are proposing and you did not even know it had been approved. You are a housing minister who has no idea what is going on in your own portfolio.

The former minister for housing goes on to say - this is the important part, the last line of his media release:

Early works to build a new roundabout from the subdivision to the Channel Highway will start in early 2022.

Nothing has happened on that site. Early 2022 - it never happened. There has been no infrastructure commenced there, apart from the park-and-ride, which we heard this morning does not work very well. There is no new infrastructure to facilitate those homes there.

This Government has been talking about building at Huntingfield through a fast-track piece of legislation since 2018, when the legislation came through, and 2019, when the order came through. Not a single home has been built during a housing crisis. Politically, he wants to stand there and blame it on me. It has already been approved.

People are desperate for a home in that local area. Minister, I will tell you what is going on. I walked the dog a couple of weeks ago and there was a man camped at the Kingston Beach dog walking area because he does not have a home. At the Suncoast Track in Blackmans Bay, again a dog walking area, there is a man living in a hole but you say that no government has ever done more for housing in this state. What a disgraceful and inappropriate thing to say.

You clearly stuffed up on housing over nearly a decade now and you want to stand up here and tell us you have done a good job. Nothing could be further from the truth. If this Government had kept pace with Labor's delivery on housing, there would be 3000 fewer families on the waiting list.

An announcement is not the same as delivery. It is the same for this minister through everything he does. He thinks that standing there talking about something, that holding things is the same as delivering it. He thinks that talking about a plan or a strategy is the same as doing something. It is not.

This Government continues to fail to get the basics right on housing. In order to build a subdivision, you need to plan for infrastructure around it.

I will give the minister some feedback on what is actually going on at Huntingfield. Residents there have known there was going to be housing on this site for 50 years. The land was actually acquired and funded by the Whitlam government. Gough Whitlam funded this acquisition. It was farmland. It still could be farmland, frankly. There is lush green grass there and nothing grazing on it. The locals have known for 50 years housing was going to happen there. They are happy for housing. They just want to have the infrastructure in place that enables it.

At St Aloysius, the school I am proudly a parent of, parents typically wait there for 30 minutes to get out of the intersection of that roundabout, which still has not been upgraded. They are waiting there for 30 minutes because of the traffic around the area. The Government proposed a new roundabout last year and forgot about the slip lane. Then the minister himself says he suggested to the council that it amend his application to add a slip lane. Then the minister, after the council did apply a slip lane to his roundabout, tried to take them to the Planning Appeals Tribunal because he did not like the slip lane they had added to his own development application.

Ms O'Connor - Are you serious?

Mr WINTER - He has admitted it in Estimates. That is why there is no infrastructure there and that is why there is no housing there.

He can stand up there and blame it on me, despite the fact I was not actually the mayor when all this happened. That is fine; good luck to you. Locals there are more than happy for housing to happen if there is the right infrastructure. All you have to do is get the basics right: the basics of building a subdivision is to build the infrastructure. Support traffic, public transport, all the things that are required for a new subdivision, and then build the houses.

You cannot even build the infrastructure. You are 12 months late on building the infrastructure. Goodness knows how long you are behind on actually building the homes and you cannot even tell us when the first home will be built. It is disgraceful.

[11.57 a.m.]

Mr YOUNG (Franklin) - Mr Speaker, our Tasmanian Liberal Government has a history of delivering in housing. While this is on the public record, I would like to share some of those delivery achievements here.

Since 2015 we have delivered a total of 2308 additional new homes, lots of land and new places in supported accommodation and homelessness services. There are currently 1430 long-term homes and units of accommodation in the pipeline.

Since our affordable housing strategy commenced in 2015, we have provided 1505 more homes, including 1322 social housing dwellings and 183 supported accommodation. We have assisted 526 low-income families into home ownership for the first time. We have also released 401 affordable land lots for low-income buyers. We have helped 465 families into private rentals. This is 1505 families housed in new homes. We currently house, on average, 72 families per month into social housing properties.

As part of the Tasmanian Government's plan to secure Tasmanians' future, we are taking action to help more Tasmanians into homes and put downward pressure on rental prices. Our critical growth strategy means more Tasmanians experiencing housing stress and homelessness will get secure housing.

As a Government, we are working to deliver our unprecedented and ambitious \$1.5 billion housing package, which will provide 10 000 new social and affordable homes by 2032. A key to this growth strategy is delivery of the Community Housing Growth Program, which builds on and improves the earlier successful transfer of public housing properties to community housing management under Better Housing Futures. Management of an additional 2000 properties was successfully transferred in 2021 under the Community Housing Growth Program, bringing benefits to both tenants and housing providers by way of increased access to funds for maintenance, tenancy support and new supply.

A total of \$120.6 million in capital grants is being provided by the Tasmanian Government to leverage the construction of these new homes. These capital grants will further increase social housing supply and support the building industry, boosting Tasmania's social and economic recovery from COVID-19. We are working in partnership with a number of community housing organisations and development has commenced statewide to deliver this

pipeline of new supply. Around 77 per cent of Tasmania's new social housing under Tasmania's Affordable Housing Strategy -

Time expired.

Matter noted.

MOTION

Wrongful Convictions - Motion Negatived

[12.00 p.m.]

Ms JOHNSTON (Clark) - Mr Speaker, I move -

That the House -

(1) Agrees that -

- (a) a fair criminal trial must be conducted in accordance with the rule of law and our international human rights obligations;
- (b) the integrity of the trial process is an essential pre-condition for any finding of guilt against an accused; and
- (c) both Tasmania Police and the Office of Director of Public Prosecutions has a critical role in ensuring integrity and confidence in the criminal justice system before, during and after trial.

(2) Acknowledges that -

- (a) sadly, wrongful convictions will occur from time to time in all criminal justice systems; and
- (b) where wrongful convictions have occurred in many Australian jurisdictions a common response from public authorities has been denial, delay and obfuscation.

(3) Further agrees -

- (a) as a matter of legal principle that the Crown has a duty of disclosure to the court with regard to false or misleading evidence, or incorrect submissions that extends to an obligation to make inquiries to ascertain if such disclosable material exists, and that duty extends beyond the trial into both the appeal and post-appeal periods; and

- (b) that the parliament has the ultimate responsibility to make laws and to ensure that the law is effectively and fairly applied to all citizens.

Mr Speaker, I am sure it comes as no surprise to members of this House that I care passionately about the pursuit of justice. There has been a common thread in all my previous roles, whether it be local government or the community legal sector. In my current role, I take seriously my responsibility to do all that I can to ensure just outcomes for all Tasmanians, and without wanting to put words into the mouths of others here, I would like to believe that this is a value held in common with all members of this House.

The pursuit of justice is a responsibility that is shared by many: police, prosecutors, defence lawyers, judges, scientific advisers, academic lawyers, and ultimately, the parliament; and it is important that we get it right to maintain public confidence in the criminal justice system. Quite rightly, the community expects our criminal justice system to be fair and just. When you ask members of the public what that means, they will often refer to the notion of a fair trial, where all the evidence is presented in a forum where the pursuit of truth and justice is the focus rather than necessarily the finding of guilt, so they talk about the standard of proof of guilt as being one of beyond reasonable doubt only once all the evidence has been fairly presented.

Of course, there is a whole body of case law, international human rights law and statutes in each jurisdiction which provide a greater clarity and meaning to the community's understanding of a fair trial. One of the integral legal principles relating to a fair trial is the Crown's duty of disclosure. Justice Blue of the South Australian Supreme Court in Keogh explained, 'the duty of disclosure is owed to the Court and not to the defendant', adding, 'although the defendant is a beneficiary of the duty'. This strong statement of legal principle really does demonstrate that the duty is owed to the court in order to maintain integrity of the trial process rather than to the individual.

The material that the Crown has a duty to disclose includes material that is relevant or possibly relevant to an issue in the case, raises or possibly raises a new issue whose existence is not apparent from the evidence the prosecution proposes to use, or holds out real prospects providing a lead to evidence which goes to relevant or new issue. Again, Justice Blue in Keogh further articulated the duty by saying that:

The prosecution owes a duty to disclose to the defence in a timely manner with regard to

- Evidence proposed to be adduced by the prosecution, including evidence of witnesses and proposed exhibits
- Evidence of witnesses who the prosecution does not propose to call
- Material that tends to reflect materially on the credibility of prosecution witnesses
- Material that tends to weaken the prosecution case or assist the defence case; and
- Material that is relevant to an issue in the case.

Further, it is well accepted that this duty of disclosure extends beyond the trial period into both the appeal and post-appeal periods. Again, it is the integrity of the trial in the pursuit of justice that is paramount, not necessarily the finding of guilt of a particular individual. It therefore follows it is also well established that the Crown's duty of disclosure is a proactive one and it is not sufficient to say the defence failed to ask. There is extensive case law to support this in *Smith & Madden v R*, *Tasmania v Farhat* and *AB v CD*, just to name a few.

In laymen's terms, there are two key questions the community might pose of the prosecution. First, has the accused been sufficiently apprised of a case he or she has to meet? Second, has any important document that will be of material assistance to the defence in relation to the issues in dispute been disclosed? If the prosecution can answer yes to both of those then it goes a long way to establishing a fair trial.

Duty of disclosure is just one, but one of the very important components of a fair trial. The reason I raise this particularly in this motion is because it goes to the heart of the culture of a prosecutorial service and articulates the reasonable expectation of the community in the way in which in which the Crown or the state ought to conduct themselves fairly in the pursuit of justice.

As the conduct of a fair trial is a condition precedent to the determination of guilt by a jury, it stands to reason that if one or more of the principles of a fair trial are found to be absent or lacking on appeal, then the trial is said to be unfair and the conviction must be set aside. The test on appeal is whether there is a reasonable likelihood that nondisclosure, effective and inadmissible evidence, incorrect submissions, false or misleading evidence, or other material effort in trial would have influenced the jury in arriving at a verdict. If there is such likelihood, the verdict must be set aside and it gives rise to reasonable doubt.

However, despite every good intention and statements of legal principle, sometimes the criminal justice system does get it wrong. After all, it is subject to the foibles of human existence and we do make mistakes from time to time. One only needs to look at the advances in forensic science and the tools we now have to assist and determine guilt to realise that no system of criminal justice was or is perfect and 100 per cent accurate.

It is regretful but is a statement of fact that wrongful convictions do occur from time to time in every jurisdiction, and it would be wrong to suggest that a single jurisdiction gets it right 100 per cent of the time. In Australia there have been some very prominent examples. The case of Andrew Mallard in Western Australia I find to be a particularly tragic example of a wrongful conviction. It was documented in two-part *Australian Story* on ABC for those who would like more information. Mr Mallard was found guilty of murdering Ms Pamela Lawrence and was sentenced to 20 years jail. I want to briefly outline this tragic case because it really demonstrates some of the principles of a fair trial and the conduct of the police and prosecution I have been talking about.

In a horrific act of violence, Ms Lawrence was bludgeoned to the head in broad daylight on the afternoon of Monday 23 May 1994 at her jewellery shop, Flora Metallica. She died tragically hours later in hospital. The death sparked a manhunt and Mr Mallard was among the initial 136 suspects. He had been living on the streets and after suffering a nervous breakdown he had come to the attention of the police. He has arrested for murder after several interviews with police, where he speculated how Ms Lawrence may have been killed and drew a picture

of the wrench which police said he used to kill her. Mr Mallard claimed at trial that he was fed information by police to repeat back to them, but police treated it as a confession.

Mr Mallard's appeal against his convictions failed in both the Supreme Court and the High Court. It took an extraordinary campaign and effort from Mr Mallard's family to have his conviction quashed.

After failing through the Appeals Court and maintaining firmly that Mr Mallard was innocent, the family approached journalist Colleen Egan, who investigated the case along with then Western Australian shadow attorney-general, John Quigley. Mr Quigley's previous career representing police officers for the Western Australian Police Union provided insight into police procedural failings in the case. After considerable political pressure and some time, he was able to gain access to the prosecution files on the case and found crucial evidence that was not disclosed at trial.

Along with an alibi, Mallard's team of advocates were able to establish a pattern of manipulation of evidence against Mr Mallard. Among the prosecution files was a conclusion by a pathologist that a wrench could not have caused Ms Lawrence's injuries after a test had been conducted on a pig's head. The test had been kept from the court. After the team were able to access police files, they discovered original witness statements did not correspond with second and third statements which were presented to the court.

In November 2005 the High Court finally quashed Mr Mallard's conviction and declared a miscarriage of justice had occurred. Critically, nondisclosure by the Crown was a significant factor in this miscarriage of justice. In February the next year the case against Mr Mallard was dropped by prosecutors, who maintained he was still the prime suspect. Police later admitted Mr Mallard was not responsible for the crime after a cold case review of Ms Lawrence's murder found shavings of blue paint recovered from her head matched paint from a knapsack of murderer, Simon Rochford.

Rochford had been serving life in prison for killing his girlfriend just seven weeks after Ms Lawrence's murder. Her injuries were similar to those suffered by Ms Lawrence and had been inflicted by a makeshift weapon Rochford kept in his knapsack. Days after he was questioned by police about Ms Lawrence's murder, Rochford killed himself in jail. Upon his release and following the quashing of his conviction, Mallard travelled to America where he tragically died in a hit-and-run crash.

The impact of this miscarriage of justice was significant. For the family of the victim, Pamela Lawrence, justice was denied to them by the conviction of the wrong person. For Andrew Mallard, justice was denied to him for the lack of a fair trial, and the influence that had on a verdict of guilty. He spent 13 years in jail for a horrendous crime he did not commit. Even after his conviction was quashed and the real killer discovered, he said the community still treated him like a murderer.

For the Western Australian criminal justice system, it was a serious wake-up call, and there was a subsequent corruption and crime commission inquiry. The community were rocked to their core that this could happen, and it seriously undermined their confidence in the fair administration of criminal justice.

Other examples of miscarriage of justice, which are said to have occurred because of issues with a fair trial, include, infamously, the Chamberlain case, which led to a royal commission, and Keogh, which is now an authority on the prosecution's duty of disclosure.

One further particular case I would like to raise today is that of Farah Jama, a young man who was wrongfully convicted of raping a woman in a Melbourne nightclub's toilet stall in 2006. He always maintained his innocence, but was convicted solely on the basis of DNA evidence linking him to the attack. Mr Jama claimed he had not been at the club the night of the alleged assault and was home all evening. The woman had passed out in the toilet stall and had no recollection of any assault, but believed she had been raped. She also said she had not seen a dark-skinned man in the club, and Mr Jama was dark-skinned. It was later discovered that Mr Jama's DNA had mistakenly been identified as coming from a swab from the alleged rape victim when it actually came from a DNA sample taken by the lab from him in an unrelated matter the day before.

On 18 November 2009, the Victorian Court of Appeal ordered Mr Jama be released on bail pending the court's decision in his case. On 7 December 2009, Victoria's Court of Appeal acquitted Jama based on the bungled DNA test that falsely implicated him. During the hearing, the prosecution conceded that there may have been no crime committed because the woman had no recollection and there was no DNA recovered from the swabs taken from her.

It is quite an extraordinary case. A young man was imprisoned not only for a crime he did not commit but a crime that may not have even occurred. Three years of this young man's life was taken from him, not to mention the lasting psychological impact of incarceration and having been convicted by a jury of his peers as a rapist.

What is particularly pertinent about this case is the role of the prosecution. Clearly, they made mistakes in the initial trial, and Mr Jama cannot be said to have had a fair trial - but after some time, the prosecution was able to be convinced that an appealable error had occurred, and they took steps to right the injustice. This perhaps also highlights the importance of independent and adequately resourced forensic services as an important component of our justice system. I note in passing that Queensland is currently experiencing significant issues with forensic evidence.

Of course, injustices and confidence in the criminal justice system can be undermined not just following a conviction, but also during the investigation and trial stages of a criminal matter. While the accused may not necessarily be ultimately convicted, the impact of having been wrongly pursued over criminal charges - in some cases for years - can have serious and negative consequences.

While Tasmania, to date, has not had a prominent wrongful conviction case of the likes of Mallard, most recently we saw confidence in our criminal justice system undermined and questioned in relation to the attempted prosecution of Mr Jeffrey Thompson. Without wanting to go into great detail, for the purposes of considering fairness and the requirement for integrity in criminal proceedings, suffice to mention a few facts of the matter here.

Tasmania Police obtained a surveillance device warrant, which led to an optical and listening device recording constantly in a professional meeting room at Risdon Prison from 15 June 2017 to 17 August 2017- despite there apparently being only one conversation of

interest between Mr Jeffrey Thompson and Mr Stephen Gleeson on 16 June 2017. As a result of the surveillance, charges were brought against Mr Jeffrey Thompson on 16 August 2017.

In hearing the matter of criminal charges against Mr Thompson, Justice Brett found the surveillance device warrant was invalid on its face and suffered from a serious defect. In determining the admissibility of the surveillance evidence, Justice Brett described the issue of the invalid warrant as a result of carelessness on the part of Tasmania Police and issuing magistrate. Justice Brett further stated that:

The evidence which was presented fell far short of satisfying me that police had any significant insight into these problems and their importance, nor that anything has been done since to address similar situations ... However, the importance of ensuring the protection of privacy and respect of unrelated and privileged conversations in the course of covert surveillance satisfies me that the balance of this case falls in favour of exclusion.

Importantly, Justice Brett says:

Such protection is fundamental to the integrity of and public confidence in the administration of criminal justice.

Mr Thompson faced these criminal charges against him for almost five years before the office of the Director of Public Prosecutions discontinued the proceedings just recently. He lost his livelihood, as he could not practise as a lawyer. The personal toll on him and his family was significant and will be lasting.

Mr Speaker, the extent to which we are able to acknowledge miscarriages of justice, and rectify them when they occur, is an obvious test of the maturity of our legal system. History demonstrates time and time again - Mallard, Chamberlain, Keogh and Jama, just to name a few - that denial, delay and even obfuscation have been present in all systems.

In recognition of the importance of owning up to and rectifying miscarriages of justice, a number of parliaments and governments have instigated royal commissions or commissions of inquiry into cases. Some have taken a more systemic approach, and have formed criminal case review commissions of what some call innocent projects. The United Kingdom established a criminal case review commission in 1997. Since April 1997 to August 2022, the commission has had 744 appeals heard by the courts, of which 542 appeals were allowed.

I understand that this includes over 100 murder convictions, and four cases in which people were hanged after their conviction. Similar bodies have been established in Scotland, Norway and New Zealand, with Canada currently establishing one.

It can be uncomfortable and even embarrassing for all involved when faced with the consequences of a wrongful conviction. At the end of the day, the guiding principle must be the pursuit of justice. It is incumbent on all who are involved with the criminal justice system - from the police officer on the street, through to the officers of the court, and us as legislators - to do all we can to rectify manifest miscarriages of injustice.

Some may say that my motion today is quite familiar. It is a statement of legal principle and of fact. I hope that it is not a controversial statement of principle and fact, and that everyone

can agree with it. I think the importance of these motions is that there are occasions where it is important for us as a parliament to recommit or reaffirm those principles for community to help them have confidence in the carriage of justice. I hope today is one of those occasions.

Mr Speaker, I commend the motion to the House.

[12.18 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Speaker, I rise to speak on this motion on behalf of the Government, and as Attorney-General and first law officer, to which this directly relates.

I will state from the outset that the Government will not be supporting this motion. The Government plainly accepts that criminal trials in Tasmania must be conducted fairly and in accordance with the rule of law and with the utmost integrity.

Tasmania Police and the Office of the Director of Public Prosecutions play a vital role in the administration of justice in Tasmania, and the criminal justice system in particular, especially in their work prosecuting summary and indictable offences respectively. I, and the Government, have absolute confidence in Tasmania Police and the Office of the Director of Public Prosecutions.

The Tasmanian community can be confident in all agencies of the Crown that are involved in the administration of the criminal justice system, and be justifiably proud of the work and the independence of those institutions.

The Office of the Director of Public Prosecutions is an independent statutory office. Indeed, the DPP itself is an independent statutory officer and acts independently of the Government. The DPP prosecutes crimes in the Supreme Court of Tasmania and conducts appeals, exercising his functions independent of and without influence or interference from the government of the day. It is not appropriate for the Government to comment on the conduct of any particular matter by the Director of Public Prosecutions or, indeed, the determination of those matters by the courts.

There is an appropriate and effective pathway available in Tasmania for a person seeking to appeal a conviction. That includes by way of appeal to the Court of Criminal Appeal and, ultimately, to the High Court of Australia. This process provides judicial oversight of criminal convictions by the most eminent judges in this state and, indeed, the country.

I will take a break there to go slightly off course. With the latest appointment to the High Court, we have a majority of females on the High Court for the first time ever. It was not long ago, I can remember, when Justice Mary Gaudron was the first female appointed to the High Court.

Further, as members would be aware, it was our Government that amended the Criminal Code Act 1924 to allow persons, in certain circumstances, to bring a second or subsequent appeal where there is fresh and compelling evidence. That is a really important point.

The Government does not accept the proposition at large that denial, delay and obfuscation is an accurate characterisation of the response of public authorities in cases of

wrongful conviction or, more accurately, in cases where a wrongful conviction is asserted. There is no evidence that such a response is widespread, certainly not in Tasmania, noting the examples that the member provided, in particular.

The legal principles relating to the duties of a prosecutor acting on behalf of the Crown are well settled and well understood. The particular duties of a prosecutor, meaning a solicitor who appears for the complainant or the Crown in criminal proceedings, are contained in the Legal Profession (Solicitors' Conduct) Rules 2020. A prosecutor must fairly assist the court to arrive at the truth and impartially seek to have the whole of the relevant evidence placed before the court. A prosecutor must also disclose all material that is available or that they become aware of that might be relevant to the guilt or innocence of the accused, subject to statutory immunity and issues of a serious threat to the integrity of the administration of justice or the safety of any person.

If a prosecutor decides not to disclose material, the prosecutor must consider whether it is appropriate to proceed with the charge against the accused person and whether it would be more appropriate to pursue a lesser charge, to which the undisclosed material would be less relevant.

In addition, the Director of Public Prosecutions issues guidelines to prosecutors in Tasmania. Those guidelines provide that the 'primary obligation on a prosecutor is one of fairness'. Those obligations are owed in varying degree to the court, the community, the accused, victims, witnesses and defence counsel. The guidelines further provide that a fair trial may be described as 'one where all relevant credible evidence is presented, tested and adjudicated upon according to law'. The guidelines also address the obligation of disclosure, including the continuing duty to disclose. In the words of the guidelines:

The prosecutor's duty of disclosure is a continuing obligation owed to the court to ensure an accused person receives a fair trial. There is a continuing obligation to disclose material if it would assist a convicted person's appeal, or if it may amount to fresh evidence that could be used for a second appeal or an application for a prerogative of mercy.

The guidelines are very detailed and are based on sound application of relevant case law and legislation. They very clearly stress the need for integrity, neutrality and consistency in the making of prosecutorial decisions generally.

The Tasmanian Government has complete confidence in the prosecutors who undertake prosecutions on behalf of the Crown, including the incredibly hard-working employees of the Office of the Director of Public Prosecutions and police prosecutors.

