



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Wednesday 23 November 2022

REVISED EDITION

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

QUESTIONS

Premier - Refusal to Correct Misleading Statement to Parliament

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.02 a.m.]

Yesterday, you were caught out misleading the parliament about your Government's dodgy grants scheme. Instead of correcting the record you doubled down and, in the process, it appears you misled the parliament again. You said, and I quote:

The fact is that the funding of some commitments prior to 30 June 2021 was transparent in the budget papers for the 2020-21 financial year on page 42.

There is no line item for the fund in the 2020-21 Budget and nothing on page 42 of either budget paper. In fact, the fund did not even exist at the time of the 2020-21 Budget. Given the mounting number of blatantly false statements you are making, can you not see why Tasmanians think you are involved in a cover-up of dodgy Liberal Party grants?

ANSWER

Mr Speaker, I thank the member for her question. For the Opposition, on this last week of parliament, to come in with this muckraking is outrageous. Tasmanians expect us as a parliament to be talking about the things that matter to Tasmanians - housing, health and education. I will tell you that right now that I will put my integrity above yours any day of the week. You come into this parliament with mistruths time and time again - especially you, Mr Winter - and quite frankly it is disgraceful.

Mr Winter interjecting.

Mr SPEAKER - Order, member for Franklin, please.

Mr ROCKLIFF - It is disgusting that you use this place to deliberately discredit members and it needs to stop. Tasmanians quite rightly deserve an opposition that is focused on the areas that people are concerned about: teachers in our schools, child safety officers, and the cost of living when it comes to energy prices. I will put my integrity above those opposite any day of the week.

The fact is, we took election commitments to the 2021 election. We won that election and we have delivered on our commitments. That is what Tasmanians care about.

Ms White - But you misled the House - twice.

Mr SPEAKER - Leader of the Opposition, order.

Mr ROCKLIFF - They care about a government that is responsive to their needs and understands the cost-of-living pressures particularly when it comes to rising energy costs, which we are responding to. They care about waiting lists, and they want governments and oppositions to work together to try to solve these challenges, as we are doing.

Ms WHITE - Point of order, Mr Speaker, going to standing order 45, relevance. It was a very serious accusation that I made that the Premier misled the parliament yesterday. He has gone nowhere near addressing it.

Mr SPEAKER - You may take your seat. I will take the point of relevance. The Standing Orders say that we have to be relevant. There was a judgment in there about the Premier's credibility. I will allow the Premier to answer the question. Remain relevant to the question, please, Premier.

Mr ROCKLIFF - Thank you, Mr Speaker.

Dr Broad - What about page 42? What were you referring to?

Mr SPEAKER - Member for Braddon and the Opposition, I am not going to put up with constant interjecting. Yesterday there was a comment about sticking to the Standing Orders. The Standing Orders say that the member should be heard in silence.

Mr ROCKLIFF - Thank you, Mr Speaker. Tasmanians deserve more than the Opposition coming in day in and day out, throwing around mud and trying to discredit me. I am very proud of every single minister of my Government. They work day in and day out to deliver for Tasmanians. We do not always get it right but we work hard day in and day out across a range of areas to ensure that we are continuing to govern for Tasmanians, maintaining the growth in our economy, creating jobs and delivering on the essential services that Tasmanians thoroughly and rightly deserve.

Local Communities Facilities Fund

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.07 a.m.]

You misled the parliament again yesterday and again you failed to correct the record at the earliest opportunity. The number of false statements you have made about these dodgy Liberal Party grants is growing by the day. You admitted that \$2.5 million of public money was shovelled out through the Treasurer's Reserve for your dodgy grants scheme, then yesterday you referred to the Treasurer's comments from last year where he claimed it was \$4.7 million. However, a search of the *Hansard* revealed that Jane Howlett, the former minister for sport at the time this dodgy scheme was operating, claimed just \$1.3 million was spent by 30 June 2021. Premier, which is it? How much public money has the Liberal Party secretly handed out?

ANSWER

Mr Speaker, it is no secret. We went to an election promising commitments and delivering on our commitments. The commitments were tabled in this parliament, so there is

no secrecy. We are open and transparent with what we committed to in the 2021 election and Tasmanians quite rightly would expect a government to deliver on those commitments and that is exactly we are doing.

COVID-19 - Removal of Mandated Isolation Period

Dr WOODRUFF question to MINISTER for HEALTH, Mr ROCKLIFF

[10.08 a.m.]