I will pause there to pay tribute to the work they do. It disappoints me greatly that this motion is being brought on for debate today. It reflects very poorly on the member and I leave it at that. Our employees of the Office of the Director of Public Prosecutions and the police prosecutors undertake their work with the utmost integrity and in accordance with all of the obligations that apply to them.

With respect to the role that parliament plays in the criminal justice system, to say that the parliament has ultimate responsibility to ensure the fair and effective application of the law overlooks the role of the courts and the executive government in the Tasmanian system of

government. While the parliament is responsible for making legislation in Tasmania, it is the responsibility of the courts to interpret and apply the rule and the responsibility of the executive government to ensure that the law is properly enforced.

The assertion that in cases of alleged wrongful conviction, authorities respond with denial, delay and obfuscation is a wide-ranging assertion. It is without supporting evidence and it is not supported by our Government.

The other propositions contained in the member's motion are largely uncontroversial. However, there is no need for parliament to reaffirm such well-seated principles of justice, which are so well understood by those conducting prosecutions on behalf of the Crown in this state.

Mr Deputy Speaker, to support the member's motion invites the suggestion that parliament does not have confidence that Crown prosecutors in Tasmania understand their obligations. As I have already stated, the Government has full confidence that prosecutors acting on behalf of the Crown have a full and comprehensive knowledge of their duties, and uphold those duties to the fullest and utmost extent, with integrity and independence.

Therefore, the Government does not support the member's motion.

[12.27 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, much of what is in the member's motion is uncontroversial, and statements of fact that the Parliament and the Tasmanian public would expect to be the case, in particular, the first clause of the motion. This reads that a fair criminal trial must be conducted in accordance with the rule of law and our international human rights obligations. That is a statement that everybody in here would agree with and understand.

The rule of law underpins the way Australian society operates and is governed, and the expectation of the application of the rule of law is that everyone, including citizens and the Government, is bound by and entitled to the benefits of our laws. It includes things like access to justice, access to judicial review, certainty in equal standing and equal treatment under the law, transparency, independent judiciary and that human rights are respected for all parties. There is the concept that no one is above the law and everyone is treated equally under the law, and that everyone is accountable to the same laws, and that there are clear and fair processes for enforcing those laws.

The right to a fair trial is fundamental to Australia's criminal justice system and is reinforced around each state and territory, as well as being a feature of many of the international human rights treaties that Australia is signatory to, including the International Covenant on Civil and Political Rights, parts of the Convention on the Rights of the Child, parts of the Convention on the Rights of Persons with Disabilities, and others as well. That concept of equality before the law is a very important factor in our criminal justice system.

I appreciate the contribution the Attorney-General made on having respect and confidence in people working in Tasmania's criminal justice system. I too have respect for the people who work very hard in the criminal justice system at all levels, working for government and in the private legal fraternity, but we are not different in any significant regard from any other criminal justice system around the world. There are significant examples of wrongful convictions around the world, some of them very recent. I thought I would share with the

House a case that many would have heard about. It has been in the media a lot over the last several years. It is a case from the United States about a young man, Adnan Syed, who was convicted of the murder of his then girlfriend, Hae Min Lee, in 1989. He was tried and convicted when he was still under age. He spent 23 years in prison and that conviction was overturned just in the last few weeks. There had been decades of appeals brought to court on behalf of Mr Syed.

In recent weeks and since his release it has been revealed that there was undisclosed and newly developed information regarding two alternative suspects who were known to the police at the time of the original investigation but who were not properly ruled out or disclosed to the defence. This was also brought to light through the media with a podcast called *Serial Podcast* that was hosted by Sarah Koenig. She did a significant amount of research into that case of Adnan Syed.

There are other cases as well in Australia. Everybody is familiar with the case of Lindy Chamberlain. There was a media story recently, an interview with Emeritus Professor Barry Boettcher from the University of Newcastle who gave forensic evidence to that case and outlined in the media on the ABC recently some of his reservations around some of the forensic data right from the beginning of that investigation. There is also the case of Henry Keogh and the case of Andrew Mallard we heard the mover of the motion speak about, and many members would also have heard about those cases which have been overturned.

Mr Deputy Speaker, a fair criminal justice system is fundamental to the application of the rule of law in Tasmania. I do not believe, with respect to everybody who works in our system, that we are any different from any other criminal justice system around world in that sometimes mistakes are made.

The Honourable Michael Kirby AC CMG, who everybody here would be familiar with and who was Justice of the High Court for many years, has spoken about this recently in a Canadian legal publication he has written a chapter for called *Miscarriages of Justice in Australia: Unfinished Business*. In it Mr Kirby explains that the criminal appeal process did not exist in the British justice system until 1907 with the passing of the Criminal Appeal Act, and that that legislation has been mirrored in various Australian jurisdictions, including the Criminal Appeal Act 1912 of New South Wales. As the Attorney-General said, she has brought in legislation to this place to allow for a new trial when there is fresh and compelling evidence and there are other states and territories which have that provision as well.

His Honour, Mr Kirby, also wrote a foreword for another book around miscarriages of justice where he said:

Human justice is always prone to error and mistaken outcomes. The lawyer assigned to the case may have been incompetent and inexperienced or overworked. The trial judge may have made mistakes that misled the jury but which appeal judges were willing to excuse as harmless or immaterial. The appeal bench may have been so overwhelmed with cases that the judge just did not have the time to notice a basic flaw in the evidence.

These facts may have made the judges overdependent on lawyers who themselves lacked time to consider the enormous detail about which the

prisoner was endlessly protesting. The prisoner might have suffered from mental illness, despair or was emotionally exhausted. If he or she failed in the first level of appeal, Legal Aid might have refused funding for counsel in the High Court of Australia, rendering the prosecution of a hearing of an application for special leave difficult or impossible.

In the High Court, the discovery of compelling fresh evidence may have been excluded from tender, supposedly for constitutional reasons. Bereft of even a qualified right of appeal to the judicial branch, the prisoner might then have been entirely dependent on the mercy of the executive branch, with its uncertain remedies and unknowable procedures.

He spoke about his time in an interview in February of this year with Paul Gregory, who was writing about Mr Kirby's comments in that Canadian textbook where he spoke about his time on the High Court, including the fact that institutions need to be able to operate at their best and he spoke about the kind of exhaustion that is felt often by people working in the High Court, in his experience. I go into that detail because of the eminent respect in which Michael Kirby is held.

However, I have reservations around the last part of the motion that the minister has spoken about as well around the role of the parliament. I have discussed with the mover as well the role of the parliament in the application of law, and there is indeed a very important need for the parliament to respect the separation of powers. I believe it is our responsibility as legislators to make laws but not to apply them. If they are not applied as intended by the parliament then it is our job to make sure we amend legislation so that parliamentary intent is clear. That is part of the reason I read those quotes from Michael Kirby, who advocates for a criminal review system to be implemented in Australia. With those comments I will take my seat as I know others will want to contribute on the motion.

[12.36 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I thank the member for bringing on the matter of the importance of fairness and integrity in our criminal justice system and the paramount importance of the rule of law and the manner in which the integrity, neutrality and fairness of the court system is available for Tasmanians. It is a critical issue and will always be.

I am concerned that there is some unfortunate, probably unintended - because I have not heard the member address them in particular; I listened very carefully to the contributions - language in her motion we are not comfortable with. Whilst the Greens are in full agreement that a fair criminal trial has to be conducted in accordance with the rule of law and our international human rights obligations, and we also agree the integrity of the trial process is an essential precondition for any finding of guilt against an accused and also that Tasmania Police and the Office of the DPP have a critical role in ensuring the integrity and confidence in the criminal justice system before, during, and after a trial.

It is also true that, sadly, wrongful convictions will occur from time to time in all criminal justice systems. Ms Johnston has gone through a number of cases where that has happened and that is terrible and people's lives are ruined as a result of wrongful convictions. What we are concerned about is paragraph (2)(b) which says where wrongful convictions have occurred in many Australian jurisdictions, a common response from public authorities has been denial,

delay and obfuscation. I believe that is mixing two issues and mixing up where something has occurred and where something is alleged or asserted.

If a wrongful conviction has occurred, I have yet to see evidence that the standard response from public authorities to that court finding, through an appellant court, that a wrongful conviction has been made in an inferior court - I do not understand it is the case that, in many Australian jurisdictions, public authorities at that point deny, delay or obfuscate in any regard to that finding by the appellant court. I do not think that is true.

It might be true of individuals, individual officers perhaps, in some states that sometimes may have made comments, but I point to the secret police taping by Tasmania Police in Risdon Prison. That was a disgraceful act. It is a very serious matter, and it came to light through an appeal process. We can have a lot of conversations about the appropriateness, or inappropriateness, of the police secretly taping confidential conversations between Counsels and their clients, in what ought to have been a confidential space in Risdon Prison. That is, of course, manifestly an abuse of proper processes, and the court found it to be so.

In response to that, there are obviously problems in Tasmania Police and they have to be fixed up. I did not hear Tasmania Police deny that it happened, and we are yet to see whether they are in any way putting any roadblocks to uncovering why it happened. An investigation is ongoing. I am not defending those actions, but I am saying that in that particular respect, the process worked.

When it comes to wrongful convictions that have been alleged, that may well be the case. I am sure Ms Johnston is right that, in many Australian jurisdictions, when a case goes against a defendant there may be a whole range of reasons where information has been delayed, where there has been misconduct of processes, there has been misleading information. That is historically true, but as it stands we cannot support paragraph (2)(b) because to me, it does not make sense.

It is really important to recognise that it is only courts who make the decision if there was a wrongful conviction. In the way it is written, it inadvertently makes it sound as though somehow public authorities have a capacity to be involved in the decision-making of whether a wrongful conviction occurred or not. They do not. That is the responsibility of the court.

I want to leave some time for other members - the member for Franklin, Mr O'Byrne, said he wanted to speak, and also for Ms Johnston to respond to comments. I also flag that we have an amendment. We agree with paragraph (3)(a). With regards to paragraph (3)(b), which reads:

That the parliament has the ultimate responsibility to make laws and to ensure that the law is effectively and fairly applied to all citizens.

We cannot agree with that statement. The Greens are fundamentally, in our souls, committed to justice and integrity. That means the separation of powers, and that means continuing - even when this Government has tried to introduce repeated mandatory sentencing bills - to hold the line between parliaments making the law, and courts applying the law. That is fundamentally where the Westminster system has brought us, and we intend to continue to represent people on the basis of that.

It is not true that parliament has the ultimate responsibility to make sure the law is effectively and fairly applied to all citizens. We do not. The role of the courts is to make sure that laws are fairly applied to citizens. The government - the executive - is responsible for giving a whole range of resources to courts - having enough judges, having enough courts, and the appropriate courts; we strongly argue that there should be a drug court. There is definitely the role for parliament in that process.

We have two amendments to present. I will pass one of them around. We can move both amendments together.

The first amendment is that we remove paragraph (2)(b). Fiona, would you mind circulating the other amendments? I apologise I have not had time to pass them out earlier.

The second amendment is to remove paragraph (3)(b) and replace it with the words:

that the parliament has the ultimate responsibility to make laws, and to support the courts to independently ensure the law is effectively and fairly applied to all citizens.

Ms Archer - I only have one amendment.

Dr WOODRUFF - You have an amendment too?

Ms Archer - Yes. We are not going to have time to speak on amendments now, are we?

Dr WOODRUFF - I will sit down and give people time to speak.

Ms Archer - Sorry, I do not have an amendment. To clarify, I meant that I had not received your amendment.

Dr WOODRUFF - Okay.

Mr DEPUTY SPEAKER - You need to read both amendments.

Dr WOODRUFF - I thought I did. I will read them out again. I move the following amendments -

First amendment -

Leave out part (2)

Insert instead -

"(2) Acknowledges that sadly wrongful convictions will occur from time to time in all criminal justice systems"

Second amendment -

In part (3) -

Leave out paragraph (b)

Insert instead -

"(b) that the Parliament has the ultimate responsibility to make laws, and to support the courts to independently ensure the law is effectively and fairly applied to all citizens."

[12.47 p.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, I will speak to the standing motion and the amendments in my contribution. There will no doubt be a response from the mover, and maybe the minister will want to add something on the amendment as well.

The motion makes some reasonable points. The roles of the courts and the DPP are crucial to the administration of justice, so there is a fair bit of the motion that I cannot argue with, and would absolutely support. It is important that fair trials occur. The role of the DPP and Tasmania Police is important, and it is important that the trial process is fair for all people who come before the courts.

Unfortunately, there is some wording, as other speakers have mentioned, about which I do have some concern, because parliament also has some responsibility to protect the independence of the judiciary. Some of the wording in these motions - that wrongful convictions have occurred in many Australian jurisdictions, that is a statement of fact. That has occurred from time to time. I do not think it is a systemic issue, but the response from public authorities - that broad stroke of saying it has been denial, delay and obfuscation - I do not think that is right, in some cases. It is a generalisation that I cannot support.

As the minister has referred to, by using those words in paragraph (3)(a), there is a reflection on the DPP, there is a reflection on our courts and there is a reflection on our system, which potentially gives rise to parliament undermining the independence of the judiciary. I cannot support that.

With paragraph (3)(b), I know the Greens amendment is attempting to take the edge off it; I think that is probably the best way to say it. I acknowledge your attempt to do that, but I do not understand why this motion has been brought forward. I do not understand the timing of it, and listening to the contribution, as a matter of principle, I do not necessarily disagree with it, but this parliament does not debate this matter in a vacuum. If there is a genuine miscarriage of justice, a genuine issue, let us deal with that substantive matter because it is the exception as opposed to the rule. If there is a matter that the member is concerned about, bring it forward and we can debate that.

Please do not confuse my statements. People deserve a fair trial. They need to make sure they are able to refute any evidence against them. Again, I acknowledge the Government, and there were moves in the last days of the previous state government, to amend the legislation to allow fresh evidence to be brought forward. Our court system, over many years, has worked hard to ensure that justice is delivered to people and all people are equal before the courts.

The media has played a positive role in highlighting injustices. In some cases, the courts have responded appropriately and governments across the country, both state and federal, have responded appropriately. However, fringe ideas, conspiracy theories and misrepresentations

about judicial processes have the capacity to undermine public confidence in our courts and our system. That is very dangerous ground for this parliament to traverse.

If there is a matter that the member is concerned about or has legitimate views that need to come before this House, it is important that those things are named up. If there are genuine concerns, let us have that debate. If there are serious concerns about either a decision or an outcome within that process, that is the matter we should be debating, not a motion half of which no one can disagree with but, in the other half, makes sweeping statements and generalisations about public authorities and public officials, which are not fair and reflect poorly on those people who have acted with integrity. There is a reflection on our system, the role of the courts and the DPP that would traverse the separation of powers and I have great concerns over.

I do not necessarily agree with the amendments but I cannot support the substantive motion, even if amended by the Greens.

[12.52 p.m.]

Ms JOHNSTON (Clark) - Mr Deputy Speaker, it was never my intention through the motion, and, clearly, I do not believe it is reflected in the wording of the motion, to have a reflection on the actions of the DPP or any other public authority. It was more to encourage broader discussion about the carriage of justice across a number of jurisdictions within Australia and, as the member for Clark articulated, other international jurisdictions.

I will support the amendments moved by Dr Woodruff on the basis that what I want to achieve through this motion is a common understanding that is a statement on the parliamentary record about what a fair trial is, or components of a fair trial, about the importance that this parliament holds the principles of fair trial in and to ensure, particularly around the duties of disclosure, it is stated on the public record.

I am sure through my questioning in Estimates that the Attorney-General would be aware that I am an advocate for a commission of criminal cases review. Whether it be sufficient to have one in Tasmania - perhaps on the economy of scale it would be better to have one on a national level to deal with cases of wrongful conviction. I indicated in my contribution earlier that the United Kingdom have had one now since 1997. They have found a significant number of cases where there has been a wrongful conviction and that jurisdiction has acted to put in place mechanisms for wrongful convictions to be considered. On a number of occasions - 544, I recall - convictions have been quashed. That is not an insignificant number of people who have been impacted by wrongful convictions.

In listening to the contributions from the Attorney-General, Ms Haddad, Dr Woodruff and Mr O'Byrne, I acknowledge the concerns about some of the wording and I am happy to support the amendments.

I included paragraph (2)(b) as a matter of observation; that it is a matter of human nature that when an error has been pointed out that, on occasion, people will not see the error, deny the error, sometimes delay uncovering the error. It has been the case, in Mallard, Chamberlain, Keogh, Jama, for instance, that significant time has elapsed where public authorities perhaps have not looked at the matter, have not provided or disclosed information that should have had more timely disclosure and have simply refused to give the matter consideration.

If that is going to cause concern to members of the House, I would be more than happy to support an amendment to take that out so that we can, hopefully, all agree and acknowledge that, sadly, wrongful convictions will occur from time to time. We can hold our different views about what happens when they do occur.

With regard to paragraph (3), I will support the amendment to remove paragraph (3)(b). Again, the intention of that particular clause was to highlight that the parliament has the ultimate responsibility for making laws. In many respects, we do have a responsibility to ensure they are fairly applied. I acknowledge the separation of powers but we make laws all the time regarding what is a crime, how trials will be processed and the rules around that; the framework. We make laws all the time about not discriminating where people are being tried. We recently had an option for there to be no jury trials, for instance and so, we make laws all the time about how we ensure that what we do in here is applied effectively by the courts. It is up to the courts then to determine how that occurs but we make laws to try and influence or demonstrate our intent.

I will concede that if that causes an issue for members of this Chamber, I am happy to have that removed because I am firmly of the view that we need the intent to be stated on the record that a fair criminal trial must be in accordance with the rule of law and our UN Convention on Human Rights obligations and, most importantly, that integrity of a trial process is an essential precondition for any finding of guilt against the accused and what follows from that, those principles around maintaining the integrity of a trial.

I will leave it at that but indicate that I support the amendments in the hope that they might garner further support for the motion, the important principle and the reaffirmation of this House's commitment to fair trials in the criminal justice system.

[12.58 p.m.]

Ms ARCHER (Clark - Attorney-General) - Mr Deputy Speaker, I will explain why the Government will be opposing both amendments. Although those statements are correct in nature, as I said in my contribution, there is no need to restate the rule of law. Therefore, there is no need for this motion in the first place.

I applaud the Greens for trying to fix it and sanitise it but the Government will not be supporting any part of this motion. As I said, we maintain that all of these things in terms of the right to a fair trial is in accordance with the rule of law so we will not be supporting the amendments or the overall motion.

Time expired.

Amendments negatived.

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

The House proceeding to divide -

Mr DEPUTY SPEAKER - As there is not at least one member supporting the Teller, Ms Johnston, for the Ayes, in accordance with standing order 158, I declare that the Noes have it.

Motion negatived.

Sitting suspended from 1.04 p.m. to 2.30 p.m.

WAIVER OF GOVERNMENT PRIVATE MEMBERS' TIME

Mrs ALEXANDER (Bass) - Mr Speaker, in accordance with standing order 42(e), I indicate that Government private members' business is waived for this day's sitting.

VEHICLE AND TRAFFIC AMENDMENT (DRIVER DISTRACTION AND SPEED ENFORCEMENT) BILL 2022 (No. 20)

Bill returned from Legislative Council without amendment.

JUSTICE AND RELATED LEGISLATION MISCELLANEOUS AMMENDMENTS BILL 2022 (No.43)

Second Reading

Resumed from 18 October 2022 (page 91).

[2.32 p.m.]

Ms HADDAD (Clark) - Mr Speaker, I was making my contribution on this bill yesterday and had gone through our support for the entirety of the bill but also flagged my intention to move three amendments.

Where I was up to in my contribution yesterday was describing the way that the Coroners Act Part 3A now works, which is in effect to dictate a hierarchy of individuals who can qualify to be recognised as senior next of kin. In summary, that hierarchy begins with a spouse. If a spouse is not available the next person they would look for to make senior next of kin would be a child, followed by someone in a registered caring relationship, followed by a parent, followed by a sibling, followed by an executor named in the will. In recognising somebody as a spouse, the definition section of the Coroners Act defines spouse as:

includes the other party to a significant relationship, within the meaning of the Relationships Act 2003;

Section 4 of the Relationships Act is the section that defines a significant relationship:

- (1) For the purposes of this Act, a significant relationship is a relationship between two adult persons -
 - (a) who have a relationship as a couple; and
 - (b) who are not married to one another or related by family.

- (2) If a significant relationship is registered under Part 2 , proof of registration is proof of the relationship.
- (3) If a significant relationship is not registered under Part 2 , in determining whether two persons are in a significant relationship, all the circumstances of the relationship are to be taken into account, including such of the following matters as may be relevant in a particular case:
 - (a) the duration of the relationship;
 - (b) the nature and extent of common residence;
 - (c) whether or not a sexual relationship exists;
 - (d) the degree of financial dependence or interdependence, and any arrangements for financial support, between the parties;
 - (e) the ownership, use and acquisition of property;
 - (f) the degree of mutual commitment to a shared life;
 - (g) the care and support of children;
 - (h) the performance of household duties;
 - (i) the reputation and public aspects of the relationship.

By referencing that definition in the Relationships Act, the Coroners Act at the moment is very clear in its intention that somebody is to be recognised as being in a significant relationship and therefore being a spouse eligible to be considered senior next of kin.

As members heard me speak about yesterday, and have heard in the media over many years now, Ben Jago and his partner Nathan absolutely fitted the definition of a significant relationship under the Relationships Act and would have been considered by any member of their friendship group and the public as being a de facto couple. Unfortunately, the Coroners Act was not correctly applied when Nathan died and Ben was not recognised as his senior next of kin.

I want to commend Ben Jago but I also want to commend those who have supported him in continuing to lobby for this important change, including Ben Bartl from the Community Legal Centre in Hobart and Rodney Croome and others involved with Equality Tasmania who have been very determined in their advocacy for the need for this change. Indeed, Ben was supported to take his case to the Anti-Discrimination Tribunal and then that was appealed to the Supreme Court. It is the firm view of those advocates that the Coroners Court is basically excused from having to comply with the Anti-Discrimination Act. I do not think that meets public expectation or the expectation of the parliament.

As I alluded to yesterday in my contribution, I recognise that the Attorney-General feels very strongly about the need for reform here and indeed the bill provides some of the safeguards that have been advocated for and some of the protections that might prevent somebody else in

a similar situation to Ben's going through that same very traumatic experience, but it is my view that it does not go far enough so I flag that I will move amendments when we get to the Committee stage. I will speak about them briefly now and explain them more when I move them later.

The first amendment I am proposing is a new definition of 'spouse' to fit within the Coroners Act. The first amendment I will move will omit the definition of 'spouse' from the act as it is currently written and replace it with the following words:

'spouse' includes the other party to a significant relationship within the meaning of section 4 of the Relationships Act 2003 whether or not the significant relationship of the other party is registered under Part 2 of that act.

As I said before, I think that the Coroners Act as it is currently written intended to be applied in a way that this amendment is drafted; however, it is has been shown that it did not, so to be explicit in the wording of the definition of 'spouse' is a responsible and reasonable change that we could make today which would ensure that a relationship would be recognised whether or not it is registered, which should happen now but did not in the case of Ben and at least one other case that is known. This will make that explicit.

The second amendment I will move is a change to section 3A, the meaning of 'next of kin'. I intend to insert a new subsection after subsection (1) which would read:

A person making a decision under this act as to whether a person is the senior next of kin of a deceased person must not discriminate against a person on the grounds of that person's sex, sexual orientation, gender, gender identity or innate variations of sex characteristics.

Again, I believe that the way the Coroners Act is currently written intends to operate in that way but this amendment would make it explicit that same-sex couples are to be treated the same as opposite-sex couples or, in other words, all couples should be treated equally under the law when it comes to applying the conditions of the Coroners Act and any other law. The gender or gender identity, sex or sexuality of any member of a couple or of a relationship should not be used as a way to apply rights or obligations under the law in a disproportionate way. This second amendment would address that by making it explicit that somebody's sex, sexuality, sexual orientation, gender or gender identity or innate variations of sex characteristics are not to be considered when making a determination on who is recognised as senior next of kin.

My final amendment goes to the recommendation made by Community Legal Centres Tasmania and Equality Tasmania around the ability to challenge a decision made to recognise somebody as a senior next of kin. This was probably the trickiest one to draft, and I am very grateful to the support of OPC for nutting this out with me. I hope the Government might consider supporting it. I will explain the thinking that went through it. There are complications around time frames that the Coroners Court and others need to comply with when beginning the work that a coronial inquest requires. The final drafting that we landed on with this last amendment would allow a person to challenge, in the Supreme Court, a decision that has been made to recognise someone as a senior next of kin.

It is not specific to recognising someone as a spouse, or not recognising someone as a spouse. It would allow somebody who feels they have been overlooked as a potential senior next of kin, who is higher up the hierarchy in the Coroners Act, to challenge that decision. For example, under that hierarchy, a child of a deceased person is higher up the hierarchy than, for example, a parent or a sibling. If a parent or a sibling of the deceased was recognised as senior next of kin, but there was a surviving child of that deceased person, it would also allow that child to make an application to the Supreme Court to challenge the decision as to who was recognised as senior next of kin.

I have tried to explain that as succinctly as I can. Some of the background on why I believe this change is needed is outlined in the submission to the community consultation given to Community Legal Centres (CLC) Tasmania. Ben Bartl, the policy officer for the CLC's Tasmanian group, said:

CLC Tasmania strongly supports the Government intention to ensure that Benjamin Jago's experience with the Coroner's office does not occur again. The bill seeks to achieve this aim by clarifying that upon the investigation into a death, the coroner will provide information to the senior next of kin and any other person who has an interest in the investigation.

The bill sets out that any general or specific information that is specified in the regulations will be provided to both the senior next of kin and other persons with an interest in the investigation. Information that we believe should be included in the regulations includes the purpose of the coronial investigation, applying for senior next of kin, and the rights of the senior next of kin. However, we strongly recommend that the Coroners Act is further amended to explicitly make clear that a party aggrieved by the senior next of kin decision may appeal to the Supreme Court.

He then sets out other instances where members of the public can apply to the Supreme Court for an appeal relating to actions under the Coroners Act. He finishes by saying:

Whilst it is acknowledged that parties are able to appeal senior next of kin status to the Supreme Court, the act is silent and parties would only be aware of their right to appeal under the Judicial Review Act 2000 if they engaged a lawyer.

Given the heightened emotional state of persons grieving the loss of a loved one while the coronial investigation takes place, and the rights of appeal already set out in the act for other decisions of the Coroner, it is imperative that parties are made aware, through the act, of their right to appeal.

We therefore recommend that the act is amended to clarify that an aggrieved person may appeal the senior next of kin decision to the Supreme Court.

Mr Speaker, this is what my third amendment attempts to address. I am happy to explain this further when we enter the Committee stage. To reiterate what I said yesterday, I believe we all have the same aim with the amendments being made to this bill. It seems the parliament is of one mind that nobody ever wants to see what happened to Ben Jago occur again for any other couple.

On the public record through the debate today, we recognise very strongly that the parliament shared the Government's sorrow in what happened to Ben. It was heartbreaking. It would have been completely destabilising and terrifying for Ben and his family, friends and loved ones.

The Government has expressed that sorrow. I share in that, and share a desire to make sure that our laws, especially dealing with death - particularly when somebody dies suddenly or unexpectedly, which is usually the case when the Coroner has to become involved. When somebody dies suddenly, everybody is in shock - and then suddenly dealing with public institutions and courts and hospitals, it can be a completely terrifying time in anybody's life. To add to that, the trauma and anguish that Ben was put through in also dealing with the fact that he was not recognised as his partner's senior next of kin.

It is awful that this was able to happen in Tasmania. I believe we are all of the same mind that we want to fix that, to make sure nobody goes through that experience ever again.

As I said, we support the bill entirely. We support the changes the Government is making to the Coroners Act. They do go some of the way to fixing that problem, as does the work that has happened with the Coroner's Handbook, and the information that is now provided to people and families when they are involved with investigating a death.

However, I believe the amendments that I am putting forward - and also the amendments the Greens have flagged that they will put forward - would strengthen and provide further certainty to Tasmanians - particularly to Tasmanians in the LGBTIQ+ community - that their rights are recognised, that their relationships are respected and recognised, and that they will be treated exactly the same under the law, as they should be.

Every couple should be treated respectfully and equally under the law when dealing with tragedy and the Coroner's office. I believe the bill put forward and the amendments proposed would only further strengthen those rights and that recognition.

[2.47 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I thank the Attorney-General for bringing forward the Justice and Related Legislation Miscellaneous Amendments Bill 2022.

As is pretty standard with a justice miscellaneous bill, this bill deals with a range of matters. Often, justice miscellaneous bills are tidy-up bills for making sure legislation is consistent, making sure the entities that help to administer justice - for example, the DPP - are able to identify where fixes in legislation are needed. They come in on an omnibus bill like this.

Usually, our justice spokesperson, Dr Rosalie Woodruff, would take us through this bill, but it does speak to a number of portfolio areas for which I have responsibility and a great passion, so we have agreed that I will take care of this bill today.

As outlined by the Attorney-General in her second reading speech, this amendment bill deals with matters relating to clarifying the offence of bestiality.

It delivers amendments to the Births, Deaths and Marriages Registration Act 1999, recommended by the Tasmanian Law Reform Institute's Legal Recognition of Sex and Gender, Final Report. This is one of those areas of public policy where, in the past few years, we have seen very significant change and improvement. We do not need to go back into that debate on the floor of the House, or some of the tensions that were in that debate, but I think we can all agree that the changes that were made - now reflected in the change to the long title of the Births, Deaths and Marriages Act - have made people who are transgender or intersex with a variation of sex characteristics much more able to express their true selves, be accepted for who they are, and who they identify as in Tasmanian law.

The change in the long title is, in itself, profound and it is quite poignant to see legal language expressed in this way. The long title amendment says that:

The long title of the Principal Act is amended by omitting -

These dry words, Mr Speaker:

"uniform legislation in relation to the registration of births, deaths and marriages and to provide for the rights of persons who have undergone sexual reassignment surgery" ...

As we know, that provision and the way the act previously operated caused enormous trauma and compounded the trauma for transgender people. It required people to undergo sexual reassignment surgery before they could change their birth certificate and be recognised for who they are. Instead, the long title will read:

... "the registration of births, deaths and marriages and to provide legal recognition for trans and gender-diverse Tasmanians and those with intersex variations of sex characteristics"

I will come back to that question of a definition for 'intersex variations of sex characteristics' shortly.

The bill we are debating today also makes amendments to the Coroners Act relating to the provision of information to senior next of kin and interested parties. Ms Haddad's contribution on this question was very moving. Ms Haddad, you put it beautifully. So much of this change we are debating today has been about making sure that what Ben Jago went through some eight years ago never happens again to any other person and that, as Ms Haddad said, we recognise LGBTIQ+ relationships are just as valid and equal, and need to be respected by the law.

On behalf of the Greens, I sincerely apologise to Ben Jago, express my sorrow for what he went through, and thank him for being such a strong advocate for these changes, despite his pain, to make sure no one ever again endures what he went through.

The amendments also deliver requirements for certain information to be provided to the Office of the Director of Public Prosecutions by the Parole Board. In the briefing, I was a bit surprised that that does not already happen. There are amendments to make sure that we have a fairer, more accessible system for requests to vary payment conditions for the monetary penalties and enforcement service.

We also have amendments that provide for an extension of the period for complaints related to negligent driving causing death or grievous bodily harm, changing that from six to 12 months, recognising the complexities of some of these situations.

It is the amendments to the Coroners Act, in particular, that have sparked the interest of stakeholders in this space. I pay attention to justice miscellaneous bills as they come through and it is quite unusual for them to have such interest from key stakeholders. I am sure the Attorney-General and Ms Haddad have read in detail the submission made by Community Legal Centres Tasmania, which is an outstanding submission. It is the foundation for the majority of the amendments we are putting forward today and clearly Ms Haddad too.

I want to go to what the submission says about the amendments to the Coroners Act. Perhaps, in her reply, the Attorney-General could address the question of appeal rights for decisions the coroners make about senior next of kin. We made a decision not to seek to codify appeal rights because we believe that capacity exists. It is about the provision of clear, plain English information to people who come into contact with the Coroner's Office on the death of a family member and loved one. The CLC submission states that:

The case of *Jago v the Anti-Discrimination Tribunal* was concerned with Benjamin Jago, a homosexual man who, despite being in a relationship for five years, was not recognised by the Coroner as his deceased partner's senior next of kin in the days after his partner's death. The complaint of discrimination was dismissed by the Anti-Discrimination Tribunal then the Supreme Court on the basis that the Coroner was immune from legal proceedings.

The CLC says:

We strongly support the Government's intention to ensure that Benjamin Jago's experience with the Coroner's Office does not occur again.

The bill seeks to achieve this aim by clarifying that upon the investigation into a death, the coroner will provide information to the senior next of kin and any other person who has an interest in the investigation. The bill sets out that any general or specific information specified in the regulations will be provided to both the senior next of kin and other persons with an interest in the investigation.

The submission says:

Information that we believe should be included in the regulations includes the purpose of the coronial investigation, applying for senior next of kin and the rights of the senior next of kin.

This is where there is possibly a difference of views across the Chamber. The submission says:

However, we strongly recommend that the Coroners Act 1995 is further amended to explicitly make clear that a party aggrieved by the senior next of kin decision may appeal to the Supreme Court. Currently the act clearly sets out that persons who have a sufficient interest in the findings of the coronial investigation can appeal to the Supreme Court on a range of grounds,

including seeking the reopening of the investigation; that an inquest be held; an autopsy be performed, an autopsy not be performed; that the body of the deceased person not be exhumed; that there be an inquest in relation to a fire or explosion; that there be an order that all or any of the findings of an inquest are void; and the return of an article, substance or thing in the legal possession of the Coroner.

This is where the Greens are hoping the Attorney-General can provide a very clear step-by-step response to the CLC's request that we codify appeal rights in the Coroners Act. The submission says:

While it is acknowledged that parties are able to appeal senior next of kin status to the Supreme Court, the act is silent and parties would only be aware of their right to appeal under the Judicial Review Act 2000 if they had engaged a lawyer -

which, as we know, can be a very expensive process.

Given the heightened emotional state of a person's grieving, the loss of a loved one, while a coronial investigation takes place and the rights of appeal, already set out in the act for other decisions of the Coroner, it is imperative that parties are made aware, through the act, of their right to appeal. We therefore recommend that section 3A of the act is amended to clarify that an aggrieved person may appeal the senior next of kin decision to the Supreme Court.

As I said earlier, following our briefing with staff from the Justice department - and we are very thankful for that briefing - we made a decision not to proceed with an amendment to codify appeal rights because we believe it is more than anything about communication and the provision of plain English and accessible information to bereaved people.

I thank stakeholders for working with us on these amendments and the bill, as well as the Attorney-General's office and department for the briefing on Monday, which was very helpful. There were some matters raised in that briefing that we are quite pleased with and we have a couple of matters we would like you to confirm, Attorney-General, so they are on the record.

In the briefing, we were advised that the regulations attached to these changes are likely to occur this year and that they would be developed in consultation with stakeholders. It is also our understanding from the briefing that it is intended that the regulations will prescribe that information about appeal rights contained in the Relationships Act 2003 will form part of the information provided under the new section 58B. Can you confirm, Attorney-General, that it is your intention for the regulations to be developed this year, for key stakeholders, including Equality Tasmania, to be consulted as they are being developed and for the details of appeal rights to be prescribed in those regulations?

As I said earlier, we understand from our briefing that appeal rights very much do exist in the Relationships Act 2003, but I am sure, minister, you can understand why interested persons are aggrieved by the lack of available information regarding appeal rights. Can I ask you as Attorney-General to convey the expectation, or at least to request the court that more specific detail in relation to appeal rights be included on their website?

Another matter that has been raised by stakeholders is the use of the term 'intersex' in the amendments to the Births, Deaths and Marriages Registration Act 1999. I acknowledge that on this matter, the minister has engaged with us in genuine good faith, since we waived it during debate on the Youth Justice Amendment (Searches and Custody) Bill 2022, and we were very thankful to receive from the Attorney-General -

Ms Archer - I don't mind if you read it.

Ms O'CONNOR - Good, I was going to. It is a good letter. I am not going to read it to do anything other than make a point about the work that you committed to doing. At the moment, as we know, the term 'intersex' is potentially not only not scientifically correct but potentially pejorative. We wrote to the minister and Attorney-General seeking an update on the status of the development of a framework for sex, gender, variations of sex characteristics and sexual orientation and subsequent potential legislative amendments that would be required to update the definition of 'intersex'.

The Attorney-General forwarded the draft framework for data categories and collections on sex gender variations and sex characteristics and sexual orientation, and the information sheet. This information, the letter says, was prepared by the Department of Justice working with the LGBTIQ+ community through the departments and LGBTIQ+ community reference group. I might pause there for a moment and say how terrific it is that this reference group is established - we re-established it in government during 2010-14 - and how vital it is that government, in developing policy and law that impacts on the lives of LGBTIQ+ people, has this ready and willing source of advice and insight which will make our laws stronger and fairer.

The Attorney-General says the amendment in the soon-to-be-tabled justice and related legislation is in the form recommended by the TLRI in their legal recognition of sex and gender final report. She says:

Although I support the making of appropriate amendments to improve references to variations of sex characteristics, in light of the need to finalise the framework and further consider the matters noted above, I do not propose to advance legislative amendments to definitions such as 'intersex' in the above-mentioned bill.

As 'intersex' is a term used in several acts, including the Anti-Discrimination Act 1998, I believe it is appropriate to make the TLRI recommended changes to the Births, Deaths and Marriages Registration Act now, and with the release of the framework in the near future my department will develop a proposal in relation to the consolidation of terminology across all relevant acts for final consultation.

And there is a commitment to provide us with information as soon as it is available.

I see that that is a commitment from Government to update and improve that terminology. We have a level of confidence, notwithstanding some of the reflexes of this Government to bring in, for example, legislation which has no evidence base such as mandatory minimum sentences. I regard the current Attorney-General - and I do not mean to be matronising here, Ms Archer - as a thorough and meticulous Attorney-General with a reasonably strong reformist

streak, so we have some confidence that definitions and terminology and legislation will indeed be modernised as they should be.

Taking the Attorney-General on good faith, this time we did not feel the need to bring forward amendments that may be slightly different from the final terminology that will have been developed based on a broader consultation than our resources will allow us to undertake. We do, however, suggest it may have been better to wait for a future amendment bill around these definitions before advancing this particular recommendation and amending the long title. That said, apart from the word 'intersex', the long title change is a significant improvement, and this might have prevented some consternation in the community. Could you please provide an update to the House in your summation for the purposes of informing all of those persons that may have an interest in the matter?

I will go briefly to our amendments, which I must say are quite similar to Ms Haddad's. The first, as is the first of Ms Haddad's amendments, is to amend section 3 of the principal act. It is an interpretation relating to the definition of 'spouse'. The second amendment is to clarify the meaning of 'senior next of kin', which amends section 3A of the principal act by renumbering subsection (1) and inserting the following subsection after subsection (1):

A person making a decision under this act as to whether a person is the senior next of kin of a deceased person must not discriminate against a person on the grounds that the person:

- (a) is in a same-sex relationship; or
- (b) is in a significant relationship within the meaning of the Relationships Act 2003 with another person, but is not married to that person; or
- (c) is in a significant relationship within the meaning of the Relationships Act 2003 with another person but the relationship is not registered under that act.

I guess in many ways that is a doubts removal amendment proposal.

Our third amendment is a proposed amendment to the Coroners Act which would allow a bereaved person to apply for an autopsy report. This comes back, I am sure, to the experience of many bereaved people who want to have a deeper understanding of the cause of their loved one's death. This was highlighted to us by Senator Janet Rice, my federal colleague, whose partner Penny died not that long ago. Janet Rice wanted a copy of the post-mortem report because Penny's death was quite sudden and really very unexpected. Senator Rice asked for a copy of the report - and this was her rationale:

... to uncover and then share information about the circumstances of her death, in order to learn from it and the specific circumstances for our sons to be informed about any potential genetic considerations and, more generally, in terms of scientific learnings, in Penny's circumstances, any potential links between her medical condition and her death.

There is no current legislative requirement that the coroner provide a post-mortem report even to a general practitioner, but in practice it appears that if a senior next of kin requests a copy, the coroner will provide a copy to the general practitioner who will summarise the report for the senior next of kin. I regard that as quite paternalistic in a way. As the senior next of kin, in Janet Rice's case she is a very intelligent, educated person who would have no problem reading a medical report. It does not make sense and there is no reason why the senior next of kin should not receive the post-mortem report on request. If they cannot understand the contents of the report, they should ask a medical practitioner to interpret the language being used. More importantly, being provided with the report provides the senior next of kin with a detailed explanation of the deceased's cause of death and a better understanding of any underlying medical issues that may be relevant for family members.

CLCs, again, recommend that the Coroners Act is amended to clearly specify the right of senior next of kin to receive a copy of the post-mortem report. An example is found in the Australian Capital Territory's Coroners Act 1997, section 32. That is the background for our third amendment.

The fourth amendment relates to this question of codifying appeal rights. It is simply an amendment to clause 9 in the bill, which is a proposed new section 58B to ensure information on the rights to appeal against decisions under this act. The issue of appeal rights is one we examined very carefully. We had a conversation with the Office of Parliamentary Counsel. My deep thanks to the Office of Parliamentary Counsel and to Robyn Webb for the amazing work she does and the work she has done with Thomas in our office in developing these amendments.

On the basis of those conversations and our examination of the existing framework, we decided not to proceed with the appeal rights amendments. I appreciate where Ms Haddad is coming from and we spent a lot of time exploring an option to include an appeal mechanism clause. I know this proposal has, in part, come from stakeholders who have asked for existing appeal rights to be codified in the Coroners Court Act 1995. Our concern with the amendment Ms Haddad has put forward is that I am not sure that it does this. It potentially establishes new appeal rights which I am not sure are the same as the existing ones.

Our understanding is that the relevant existing appeal rights are within the Relationships Act 2003, as well as potentially some common law appeal rights. I also note that the objective of codifying these appeal rights is to ensure that people who do not have easy access to a lawyer are aware that these rights exist. That is very important. That is where we can potentially deal with it in a regulation and making sure the information that is provided by the Coroners Court is accessible and in plain English.

With the greatest respect to the stakeholders, who we admire very much, we believe that the approach of actively providing details of appeal rights to people, coupled with further details being made available on the Coroners Court website, may better achieve the objective than putting a clause in the legislation. A person without a lawyer is far more likely to find materials directly provided to them and plain English information easily found on the web than they are likely to find an interpretive clause in the Coroners Act.

When we were seeking to have a similar amendment drafted, our advice was that without a process of consulting with relevant expert groups and stakeholders, the introduction of new appeal provisions is fraught. I am also aware that the provision would allow for a broad range

of appeal, far outside the scope of the issues raised in the relevant Coroners Court decision. It may well exist but, so far, we have not seen - I have seen evidence that there is a broader issue in appeal rights that requires address but it has not been suggested to us that, outside of the case in question, the dispute resolution process is dysfunctional.

I hope that when we get into the Committee stage, which will be next week, Ms Haddad could address that question. We are concerned that codifying appeal rights through the mechanism of the amendment Ms Haddad has put forward might potentially weaken a broadly functional dispute resolution process with a highly litigious one that could, for example, favour whichever party has more disposable income to fund a court dispute.

Most of the conversation today has been about the changes to the Coroners Act. There are a number of other amendments in this omnibus bill. We support the bill. I was surprised that there was no accurate or contemporary definition of bestiality. That will be fixed. It relates to a specific case.

Ms Archer - We find out these little things when there are cases.

Ms O'CONNOR - It is not the kind of thing you think about every day, hopefully.

Ms Archer - No, it is not the kind of thing you want to think about every day.

Ms O'CONNOR - No, that is right. The amendment today relates to the case of *Elnami v Tasmania*, where the accused sought an order that he be discharged from the indictment on the basis that the crime of bestiality was only committed if there was penetration with a penis by, or of, an animal. In his judgment, Justice Estcourt found that because parliament had not expressed a clear intention that bestiality be construed to mean anything other than penetration with a penis by, or of an animal, the 2017 amendment was inconsequential.

The CLCs say the amendment proposed in the bill is supported because it clarifies parliament's intention that sexual activity of any kind between a human being and an animal that is not for a genuine veterinary, agricultural or scientific research purpose will amount to bestiality.

There was the Criminal Code Amendment (Sexual Assault Act) 2017, which amended section 122 of the Criminal Code Act by replacing the crime of 'unnatural crimes' with the crime of 'bestiality'. The amending act also broadened definition of 'sexual intercourse'. Perhaps, the Attorney-General could talk to us about the exceptions provided for in the amendment bill relating to 'genuine veterinary, agricultural or scientific research purposes'. For example, if someone is a dog breeder that does not necessarily fit within 'veterinary' - they are a dog breeder out in the community but they are not a vet and maybe flesh that out a bit.

Again, thank you Attorney-General, for bringing this bill forward. We will be glad to support it and hope we get some support for our amendments.

Time expired.

[3.18 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Speaker, members are correct. We will not go into committee today. I will attempt to get through my summing-up although I am not known to be brief on matters of law reform.

I will start by expressing my support and appreciation for the dedicated staff and magistrates working in the Coronial Division and the Magistrates Court more generally. We have an example here where there was a failure but there is excellent leadership by the Chief Coroner and Chief Magistrate. I would also like to touch on the administrative improvements in the Coronial Division since 2015, when this case first arose.

I became Minister for Justice in late September 2017 so the incident occurred a couple of years prior. As we know, Mr Jago was not recognised as the senior next of kin by the Coroner until later in the proceedings, as recorded in the published Coroner's Report. That delay was very regrettable and distressing for Mr Jago. However, it is not to say that any person involved at time, in 2015, acted in an intentionally discriminatory way. It is important for me, as first law officer, to note in support of the court that no findings of fact in relation to discrimination were made by either the tribunal or the Supreme Court. The Supreme Court did state, in relation to Mr Jago's concerns, that those concerns, and I quote:

If accepted, suggest inadequacy in the processes and procedures of the coronial division to recognise and accommodate same-sex relationships. If accepted in full and viewed in the most favourable light from the appellant's perspective, they do not suggest bad faith.