Your advocacy at National Cabinet with New South Wales Premier, Mr Perrottet, successfully removed any mandated COVID-19 isolation period. It was the last vestige of protection against widespread COVID-19 transmission and businesses applauded. In this latest Omicron wave, we have heard stories of a childcare worker at Devonport COVID-positive but asymptomatic, who was required to come back to work with unvaccinated babies and toddlers after 48 hours; and an older Metro bus driver concerned about his health forced to work amongst unmasked staff who have been called back to work, despite being COVID-positive, to drive buses full of vulnerable people. Do you agree that your total hands-off approach is contributing to the massive spike in COVID-19 infections and your decision is making Tasmania less safe?

ANSWER

Mr Speaker, I thank the member for her question. I know she has considerable interest in this matter. We have not always shared the same view when it comes to our COVID-19 response. What we have done, however, is work with Public Health every step of the way.

Ms O'Connor - No, you have ignored them.

Mr ROCKLIFF - Your reference to the New South Wales Premier and me; we are part of National Cabinet. Every premier, chief minister, including the Prime Minister, made those decisions around isolation.

Ms O'Connor - Yes, you are all complicit.

Mr ROCKLIFF - We will always, as we have consistently done, ensure that the health and safety of all Tasmanians remains our priority.

Ms O'Connor - That is untrue. You are misleading the House again.

Mr SPEAKER - Ms O'Connor, order. I warn all members not to interject. The Premier should be heard in silence.

Mr ROCKLIFF - Mr Speaker, the coronavirus incidents in Tasmania peaked in early April 2022, just over 2000 notifications per day, and notifications declined steadily after mid-July 2022. Daily case numbers average, over a week, have been fewer than 200 since early September, and were around 100 until mid-October.

During the last two weeks, case numbers have increased, and this includes some outbreaks in aged care facilities and a slight rise in hospitalisations. Last week were reported a seven-day average of 318 cases per day statewide.

Our hospitals have escalation management plans in place to manage increases in COVID-19 levels. Our department's aged care emergency operations centre and Public Health hotline continue to work with and support aged care facilities in both prevention activities and responses to cases and outbreaks. Omicron variants, including XXB, BQ1 and BA275 are becoming more common. I am advised the new variants may spread more readily but there is no clear evidence of greater severity at this stage.

Dr WOODRUFF - Point of order, Mr Speaker. I accept the Premier is answering this question, but I really ask you to draw your attention to the Metro bus driver and the childcare worker who were forced back into an unsafe workplace.

Mr SPEAKER - Thank you for resuming your seat. Premier, I guess relevance is the point of order, even though it was not stated. Premier, I remind you again of that.

Dr Woodruff - These are individual people.

Mr SPEAKER - Order.

Mr ROCKLIFF - I am aware of individuals. I am aware of the more than 200 people who have passed away as a result of COVID-19 in this state since March 2020. I am aware of the fact that today we all we will be speaking collectively on a condolence motion, which you will bring forward. I am very conscious of that and the decisions that we make when it comes to the pandemic, the restrictions applied and their consequences, the restrictions being lifted and the consequences of that.

What we have always done is to ensure that we listen and take advice from Public Health. There has been national consistency most of the time, and in more recent times, more certainly with the Prime Minister Albanese, and every premier and chief minister across the country, in terms of the isolation requirements, to which you referred.

I am very mindful of individuals. I will not speak about the individuals who you have mentioned today. I am conscious of the impacts of the pandemic on a range of factors - people's personal circumstances, people's employment, people's business, and the disruption. Most importantly, our number one focus has been the health and safety of all Tasmanians. That is why we have been working very closely with Public Health every step of the way.

Energy Saver Loan Program

Mr TUCKER question to PREMIER, Mr ROCKLIFF

[10.14 a.m.]

Can you update the House on progress with the Energy Saver Loan Program? How would this initiative help put downward pressure on electricity bills? Are you aware of any alternatives?

ANSWER

Mr Speaker, I thank the member for his interest in this matter. As you probably know, the cost of living is a real issue for Tasmania. That is why we acted swiftly this year with our targeted Winter Energy Assistance Package. This is a multi-pronged response which included our \$180 winter bill buster payment, the \$50 million Energy Saver Loan Scheme, and the removal of the fee to access aurora+, in addition to \$2.7 million through the Aurora hardship program. These are targeted assistance measures that are providing meaningful support to Tasmanians as we navigate these challenging times.

The \$50 million Energy Saver Loan Scheme is proving to be very popular and shows that we are providing the types of support that Tasmanians are looking for. The scheme provides interest-free three-year loans of between \$500 and \$10 000 to residential customers, business customers, and landlords of residential rental properties to invest in energy efficient products to help lower their electricity bills. Eligible products include installations such as rooftop solar panels, battery storage, heat pumps, double glazing, and insulation. I am pleased to report Bright Capital has begun accepting applications for loans towards energy efficient appliances such as fridges, freezers, washing machines, clothes dryers and dishwashers.

Since the launch of the scheme on 17 October, 320 applications have been received and are progressing; 251 loans have been approved at a value of \$2.1 million; 26 installations have been completed; and 55 vendors are registered with Bright, the scheme to supply the products and services. So far 65 per cent of the scheme's loans amounts have gone to Tasmanian businesses - 65 per cent, of course, was the price rise that Tasmanians experienced when Labor and the Greens were in government.

The Energy Saver Loan Scheme is an important part of our package by helping lower electricity bills. As Bright Capital founder and CEO, Catherine Connor, says, 'Bright is proud to partner with forward looking governments taking concrete action to make homes sustainable. The Energy Saver Loan Scheme will inspire action, boost local industry, and reduce bills; a win for the community, economy, and environment'.

Building on this success, today the Government has announced further support with a new additional \$50 million loan scheme for commercial and industrial users. This scheme will be available to those larger businesses - those over 150 megawatts power a year - that are ineligible under the existing loan scheme because of their higher energy use. Like the current scheme, these businesses will be able to access three-year loans for energy efficiency purposes up to \$10 000. They will also have the option to apply for further low interest loans of up to \$50 000.

I have informed this House a number of times that the Government will continue to monitor the market and that we will respond further if needed. We know that some businesses are facing price shocks if recontracting off previously low prices -

Members interjecting.

Mr SPEAKER - Order.

Mr ROCKLIFF - Mr Speaker, honestly. Do you really think that the people who are affected by these circumstances think you are a good opposition by the way you carry on?

Partnering with the industry to improve energy efficiency is a real and tangible way the Government can help these businesses respond to the current pressures and invest for the longer term. Our Government will be consulting with industry and their representative bodies on the design of the new scheme ahead of its launch. We also intend to talk to industry about how to couple the loan scheme with assistance with undertaking energy efficiency audits with some businesses.

This side of the House is focused on Tasmania leveraging its competitive advantages, growing its economy and jobs, and keeping downward pressure on energy prices. We are not interested in stunts like those opposite continually do. That does not provide any more assistance to those individuals or indeed those businesses.

Through the development of more renewable energy we will deliver jobs for future generations of Tasmanians that support growing investment and new industries here in Tasmania. Through Marinus Link, we are providing confidence for those renewable energy proponents - including wind, solar and green hydrogen - looking to invest in Tasmania. Marinus Link is attracting billions of dollars of investment in regional areas of Tasmania, including 1400 jobs in Tasmania and more than \$7 billion in additional economic activity to this state. Project Marinus is about enhancing the renewable energy self-sufficiency for Tasmanians, not undermining it.

The Australian Government has indicated it will announce its plans to curb volatility in the national electricity market before Christmas. While we have said we are open to doing more if it is needed, it is important that state energy policy is informed by and coordinated with the actions of the Commonwealth. I commend our minister for Energy, Guy Barnett, who has worked very solidly with the Commonwealth, not only in delivering to this state Marinus and the opportunities that provides, but also working very closely with individuals and businesses. He is very conscious of price volatility and the impact that our energy prices will bring. I thank Mr Barnett for the work that he is doing. It is another great example of diligent ministers getting on with on the job.

Social Housing Provider - Responsibility for Unpaid Rent

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

[10.21 a.m.]

My office has received a complaint from a constituent about their social housing provider chasing them for a debt that they do not owe. The social housing provider has informed a leaseholder that they are responsible for any unpaid rent by other registered occupants of the house. In the case of this constituent, they have been told that if they do not pay this other tenant's debt, they will be evicted. Out of fear that they would lose their home, this constituent has been paying off this debt on top of their weekly rent for weeks now.

This is grossly unfair and it is causing a significant amount of stress and financial hardship for this individual. Do you defend this policy? If not, what are you going to do about it?

ANSWER

Mr Speaker, I thank the member for his question, and his interest in housing and his constituent. There is nothing more important from our Government's perspective than to put a roof over people's heads and provide safe and secure housing. That is why we have a very big agenda and have record funding support now to build 10 000 homes between now and 2032. We are on track to build 15 homes by 30 June 2023. I will have more to say about the importance of Homes Tasmania, the board, and the establishment of the authority starting on 1 December.