That does not mean, of course, that something did not go wrong. We know it did. It clearly did. I do want to emphasise the importance, though, of confidence in the courts. I will not reflect on an earlier debate, but we were discussing earlier our confidence in the courts. Indeed, it is the appropriate forum for findings of fact in matters such as these.

In acknowledging there was certainly room for improvement in the policies and procedures of the court, I met with Mr Jago and Mr Rodney Croome a few times, prior to the development of this bill, to discuss a number of changes made by the Coroners Court in recent times. I was able to apologise to Mr Jago and assure him that significant improvements have been made at the Coroners Court since his experiences in 2015. That does not in any way alleviate the pain and the distress that he experienced, but at least I was able to make those assurances.

I am assured, also, that under these improvement processes, the court and staff are fully aware of and sensitive to the appropriate determination of senior next of kin, and to be respectful of LGBTIQ+ Tasmanians and their rights. Members of this community are often affected by deaths and coronial proceedings; that goes without saying. I am pleased that no reportable concerns like Mr Jago's have occurred since 2015.

The administrative changes were informed by a comprehensive review to ensure that information on coronial division processes and legislation is comprehensive, accessible and available. I have looked at this a number of times myself, and gone back and forth with my department on a number of occasions in relation to these changes, to ensure we get the law right and make the appropriate reforms.

Communication processes between coroners, their associates and families or next of kin have definitely been improved. The *Tasmanian Coronial Practice Handbook*, and a guide dated 2016, contain detailed information on the senior next of kin, including the process to raise concerns about determinations with the Coroner, or apply to the Supreme Court for unresolved disputes. These documents are available on the court's website, which we have acknowledged. It also has web pages of key information - and I will get to the issue of the website.

The *Tasmanian Coronial Practice Handbook* explicitly states, and I quote:

The Coroner's Court is committed to providing equal access to justice to all members of society. We are committed to providing a service free from discrimination, which respects all people equally regardless of age, sex, sexuality, gender identity, ethnicity, religious belief, or any other social or personal attribute. If there is something we can do to help to participate equally in the coronial process, please let us know.

Mr Speaker, following my meeting with Mr Jago and Mr Croome, I directed the Department of Justice to undertake detailed inquiries, and then legislative development, to ensure an active duty on the court to ensure key information was provided to interested persons. This avoids any future misunderstandings about coronial processes, including the status of spouses of same-sex partners.

The regulations that we have referred to in this bill will ensure a clear message to both family members and the court itself about what family members and others need to know.

As I have said, the coronial division deals with families and relationships of every kind, every day. The unfortunate experience of Mr Jago relates to 2015, and the coronial division, its staff and magistrates have learnt from this experience. That goes without saying. They have my full support for the dedicated and professional service they continue to provide - often under tight time frames, given the importance of returning deceased persons to their loved ones for funeral arrangements.

I am pleased that this bill plays an important part in reinforcing the positive changes that have occurred since 2015.

Ms O'Connor asked about the express right of appeal. I was going to make this contribution in response to the amendment, but I may as well start now. I acknowledge that this was proposed by some stakeholders. However, the starting point in responding to this is to say coroners can already reconsider a decision. You are right, Ms O'Connor, about conferring about who is the senior next of kin, such as where a dispute comes to light, or more information is provided. This is exactly what occurred in the Jago matter, albeit after a significant delay.

Pages 74 to 75 of the *Tasmanian Coronial Practice Handbook* - which is publicly available on the court's website - under the heading 'Application to Be Declared Senior Next of Kin', detail what actions a person should undertake in the event there is a dispute as to the identity of the senior next of kin. It notes that parties will be invited to provide information to aid the Coroner's decision and that appeal, under administrative avenues, may be possible.

That brings me to the next point. On page 76, the handbook also details the rights of review available for matters for which there is no express right of appeal under the Coroners Act. In particular, it notes that prerogative relief may be available in certain circumstances - and further, that if a person remains in dispute with a coronial division over whether the person is a spouse for the purposes of the Relationships Act 2003, that act already provides an avenue for a person to apply to the Supreme Court of Tasmania for a declaration.

The Relationships Act provides that while a declaration remains enforced, the persons named in the declaration are presumed conclusively, for all purposes, to have had a personal relationship as at the day, or between the dates, specified in the declaration. A personal relationship is defined under the act as being either a significant relationship or a caring relationship, and such a declaration would bind the Coroners Court in respect of who is the spouse.

In those circumstances, it is not considered necessary to add a further right of appeal into the Coroners Act. The information provided to persons under this amendment and the consequential regulations will make clear that concerns can be raised with the coroner for reconsideration, and other avenues for appeal or review may be available.

I emphasise that, pleasingly, most disputes about the senior next of kin are able to be resolved with the Coroners Court once all the relevant information has been provided. This is the preferred way of resolving such disputes, given any appeals or reviews taking place outside the coronial division are likely to delay the very important, time-sensitive tasks the court needs to undertake following a person's death - which may in turn delay the return of the deceased to the family for the funeral.

Ms O'Connor, I will not go into the website information, because it is quite detailed, but I can certainly review the information on the website and request that it is accessible, and in plain English, and that we have all of that information available in relation to rights of appeal there, so that nothing is missed.

Ms O'Connor - Sorry, can you just clarify: are you saying that is something you will do following the passage of the bill?

Ms ARCHER - Yes. You have my undertaking that we will look at the website and see if there is anything that needs to be updated, and certainly make that recommendation to the chief magistrate.

Also, you asked what information would be included in regulations. That has not been finalised but will be formulated in consultation with the Magistrates Court and other stakeholders. We will be engaging with stakeholders. However, this amendment is modelled on a similar provision in the Victorian Coroner's Act 2008, under section 21. By way of example, the prescribed information in the Victorian regulations includes things such as the objectives of the act, the meaning of a reportable and a reviewable death, and what the purpose of a coronial investigation is.

The prescribed information for Tasmania will expand on this, with information around the senior next of kin process in particular. It is the intention that we do that this year. You asked me for that time frame.

Time expired.

Debate adjourned.

MOTION

TasNetworks Infrastructure Upgrades

[3.30 p.m.]

Ms FINLAY (Bass) - Mr Speaker, I move -

That the House -

(1) Acknowledges that:

- (a) Tasmanian farmers and producers have contributed more than \$2 billion annually to the state in gross farm gate value; and
- (b) prime agricultural land has been developed around existing TasNetwork's infrastructure for decades, including shelterbelts, dairies, wool sheds and irrigation infrastructure.

(4) Notes:

- (a) TasNetworks has proposed it will decommission existing transmission line infrastructure once the north-west line has been upgraded so that Tasmania can supply electricity to the national grid through Marinus Link;
- (b) the upgrade of the transmission line infrastructure proposed by TasNetworks is creating stress and anxiety for many primary producers who are trying to plan for their futures; and
- (c) that farmers should be compensated fairly by TasNetworks for the disruption any upgrades to existing infrastructure will have on a primary producer's business, land and biosecurity.

(3) Calls on the Premier, Hon Jeremy Rockliff, MP to:

- (a) clearly outline and reassure primary producers that he and the Minister for Primary Industries and Water, Hon. Jo Palmer MLC, are acting in their best interest;
- (b) give primary producers assurances the Government will act to ensure that contemporary contracts are used to provide

ongoing compensation - the compensation should take into account, as an example, the value of the land, the productivity of the land and the number of towers on the land; and

- (c) protect prime agricultural land so that our primary producers can continue to positively contribute to the state Government's vision of a \$10 billion industry by 2050.

This afternoon I am proud to raise issues and provide a voice for the farmers of Tasmania. Since I was appointed to my role as shadow minister for primary industries and water I have had no greater delight than to spend time, meet, be invited onto the land, and get to know in depth both the incredible opportunities and the innovation of our farmers and fishers, but also to hear about the challenges that many face. Those challenges, as far as I can tell, are sometimes not insurmountable, and with an appropriate manner of engagement of consultation and a real willingness to understand the issue, solutions can be found.

The motion I will discuss this afternoon is in regard to the upgrade of the transmission line project that will occur as a result of Project Marinus and collectively impact a large number of farmers right across the northern part of Tasmania. At least 70 farmers have united to strengthen their voice to attempt to be heard, treated respectfully and trusted with the contribution that they make to Tasmania, and to attempt to have both this government and government entities understand their work and the impacts that these proposed transmission lines will have.

It is not only the impacts on themselves and their land and businesses, many of whom have been farming these lands for generations, but in the environment of uncertainty and feeling dismissed, and as one described to me, as second-class citizens, concerned about the impact of the ongoing uncertainty around their farming production now and the impacts of these transmission lines.

The reason we raise this issue today is because for years there has been the project outline and the project suggestion of Project Marinus. For years this Government and the Tasmanian community have been aware of this project and the impacts of this project. However, although conversations and consultation to engage with our Tasmanian farmers has occurred, it has not necessarily been felt by farmers to be not genuine because I am sure there is actually a genuine intention to engage and understand, but an understanding of the outcome of consultations and dealing with and speaking and meeting with our farmers and understanding the real impacts that this infrastructure on their land will have.

In raising this matter this afternoon I want to go back and provide a bit of an outline. Since I have been appointed to this role I have had consistent engagement, whether it be through phone calls, meetings or opportunities to meet on land, with farmers who have a fairly simple message to deliver to the Government but a message that they think is not being heard. The farmers of Tasmania want the Government and business entities to understand how their operations work and not simply dismiss conversations by saying, 'We get it and we will minimise the impacts as a result of meeting with you'. They want the people they are talking with to understand how drastically and significantly this infrastructure will impact on their operations.

I can give a few examples this afternoon of the nature of this impact but I first want to walk through the last year since I have been involved with this.

It was first raised with me by one of my colleagues, Jen Butler, member for Lyons, who has many farmers in her electorate in the northern part of Lyons. There has been a lot of correspondence, many meetings and many opportunities for both the previous and current minister to engage with this matter. I have to say at this point that there is an acknowledgement that people are engaging but they are not understanding the issues. It is pretty common knowledge that if you do not understand an issue you cannot find a solution.

Farmers, at the moment, remain let down. They have described the process of any progress on an understanding and a solution to their concerns as 'glacial'. They feel it is only when they continue to pick up the phone or put pressure on or have the support of the TFGA or people like me, who write correspondence or seek meetings, that there is actually progress that they feel is getting to the point where - and as outlined in the motion - they get compensation for business disruption through the process of any construction.

These entities have had time for consideration of changes to legislation to now enable contemporary contracts to be used in an ongoing way to compensate farmers for the use of their land, like happens with other assets in Tasmania, and to recognise the value of this productive land and the things they do to contribute not only to the Tasmanian community in providing food and other goods, but the way they feed the country and the world.

They are put on a pedestal when it suits people and aligned with Brand Tasmania and all of the great premium products we create, but when it comes down to equating the contribution they make with, say, renewable energy and the productive value of our farmers, they feel like they are being considered as second-class citizens.

I want to go through some of the ways they have communicated with this Government and these entities so it is really clear to people that it is not that they have not been consistent or persistent in their message to get an outcome from the Government.

Before I do that, this morning we all woke up to announcements on the front page of an MOU with the Australian Labor Government and the state Government and a partnership around elements of Project Marinus. Yesterday, the Minister for Energy and Renewables released some framework around how to engage with community. I want to refer to this before I talk about the correspondence and communication farmers have had with this Government because it is quite insightful around how Government is saying it expects to engage and respect people and then we hear from some of the examples how farmers feel they have been treated.

Yesterday, a media release went out that talked about having views on a draft about how to engage and consult with community. It says one of the top-line comments is: 'We need to make sure it is done in the right way'. Farmers want to feel like they are being treated in the right way - that they are being respected and understood.

It is important to put on the record that all the farmers I have spoken to are supportive of renewable energy in Tasmania. Tasmanian Labor is supportive of renewable energy in Tasmania. However, what both the farmers and Tasmanian Labor expect is that when there is a project, and there is a greater good out of it, farmers will not be required to carry the load on behalf of everybody else in a way that is not fair and reasonable. Tasmanian farmers are asking

to be treated with dignity, to be treated with respect, and to feel they can trust the process is going to end up with them being provided compensation that is fair and reasonable.

The minister, in his own release yesterday, talked about putting downward pressure on electricity prices. Curiously, out of this project, I have had the opportunity to have many conversations with Tasmanian farmers about the impacts of electricity prices and yet, in the environment of renewable energy, it is suggested that as a result of this significant infrastructure, power prices are going to down.

We know power prices at the moment are up 12 per cent, and there is commentary about power prices continuing to go up. Tasmanian farmers - when you consider their irrigation responsibilities, their dairies - are power-hungry entities that are providing for Tasmania, but their power prices are going up, and the impact on them is high. They get this. Right now, their feeling of this project is that they are being unfairly burdened on behalf of Tasmanians with what is being expected of them.

The draft guidelines released yesterday set a clear standard for practice and community engagement. It talks about how people will share in the benefits. It talks about how positive engagement and consultation, or the lack of positive engagement and consultation, can be the difference between the success and failure of a project.

In the actual consultation document, in the opening paragraph of the executive summary, it says:

Establishing and maintaining a social licence and delivering social value to communities are essential preconditions for the success of renewable energy and associated transmission projects.

This guideline provides guidance for developers to follow, but we expect that the Government would do as they expect of others to enable local integration of projects and optimise opportunities for communities as part of the delivery.

Our Tasmanian farmers at the moment do not feel they are being optimised or engaged with in a way that their efforts, and the opportunities for them to continue to contribute to the state economy, are being positively considered.

It goes on to talk about trust. We only received this yesterday and I have only had a quick look at it. There were a few highlights in here that I thought were relevant this afternoon, talking about creating trust:

Trust is when people feel like they are both in the process and the outcomes of a project are fair.

Right now, Tasmanian farmers do not feel like they are being treated fairly.

In question time this morning, I asked the Premier:

Premier, after years of farmers coming to this Government asking for contemporary ongoing compensation as a result of the impacts of transmission lines, can you commit to that?

We did not get an answer on that. He talked about all sorts of things, and used the words of the question in different ways - but what farmers want is contemporary compensation done in an ongoing manner.

When farmers have asked questions here in parliament, or they engage with the media, or people meet them on their property and ask the same questions over and over, they do not feel like there is progress being made; they cannot trust that process. Right now, they are finding it hard to trust that the engagement that is happening will actually result in a positive outcome.

TasNetworks themselves document that when they were first out and talking about this project with landowners - I think as a result of the landowners' pressure and wanting to engage - back in November last year a landowner information pack was put out, with information about where the transmission lines run.

One of the points not often raised is that the document also talks about route selection. Many of these farmers have for decades, for generations, developed their farms around the existing infrastructure. They heavily invest, for instance, in their irrigation infrastructure. You cannot have a fully swinging pivot, then change where the infrastructure is and still get the same productive value out of the farm if you are only able to use that in a proportion of its value, or a proportion of its productivity.

There are so many really simple impacts that just moving easements by a short amount are making on our farmers. They do not feel like those things are being considered in any conversation at the moment about compensation and the disruption to their business operations.

In this document by TasNetworks, it talks about:

Where practicable, TasNetworks will follow the existing corridor and the easements and reduce impacts on land use.

Where that is not feasible they will look to alternative routes. One of the things some of our farmers have asked is if it is possible to change the route of the transmission lines. Where the transmission lines have been, can we realign them to a better place? They repeatedly feel that blocks are introduced to any ideas that are raised.

Initially, very early on, farmers were hoping to have a reasonable conversation about the infrastructure going underground, but straight up the conversation did not progress. There was a suggestion that information would be provided about why the infrastructure could not go underground because it would make the project unfeasible. We know there are other parts of Australia where the infrastructure is going underground.

In this David and Goliath relationship, farmers feel they do not have the capacity to - and this is the language of a farmer I was speaking to - bluff their way through the conversation. Farmers are not resourced to the point where, collectively, they can have those conversations with these entities. They do not feel they are on an even playing field in the conversation, in the consultation, or in the negotiation of the outcomes.

There are proposals where the transmission lines will have expanded easements in some places, and quite significant moves in other areas. Obviously, the towers are in different places

now because they are bigger. The lines that will have their various depths of hang - as an example of a lack of understanding, or a feeling of disrespect to a farmer, one of the existing lines in recent times was seen to be hanging lower than perhaps was appropriate. Instead of the infrastructure owner saying, what can we do to correct that, they actually dug trenches in the agricultural land under the lines to compensate for the hang. If you can understand the value of this land, and the contribution these farmers make to the Tasmanian economy, with growth happening so fast and with value increases happening so quickly, it is hard to contemplate the value of that land in 20 years, or 50 years, without due regard to the consequences of digging trenches under lines, because that is the way we are going to meet standards in terms of the distances required. That really feels like a very short-term and disrespectful response to a significant issue.

Other farmers have raised with me issues of machinery growing in size and scale over time. We all know what a farm tractor used to look like; some of this machinery is now significant in size and scale. How do we know these new transmission lines are not going to retard or limit the value growth of this productive land, in some of the best parts of Tasmania?

These are a few examples of where farmers do not feel the entities are really understanding the impacts of their conversations now - so how will they feel they are going to be adequately compensated into the future?

Driving around Tasmania, everyone knows it is lambing season at the moment. Lambing is a very delicate time for farmers. I might use the description 'overwhelming - I am sure they think it is amazing, but it is a really heavy time for everybody. There was a recent example where farmers asked an entity not to fly the lines - not to send down a helicopter to inspect the lines, because they were lambing. You have a helicopter flying the lines - ewes one way, lambs the other way. It is risky for the animals. It is disrespectful for the farmers.

I do not think any of these things are done intentionally to be negative, or impactful, but they provide little layers of uncertainty and lack of confidence about how the overall consideration and respect of what farmers contribute to Tasmania.

I repeat, farmers are just asking for something simple here. They are saying, 'When our business is interrupted, we want to be compensated for that'. Some of these conversations are over two and three years. The project is not completely locked down so it might not even be three years. It has an impact on their property through construction, putting up new infrastructure, taking down old infrastructure, and people being on the land, which causes concerns for security of stock and property and concern with biosecurity. They have people accessing their property all the time. It could be over a two- or three-year period. That is significant business disruption for these farmers through what could be, say, a wet winter season where they do not want a lot of big machinery on and off their property, when they would be managing their property in the wet and not having significant vehicles or other things on the property. You get through to lambing or to other times in the farming calendar where this has an extraordinary emotional, financial and future-value impact and so, there is the business disruption.

There is also the taking away of prime agricultural land from future productivity. Farmers are saying that the current legislation is old and was created for a different purpose, where Tasmanians would be contributing to the Tasmanian benefit of Tasmanian power for

Tasmanian people. It is still the same legislation being used now about feeding a national market. Farmers feel that entities like TasNetworks are using the legislation as an excuse.

TasNetworks and part of the Government say, from time to time, 'Yes, we will consider legislative changes, we will consider contemporary contracts', but farmers are not seeing progress. They are not confident that legislative changes will be made or that negotiations with the regulator will occur to make sure farmers, like other people who are compensated for other assets and infrastructure in Tasmania, are compensated with contemporary contracts in an ongoing manner.

That is all the farmers are asking for. All this correspondence and engagement over a number of years has had to be repeated and persistent. They are not at the point where this simple request that might take some determined and deliberate effort, response and action from other parties. Farmers who are thinking about so many different things also have the disruption to their business because they have to figure out how they can unite and have a voice in this David and Goliath unbalanced way, to have a voice to protect the future value for their future generations.

There are many farmers with children on their land or children going away to colleges to come back to continue in this farming tradition and to continue with the legacy being created. They want to know that they are in a position where they can continue to support and protect the value of their land for future production and to support the Tasmanian community in the best way they know how, with their crops or livestock and the things they do on their land for Tasmanians.

I said that I would go through some of these points of correspondence because it is important to reinforce that this is not something that farmers have raised at the end of the project. Project Marinus has been in the planning since 2016. This is not something that has just happened and farmers are coming to this at the end of the line.

Farmers would not normally have to find the capacity and the organisation to collect together to raise a voice like this. What I have loved in this process is working with the local farmers in the northern Midlands area. They are also supporting and being supported by the farmers on the north-west coast. It has been really good to see this.

As I said, it was first raised with me by my colleague, member for Lyons, Jen Butler, and it was raised with her by a number of farmers. There are collections of farmers in the northern Midlands and the north-west who have been communicating with the minister, with the department, and with TasNetworks over a number of years.

In their own words, I will put down on the record the concerns they are raising about the impact of these lines. The concerns are a loss of access to productive land due to the large easement and a loss of significant investment they have already made improving their farms, especially in the vicinity of the proposed new easement. For instance, it is significant and costly to invest in pivot irrigation: moving that to appease the new transmission lines in the new area change, how they manage and move their stock; changes to their dairy facilities. These things need to be considered in any compensation formula: the need to consider that they will have to undertake additional investments to overcome the loss of past investments when they change their operations as a result of this new infrastructure; a loss of significant improvements made to the productivity of their land in and around the new easement. They

might be moving an easement 20, 30, 40, 60, 80 metres but that is not just the impact. If you are swinging a pivot and you have to move it by that far, you are actually losing twice that productive land and all of the associated area.

Restrictions to their ability to access their land and use it to its full productive potential during the construction phase and once the proposed line has been completed and commissioned: a loss of land value due to the impact of additional transmission lines and additional easements being placed on their properties; the potential environmental detriments through the process of construction, and the potential biosecurity concerns; the need, as I have identified, to divert their business and management of resources while they are learning to and undertaking their dealings with TasNetworks. It is having a massive impact on them. Not only are they feeling concerned about the future, they are also trying to do so many different things at once. It has an impact on them and how they are able to continue to farm to their best abilities.

It is very easy in this place, I have learnt over the last year, for people to misrepresent what people might say or misrepresent the position of different entities. I have only been in my role since June last year so I only have correspondence from that time that I can easily access. I want to put on the record that Tasmanian farmers are supporters of renewable energy. This is not an anti-Marinus position, this is a pro-farmer position where farmers should be respected and supported and feel confident about their Government having their back.

I want to read into the *Hansard* that I have not met one farmer that does not support or does not use renewable energy. You can have two conversations happening at the same time but the conversation for Tasmanian farmers is that right now they need to be understood and have appropriate, contemporary and ongoing compensation.

What is great in the correspondence that has been shared with me is the way that, initially, there were north-west farmers concerned in their area. It is a little bit different for the north-west farmers and the farmers in the northern Midlands but they have combined to unite their voices. There are over 70 farmers concerned and working together to ensure a positive outcome for Tasmanian farmers.

This is not just farmers; I have had this experience myself. You can ask a question, whether it is when you are walking down the street, asking something of one of your colleagues here in parliament in a formal and serious environment, in a media engagement or exchanging correspondence. Your question can be simple and short. The response can be just flowery and almost anything. It can often say things that sound like they might be answering the question. They might even sound like they are giving you the answer you expect or have been working hard for but really it does not mean that.

In correspondence, these farmers raise these important issues and then correspondence comes back and it just outlines the project. It does not address the issue. It talks about how 'we want to engage, we want to meet, we want to discuss this, we encourage you to have conversations with TasNetworks'. A minister might say to a farmer, 'I am encouraging TasNetworks to have positive conversations with you'. What we do not want - 'we' being either Tasmanian Labor, the Tasmanian people or Tasmanian farmers - is people to just keep talking about it and describing the process of having conversations or describing the process of having conversations or describing how we might go about doing something.