The member would be aware that it is not a practice in this place to comment on individual circumstances. Regarding the individual I think you are referring to, I responded to your query yesterday, Mr O'Byrne. I draw your attention to my correspondence and response to your earlier queries and my heartfelt plea, through you, to the constituent. It is something I take very seriously as minister. I am always happy to follow up as I do for other members in this place.

The issue that you ask about is set out in that correspondence. I am happy to have further discussions with you one-on-one. If you want to bring in more information or advice that is more general, I am more than happy to respond to that.

Mr O'BYRNE - Point of order, Mr Speaker. Do not run away from this, minister. This is a policy matter of one of your social housing providers that is causing massive hardship. That is disgraceful. I have not received that letter by the way, for the record.

Mr SPEAKER - Member for Franklin, it is not an opportunity to have a debate with the minister. You have asked the minister a question.

Ms O'CONNOR - Point of order, Mr Speaker. Can I just seek your guidance on this? This is the second or third time we have seen a minister wander off from the lectern when a member has taken a point of order during a question. It is not appropriate, is it?

Mr SPEAKER - The minister has resumed his seat, so I cannot do anything about that.

Local Communities Facilities Fund - Perceived Conflict of Interest

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.24 a.m.]

At least five members of your Government have been found to have direct connections, including immediate family connections, to organisations receiving dodgy Liberal Party grants. They have dragged reputable community organisations down into the mud. Perhaps the most shocking example is the member for Bass, Lara Alexander, who pushed for and secured grants totalling nearly a quarter of a million dollars to organisations that she personally headed. Incredibly, the ABC reports that she personally signed a grant deed as the recipient of at least one of those grants. Effectively, your MPs have been caught out writing themselves cheques.

Do you accept the member for Bass has a clear conflict of interest? Do you think it is acceptable for her to be the one literally signing off as the recipient of a grant that she herself had obtained?

ANSWER

Mr Speaker, I thank the member for her question. I might inform the member on a previous question around the \$4.7 million reference, if that is alright?

The \$4.7 million reference included all new purpose RAF funding for election , of which \$2.4 million, I am advised, was for 111 local community projects paid in 2021. The \$1.3 million referred to by the former Sports minister, was the sports component only of the \$2.4 million. The remainder of the \$4.7 million was for other election commitments being The Hobart Clinic redevelopment and the no interest loan scheme for Energy Saver loans and subsidies.

While candidates were able to put up projects based on their engagement with their electorates and understanding of need, no candidates were part of the Liberal Party's policy team which made decisions to which projects to support.

Mr Winter - Who was on the policy team?

Mr ROCKLIFF - What about your commitments? What was your process. I mean, seriously?

I will back the integrity of each and every one of our members. I have great respect for them all. All our team are elected to make a difference -

Ms White - Do you think it is right to sign off on their own grants?

Mr SPEAKER - Order, Leader of the Opposition.

Mr ROCKLIFF - and engage with their communities, have an understanding of organisations and communities, and put forward ideas and suggestions of how those community organisations, whether it is infrastructure or additional support, could be enhanced so they can improve the level of service delivery to the community. It is always coming from a good place with the best of intentions. I hope I will also speak of every member of this parliament, when it comes to that matter.

When political parties, whether it be the Greens, Labor, or ourselves, go to an election we make commitments and we are either elected or not elected. If we are not elected, then those commitments do not come to fruition. We won the 2021 election and Tasmanians, quite rightly, expect our Government to deliver on its promises.

Ms White - You raided the Treasurer's funds.

Mr SPEAKER - Order.

Mr ROCKLIFF - I am advised that it has been \$31 million of Labor 2021 state election commitments. George Town Soccer Club towards stage 1 of the lighting plan, \$80 000.

Ms WHITE - Point of order, Mr Speaker, standing order 45, relevance. The question was about the acceptability of candidates signing off on their own grants. I ask you to draw the Premier's attention to that question, because it is unacceptable.

Mr SPEAKER - I will draw the Premier to the relevance issue. I will also draw everybody's attention to statements that have been made in the past. There is a certain amount of preamble. I do not know what the Premier is going to say but he is allowed in his contribution to make an argument. Premier, over to you.

Mr ROCKLIFF - These were election commitments made by you. I am not saying there is anything wrong with supporting the George Town Soccer Club; it is very good as is the Circular Head bike trails working group construction of trails, some \$230 000 put forward by Anita Dow.

Members interjecting.

Mr SPEAKER - Order, order.

Mr ROCKLIFF - It seems pretty reasonable to me. A helping hand at Longford: new equipment supplies, \$10 000, Ms Butler. What is your process?

Ms DOW - Point of order, Mr Speaker, standing order, number 45, again - relevance. It is all very well for the Premier to stand up and outline commitments that we make, but this is an issue of integrity -

Mr SPEAKER - Order. Could you please resume your seat? I take the standing order, but it is as I have said before. It is not an opportunity for an Opposition member to make a continuing argument. If you wish to raise points of order, that is fine, but it is not there to sustain the argument.

Mr ROCKLIFF - What I am demonstrating, Mr Speaker, is that those opposite well and truly come into this place to try to discredit members with personal attacks on individuals.

If any candidate believed they had a conflict, for example, they or a family member or a member of a club, a patron, the project was evaluated on the basis of its broader community benefits. Before putting up projects, candidates were asked to consider how each project would help rebuild Tasmania post-COVID, improve local communities, improve economic activity, create jobs, and support small businesses. I know the decisions on which projects would be granted funding was made by the Liberal policy team, which assessed proposed projects against established criteria, which we took to the election in an open and transparent way.

The Labor Party is trying to discredit and personally attack people. They tarnish reputations and I will have none of that. I will take my integrity and every single one of my team's integrity above yours, every single day of the week.

Salmon Plan - Update

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

[10.33 a.m.]

Can you update the House on the Government's progress with the development of its 10-year salmon plan?

ANSWER

Mr Speaker, I thank the member for Bass for the question. This Government recognises how important the salmon industry is to our state, to our people, to our environment, and to our economy. This is particularly the case for our regional communities. Our vision is for a sustainable industry into the future, one that all Tasmanians can be proud of, one that is economically successful, environmentally responsible, socially beneficial, and well-managed.

Work on the plan has been ongoing throughout the year, with extensive public consultation, stakeholder workshops, and a two-day salmon symposium led by the Blue Economy CRC, which had over 350 attendees. In July, we released a discussion paper for public consultation. In August, the Government's response to the Legislative Council's Fin Fish Inquiry report was tabled, which provided Tasmanians with an opportunity to consider our responses in the context of the discussion paper.

We have now considered all feedback and input, including the 275 web-based submissions made on the discussion paper. Today, I am pleased to announce that the draft Tasmanian Salmon Industry Plan is being released for public consultation. The draft plan is framed as a future-focused and enduring plan, a plan that will not be time-limited. A draft work plan supports the draft plan and sets out a range of actions that will be taken to implement the plan, including those commitments identified in the Government's response to the Legislative Council inquiry report:

- actions to improve stakeholder engagement through the establishment of communication and engagement pathways for both industry and the community;
- actions to improve transparency through updating the amount of information available on the salmon portal and through expanding the regulatory framework to include an environmental standard salmonid biosecurity programs, standardised marine farming management controls and wildlife interactions standard and a freshwater finfish farm standard.
- actions to focus on and incentivise future growth in offshore sites, including a commitment to a government-led planning process in offshore waters in the south-east of the state as the aquaculture, technology and innovation advances and support for aquaculture research in Commonwealth waters.

In conjunction with this focus on future offshore opportunities, we will develop policy settings that recognise the significant community interest in inshore finfish farming activities.

We will also continue to work to ensure full cost recovery and an appropriate return to the community. I can announce that full cost recovery will come into effect next year.

I make it clear that the plan is in draft form and that the principles that were announced last year to support the development of the plan will continue to apply until the plan is finalised in the first half of next year. This includes there being no net increase in total leasable area for finfish farming in state waters beyond the current allocations and those areas subject to current research permits that may result in approved lease areas.

The draft plan will be open for public consultation until the 20 January 2023 and community briefings will be offered.

Mr Speaker, we have an opportunity for a reset to address the divergent public narrative around this sector. Our aim for the final plan is for it to give confidence to our salmon industry, give confidence to our communities and to our Tasmanian businesses and workers right across the state. We want all Tasmanians to be proud of this important nutritious food source, produced right here in Tasmania and be proud of this industry and its people, having full confidence that the industry is operating in a transparent, sustainable and environmentally and socially acceptable way.

Election Commitments - Funding

Ms O'CONNOR question to TREASURER, Mr FERGUSON

[10.38 a.m.]