I acknowledge that there was a former minister for primary industries and water and there is a current Minister for Primary Industries and Water, and the current minister was only appointed in April this year - but there has been positive commentary to say that the current minister is on the ground, out there talking to farmers and listening, talking to farmers and seeking to understand.

What I have learned in this place is there is a big difference between seeking to understand and action. Farmers have been in this conversation for years and are concerned about their future. They need action. They need someone to give them a concrete answer to the questions they are asking so they can plan for their future and know exactly what they can be expecting. Unlike some people in this place and unlike many Tasmanians, farmers have to plan for years in advance with a significant amount of investment in their infrastructure on their properties, whether it be dairies, or irrigation, or their homes and their own road networks and fencing. They have to make significant investment and they have to think about that for the future, so they need certainty. Right now, Tasmanian farmers feel they do not have certainty.

I asked a question of the Premier in the parliament this morning. He could have given a short answer if he did not want to answer the question, but he went around the topic. When I asked about ongoing contemporary contracts the Premier said, 'Oh yes, we are having ongoing consultation'. They think they are being funny and cheeky but farmers do not appreciate that. They do not appreciate that in this place light-heartedness is made of such a significant issue.

The first point of contact I had was a meeting I was invited to that occurred in Deloraine in November last year. Farmers were feeling exceedingly frustrated. There had been months and months of delay between their last piece of correspondence with the former minister and any reply. I attended this meeting on a Friday afternoon and there was a huge number of farmers there. They were great and the attitude was really positive. There were representatives from TasNetworks, and other energy consultants and advisers there. Unfortunately, the minister at the time was not there. This group was really clear in its messages and it delivered these messages through the advisers to the Government. I reinforce and repeat, and it feels like I am saying the same thing over and over again, but what these farmers have been consistently doing is giving the same information and asking for the same feedback but not feeling like they are actually being heard, or any action is being taken.

In November last year they raised the issue about farm infrastructure around the transmission lines and how the change will have an impact on their ability to invest in their infrastructure in the future. They also raised this issue about not feeling equal in the conversation. They put on the record their need for future capacity of renewable energy in Australia but they wanted to be respected as farmers, who, in their own words were saying, 'We are trying to feed the country. We need you to take us as seriously as you are taking the renewable energy project'. At that point, in November last year, they raised the issue of changing the legislation to ensure that they could have contemporary compensation in an ongoing manner.

I referred to the minister's document around how to positively engage with people, but very early on the heavy hand of compulsory acquisition was always used in a conversation where, if the farmers raised some issue it was, 'Well, we can always compulsorily acquire'. I am not sure how many people on the other side have read the great book *How to Win Friends and Influence People*, but if you go into a conversation with someone and bring down the heavy

hand to start with you are actually putting them on the back foot and in a position where they are not going to trust you right from the very beginning.

Reviewing legislation to allow ongoing and contemporary compensation is important, but ensuring that when you are going through these processes and having these conversations you are not using things like compulsory acquisition as a threat in a conversation to complete an outcome of a process. Farmers wanted to be informed at that point. They wanted to understand how long it was going to take to roll out the project, what the impacts would be and how their concerns would be considered - for instance, contractors going on land through June to October, when the ground is really wet and any significant processes at that time would destroy their land. They wanted confirmation around that. They also wanted to trust the security processes that were in place and they wanted to be assured that any contractors and people who came onto their property - and since that happened we now have heightened awareness of the risk of FMD and lumpy skin - would follow all the associated and appropriate procedures.

More recently, in 2022, I had the opportunity to meet with TasNetworks and it was a positive meeting. Most of these engagements happen in a positive environment. They are done in a positive way. As I said at the beginning, I do not want to misrepresent. I do not think anyone is intentionally seeking to slow down, block or not provide outcomes in this process, but it is frustrating for farmers who have a very simple and important need that they feel glacial action is taken and there is deep disrespect and a lack of dignity in a process where they do not feel like they are treated equally - and the process just continues.

Earlier this year in March I had a great conversation with TasNetworks where it was acknowledged that they were open to having conversations about annuity payments and what that might look like, and whether some might choose a lump sum but some might use the annual payment. It is on the record as being in a conversation but since then progress has been very slow. Now we have had an announcement this morning that there are MOUs in place around Project Marinus and farmers are now feeling like it is just being delayed and delayed and at the end whatever they were going to do originally will just get landed and they will have to accept it. Where people have made commitments about having conversations about contemporary contracts it dumbfounds me that this morning in question time the Premier could not say the Government was committed to achieving this outcome. What farmers want to know is: are you just bringing them along in the conversation or are you seriously committed to creating positive outcomes for the farmers of Tasmania?

I have used the opportunity here in the parliament to ask questions. In August this year the new minister had been in her role for a while and we asked a question about these transmission lines. We wanted to know if the minister was up to speed and whether she could provide assurances to farmers around the compensation. This is the only conversation that is going on - business disruption, contemporary compensation. All of the briefs would have been there to provide a response. Unfortunately, the minister at the time created greater concerns for farmers because the question was about the north and north-west, Project Marinus and the transmission lines, and the minister started talking about projects in the north-east which had nothing to do with the farmers' concerns. Despite being interrupted and interjected on numerous times to bring the issue back to the attention of the minister, there was a clear lack of understanding around the issue. It was at that point that the minister started to visit farmers.

I acknowledge that farmers are saying the minister has been very positive and had been out on land talking to farmers about this issue. However, if I can bring you back to the rock lobster conversations we had, if I can bring you back to other conversations in this place, it is all well and good to have an interest and to listen, but what Tasmanian farmers want is action.

In the few minutes I have left, there have been many other examples of where this issue has been raised. There is no way that this Government, the minister or TasNetworks do not understand what the farmers are asking for. What I want to do this afternoon is to reinforce through this motion that the Premier make a commitment to Tasmanian farmers that they are either going to consider or not consider ongoing contemporary compensation with contemporary contracts for Tasmanian farmers who will be carrying the load for this project in order to feed the country with renewable energy, farmers who we praise day in and day out for the great contributions that they make, farmers who this Government say will contribute to 2050 a \$10 billion contribution to the Tasmanian economy with their farm gate value.

If they seriously respect and love our farmers as much as I know that Tasmanian Labor does, then the Government will be clear. They will put the minds of farmers at rest and they will respect farmers with clear responses to questions they are asking and will come to farmers and say, 'We are either going to proceed or not proceed with being able to deliver to you what you are asking for', which is fair, reasonable and respectful ongoing contemporary contracts that provide compensation for the impacts they will be carrying for not only the state but also the country as a result of Project Marinus.

[4.09 p.m.]

Mr BARNETT (Lyons - Minister for Energy and Renewables) - Mr Deputy Speaker, I will speak to the motion moved by Ms Finlay, member for Bass, and to firstly note that many of principles and comments she has made are entirely reasonable and understandable but to also note that there are principles and policies that we believe are very important. These are set out in an amendment which I have circulated to the Chamber.

Mr Deputy Speaker, I move the following amendment -

Leave out paragraphs (2) and (3)

Insert instead the following -

(2) Notes -

- (a) the North West Transmission Developments are critical to support and progress the proposed Marinus Link interconnector and deliver on our vision to achieve our renewable energy target of 200 per cent of the 2020 electricity generation by 2040.
- (b) the North West Transmission Developments are of strategic importance to Tasmania's renewable energy future and underpin significant economic opportunities for the state, as well as helping to transform Tasmania into the smartest, cleanest, and most innovative state.

- (c) the North West Transmission Developments will unlock our low-cost dispatchable hydro capacity, pumped hydro storage and high-quality wind resources. they are essential to enable Marinus Link, Battery of the Nation, and our emerging green hydrogen sector.
 - (d) there are some concerns in the community about the North West Transmission Developments - which are large-scale infrastructure projects with complex and long delivery processes.
 - (e) the North West Transmission Developments will require environmental, planning and heritage assessments and approvals from the responsible permitting authorities across all levels of government.
- (3) Notes the Government -
- (a) will ensure TasNetworks continues to provide opportunities for consultation and input by landowners, the Tasmanian Farmers and Graziers Association and the community during the design and approvals for the North West Transmission Developments with a view to minimising the impact of transmission line developments on agriculture.
 - (b) considers compensation frameworks should be fair, equitable, and contemporary, including in relation to any additional easements that may be required to facilitate the North West Transmission Developments.
 - (c) is already working with other jurisdictions in the National Energy Market to improve approaches to community consultation on transmission line developments and to develop a contemporary framework for landowner compensation payments.

As you can see, we have many matters of consistency with the shadow minister, who is speaking on behalf of state Labor on this matter. There is much in common. We move that amendment in the hope that it will be supported. We want to note that the north-west transmission developments are of strategic importance to Tasmania's renewable energy future. The honourable member has already referred to farmers supporting our renewable energy future. I will come to that in a moment.

Our renewable energy future and the north-west transmission developments underpin the economic opportunities for Tasmania, as well as helping Tasmania to have a transformative future when it comes to renewable energy, delivering downward pressure on electricity prices, delivering more jobs, development, and opportunity, particularly in those rural and regional parts of Tasmania that are so important. I represent the electorate of Lyons, more than half of the state, which is full of rural and regional areas. In fact, all the best parts of Tasmania.

The Australian Energy Market Organisation (AEMO), the independent energy regulator, has identified the north-west of Tasmania as a high-priority renewable energy zone, with its potential to host the connection point for Marinus Link and support new large-scale wind generation and energy storage projects. They do not do that willy-nilly. They do it because there is a reason behind it, because there is merit behind it. They are the creator of the integrated system plan, which is the plan for the national electricity market across Australia and how it should be built.

It has identified Marinus Link as a key infrastructure project. Infrastructure Australia has identified Marinus Link as a national priority project. The Prime Minister of Australia and Chris Bowen, the federal Minister for Climate Change and Energy, were in the state today with the Premier and myself when we announced an agreement that will deliver downward pressure on prices, will deliver more jobs for Tasmania, improve energy security and create a cleaner world, with the equivalent of one million cars being removed from our roads.

We have a 100 per cent commitment from the federal government. The Prime Minister said a few hours ago that this is a commitment to the largest energy infrastructure project in Australian history since prime minister Chifley's era. This is a big commitment from federal Labor to Marinus Link and to unlock all the opportunities to turn Tasmania into a renewable energy state.

At 4.15 p.m. we do not know the views of state Labor, whether they support it, or are against it. I make that note because this has been discussed by the member for Bass during the debate on Marinus Link on many occasions, and the importance of the north west transmission. The bell will toll at some stage for state Labor, whether they support it, or whether they stand on the sidelines and criticise or oppose. The question remains to be answered. I hope it is answered very soon.

The amendment I moved is very important because it fleshes out the principles that the honourable member has referred to and gives more detail. It highlights that there are concerns in the community about these developments. They are large-scale infrastructure developments.

I will not refer to the quotes of a couple of weeks ago the member was referring to that now is not the time for further investment in new infrastructure in Tasmania. We will not go there, but that was said at the time.

There are concerns, I acknowledge that. We have planning and approval processes, environment and planning processes. It is important that they are maintained. There is opportunity for submissions on issues that affect land owners and communities. We support that. TasNetworks is currently progressing the design and approval for the north west transmission developments. It provides opportunities for consultation and input to land owners and the community. I have said to TasNetworks many times, not just the board, but the CEO and others, it is so important to communicate, to engage, to listen and respond positively to our farming communities and to the land owners.

That is an objective of the Government: that that engagement occurs on an ongoing basis. I strongly encourage TasNetworks to continue to engage with all those impacted land owners and to work proactively with them in developing solutions that minimise the impact of transmission line developments. For example, the specific placement of towers along a route can have a meaningful impact on farm productivity and amenity.

I have had many meetings with farmers and groups of farmers and land owners over many months, including when I was Minister for Primary Industries and Water, and since then. I have ongoing engagement with the Tasmanian Farmers and Graziers Association. I swapped calls today with their president: an open-door policy to have further engagement to listen, learn and get that feedback from our farmers and farming communities. I am very pleased that the member has been meeting with the farmers and getting their feedback. It is good. This is democracy at work and a proactive approach, getting out there and having a go. I compliment the member for that effort and initiative to have those meetings and to engage and get the feedback. I always welcome more feedback from those communities.

Likewise, Jo Palmer, the Minister for Primary Industries and Water, is very engaged. She is out and about on the farms, in the dairies, meeting with the relevant woolgrowers, vegetable growers, beef growers, whatever, and I know she listens. She is very genuine and very committed. I salute Jo Palmer in her role. She is out and about and having a go and listening. In the recent seven days, with the floods, she has been out there listening. In fact, the Premier and I will be with her tomorrow, meeting with farmers in the Meander Valley and up the Mersey. With respect to my community in Deloraine, where I have an office, I will be listening and learning and doing everything I can to help. That is what we want to do. We should be working together to help make a difference to support our communities.

I will make a couple of other key points. First, regarding TasNetworks: all the advice I have is that they work with the landowners and other key stakeholders. They had a meeting yesterday with the TFGA. I know the board is cognisant of the importance of compensation because it has been raised with them: a framework that is fair, equitable and contemporary. I make that clear. We are very similar in terms of the principles the member has espoused this afternoon. It is appropriate that landowners are fairly compensated for any additional easements that may be required to facilitate these developments and the transmission lines. That is important.

The Tasmanian Government is also working with other state and territory governments, with our jurisdictional partners. This was raised at the last energy ministers' meeting, six to seven weeks ago in Canberra. This matter was raised in terms of the importance of consultation. The Prime Minister highlighted the importance of Marinus Link as significant national infrastructure and it was referred to today. We want to do the right thing and ensure that there is community consultation and engagement. We know it is important national infrastructure because it has been identified and raised at the highest level, even by the Prime Minister at the heads-of-government level -

Mr Winter - Angus Taylor, Scott Morrison, they did not get it, did they?

Mr BARNETT - I am making the point; I am actually complimenting the Prime Minister.

Mr Winter - You should compare it to your party.

Mr BARNETT - Do you support the Prime Minister's support for Marinus Link?

Mr Winter - I support their energy policy as being an actual energy policy. We have a federal government now that actually has an energy policy for the first time in decades.

Mr BARNETT - So you support Marinus Link?

Mr Winter - I will get to my contribution shortly. You keep going. I am enjoying it immensely.

Mr BARNETT - It would be good to hear your position on Marinus Link. Do you support it or are you against it? It is either one or the other. Do not go trying to squib it.

Mr Winter - You will hear my position very shortly.

Mr BARNETT - As I was saying, we are working with the other state and territory governments on these matters. We have talked to the Commonwealth. It was raised at the highest level. It was raised under what is called the new energy partnership and I will come to that in a minute. It is to improve community consultation on transmission line developments. Intergovernmental discussions are continuing regarding contemporary approaches to landowner compensation payments. Those discussions are ongoing and I have the partnership agreement right here in the Chamber, National Energy Transformation Partnership, August 2022, energy ministers on the front page. This is what we are doing, this is happening. All around Australia we are talking about it, working through it. Principles for collaboration; working together on reforms to national energy governance. Then we have a section here, page 8, 'Address enabler requirements':

This will inform domestic onshoring opportunities, investment needs, identify supply chain risks and community engagement needs to support a national action plan on these issues.

There is a lot in here. The member referred to the draft consultation paper for community engagement, which I released yesterday in the parliament - a public document for feedback. I want the feedback. I welcome the feedback from the member, from members of the public, from the farmers, and the landowners. That is why it is released as a draft. You quoted from it in your contribution, which is entirely appropriate. Thank you for referring to it. That is why it is out there - we want feedback on it.

As a government, we continue to work with our colleagues in various jurisdictions at the highest level. The north-west transmission developments, as I have said, are critical to support and progress the proposed Marinus Link interconnector and deliver on our vision - a renewable energy target of 200 per cent of 2020 electricity generation by 2040. This is where we are at. We are at 100 per cent and we are going to 200 per cent. Marinus Link can help us do that and it can do so much more. It will unlock a whole range of renewable energy developments: wind farms; solar, pumped hydro. We are talking Lake Cethana, 750 megawatts, \$1.5 billion is the estimate. Hundreds of jobs for years, in civil construction, in particular. This is going to be a major pumped hydro facility.

We have opportunities for more pumped hydro because Tasmania's topography and geography is ideally and strategically placed for that. We did a study through Hydro Tasmania some years ago and it noted the thousands of megawatts of opportunity for pumped hydro going forward. You can see there are opportunities there.

The other one was Tarraleah. It is currently at 110 megawatts capacity with plans to redevelop Tarraleah to grow to 220 megawatts, to double at an estimated \$700 million. We

have secured federal government support for that and the development at Lake Cethana - \$1 billion of concessional finance. As a state we are very grateful for that support. I have said it today a number of times, as did the Premier. We are happy to work with whoever to get the job done and we want to make this work. That is why I want to refer to that particular engagement and consultation process happening within my department and with the various other government departments around this great nation, Australia.

There was a reference by the member to the draft *Renewable Energy Development Guidelines for Community Engagement, Benefit-Sharing and Local Procurement*. We do not use the words 'benefit-sharing' just for the fun of it; we use it because it has reason. We want community engagement, benefit-sharing and local procurement. We want on-island processing, on-island development, on-island jobs wherever possible. That is our ambition. It is a draft and, as I say, we welcome it.

The important thing about this draft is the feedback and input we have had from Andrew Dyer, the Australian Energy Infrastructure Commissioner. He is terrific. I have had many meetings with Andrew Dyer and I thank him, on the record, for his input and support in Tasmania. He has not just been here meeting with me and my department; he has been out and about. He has been meeting with renewable energy proponents in the Central Highlands and on the north-west coast, and providing feedback on how they can be progressed in a meaningful, measured, balanced, sensible way, noting the importance of a fully rigorous environmental and planning approval process. That is what Andrew Dyer has been contributing to Tasmania. He has a very good relationship not just with me and my office, but with my department. This new guideline will set important benchmarks for renewable energy proponents and emphasise the importance the Government places on community engagement. We welcome the community and proponent feedback on that draft.

There was a bit of an underlying message that perhaps we are not supporting our farmers in Tasmania. You will not get a government that is more supportive of our farming communities and our farmers and agriculture development in Tasmania than this Government. It was an honour for me to be that minister for more than four years. I am totally behind this commitment to get to a farm gate value of \$10 billion by 2050. That is our target, and guess what, it is progressing positively. The value of agriculture exceeded \$2 billion for the first time, growing by 13 per cent to \$2.15 billion. That was just in 2019-20, and we are a couple of years ahead. We have our Sustainable Agri-Food Plan for 2019-2023, which supports the agrivision through to 2050, and that target to sustainably grow the farm gate value to \$10 billion by 2050.

You will not get a government more committed to sustainably growing our agricultural communities and encouraging their success. We are on their side, and work shoulder to shoulder with them, and in the last week in particular with the floods - not just on the Mersey, Meander, South Esk, right through the Meander Valley, but in so many other parts of Tasmania.

I made special remarks during the adjournment last night in honour of and to pay tribute to those who have been adversely affected, and to thank our state Emergency Service personnel and other personnel - in particular, the volunteers who did so much to help those in need. We have more rain events coming up in a few days. We are somewhat nervous about that, but thank you to the Bureau of Meteorology for the early warning system.

We are supportive of our farming communities. That is why this amendment is designed as it is. It notes the importance of communicating, consulting with farmers and graziers, and ensuring there is minimum impact of transmission line developments on agriculture.

We acknowledge the importance of agriculture. I have a score card here of the strongest performing sectors. During that year fruit increased by 22 per cent; meat increased by 20 per cent; vegetables by 13 per cent. Dairy has increased by 10.6 per cent - with record productions in milk volume in those last couple of years when I was minister. That has been fantastic and is a great credit to the dairy sector.

We saw farmers in Tasmania produce five times more food than is consumed in Tasmania. All that surplus is exported to the mainland and overseas, bringing back much-needed income, ensuring there are jobs on the ground in our rural and regional communities. That is what it is about, and we are backing them. We have done that in so many different ways. With the fruit and vegetable sector, we are promoting getting the workers there during the harvest season. We had a very dedicated campaign, and that is continuing under minister Jo Palmer. We have their back. We will continue to support them, fight for them and back them.

We have done it not just in words, but in deed, and also in the Budget. Backing our farmers - almost \$50 million in additional funding is being invested as part of the accelerating agriculture policy, to accelerate progress towards the long-term goal for the sector.

I caught up with the Tasmanian Institute of Agriculture recently. It is good to hear of the progress on the dairy research facility at Elliott on the north-west coast. What a great job they are doing. That is because we have a vision to grow agriculture and to support our dairy industry, and now Dairy Australia is investing there. In fact, it is investing more than it had originally planned, because of our vision to support and grow agriculture and to support our dairy sector.

We have an outstanding agriculture sector. The Government does not want any suggestion put by the member who has moved this motion that this Government is not backing them to the hilt. We are led by a premier who is a farmer, born and raised on the farm at Sassafras. Jeremy Rockliff is a true-blue Sassafras farmer; he has had red dirt under his fingernails since he was a kid. That should not be lost on anybody. He was minister for many years before me, and led the way in so many respects in supporting agriculture and our farming communities.

Yes, I have had the honour of being minister for Primary Industries and Water for many years, but I was born and raised on a farm, at Hagley. The dirt is not as red as Sassafras - it is darker, sometimes very dark, but it is on the Meander River. It certainly flooded in winter, and in summer there was much less water available. Of course, it has flooded badly in the last seven days - but you know, Hagley Farm School and all of that.

I do not want any suggestion that we are not supporting our farmers or farming communities. We have had the protection of farming with the Primary Industries Activities Protection Act 1995. A state policy on the protection of agricultural land was revised in 2009. The Tasmanian Farmers and Graziers Association rolled out the Living Next Door to a Farmer campaign, which was funded by the state government, and which I jointly supported the launch

of on a number of occasions, over a number of years. We are doing this. We are trying to support them, and we continue to do so.

Mr Winter - Minister, by interjection, before you wrap up, would you be able to explain why it is that you cannot support the motion as it is, and why you are suggesting the amendment, just so we can understand.

Ms O'Connor - What is it? What is so offensive?

Mr Winter - What is offensive about what is in the motion?

Mr BARNETT - That is what I wanted to say about the farmers and the farm sector. Living Next Door to a Farmer. We support farming communities. We will always support the interests of our farmers and our agricultural sector, as well as ensuring the secure and sustainable supply of water. The importance of water cannot be underestimated. Water is liquid gold. I have said that many times, and it is well noted -

Ms O'Connor - It is life. Water is life. When you think of things only in monetary terms you actually devalue it. Water is life.

Mr BARNETT - Water is life, and essential for life. It is also liquid gold -

Ms O'Connor - You only think about money.

Mr BARNETT - It is many things to many people, but it is critical to the future of Tasmania and the success of agriculture. That is why we have invested so much in irrigation, again and again, with the federal government - \$2 from the feds, \$1 from the state government, one from the farmers or landowners. It is a great investment in delivering jobs in rural and regional areas.

I will not back away from continuing to support our farming communities, and their right to be involved. Their right to have a say. Their right to a fair go. That is why the motion is worded the way it is. I will be very happy to hear from the shadow with respect to the position of state Labor on Marinus.