Yesterday you attempted to defend your Government's misuse of the Treasurer's Reserve to fund more than 100 election commitments. You suggested this was standard operating procedure and, laughably, defended the process as transparent. The evidence suggests the Treasurer's Reserve was not even the newly formed Government's first preference for funding election promises. If you are genuinely committed to transparency, will you have the courage to give a straight 'yes' or 'no' answer to this question, perhaps with a bit of detail?

Did the Liberal Government attempt to use the COVID-19 provision to fund election commitments in 2021?

ANSWER

Mr Speaker, I thank the member for her question. I do not know the answer to the particular question about whether the former Treasurer and the Government attempted to 'to use the COVID-19 provision'.

Ms O'Connor - You are the Finance minister.

Mr SPEAKER - Order.

Mr FERGUSON - I am aware that it is referenced in the RTI that was released last week. I will need to consult that further and, in the event, I might come back to the House and provide that further detail.

The short answer though is that we funded those commitments, as I said yesterday, through the Treasurer's Reserve, under section 21 of the Financial Management Act where it is an entirely appropriate and lawful thing to do to use funds that were appropriated by this House in the 2020-21 Budget. A provision was made for the Treasurer's Reserve by this parliament and it was carried. It provides for other purposes and it provides for that fund to be used. The facts are entirely clear.

We have already spent a lot of time on this matter yesterday and again today making very clear that everything proper has been followed and we stand by it. As for the false claims that continue to be made by those opposite, it demonstrates that they are desperate to try to create a scandal which does not exist.

Ms O'Connor - Will you come back with an answer to the question?

Mr SPEAKER - Order, member for Clark.

Mr FERGUSON - Finally, in respect of the COVID-19 provision, I am quite comfortable indicating to the House I will take further advice on that, but if -

Dr Woodruff - Would you come back in?

Mr SPEAKER - Order.

Mr FERGUSON - I am quite comfortable coming back in here, Mr Speaker.

Dr Woodruff - This year?

Mr FERGUSON - The COVID-19 provision was there for a purpose and purposes can change. They can change.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr FERGUSON - Mr Speaker, they are very touchy on the other side. I am not making any commitment on the use of those funds, but if the fund was not required it returns to the Public Account. It is not there to be spent in all circumstances. It was a provision that was included in the Budget. It is located in the same place as the Treasurer's Reserve in Finance-General, and if the fund is not required, it returns to the Public Account. That is the nature of the way Finance-General works.

In conclusion, the election commitments were funded out of the Treasurer's Reserve and we have been very clear about that. If I have more to say about that to provide detail, I am happy to come back to the House, either after question time or during the day.

Ms O'Connor - Well, you have not given an answer.

Mr SPEAKER - Order.

Jane Howlett - Preselection as Member for Prosser

Ms WHITE question to PREMIER, Mr ROCKLIFF

[10.41 a.m.]

Jane Howlett, the member for Prosser, is right at the centre of this corrupt Liberal Party grants scheme. She was the Minister for Sport and Recreation at the time all these conflicts of interest were running unchecked. She is no longer the minister because a separate scandal was uncovered involving a conflict of interest she failed to disclose involving millions of dollars of public money. Yet, despite telling Budget Estimates that you never asked her about these allegations, last Sunday you announced you were preselecting her as the Liberal Party's candidate for the 2024 Prosser election. Did you take any steps before that announcement to satisfy yourself that she has done nothing wrong, or does integrity not matter for you and your Government?

ANSWER

You have taken it to a new level, you really have. After eight years in opposition, all you can do is come in here and throw mud and attempt to destroy members of this place and their reputations. I can tell you this: the people of Tasmania see right through you and they well and truly know that when a party is out of ideas, when a leader is on their last legs -

Ms White - Have you asked her?

Mr SPEAKER - Leader of the Opposition, I warn you.

Mr ROCKLIFF - When a party is under administration from their federal colleagues -

Ms White - You're under attack from your federal colleagues.

Mr ROCKLIFF - When all you have is personal attacks on individual members -

Ms White - Did you ever ask her?

Mr ROCKLIFF - the Tasmanian people well and truly realise that you have run out of ideas and offer absolutely nothing - no alternative, no plan, no solutions to the challenges of the Tasmanian community, no solutions to the rising increase in health demands, no solutions to literacy or numeracy -

Ms White - Are you talking about yourself?

Member Suspended

Member for Lyons - Ms White

Mr SPEAKER - The Leader of the Opposition can leave the Chamber until after question time.

Ms White withdrew.

Mr ROCKLIFF - Mr Speaker, they have no ability to ask any more questions because of the display of parliamentary behaviour. Tasmanians would rightly want to think better of their members of parliament than what they have offered, really throughout the whole year. There have been very few question times that they have not come in here and tried to damage someone's reputation and character.

Tasmanians do not like it. The Opposition might think they do but they actually do not like grubby politics. They want people to focus on their concerns, like this Government is when it comes to health, education, housing, child safety, public safety, growing our economy and creating jobs. That is the focus of this Government. We do not get everything right but we try every single day to get it right, responding to Tasmanians' needs and we will continue to do that.

I will ignore the personal attacks and those opposite trying to damage other members' reputation in here, personal reputations in this place, because it does not get anyone else off the elective surgery waiting lists, it puts no more teachers in our schools, and it does not create a single job. All it does is damage the reputation of the entire parliament, particularly those opposite.

Local Communities Facilities Fund - Perceived Conflict of Interest

Ms DOW question to PREMIER, Mr ROCKLIFF

[10.46 a.m.]

You say that you want to lead a government with integrity, but the ABC has found that nine Liberal MPs have some form of conflict of interest in this dodgy grants scheme, and they are just the ones we know about. Worse, through the scheme your MPs gave nearly \$1 million of public money to organisations they either ran themselves or which were run by members of their immediate family. Far from being a government with integrity, under your leadership doesn't the Liberal Party have a massive problem with dishonesty and self-dealing, and who was on the Liberal policy team who made decisions on these grants?

ANSWER

Mr Speaker, that question is much like the other questions. We go to an election, we make commitments, people vote, we win the election and we deliver. For Labor to come in here all holier-than-thou is, quite frankly, shameful. They come in here all holier-than-thou and, at the same time, try to damage people's reputations, as they have done all along.

Ms BUTLER - Mr Speaker, point of order on relevance. The Premier has not answered many of the questions at all today -

Mr SPEAKER - You can take your seat. I will take a point of order on relevance every day. However, there is always a preamble. Until the Premier gets into the substantive part of the answer I cannot rule on relevance anyway. I can remind the Premier but he needs to be able to get to the substantive part of his answer before people start asking about relevance.

Mr ROCKLIFF - Mr Speaker, that was really a rehashed question which I have already answered when it comes to the process. We will always work in and around our electorates,

our communities and our organisations. I have been a member of parliament for 20 years. I have been to many annual general meetings, annual dinners and functions, and I have a close connection to many organisations throughout the Braddon electorate. Of course we have conversations with organisations and get an understanding of what the needs are. For example, it might be infrastructure improvement, equipment for a municipal band, or upgrades to a tennis court. They let us know. We are MPs.

Ms O'BYRNE - Point of order, Mr Speaker. It goes to your previous response that once the Premier was well into the answer he might be relevant. Could we ask him to be relevant to the question which was the composition of the decision-making team?

Mr SPEAKER - I remind you of relevance, Premier.

Mr ROCKLIFF - I am being very relevant. What I am demonstrating is that we are local members first and foremost. We make decisions based on the discussions and meetings that we have, and functions we go to where we get a good understanding of the needs of every community organisation. They like talking to their local MPs of all colours. I have read out a couple of examples of the Labor Party making commitments at the last election. You were not elected and so those commitments could not be delivered. That does not stop those organisations contacting us as local members and seeing if we can support them in some way in the future. We won the election and we are delivering our commitments.

Homes Tasmania - Establishment Update

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

[10.51 a.m.]

Can you update the House on progress to establish Homes Tasmania?

ANSWER

Mr Speaker, I thank the member for his question and special interest in this matter. I know that all of us in this place believe it is important for all Tasmanians to have safe and secure housing. The Government's ambition is to build more homes faster. We are all about delivering on that plan, and we are doing just that.

We know that there are still too many Tasmanians struggling to access housing, struggling to access an affordable and better home to live in. They deserve better. That is why we have established Homes Tasmania. It is a dedicated focus on housing and homelessness, to bring the skills, knowledge and expertise to think differently on how we can address these housing challenges. We need to do it differently. That is why we have done what we have done and are backing it with record funding.