With respect to the amendment, it is worded the way it is because we think that wording is much fairer, reasonable and accurate. It picks up -

Ms Finlay - What is inaccurate in the motion?

Ms O'Connor - Is it the words 'compensated fairly' in Ms Finlay's motion that offends you?

Mr BARNETT - It picks up some of our concerns with the wording in the original motion. That is why we wanted to have a policy which is clear.

Opposition members interjecting.

Mr DEPUTY SPEAKER - Order.

Mr BARNETT - You can make your own comments and reflections but it is important that we get it right. This is consistent with Government policy. This is consistent with our Government's efforts to roll out our renewable energy plans. It is consistent with our support for agriculture and agricultural communities. We back it 100 per cent. The question for state Labor when the member for Franklin gets up is does it support or oppose the Marinus Link?

I move that amendment. In terms of the timing of when that is put, I am happy to wait for the member but that amendment has now been moved.

[4.41 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, the motion that has been put forward by Ms Finlay is entirely reasonable. The only issue that the Greens have with it is the last line which promotes the state Government AgriVision 2050 target of a \$10 billion farm gate value by 2050. That is a political position. It is not a position that is grounded in science. It is not based on evidence that it is sustainable for the agricultural sector on an island of this size to have a farm gate value of \$10 billion by 2050 unless prices are so much higher than that that is just a consequence of rising prices. Apart from that, this is a motion that is put forward in good faith that recognises the very significant impact on farmers, land owners and primary producers of the transmission line infrastructure that will be associated with the increase in renewable energy and energy generation in the north west as well as the Marinus cables.

Despite the questions that were asked both by the Opposition and the Greens this morning there is still no clarity on the finances for the Marinus Link project. We, on behalf of Tasmanians who want to understand these finances and want to understand how funding for this project will impact on them, want to see the Government release all the details of the funding arrangements around Marinus Link. We think that is a baseline and a bottom line.

The concern is, and it is a legitimate concern, that Tasmania will subsidise the \$4 billion Marinus Link with very limited benefit to the people of Tasmania, higher power prices potentially all while we are lining the pockets of multinational corporations.

Talk to young people, talk to people who understand the science of climate and they all want to see a sharp increase in renewable generation because they know unless we get off fossil fuels for energy we are knackered as a species. As Carl Sagan, the great philosopher and thinker, has said: 'In the course of the Earth's history, extinction is the norm and survival is the exception'. On our current trajectory, humanity is heading ultimately towards extinction if we do not sort it out. There are hard choices to be made and Marinus Link is obviously an example of those hard choices coming to a pointy place.

Let us just separate for a minute all the question marks which are legitimate over the Marinus Link Project, the concern about the long-term economic consequences for the Tasmanian people and have a think about every landowner along the path of that transmission route. There is the transmission route linking Robbins Island to Hampshire. The Greens do not support, will never support, the Robbins Island windfarm. That is because Robbins Island by rights is a Ramsar-quality bird habitat of global significance. It is a place where windfarms have been proposed before and because of the environmental significance of Robbins Island, those preliminary proposals have fallen over. We will put that on the record here.

There are two proposed pieces of transmission infrastructure, the one from Robbins Island to Hampshire and then from Hampshire to Sheffield. As I recall, UPC is responsible for the Robbins Island to Hampshire section of the transmission line and TasNetworks for the Hampshire to Sheffield transmission line.

There will be along the path of those lines rich agricultural lands, wild lands, forested lands, a land of very significant environmental biodiversity. I agree with Ms Finlay when she asked the question: why are we not seriously looking at underground transmission infrastructure? We are told that the project would not be viable. That is because the backers of the project do not want to spend the extra money to put the transmission lines underground.

I do not understand why this Government, instead of wanting to put windfarms on Robbins Island, where they know it will have significant impacts on migratory bird species, are not advocating for turbines in Bass Strait. Offshore wind - have a look at Scotland.

We need to recognise the very real impact on landowners. Landowners who ever since this project came up have expressed an increasing level of anxiety about the compulsory acquisition of their land, the impact of the transmission lines on their primary production and a very valid concern among many people along the lines of those proposed transmission lines, the impact on the landscape. There is nowhere on earth like this island. It is unarguably one of the most beautiful and rare places on this planet. We risk here killing the goose that laid the golden egg. We have to be mindful of the scarcity of unspoiled landscape; the sacredness of this island.

We also need to treat our primary producers and private landholders with respect. If I just remove myself from concerns about the viability of Marinus, and the impact of the transmission lines, the outdated Land Acquisition Act is not going to treat those people fairly if this project goes ahead. The Land Acquisition Act provides for a one-off payment to a landowner. They basically have no rights; no rights at all. Once Government decides it wants to acquire land, it uses the mechanisms under the act and it says to the landowner, 'We are taking that land and we will give you a reasonable price for that land. It is a one-off payment'. The landowner never has that land again. It is taken away. There is one thing about land - they are not making any more of it.

Along this transmission line, there will be many impacted landowners and primary producers. There is a compelling argument, and this is the case whether it is a transmission line or other infrastructure, for ongoing compensation. A compelling argument for government to rent the land, not take it and pay potentially market value or a bit less for it but to rent the land from those landowners.

I do not understand why Mr Barnett is uncomfortable with supporting this motion. It seems to me that Ms Finlay has written this in such a way as to secure Government support because she pumps up their tyres at the end over the \$10 billion AgriVision by 2050.

I can only assume there are two things happening here. One is sheer pig-headedness, because how on earth could the Government bring itself to support an Opposition motion? The other is the signal it will send about the need for ongoing compensation to landowners. It should be ongoing, because otherwise, in many ways, it becomes a land grab.

We know that behind these projects and behind these transmission lines are large multinational companies. It is a legitimate concern that this Government is selling out the interest of farmers and primary producers to multinational corporations for very modest benefit to those landowners. They will never get that land back. There will always be, as long as that infrastructure is in place, transmission lines on their land.

It will have an impact on agricultural production and the productivity of that land. It just will. You can see it as you come up the Derwent Valley: massive transmission line infrastructure all through glorious prime agricultural land.

The minister has not made an argument for not supporting Labor's motion. The minister has not addressed the issue of ongoing compensation for landowners. The minister has not acknowledged that the current framework is unfair, unjust. It is very one-sided. It is all very well for this minister, in the amendment, to talk about ongoing conversations with landowners.

The minister notes that the Government will ensure TasNetworks continues to provide opportunities for consultation and input by landowners, the TFGA, and the community during the design and approvals for the North West Transmission Developments. I might just stop there for a minute. It is not an approvals process. It is an assessment process with the view to minimising the impact of transmission line developments on agriculture.

That is meaningless. It is meaningless to those primary producers, that TasNetworks will keep talking to them. TasNetworks, the Government, has been talking to farmers along that proposed transmission line for the best part of six years. They are certainly not comforted to date. Mr Barnett needs to acknowledge that his Government, which tells us is the best friend Tasmania's farmers have, has a problem, because the dissatisfaction among rural communities and primary producers about this Government's approach to that project is manifest and is growing.

We encourage the minister to accept that all the consultation in the world to date has not worked. It has not eased the concerns of primary producers. There needs to be a modernisation of the Land Acquisition Act. It needs a new name because it should not always, by necessity, mean taking away someone's land, acquiring it on the part of government, or a corporation. That is what would happen here. A private corporation would own transmission infrastructure and the land associated with it, as I understand it, from Robbins Island to Hampshire.

We do not support the Government's amendment because Mr Barnett has not made the argument for it. We will grudgingly support Labor's motion, because apart from the last line there is nothing to argue with here.

The House should be very clear that it supports primary producers. I urge the minister to commit to examining ongoing compensation for landholders and primary producers in relation to this project and potentially to other projects where the Land Acquisition Act, as it is now, might apply. I also strongly encourage this minister to dust off that act and have a good look at it. It is outdated and some of its provisions are just not fair.

We will support this motion. I hope the minister pauses for a moment, because just saying you are the best friend farmers have does not make you their friend. If you are going to take something away from them and give them very little in return, you are not their friend. We largely support this motion. I have not proposed an amendment because there are

amendments flying all over the place and we are running out of time. I encourage the minister to understand farmers need better than they are getting now.

[4.56 p.m.]

Mr WINTER (Franklin) - Mr Deputy Speaker, it took about 2200 days between the announcement of Project Marinus and the end of the Morrison Coalition government where the Tasmanian minister for Energy was negotiating a deal for Project Marinus and 149 days by my count for us to get a deal with the Albanese Government. This speaks volumes about energy policy across Australia. The former government had no energy policy and sacked a prime minister over the fact that he believed in climate change. Now we have a federal Labor Government that believes in climate change and wants to see more renewable energy in the national grid.

It is a very good thing that we have the Government in place that we do. I am very pleased to see the Prime Minister and the Energy minister, Chris Bowen, in Tasmania today to announce funding and support for the project.

What would normally happen in a debate anywhere, apart from this Chamber when Mr Barnett is proposing an amendment, is that the person proposing an amendment would explain why, what was wrong with the motion as it was and why their proposed motion is better. This minister is not capable of producing arguments like that. He is only capable of producing the lines that he has rehearsed over and over; sound bites that he likes the sound of. Trying to understand what his argument is, is pointless.

I do not understand from what he said why he cannot support the very good motion from the member for Bass, which does not appear to have anything, I think that would be problematic for the Government, except for the word, 'ongoing' in (3)(b), which says, 'contemporary contracts are used to provide ongoing compensation'. That word 'ongoing' is missing from the amendment that the minister put forward, which makes me wonder whether this Government is unwilling to deal with farmers when it comes to ongoing compensation. Is that why he is not happy with the motion?

I reckon it probably is, but how would you know because this minister is not capable of holding a debate where we actually debate the issues, the wording of the motion. He is all about sound bites and accusations. He blabbered on for so long wanting me to say what Labor thinks about Marinus and then provided me with about three minutes in which to explain our position.

Mr Barnett - Yes, or no?

Mr WINTER - Minister, for your information, I have asked for a briefing from your office and I am looking forward to getting into the detail of what it is that you have negotiated. I understand you knocked back at least four offers on Marinus. Perhaps you will correct the record at some stage. We want to know what you have signed us up to in terms of how much Tasmanians are going to have to pay.

We do not support the amendment that you have put here today because we think it weakens the parliament's commitment to farmers. We think it weakens the commitment to ongoing compensation, which is very important, and it weakens your position when it comes to negotiating with landowners right across Tasmania because people need to understand that

Marinus is mostly an on-land proposal. It is not just the on-water, which is what people mostly think about when it comes to Marinus. The viability of this project will be about your ability and your Government and TasNetworks' ability to properly negotiate with landowners.

Time expired.

Madam DEPUTY CHAIR - The question is that the amendment to the motion be agreed to.

The House divided -

AYES 11

Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Tucker
Mr Wood
Mr Young (Teller)

NOES 11

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

PAIRS

Mr Street

Dr Broad

Madam DEPUTY CHAIR - The result of the division is Ayes 11, Noes 11, therefore, in accordance with standing order 167, I cast my vote with the Ayes.

Amendment agreed to.

Motion as amended agreed to.

MOTION

Proposed Stadium Development - Opposition - Motion Negatived

[5.06 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, today we are debating motion 48, standing in my name. I can indicate that a vote is required.

I move - That the House -

- (1) Understands Tasmanian ambulance response times are the worst in the nation due to under resourcing and unsustainable pressure.

- (2) Notes -
 - (a) every year thousands of Tasmanians are waiting in pain on the elective surgery waitlist for months or years longer than medically recommended; and
 - (b) more than 4400 people are on the Housing Tasmania waitlist, rents are soaring and homelessness is increasing.
- (3) Agrees that while Tasmania deserves its own AFL team, that bid should not be connected to a new stadium.
- (4) Acknowledges Tasmania has two stadiums, Bellerive Oval and York Park, that are fit for purpose and currently, successfully hosting AFL and AFLW games.
- (5) Condemns -
 - (a) the Rockliff Government for choosing to spend more than \$350 million in public funding on an unnecessary mega-stadium, over Tasmanians in need; and
 - (b) the Liberals for minimising the planned Truth and Reconciliation Art Park - which would acknowledge 40 000 years of Tasmanian Aboriginal culture and the atrocities of colonisation.
- (6) Further acknowledges with shame the Liberals' stadium plan also requires massive Federal Government funding.
- (7) Calls on the Labor Opposition to step up, put its money where its mouth is, and lobby the Albanese Government not to fund the Rockliff Liberals' mega-stadium folly.

If people need an ambulance in Tasmania right now, there is significant uncertainty about whether it will arrive in time. We have had a man die after waiting seven hours for an ambulance to reach him and that is just one story that has been made public. This is not on Ambulance Tasmania and those outstanding ambulance officers and paramedics. It is on a government that has under-resourced the health system and has inflicted unchecked COVID-19 on our community. We also have nearly 4500 people on the public housing waiting list, desperate for a home. We know rents are soaring and that homelessness is increasing.

This is the context for our opposition to a proposed \$700 million stadium at Macquarie Point, on the waterfront. We have signed up to a tri-partisan push for Tasmania to join the AFL, for us to have an AFL men's and women's team running out into the league in 2027, as we should. However, we were clear when we signed up to this bid that we do not support the stadium and we do not believe that these projects should be linked.

This island already has enough stadiums. It does not have enough homes but it does have enough stadiums. We have a beautiful stadium at Bellerive, an excellent stadium at York Park -

places where AFL matches have been successfully played for more than a decade, almost 20 years. Those two stadiums could do a very good job, with a bit of upgrading, providing for a Tasmanian AFL and AFLW team.

Despite the assurances of the Premier and his government ministers, we believe that the state Government has rolled over to the AFL. Go back and have a look at the reporting on Fox News from June this year. The AFL CEO, Gill McLachlan, swanned into town, had a tour of Macquarie Point, as we understand it, and made it very clear that the AFL expects this island of a bit over half a million people to pay for a new stadium. It feels very much like the Rockliff Government did not have the backbone to stand up to the AFL. This is a league that is worth hundreds of millions of dollars. It made us offer them more than \$10 million a year to join the league - and then it demanded we spend nearly three quarters of a billion dollars on a stadium about a kilometre over the river, as the crow flies, from Bellerive.

Since this was announced in September, I have had any number of conversations with people in all corners of the state about the stadium. I have had two verbal expressions of tepid support in those conversations and in my emails. Of the many emails I have received about the stadium, there was one criticising the Greens for being opposed to it.

This is not just a question of people in and around nipaluna/Hobart resenting being told by a bunch of blokes in suits that there is going to be a stadium on Macquarie Point. The opposition to this proposal, and the resentment about the way it is being done, is not just in the south. I am certain the bafflement about this Government's priorities is felt all over the island.

We know from the Optus Stadium, for example, that the original price tag was under a billion dollars, and ultimately it came in at \$1.6 billion. We are being told by this Government that the stadium will only cost \$700 million - and the state will only have to contribute \$350 million. This is a magic pudding government. That is a huge sum of money. How many homes could you build for \$350 million? A lot. You could provide security, stability, life opportunity for thousands of Tasmanians if you made a choice to spend that money on social infrastructure, rather than sporting infrastructure.

Sydney has its Opera House, one of the most beautiful buildings in the world. It graces Sydney Harbour and is a point of pride for the people of Sydney and Australia, and a wonderment to people who come to see it from all over the world. We are told we are going to have a dollop of a stadium at Mac Point. I will never believe that what happened to the former CEO of Mac Point, Mary Massina, did not have something to do with this Government's intention to put a stadium at Macquarie Point. I am not defending the way Ms Massina did her job, but the concentrated attack on her, in that short period of time before she had to leave, seemed to me to be a deliberate manoeuvre to get her out so that the newly established stadiums authority, and the former premier's former chief of staff Andrew Finch, could start moving in on Macquarie Point. I think that is what happened.

We are being told that Tasmania will only fork out \$350 million in public funding for this stadium which, as we know, will displace a planned truth and reconciliation park - but we do not buy those bland assurances from Government that it does not affect that plan in real terms. Yes it does. It marginalises it to the outside of a massive stadium a kilometre over the river from one we have already paid for.

If this stadium was to be built, what is the future of Bellerive? I can only see it becoming a massive white elephant. Fantastic, potentially, for the Clarence Cricket Club or some smaller regional AFL matches. All that sunk public money in a stadium, when we already have a stadium with a beautiful location that would do the job, which makes us proud when we watch the cricket in summer and it is being played at Bellerive, when you get those aerial shots.

We brought on this notice of motion because we want to be really sure about Labor's opposition to it. We want to understand whether there is a chance that Labor will save us from this stadium - because Labor could. That is a fact. It is a simple political fact. Ms White could get on the phone to the Prime Minister and say, 'Hey Albo, this stadium is untenable. You have the capacity to deny its funding. As a state opposition we would rather you committed to spending \$350 million building new affordable homes for the Tasmanian people. We would prefer that you topped up our health funding'.

What we have had from Labor is a series of regrettably mixed messages. Earlier this week, in the Greens office we were quite surprised to read Mr Winter's comments in the *Mercury*. It certainly was not strong opposition to the stadium. Mr Winter said:

The Government's own tender documents show that they could be continuing to remediate this site for another five years, putting the Premier's plans to build a stadium here in serious jeopardy. We are concerned about this project's feasibility, and the fact we are concerned that pouring \$700 million into this site at a time when Tasmanians are struggling with the cost of living and a health system that is not working for them.

That is a different message from what we have had from state Labor to date. It is not that much different, though, from questions that were answered by the member for Bass, Ms Finlay, probably about a month ago now, when she was repeatedly asked about Labor's position on the stadium. Ms Finlay said to Seven News journalist Josh Duggan:

Tasmania Labor, always talking to our colleagues and they know the state of play here in Tasmania. They know that it is not the right time to build a stadium in Hobart and they understand the great assets that we already have in northern Tasmania. I will never apologise for standing up for the north and making sure that this Government take their promises to northern Tasmania.

Then the journalist said:

Well, probably for the fourth or fifth time you have repeated that now. Yes or no? Have you said to federal Labor, do not fund this?

Ms Finlay says:

It will be up to federal Labor to determine what they do with any business case that is presented to them. My understanding at the moment is that they have not had anything presented to them. Federal Labor, like any other government, will take a look at whatever work proposals are done and make priorities at the time. Right now, we all know that it is not the right time for a stadium in Hobart. We know that upgraded infrastructure in the north of

the state, in the south of the state, is what Tasmanians expect, and we know that this Government will not be let off the hook for taking great content out of northern Tasmania.

That is a dispiritingly empty statement. Then today, with the Prime Minister in town, local journalists took the opportunity to ask him about the stadium, and we are very glad about that. It is good to have the Prime Minister on record.

This Prime Minister and his ministers will be making a decision, presumably when Tasmania goes to Canberra cap in hand and asks for however many hundreds of millions of dollars it will need to construct this stadium. The Prime Minister's response to journalists' questions was that he has not seen a business case.

This is why it is so easy to be cynical in the community about positions that Labor takes on particular issues. Out of one side of Labor's mouth it is arguing strongly, and rightly so, against another stadium for this island. Then when questioned, or pressed, it is a different answer because it is not a scripted answer that they have worked on and controlled the message over. Mr Winter crab-walked back from strong opposition to the stadium. Ms Finlay confirmed that Labor has not picked up the phone to the Prime Minister. Today the Prime Minister said he had not seen a business case. He did not say anything about whether he is being approached or lobbied by Tasmanian Labor to save us from this stadium.

I understand that Ms White will think we are just being political here. The bottom line is, this is politics. I understand why she will think that. The Greens think people should put their money where their mouth is. We want people to stand by what they say. The Tasmanian people should know whether or not Labor is just posturing over the stadium or whether or not they mean it and will do everything within their considerable capacity to stop this. It is really straightforward.

We do not think Labor should be able to get away with double speak on this stadium. It is too important. It is hundreds of millions of dollars that will come out of the state's coffers. It is a choice that the Government and Opposition, if they do not stop this, would be making to prioritise sporting infrastructure over social infrastructure.

We want Labor to be open with the Tasmanian people about their true position on this stadium. The Premier thinks that ultimately Labor will come around to supporting it. I am wondering if they already do? It is a live question. The Premier's announcement was made on the 18 September that Macquarie Point is named the preferred location for the Hobart arts entertainment and sporting precinct. A month ago Tasmanians were told, 'This is what you are going to get. You were not asked but this is what you are going to get'.

For a month we have had repeated questions from Labor about the Government's priority. Why are they prioritising a stadium over housing? I bet they have not lifted a finger to write to the Prime Minister or picked up the phone to say, 'Do not do this, it is against Tasmania's interests', or to lobby the federal Government for funds to help us upgrade Bellerive and York Park. Increase the capacity of Bellerive, if that is what we need to do.

There is a third way here. There is always a third way, or pretty much always a third way. When you are talking about fascists there is not, but in life when you are dealing with matters of complexity, very rarely is it black and white. The path through here for Labor is to

help to save us from this stadium by using their influence with the Prime Minister to reject any funding application but also to lobby the federal Government for infrastructure funds, capital funds, to help upgrade our two existing and very fine stadiums.

We are an island of around 550 000 to 560 000 people and yet we have stadiums dotted all over the island. Now we are being told we are going to get another one. I do not like playing the gender card, but on this issue it feels like a really gendered policy decision where Gill McLachlan and the blokes from the AFL have swanned into town and all the blokes have gone down there to Macquarie Point, Mary Massina safely turfed, and the blokes have sat around. You have a male Premier, a male Treasurer, a male Minister for Sport and Recreation, Andrew Finch, Gill McLachlan and they have said, 'Have this; that is what you are going to get; we have decided it is what you need. We will not ask you. We are not interested in consulting. We have decided this is what Tasmania needs'. They are telling the people of nipaluna/Hobart, 'Hey, you know that Macquarie Point site we promised would be a genuine arts, culture, commercial, residential precinct, it is not going to be that any more. It is going to have a massive fat stadium on it for sport'.

We have the infrastructure to support an AFL and AFLW team. These are the arguments: the arguments to invest more in health and housing, the argument to upgrade the facilities we have that state Labor could take to federal Labor and the question would be over. If Labor had at any point in the last month lobbied their federal colleagues not to support this stadium, we would not have had the answer we had today from the Prime Minister. The Prime Minister most definitely has left the door open to federal funding towards a new stadium at Macquarie Point.

When we first discussed doing this in our private members' time and we were sitting around in the office, there was a general view that surely Labor would have done this already? They are really opposed to the stadium. We wondered, are we doing the right thing here? They probably, possibly, have already done it. Regrettably, I am more certain than ever that they have not lifted a finger to save us from this stadium.

Dr Woodruff - Dean Winter's comments.

Ms O'CONNOR - That is right. Dean Winter's comments. Worried about the viability and feasibility of it. 'We are concerned about this project's feasibility'. You should just reinforce, if you are serious about your opposition to this stadium, your opposition to this stadium. 'We oppose this stadium'.

State Labor wants to see money going into health and housing and education and community services, though we did not hear that from the shadow finance minister. We heard a qualified statement. This is what Labor gets away with all the time - double speak. In the community right now most people would believe Labor is opposed to this stadium. What they need to know and what they deserve to know is whether Labor has the courage to do something about it. We have an Opposition Leader who, through the questions Labor has asked in this place, has tried to convince Tasmanians they are opposed to this stadium and yet, if you look at the Prime Minister's answer today, that opposition is tepid at best. Unfortunately, I think what has happened here is that Labor has seen a political opportunity to campaign against the stadium, talk up the need to invest more in health and housing, but when the rubber hits the road, when they are given an opportunity to flex their power and stop this, they have made a

decision not to. That tells the Greens that, at some level, Labor is not that uncomfortable with this stadium proposal.

If, for example, Labor wins the next election because they have whipped up a campaign around the stadium; there have been remediation works, contracts signed, tenders. You would not put it past a new Labor government to say: 'Oh, well, sorry. It is all too late. The previous government, how dare they? They have signed contracts. There is nothing we can do about it now.' That would be very Labor. We would like to hear from the Leader of the Opposition whether or not there has been any communication with the Prime Minister's office about funding for this proposal, or whether there will be, because that is the test. The test is your actions, not your words.

[5.32 p.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I thank the member for bringing forward motion number 48. I thought this was aimed at the Labor Party and that was backed up by the comments from the member who just resumed her seat. Clearly, it is aimed at the Labor Opposition.

I am not interested in playing political games around this. Tasmania has deserved to have its own AFL team for decades. We deserve our own team in our own colours, singing our own song so Tasmanians can get behind and believe in their own Tasmanian team.

While Labor and the Greens have been supportive of the Tasmanian bid for the 19th licence, they also need to appreciate and understand that a Tasmanian team, competing in AFL and, Ms O'Connor, AFLW, which is significant in this, deserve a suitable, modern stadium in which to play, as other states have.

I am disappointed that Labor and the Greens think that Tasmania does not deserve that. They do not believe Tasmanians deserve a new stadium even though the economic and social benefits of a sports, entertainment and arts precinct have been clearly explained to them, as in other states, Adelaide and Townsville, for example: the 1400 jobs during construction, the 950 jobs annually; the economic returns of over \$2 billion in economic activity over 25 years; and the precinct will underpin events, conventions, conferences on a scale that has not been seen before. That is why there are people and organisations in Tasmania that can rise above the politics of the day.

I will agree with Ms O'Connor: it is all about politics for Labor, that short-term political gain at the expense of \$2 billion of economic activity over the course of the next 25 years and the 1400 jobs during construction, the \$300 million during construction, the \$85 million once completed, and of course, those many jobs.

The Tourism Industry Council of Tasmania get it, the THA get it, the Property Council of Tasmania understand, the Tasmanian Small Business Council understand, Cricket Tasmania understand, David Boon, Gary Baker, Professor Tim Harcourt, Jack Riewoldt, John X and thousands of Tasmanians are on the record supporting the arts, entertainment, cultural precinct, which includes the stadium.

I am not surprised by the Greens' position. People would understand that. The Greens not supporting development is nothing new in Tasmania. People would not be surprised because this is development.

Ms O'Connor - We do not support bad developments. That is a juvenile insult.

Mr ROCKLIFF - This is development and the Greens do not support development and Tasmanians clearly understand that. They understood that between 2010 and 2014, when development was at a standstill and 10 000 Tasmanians lost their jobs and were in the dole queue.

Ms O'Connor - We built twice as many homes as you have.

Mr ROCKLIFF - To actively go out, though, and lobby against this opportunity is inexcusable, to go out and lobby against Canberra providing Tasmania with infrastructure funding, economic stimulus as a result of infrastructure funding, jobs created as a result of that federal funding, is inexcusable. As the *Mercury* editorial said today:

Why would anyone in their right mind want to lobby the federal government to not provide funding to Tasmania?

They went on to say:

The state needs every drop of federal money it can get its hands on, not for people to lobby against it, especially money for a project that would change the face of the state such as a stadium.

The *Mercury* rightly questions whether the Greens and Labor are, in fact, anti-AFL. They sum up by saying 'Tassie deserves better' and we agree. We do not need economic naysayers in Tasmania. We had economic naysayers between 2010 and 2014 and we saw the consequences of it. We had less economic activity, the dropping of an economic development plan then the state going into recession three months later. Consequences of that were we had less services in health and attempts to close 20 schools. As a result of a constricting economy, we had less services as well. The 2011 budget will be a budget in its infamy that will not be forgotten by Tasmanians for many years to come.

It is increasingly disappointing to me and many other Tasmanians, no doubt, that Labor and the Greens remain in lockstep and still do not understand how the economy works. They have a long history of saying no. We heard it again today on Marinus, for example. Here I was, standing next to the Prime Minister of Australia, talking up the benefits of collaboration, renewable energy future, bringing investment to Tasmania, and we had those opposite, particularly the Labor Party, once again saying no. It has become the default position.

They did not support Homes Tasmania and voted against accelerating 10 000 homes and the jobs that would come from that, the social benefits for Tasmanians who thoroughly deserved to have a roof over their heads. Absolutely they do. Homes Tasmania is legislation, and now law, that will assist that.

They did not support our TasTAFE reforms, despite business and industry calling for it. I have had positive feedback in recent times about those TasTAFE reforms. Yes, difficult reforms. Yes, I know that this stadium precinct is a difficult argument as well, but I believe in it, like I believed in the importance of those TasTAFE reforms when I was minister for education and training, because they were positive. It provided an opportunity to have a flexible vocational education and training system in Tasmania so we can train more people to

get on the tools, to build the infrastructure, to grow the economy so we can fund the essential services that Tasmanians deserve: teachers in their schools, school infrastructure, nurses in the hospitals, police on the beat, and homes for people who thoroughly deserve to have a roof over their heads and be safe. This is why we want a growing economy.

This is a Government that does have reforms and the vision and being bold - whether it be an AFL team, the associated infrastructure, TasTAFE reforms, education reforms, or \$475 million into digital IT to support our health system. These are reforms that people say no to in this place. I am frankly dismayed by those opposite. All these projects strengthen Tasmania's economic position, and as you would well know, strengthening our economic position allows governments to invest more in those essential services.

I will not go on about 2010 and 2014: the dark days when we saw unemployment at 8.6 per cent - 10 400 jobs lost between 2011 and 2013. Youth unemployment reached a high of over 20 per cent, and young Tasmanians left the state in droves. The population went into reverse, business confidence hit rock bottom, more than 4000 apprentice and tradie jobs were lost, new capital expenditure fell 30 per cent, and property prices declined.

It is a different Tasmania now. Between 2014 and 2022, 30 000 jobs have been created. Why? Because of strong budget management, but also the necessary reforms.

I want to be clear about our Government's record on delivering for essential services. The argument over there says you cannot have this infrastructure, the infrastructure associated with an AFL team, because those opposite frankly know that they cannot manage an economy or manage investment in essential services. I say to you we can have both. Good governments can do both. We can invest in the essential services that Tasmanians thoroughly deserve and need, and we can have our 19th AFL licence, and associated sporting infrastructure such as a stadium.

This Government has a strong record on investing in our essential services. That will always continue, because it is our number-one priority and always will be. Record funding of \$11.2 billion over four years in health. On average we invest \$7.25 million every single day in our health system. Health makes up a third of our total operating expenditure; under Labor and the Greens it was around 28 per cent. We have recruited more than 1500 full-time equivalent health staff since 1 July 2020, and I have mentioned our digital health infrastructure plan. We are spending \$196 million on a four-year elective surgery plan, and \$370 million since elected on mental health.

Talking about infrastructure, over the next 10 years we will spend \$1.5 billion on health infrastructure. We have increased teacher numbers by 435 FTEs since 2014. Education investment: \$8.5 billion over four years, with \$250 million in infrastructure investment for new and upgraded schools. I do not have time to say how disgusted I was, as Education minister, visiting schools around Tasmania when the schools were falling down around the student's ears. It has taken eight years to invest in our Riverside High School, Kings Meadows, Tasman District School, Latrobe High School, Devonport High School, Penguin High School, and Parklands High School. All those schools I have mentioned and far more were not of a state for modern contemporary 21st century ways of learning. We have built that back up and I am proud of that.

We have invested \$1.5 billion in housing over 10 years, with 10 000 more social and affordable homes by 2032. We are on track to meet our first target of 1500 homes by June next year. Mr Speaker, I can tell you this: Tasmania has the highest expenditure of all states for housing and homelessness of \$375 per person in the population. The national average is \$222.

We are doing our job here. And why are we doing it? We are doing it because we understand how the economy works: an additional 329 police officers by 2026 - up 31 per cent, and now with its highest ever establishment of 1368 members: upgraded 67 police houses, upgrading new police stations, and new additional funding of more than \$700 million since 2014. If my memory serves me correctly, the Labor-Greens government sacked 108 police officers when they were in office.

Ambulance investment: in 2021-22, Ambulance Tasmania responded to 84 864 incidents, compared to 79 527 the year before - an increase of 6.7 per cent. What are we doing in that increase in demand? We are investing: supporting our ambulance services and our paramedics across Tasmania. In fact, as of June this year, we have employed an additional 270 FTEs in Ambulance Tasmania since we came to government in 2014. That is an increase of 41 per cent, but we have not stopped there. There were an additional 11 paramedics in the last state Budget, who will be stationed at Huonville and Sorell, upgraded two career stations where a fully qualified paramedic crew will be on duty 24 hours a day, seven days a week, responding to that increasing demand, and responding to the community who want to see that investment.

I will talk about elective surgery waiting lists before I allow the member to say a few words. For the first time since 2018, those elective surgery waiting lists are down below 9000. It has been difficult, but two things have been needed for that. You talk to clinicians and health professionals, you get an understanding of what investment they need to bring those waiting lists down, and you provide investment. That is what you do. We have brought those waiting lists down from some 12 200 in January 2021, to some 8900 right now, because of the investments that we are making. That demonstrates the priorities we have when it comes to those essential services. That is a classic example of it.

Mr Speaker, I unfortunately do not have time to continue.

Lastly, considerable work has been undertaken by government to understand and quantify the economic and community benefits that investment in this world-class, multi-purpose-built infrastructure can deliver for Tasmanians. I have mentioned how this Government is delivering for Tasmanians in those essential areas, such as health, education, community safety and housing, to name a few. We can walk and chew gum at the same time. Good governments can do both.

My final comments are from the *Mercury* editorial once again:

Like it or not, the federal Government is about to spend big on sporting infrastructure on the mainland for the Olympics. Have the Tasmanian Greens asked state Labor to lobby Mr Albanese about not spending that money? ... Yet they use the Hobart stadium concept to score cheap political points against the Government and divide the state, while at the same time putting at risk the chances of Tassie getting an AFL franchise.

I believe in the benefits of having our own AFL team. For three decades many people have worked hard to bring this dream to a reality and have our AFL and AFLW as part of a truly national competition. I believe in it.

I will not be supporting this motion. I will be lobbying the federal Labor Government to support Tassie's dream and our ambition, our vision. Our collaboration with the federal Labor Government has unlocked a potential \$7 billion worth of investment through Marinus. We believe in this state. We will not talk this state down. We have a vision. We are bold and we will continue to dream big.

[5.51 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I am collecting my thoughts after that extraordinary blistering attack by the Premier. Far out.

Ms O'Connor - Yes, very shouty.

Ms WHITE - He was shouty. Terrible.

Ms O'Connor - Which is the way you communicate when you are feeling a bit vulnerable.

Ms WHITE - Yes, I think so. I think it is trying to make up for something.

I want to be very clear that the Labor Party does not support a stadium in Hobart. A new \$750 million stadium in Hobart is not the right priority for our state. We were clear about that when we came out with this position in the Budget reply. It has been a position that the Labor Party in Tasmania has had for many months now. That has not changed. We have been very vocal, pointing out the failures of this Government to get the basics right. I cannot understand how the Premier, who is also the Health minister, could decide to put millions of dollars into a stadium that we do not need at a time when our health system is failing. It is in crisis. How can the Premier justify that? It simply does not make sense.

The Government cannot get the basics right. It expects the community to support something that it has never had a question asked of. No one in the community has ever been asked whether they want the stadium. It was just foisted on them in the Premier's address by the former premier, Peter Gutwein. It was a surprise to everyone in the AFL task force; a surprise to everyone in this chamber - certainly not consulted with the leaders of the Greens or the Labor Party who were a part of the tripartite support for an AFL team bid.

It was completely out of the blue, disrespectful and really arrogant on behalf of the Government to assume that the Tasmanian taxpayer would be happy to foot the bill for a stadium when many of them cannot get a roof over their head, and they cannot access essential health care. Our kids are failing to get the education that they deserve in our state. The Government fails to build infrastructure projects that they announce election after election and yet somehow thinks it is going to secure funding to build a stadium that barely anybody wants.

There is no doubt that the AFL must have put a fair bit of pressure on the Premier. The Premier has been too weak to stand up to them. How else can you explain what has happened here? How else can you explain that you would prioritise putting millions of dollars into a sporting stadium that we do not need. We have two perfectly good stadiums; one in the north,

one in the south. Instead, you have rolled over, had your tummy tickled, and written a blank cheque, because heavens knows you have not done the homework on this one.

Documents obtained by RTI demonstrated that the \$750 million figure was written up in a pretty hasty email provided to the Premier before he stood up to give his Premier's Address. There has been no work done since that convinces us otherwise, that there has been any detailed assessment undertaken. The question that we have, and this is a serious one, is whether the stadium is now part of the bid. That was not what we signed up to when we agreed to provide tripartite support. It was never something the task force put forward in the initial bid that went to the AFL regarding Tassie getting its own team.

We support a Tassie team for our state. We support both a women's and a men's team here. We have been very vocal and on the public record on that one. What I cannot understand is why the Government is proceeding with the stadium when there is clear opposition to it from across the community. Has the Government signed us to something and not let us know? Is it part of the bid, Premier? If it is, then that is incredibly deceptive on your behalf. This issue is getting under people's skin. It is getting under your skin. You can tell it is from your shouty response previously, Premier.

Ms O'Connor, I am a bit disappointed in your use of private members' time today bringing this in. It is getting under your skin too, obviously, wanting to attack Labor again. It is a tried and tested method on behalf of the Greens when they have nothing else to contribute. I was interested because normally Ms O'Connor can be quite a convincing orator. She can put forward a strong argument. It was not your best effort today, Ms O'Connor. Grasping at straws, trying to cobble together an argument to try to undermine the position that Labor has taken, which is clear. We do not support a stadium -

Ms O'Connor - Well, get on the phone.

Mr DEPUTY SPEAKER - Order.

Dr Woodruff - That is not what Dean Winter says when he stands in front of a camera.

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Ms WHITE - and when you were sitting around in your office wondering what you might have done in private members' time today you probably should not have done this one, but never mind, here we are.

Ms O'Connor - Tell us what you have done about your opposition.

Mr DEPUTY SPEAKER - Order, Ms O'Connor. You were heard in silence.

Ms WHITE - This is an opportunity for the Greens to have another go at Labor. It is a tired old script. This is a motion that is a stunt from the Greens.

Dr Woodruff - Mr Winter makes conflicting statements to the media.

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Ms WHITE - Sadly, we have come to expect it of them.

Ms O'Connor - Just tell us what you have done and then we can put it to bed.

Mr DEPUTY SPEAKER - Order.

Ms WHITE - I am not going into private conversations that I have had with you or anyone else. They are matters that are for us to have. Our position is very clear: we do not support the stadium. It is not the right priority for the state.

Ms O'Connor - You obviously have not spoken to Mr Albanese.

Mr DEPUTY SPEAKER - Order.

Ms WHITE - Anybody with eyes and ears can tell that our position on this is crystal clear. The Prime Minister is an intelligent man and I know that he would have heard very loudly what has been said here about the stadium in our state.

I want to talk a little bit about the Premier's contribution in the time I have left. He kicked off his contribution by saying that Tasmanians deserve a new stadium. I reckon they also deserve a roof over their head if they are homeless. They deserve surgery when they need it and an education system that helps our young people get the best start in life. Tasmanians deserve a Government that builds infrastructure, particularly the infrastructure that they promised at the last election or the election before that - things like the Launceston General Hospital redevelopment, or the Tamar Bridge, or the underground bus mall, or the northern suburbs rail, or houses for the homeless. These are the things Tasmanians deserve. These are the things they expect their elected government to deliver, because these are the promises that were made to them over the last couple of elections. Instead, the Government is more focused on a \$750 million stadium in Hobart.

I do not know why the Government has not delivered those infrastructure promises that it made election after election.

Ms O'Connor - I do not know why you have not picked up the phone to the Prime Minister.

Mr DEPUTY SPEAKER - Order, Ms O'Connor.

Ms WHITE - Maybe, it is because it is anti-development. Is the Government anti-development? It must be if it is not progressing these infrastructure projects that it has promised or maybe it is just incompetent. Maybe it is both. Either way, there is no doubt it has its priorities wrong. It has its priorities wrong because Tasmanians are telling us. I would like to quote from an editorial, given the Premier enjoyed doing that. I will quote from the editorial that was in both the *Advocate* and the *Examiner* today:

Stadium case rests on dodgy foundations;

Brilliantly stupid is an apt description of Elise Archer's contribution to debates surrounding the Hobart stadium proposal.

With the Government under fire in parliament over its contentious plan to build a \$750 million sports ground, the front bencher waded in with a revealing interjection. 'I could have sworn Hobart was the capital city,' Ms Archer - a former Hobart city alderman - was heard to say on Tuesday.

In a few short words, Ms Archer brilliantly highlighted the worst of the parochialism evident in Tasmania, the entitlement mentality that is so petty, so shallow.

It goes on to say:

What was really stupid about Ms Archer's utterance, however, was that she chose to make it at a time when the Government is desperately trying to convince us that the stadium will be of benefit to all Tasmanians.

Time expired.

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

The House divided -

AYES 3

Ms Johnston
Ms O'Connor (Teller)
Dr Woodruff

NOES 19

Mrs Alexander
Ms Archer
Mr Barnett
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Rockliff
Mr Shelton
Ms White
Mr Winter
Mr Wood (Teller)
Mr Young

Motion negatived.

ADJOURNMENT

Federal Measures for Women

[6.07 p.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, I will spend a few moments commending my federal colleagues on some work that they have undertaken recently, particular the National Plan to End Violence Against Women and Children, which is a genuine plan to eradicate this within a generation. It is a clear blueprint for the next 10 years. It is done with the support of all state jurisdictions. The plan itself does not necessarily have the funding that the states might need but it does set some clear targets that have to be met, and I look forward to doing that.

It includes advancing gender equality and addressing other forms of discrimination that create the social context in which violence against women and children occurs; the critical role of changing attitudes to stop violence from happening before it starts through national prevention efforts; embedding effective early intervention approaches across the whole of society; building the frontline sector workforce; ensuring women and children can access support no matter where they live; making sure tailored and culturally safe support is available and accessible to all women and children experiencing violence; and the need for person-centred services and better coordination and integration across systems.

We can have this plan but it requires action in a number of portfolio areas. Our federal colleagues have already started doing some of that work. They have already passed access to 10 days of family and domestic violence leave, which will give workers, overwhelmingly women, the means to escape violent situations without risking their jobs or financial security. Importantly, it applies to casual workers because casual workers are not spared family and domestic violence. In fact, the evidence shows us that women who are experiencing family and domestic violence are more likely to be employed in casual or insecure work. Insecure work is a scourge in our nation. It ensures that people do not have the rights and the safety to step up and say 'things need to change'. The fact that this has been added into the legislation is a great outcome for women workers across the country.

This is being built on because next week in the federal parliament, the federal government will deliver on some other actions and commitments they have made. They will be moving the Secure Jobs Better Pay Bill, which is the first tranche of the Government's workplace relations reform, designed to modernise Australia's workplace relations system. A key objective of that bill will be to close the gender pay gap because we know that being financially less well-off increases the risk for women. Women should not be paid less than men, it is simple. That is why gender pay equity is the centre of workplace reform requirements. This is a deliberate decision to support workers in female-dominated professions who have been underpaid and undervalued for too long. That focus on industries that predominantly employ women has to be resolved, otherwise the only other strategy for women who want to get paid more is to move into male-dominated workplaces. Frankly, we have to pay people a decent wage for caring roles.

The bill bans pay secrecy clauses so the companies cannot prohibit staff from talking about their pay if they want to. That has long been used to conceal gender pay discrepancies. That will improve transparency and reduce the risk of gender pay discrimination. It will also empower women to be able to ask their employers for pay rises because they know what the others are being paid.

It will make gender equity a central objective of the Fair Work Act, including the modern awards system, putting the issue at the heart of pay decisions made by the Fair Work Commission. It will establish two new Fair Work Commission expert panels - one on pay equity and one on the care and community sector. One of the main causes of the gender pay gap is low pay and conditions in female-dominated care sector employment. Care work is undervalued, underpaid and increasingly insecure. This is making it harder to attract the new care workers Australia needs.

It will also make it easier for the Fair Work Commission to order pay increases for workers in low-paid, female-dominated industries by putting in place a statutory equal remuneration principle. One of these already exists in Queensland. It does make a difference, because under the current federal system, the remuneration orders are costly, time-consuming, adversarial, and ineffectual. Since 1994, there has only been one successful equal pay order from 21 different applications.

The new principle will clarify that gender-based assumptions must not be taken into account in assessing work value. These are really important, added to the 10 days of family and domestic violence paid leave where the Federal Government is making significant steps. I look forward to the State Government doing the roles that it has signed up to do as part of the national plan. Before I finish, I note that tomorrow afternoon, I will be doing my second stint of volunteering at the Special Olympics, and I believe I may be joining the former Premier, who has been volunteering this week at the athletics in Launceston.

We have 19 athletes in Tasmania's team, we are already winning some fantastic medals, we have some wonderful athletes performing, but mainly, Launceston is producing a wonderful home for the Australian Special Olympics. It is the home of Special Olympics in Australia. The work was done by local people to develop the Special Olympics. There are phenomenal athletes doing amazing things. I look forward to coming back next week to tell you about the success of our Tasmanian athletes, and about all of these amazing athletes and the tremendous number of volunteers who are putting their time into making sure that the games take place. It is a real show of community spirit and I am so very, very proud of Launceston.

Two Feet & A Heartbeat Walk - Ulverstone

[6.11 p.m.]

Mr ELLIS (Braddon - Minister for Police, Fire and Emergency Management) - Mr Speaker, last Sunday, I attended the annual north-west Two Feet & A Heartbeat Walk in Ulverstone. The Two Feet & A Heartbeat walk is the major national fundraising and awareness campaign for HeartKids, a great organisation that provides life-long support for kids with congenital or acquired heart disease and their families.

Additionally, HeartKids funds life-saving research and has, to date, committed \$3.5 million to fund research into the causes, treatment, and management of childhood heart disease. Sunday's event was a great chance for many families affected by childhood heart disease in the north-west, as well as the north, to celebrate the remarkable journey that these kids have been through and of course to remember the lives that we have sadly lost.

The walk commenced with a moving memorial service to honour our Heart Angels, children or young people who passed away from heart disease or associated conditions. Of

these, congenital heart disease is one of the leading causes of death for babies under one and one of the most common birth abnormalities, affecting one in every hundred births. Everyday, eight babies are born with a congenital heart disease in Australia and sadly, four lives are lost each week.

There is no known cure, and life-long treatment is required. This year's local Heart Kids ambassador was 17-year old Brodie Whelan from Devonport. At 14, Brodie was diagnosed with cardiomyopathy, a heart disease that makes it harder for the heart to pump blood to the rest of the body. Cardiomyopathy can lead to heart failure, but thankfully, Brodie has received a heart transplant and is looking fit and well. Kids like Brodie must travel to the Royal Children's Hospital in Melbourne for treatment and follow-up.

This regular, life-long travel can place significant emotional and financial stress on their families, with children needing to stay interstate for months at a time. For Brodie, whose treatment occurred during COVID-19, this meant months away from his family, his friends, and that affected him greatly. HeartKids supported the Whelan family during this difficult time and continues to play an important role in supporting Brodie. As Brodie's mum, Annie, said, 'HeartKids is always there for support and have provided so many extra fun and exciting opportunities for families and siblings'.

Last month, Brodie was given the opportunity to attend a HeartKids teen camp in Sydney. These camps bring together young people, aged between 13 and 17-years, with a heart condition. There, they can connect with others experiencing a similar journey, share stories, and develop new friendships.

The camps also encourage young people to increase their level of independence, build their healthcare skills, and develop self-confidence. It really can be life-changing. I commend the work of the north-west branch coordinator, Claire Gluyas, for organising this wonderful event, and the Apex Club of Ulverstone for their assistance with the sausage sizzle lunch, which is mandatory at these walks. I want to say to all the kids and all the families out there how wonderful it was to be with you the other day and share a little bit of your journey. You can tell how valuable this organisation is because it is such a difficult road to travel; but to be able to do it with other people is extraordinarily beneficial as well. There are some amazing little people there and amazing young people; some big scars and having a few zippers down the front.

We are blessed to have them with us, blessed with the level of care and technology which is enabling these kids to get up and do the walk and soak in the day with family and friends. Thank you to HeartKids for all the wonderful work that you do, and I look forward to doing it next year.

Sentinel Tactical Watercraft

[6.16 p.m.]

Ms OGILVIE (Clark - Minister for Advanced Manufacturing and Defence Industries) - Mr Speaker, I thank Mr Ellis for that very important and touching contribution. You might be aware that we have been touched in our family by the death of a child, and it is a very hard and serious thing. I do appreciate your comments there.

Tasmania's latest high-tech contribution to the world's sea defences has officially taken to the water with the launch of PFG's latest Sentinel tactical watercraft. It was my great pleasure to christen the Sentinel 1100, the latest in PFG's family of high performance defence security and emergency sea boats. The Sentinels are fast, incredibly durable and highly maneuverable sea boats which are already taking the maritime world by storm.

Coupled with advanced fit out and operating systems, this is a vessel specifically designed to meet the operational needs of our defence and security personnel. The Tasmanian Liberal Government assisted PFG to develop the latest generation Sentinel with a \$600 000 interest free loan to design and build the 11-metre vessel. Having built more than 100 vessels for the maritime security and aquaculture sectors, PFG is already making waves within military and civil defence circles. The company has already secured a \$6 million contract with the New Zealand Defence Force and is in the running for a second contract in 2023.

With the Royal Australian Navy looking to replace their 170-strong sea boat fleet over the next two decades, the new Sentinel 1100 will ensure that PFG is the front-runner to secure the contract, which would generate a significant number of new jobs for the state - high tech, smart industry - connected jobs for Tasmania. Tasmania has strong ship building credentials, having constructed ships and watercraft for decades for defence and security sectors, the off-shore sector, the aquaculture industry and operators of ferry and Antarctic and Southern Ocean vessels.

Tasmanian ship builders can build tactical watercraft, specialist landing craft and other vessels up to 50 metres at several boat and shipyards in southern Tasmania, which is good. They are well-positioned to respond to the Australian Defence Force future requirements.

Spinal Muscular Atrophy

[6.18 p.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, I rise to talk about a genetic disorder called spinal muscular atrophy. Spinal muscular atrophy, or SMA, affects the nerves in the spinal cord which in turn can cause muscle weakness and loss of movement. Tragically, SMA is the most common genetic cause of death in children under the age of two. One in 10 000 children are affected by spinal muscular atrophy, which means it is expected that about 10 babies will be born in Tasmania with SMA over the next decade.

There are therapies and medications available on the pharmaceutical benefit scheme that can significantly reduce the risk of disability and death for many of those born with SMA. However, early detection of SMA and prompt treatment is absolutely critical for this treatment to prove effective. In late 2020, almost two years ago, the Health Chief Executives Forum urged all states and territories across the country to adopt SMA testing as part of their new born blood spot screening programs. Currently, Tasmania is the only jurisdiction in the country that has not yet committed to introducing SMA testing as a part of the newborn bloodspot screening program, despite the recommendation. SMA testing is already happening in the ACT, New South Wales, and Western Australia. Queensland has publicly committed to introducing it pending the procurement of testing equipment. Victoria and South Australia have been liaising with the SMA community and it is understood they are actively working towards introducing it.

In late 2021, representatives from Spinal Muscular Atrophy Tasmania met with the health minister at the time and now our Premier Rockliff, to discuss the issue but I am told that no action has been taken since then.

The Government has spoken much about following the health advice over the last few years and it is time they heed the advice of the health chief executive's forum and commit to introducing SMA screening in Tasmania. Early detection of SMA in newborns can and will save lives. It can make an immeasurable improvement to a child's life, but it must first be detected. I believe that a child who is born and raised in Tasmania should have the same standard of care and the same precautionary genetic tests as a child who is born and raised in any other state of Australia. It is sadly not always the case. It is now time for the Government to commit to including SMA testing within the existing newborn bloodspot screening program. The Premier and the health minister knows it needs to happen and it can work out how to implement it by looking to any other state or territory. There really is no excuse and I am hoping that the Government is indeed already working towards this and I have personally written to the Premier.

I thank Julie and Seona from SMA Australia and Monica from the Genetic Support Network of Victoria for reaching out to me and bringing this important cause to my attention and for their continued advocacy and passion on the subject. I encourage anyone seeking more information about SMA to visit the Spinal Muscular Atrophy Australia website at smaaustralia.org.au

Tasmanian Seafarers Memorial - Triabunna

[6.22 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I rise on the adjournment to talk about the Tasmanian Seafarers Memorial in Triabunna. On Sunday, 16 October I was honoured to attend and lay a wreath at the Tasmanian Seafarers Annual Memorial Service. It is a very special occasion with many of those attending having lost loved ones at sea. The ceremony paid tribute to Bruce Haigh, who died last year in a boating incident. Mrs Christine Haigh laid a wreath on behalf of the Haigh family. Mrs Haigh travelled from Fremantle where she has resettled since Bruce's passing. The service also included a blessing of the fleet. It was the 25th year of memorial services; however, last year the service was cancelled at the last moment due to the snap COVID-19 lockdown.

The Tasmanian Seafarers Memorial at Triabunna is unique in that it is a memorial to all Tasmanian seafarers who have lost their lives at sea, including Tasmanian members of the armed services and those seafarers who, regardless of occupation or nationality, lost their lives in Tasmanian waters. It also enables the commemoration of the lives of Tasmanian naval personnel lost during peacetime services, as well as times of conflict.

Tasmania's maritime history has been an eventful one, which has tragically left many families touched in some by the relentless power of the sea. The unpredictable seas around Tasmania's coastlines have claimed vessels from the days of sail, to modern craft of today. They have claimed the lives of whalers and sealers, convicts and free settlers, traders and fishermen, sailors, seamen and yachtsmen of all ages and all nations.

The memorial in Triabunna provides a location to place plaques in tribute of loved ones lost at sea. It provides a place to focus grief for lost seafarers whose bodies were never found, or whose remains were buried at sea. It increases water safety awareness and it has become a source of Tasmanian maritime history. Separate from the seafarer's memorial but located in the same area is the Spring Bay Professional Fishermen's Memorial for local fishermen who have died but not necessarily at sea.

The Tasmanian Seafarers Memorial records the loss of more than 1500 souls and on the Spring Bay Professional Fishermen's Memorial there are 13 remembrance plaques. The Tasmanian Seafarers Memorial was developed with the assistance of local, state and federal governments and many supportive individuals, clubs and businesses. The proposal was originally discussed in 1996 and following construction was dedicated on Sunday, 26 October 1997. The memorial carries plaques in memory of Tasmanian seafarers who have lost their lives at sea and those seafarers, regardless of their nationality or profession, who have lost their lives in Tasmanian waters.

In 1999, the Spring Bay Professional Fishermen's Memorial was added to the memorial complex. The Tasmanian Merchant Navy Memorial and flagstaff were constructed in 2001.

We acknowledge the following organisations, without whose assistance the memorial would not have been possible: the Australian federal government; the Tasmanian state government through the Communities Tasmania grants program; Australian Seafood Export Pty Ltd; Rotary Club of Spring Bay; Lions Club of Spring Bay; Glamorgan Spring Bay Council; and the caring Tasmanian community.

I extend our congratulations to Mrs Kathy Ferguson OAM, for once again organising this year's memorial service, and providing additional information and tireless historical research over the last 25 years. She really is inspiring.

The MC for the event was Councillor Cheryl Arnol from Glamorgan Spring Bay Council. She did an amazing job. Also Sue O'Rourke, the lay preacher who provided such a beautiful service.

Also, Mrs Toni Parker from fisherman's families, Mr John Hall from Spring Bay Boat Club, Mr Mick Desmond from the Lions Club of Spring Bay, and Mr Graeme and Sylvia Elphinstone of the Orford Chamber of Commerce and Rotary Club of Spring Bay. And also, to Mr Alistair Douglas AM, and his wife Jenny.

Thank you all very much.

Special Olympics Australia National Games in Launceston

[6.26 p.m.]

Mr WOOD (Bass) - Mr Deputy Speaker, I would like to speak this evening about a very exciting event happening in my home town of Launceston at the moment, the Special Olympics Australia National Games.

Special Olympics Australia is part of a global inclusion movement using sport, health, education and leadership programs every day around the world to end discrimination against

and empower people with intellectual disabilities. Volunteers all around Australia have created accessible sports training, coaching and competition opportunities, which are offered week in and week out in local communities.

One of their main goals is to ensure that people with intellectual disabilities get to have special moments - moments that give them joy and confidence, magical moments that will stay for a lifetime. They want to give all people with an intellectual disability the opportunity to play sport their way, on their terms, to set their own goals and dreams, and to reach them and to exceed them, to share these moments with the ones they love.

Through the power of sports, people with intellectual disabilities discover new strengths and abilities, skills and success. Our athletes find joy, confidence and fulfilment on the playing field and in life.

It is a universally known principle that there are also incredible physical advantages to sport. It boosts your mood, reduces depression and anxiety, can improve your concentration and focus, assists with quality sleep, boosts self-confidence, improves social skills, promotes leadership skills, and can help reduce the risk of heart disease and diabetes. It also keeps your mind and body strong. There is an enormous range of benefits from physical fitness: demonstrations of courage, experiences of joy, improvements in wellbeing, and participating in and sharing of gifts, skills and friendship, and the community.

I am sure there are many more benefits to those involved than the ones that I have briefly mentioned.

I would like to share a little story about one of the incredible athletes who is competing in my electorate of Bass at the moment, representing Queensland.

The number-one singles tennis player in the world with Down syndrome, Tim Gould, has proven to be an outstanding champion on and off the tennis court. Tennis Australia ranked him the #1 tennis player in division PWII2 - person with intellectual impairment, division 2 - in Australia, and indeed the world. Tim said,

I like tennis, because I like playing with friends. It keeps me fit and healthy.

Separately, Tim Gould is also a Special Olympics Australian athlete. At eight years old, Tim's mother, Jennifer Gould, enrolled him into the Special Olympics because she could not find a mainstream sports club that would allow her son with an intellectual disability to play. During this time, there were no Special Olympics tennis programs close to where they lived. Tim found enjoyment playing soccer, basketball and swimming, at which he excelled. His best swimming achievement was at the 2019 Abu Dhabi World games, where he won a gold medal in the 100-metre freestyle relay. Tim has now decided to retire from swimming competitively to focus on his tennis.

Tim holds a full-time job on the grounds as maintenance crew while training for tennis five or six days a week. Every night, he gets his clothes organised for the following day. 'He just does it, I do not prompt him or ask him,' says his mother, Jennifer, about Tim's motivation.

On Monday, Tim takes a break from tennis and he swims. On Tuesday, Tim trains with his private coach, Ross Bushell, who has been training with him for almost six years. He plays

tennis and does group training on Wednesday nights. On Thursday evenings he does more swimming. On Friday morning, he is back practising his tennis. Tim really has a lot on his plate. Tim shows great sportsmanship. Whether he wins or loses, he is very gracious and congratulates his opponents. Tim has won numerous medals, including the men's singles in Brisbane tennis. Special Olympics has provided him a great platform and has given him purpose and opportunities that he never would have had before. He has been able to show his ability in sport and has been given the ability to travel.

The Special Olympics strives to create a better world by fostering the acceptance and inclusion of all people. I believe it is doing that incredibly well. Everyone deserves support and the chance to enjoy life, especially people with an intellectual disability who face daily challenges. I encourage those listening that there are plenty of opportunities to help out by donations of time or money. That information is easily accessible on their website at specialolympics.com.au. Together, we can open the door to personal achievement, pride and inclusion for some of the marginalised and isolated members of our community. We can be part of helping to inspire the next generation of champions.

In closing, I would like to extend a warm welcome to Launceston to all the athletes, organisers and volunteers who are visiting for this very special occasion. We are all so very proud to have you here. We wish you all the very best for the competition. I would like to finish by saying, go team Tassie.

Wings Wildlife Park - Effects of Flooding

[6.33 p.m]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Deputy Speaker, the flood events of the recent week have been incredibly difficult for many of our communities across our state, particularly, in the north and north west and the communities of Poatina, Latrobe, Railton, Deloraine, Launceston, Burnie and the Central Coast. I am sure many others have been impacted also. It is a devastating time for these communities, particularly Railton and Deloraine, where there has been large scale inundation, homes lost, community facilities lost and damaged, crops destroyed, livestock lost and infrastructure destroyed.

I also want to make mention of Wings Wildlife Park in my electorate at Gunns Plains, a very important tourism business in our community and which has once again been destroyed by this flood event. We are thinking of them. I will be visiting them later in the week to understand more how we may be able to assist them. I encourage our community to get behind them in their time of need.

I express my thanks to our Emergency Service workers, the SES, ambulance officers, firefighters, and surf life saving volunteers, for their tireless work over the last week and ongoing as we react and commence our community's recovery from yet another adverse weather event. I also thank local government, across the state, for their response and work protecting their communities and supporting their communities at such a devastating time and now as we navigate our recovery. Local government will continue to play an important role in this recovery. In my experience, regional recovery committees stood up by government in the past have been an effective way of working through the recovery in local communities. Local input will be important in the days, weeks and months to come, as will improved communication between government departments and local government.

I commend everybody involved in the response. There is no doubt Tasmania was much better informed and, thus, prepared this time. Nonetheless, some communities have been seriously impacted.

If any of my constituents have concerns or queries about the flood recovery, I encourage them to contact my office and I would be very pleased to assist you and provide further information, or point you in the right direction to find that information.

My thoughts are with our fellow Australians who have been terribly affected by devastating floods in a number of mainland states.

I will finish my contribution by acknowledging that Prime Minister Anthony Albanese was here in Tasmania today, hearing first-hand on the ground from our flood-affected communities. I thank him for that and want to say how great it was to have him here, working with and listening to our local communities.

Energy Minister's Media Release

[6.36 p.m.]

Ms FINLAY (Bass) - Mr Deputy Speaker, I rise tonight on adjournment to make another contribution for the day around this Government and the way they treat people with disrespect, the way they say all sorts of things that they are going to do for the community, or imply that they will do for the community, and the way that they say they stand up for and back in people of our community.

On a day that is so important for Tasmanians, on a day that in our private members' time I raised, on behalf of Tasmanian farmers, serious issues that are causing them great distress in terms of the impact of transmission lines on Tasmanian farms, tonight at 5.59 p.m., right before the bell of adjournment, the minister for Energy put out a press release having a go at Tasmanian Labor.

I want that minister to either come into this Chamber and stand up and face me when he puts out a media release or, at least, be honest about what happened in this place today. Be honest with the people of Tasmania and with Tasmanian farmers about what happens in this place.

I choose, and many of our colleagues choose, to leave our families behind to come to this place, to spend our lives committed to working hard for good, to be positive in this place and to put up with people being so - I have not quite learnt the words you are allowed to use in this place yet. I know the words you are not allowed to use but today I am furious. It has not been a week since the Tasmanian Labor Party and I were misrepresented in this place and it has happened again today.

Mr Barnett, do not ever misrepresent me, do not do it again, because today you have put out a press release saying that we have voted against the interests of farmers, that we have voted against the interests of our farmers being in a position where they can be supported to get ongoing and contemporary compensation under contracts for the transmission lines that impact their productive land.

I spent 40 minutes this afternoon repeating clearly the work we have been doing with Tasmanian farmers. I have spent time in this place this afternoon, having spent months working with, meeting with and meeting on farmers' lands.

Mr DEPUTY SPEAKER - Ms Finlay, I need to alert you that you are not allowed to reflect on -

Ms FINLAY - I am reflecting on a media release that was put out this afternoon at 5.59 p.m. by Mr Barnett saying something that is not true about me in this place. I am responding to a personal reflection in a media release that was put out at 5.59 p.m. today that said we voted against the interests of farmers. That is not true. Mr Barnett cannot continue to misrepresent the facts in this place in media releases.

The facts are that Tasmanian Labor supports Tasmanian farmers. The facts are that Tasmanian Labor supports Tasmanian farmers who are attempting to be treated respectfully, who attempted to trust this Government because they have been told repeatedly, and were told again today in a very light-hearted manner, that they would be supported in their attempts to be compensated in a fair way. In a media release this afternoon, which I am reflecting on in this place, Mr Barnett attempted to say we voted against that. What we did was we put a motion towards this parliament this afternoon. You cannot say to the Tasmanian people in your media release, Mr Barnett, that we do not support Tasmanian farmers. Tasmanian Labor and I, as the shadow for Primary Industries and Water, stand strongly with Tasmanian farmers.

If there is anybody who reads what has been put out by Mr Barnett and questions that, or questions our support, I ask them to come and speak to me. The farmers we are talking to, the farmers we know who are being disrespected and feel like they are, to quote a farmer, 'second-class citizens' in the contributions that they are trying to put up on behalf of themselves, their families, their children and future generations, they are feeling disrespected. What you have just done this afternoon is make it feel worse for them. They are already anxious and stressed. When you continue to put out in the public realm information like this, which is just untrue, it is appalling.

Tasmanian Labor were proactive and today we stood up for Tasmanian farmers, we backed their need to have ongoing, contemporary contracts for compensation around transmission lines and I will not have anybody, Tasmanian Labor will not have anybody, intentionally misrepresent us in this place.

Salmon Farming

[6.41 p.m.]

Mr WINTER (Franklin) - Mr Deputy Speaker, I rise to talk about the aquaculture industry this evening, in particular, of a recent visit down with the team at TasNets, launching out of Dover and then down through a number of leases through the southern Huon river, off Bruny Island, down pretty far south, and it was incredible.

We talk a lot about aquaculture in this place and we hear a lot about aquaculture so I wanted to see what it was like to be out with a crew, watching the divers do their work, watching the guys work with really innovative machinery, with technology that makes their job safer, makes them more productive and makes our waterways healthier.

The team I met was a group of five divers. Their job is to ensure that the nets are clean, that the environment is safe, to get the boats in and out, to ensure that the stock is properly fed, for want of a better word. What they do out on the water is really important work for food production out of Tasmania and for our Tasmanian economy.

It is hard to argue that aquaculture has not been the most successful, thriving industry in Tasmania over the last 30 years. Certainly, it is the area of the Tasmanian economy that has grown the most. A lot of that has happened on the west coast but also in the Huon and Channel area that I represent in Franklin.

We have leases that have been there for long periods of time. We have relatively new leases out of Storm Bay that continue to be well managed by the aquaculture industry, in particular in those areas by Tassal and Huon Aquaculture. They are also well managed by our scientists at places like IMAS and the EPA, who do an outstanding job working with the facts, working with science and reporting on the health of the aquaculture industry and the way that it has continued to operate.

The great thing about this industry is that it continues to innovate, continues to get better. The aquaculture industry now is very different from what it was 10 years ago, 20 years ago, particularly the use of technology, as I said. That is leading to better environmental outcomes, it is leading to safer workplaces for workers, because working out in those conditions a lot of the time is very dangerous work. It is important that we continue to innovate to ensure that we are competitive in a global market where there is heavy competition.

I was disappointed yesterday when a fellow member for Franklin, Dr Woodruff, stood up and made a contribution that attacked workers and an industry in our electorate of Franklin. She said things like 'turning waterways into sewers'. You cannot say that in a vacuum as though it does not reflect on the workers who work in that industry. The comments about locals being sick of seeing dead or maimed seals by the side of the river - it does not reflect any conversations I have had while representing, in the longer term, the Channel area and in the more recent term, the Huon.

I do not know why the member has to be so hyperbolic when it comes to this. If there is a bunch of facts she wants to reflect upon, she should reflect on the facts, not use the sort of language we heard yesterday. Yesterday she talked about Huon opening a 'zombie finfish lease' at Norfolk Bay. She said: 'They had pens of infected salmon that they needed to park somewhere so their fish did not infect the rest of their asset.'

When I looked into that claim about Norfolk Bay, I discovered that Huon Aquaculture moved adult fish from Storm Bay to the site to await harvest because there had been indications POMV was present across Storm Bay in the wild fish population. These fish were nearing harvest size and would normally have been transferred to the Hideaway Bay site in the Huon River to await harvest. The issue was that multiple leases of juvenile fish were in the Huon River and juvenile fish often do not have a strong immune system.

This is actually about the health of the fish. It is about ensuring that there is proper process to ensure the health of the fish. Dr Woodruff said that Huon had not learned anything and had just announced via a Facebook page that it will be setting up 12 hectares of industrial farming just on the other side of Garden Island sands near Randall's Bay. Again, I thought I would investigate.

Huon Aquaculture is not setting up 12 hectares of industrial farming. An active operational marine lease has been in place there since 1983, complete with an approved marine farm licence and improved environmental licence. What Huon has been doing is proactively communicating with local residents. I support that. I think it is important that it proactively communicates with residents that it may need to use the site, an existing approved site, over the summer if there is a need for fish health reasons. That could be to do with stocking density, with water temperature or whatever it is. Huon is saying it may need to use an existing lease.

It is not creating a massive industrial fish zone without consultation. It is telling the community that it might need to use an existing lease. The hyperbole from the member. When I find that these things are completely untrue, it makes me wonder whether anything the member says is true. The commentary around this is incredibly disappointing.

Calling these leases 'zombie leases', but in the same sentence saying they have been brought back to life and then saying that they had no intention of doing so at all. One would have thought with climate change that dealing with the warm water issue is front and foremost of the company's planning. It is. That is the whole point. It is planning ahead and communicating with the community that it might need to use an existing lease to transfer some fish.

Time expired.

The House adjourned at 6.48 p.m.