There has been a lot of hard work since we passed the Homes Tasmania Act 2022 in September. The Government has now established the Homes Tasmania authority, which I can confirm will commence operations on 1 December 2022. Homes Tasmania will be guided by a skills-based board after a nationwide search led by the Department of Premier and Cabinet. I am pleased to announce the inaugural board today. The board's roles attracted considerable

interest from all across Tasmania and across the nation. I am grateful to all those who have applied for those roles and I thank them for doing so. It has truly shown a deep commitment to addressing Tasmania's housing challenges and to support increasing housing supply across our community, and the collective skills and experience of the directors to drive innovation, deliver homes faster and to deliver for Tasmanians strikes the balance. We need to get that balance right.

I am pleased to advise that the board will be chaired by Michele Adair, who is highly respected and experienced in the housing and homelessness space across Australia. Ms Adair brings strong governance and sectoral experience. I know she will lead a strong team in delivering the Government's housing commitments. Ms Adair as chair will be supported by five directors: Tim Gourlay, Daryl Lamb, Ellen Witte, Robert Pradolin and Alice Spizzo. These directors represent a board with strong skills in governance and a background in housing and building homes as well as the homelessness services sector and more broadly in the legal and finance area. In every respect, it is a very skills-based board.

We are very pleased with that. I have left one position vacant on that board so the Government can consider the skills mix of the board once it becomes operational, and to potentially select a final director to ensure the skills are balanced and effective.

Once it commences on 1 December, the board will be responsible for establishing advisory committees, which I expect will include Tasmanians with a lived experience.

In conclusion, we are getting on with the job delivering our 10 000 homes between now and 2032. We are very focused on that. The board will be focused also on developing a 20-year housing strategy, which I expect to be concluded and released in and about mid-next year. We are getting on with the job of supporting vulnerable Tasmanians.

Proposed Stadium Development - Federal Liberal Members Reaction

Mr WINTER question to PREMIER, Mr ROCKLIFF

[10.55 p.m.]

More and more of your senior colleagues have spoken out against your plan to build a \$750 million stadium at Hobart. Your federal member for Braddon, Gavin Pearce, has said that he cannot see how investing his constituents' hard-earned taxpayer dollars in a Hobart stadium will result in positive outcomes for your electorate of Braddon. Bridget Archer, federal member for Bass, says she wants to see the money spent on health instead. Senator Wendy Askew says a stadium will come at the expense of essential services that the state needs. It is clear that you have your priorities wrong and the federal Liberal Party is abandoning you. How long until your colleagues here abandon you as well?

ANSWER

Mr Speaker, I thank the member for his question. I wish you were as diligent in finding policies to put forward to Tasmanian people as you are at finding quotes from Liberal Party parliamentarians, Mr Winter. I can tell you that this is a Government that has our priorities right, demonstrated clearly with our investment into health. Our waiting lists are coming down through our investment of \$196 million and our clinician-led patient-focused plan for elective

surgery, a four-year plan. Our schools are being rebuilt, some from the ground up as a result of your neglect of 16 years in government. In the last question, Mr Barnett announced that housing is a priority for this Government with a \$1.5 billion investment, and 10 000 homes in construction to 2032. Child safety services, recruitment, police recruitment - continuing our recruitment after you lot sacked 108 police officers between 2010 and 2014.

Ms Butler - Do you have the support of the people sitting behind you? That is the question.

Mr SPEAKER - Member for Lyons, order.

Mr ROCKLIFF - The cost-of-living announcement we made today to combine with other measures of targeted support, particularly for vulnerable Tasmanians, is an example of a Government that has its priorities right. I will refer you to the last CommSec report, where Tasmania leads the nation in a number of economic indicators, of which industry, business -

Dr Broad - He has misled. We were not ahead in any of the indicators. I think you should correct the record immediately.

Mr SPEAKER - Order. People are getting carried away again. The Premier should be heard in silence. If you do not wish to join your Leader outside this Chamber, then I would allow him to finish the answer, please.

Mr ROCKLIFF - The CommSec report highlighted a number of areas of Tasmania's strength across the national economy. Best performing economy, as the Treasurer has said. These are our focuses: economy, jobs, and delivery of services. We can walk and chew gum at the same time, and we are.

When I believe in something, the stronger the opposition gets the more passionate I become about delivering, particularly when it comes to reform across government that we have done. I remember the reforms that you opposed regarding access to universal education, both for the younger years and years 11 and 12. The harder you fought against it, the harder I fought for it.

Ms DOW - Point of order, Mr Speaker, standing order 45, relevance. The Premier has gone nowhere near answering the question, which is fundamentally about his leadership. He has not answered the question.

Mr SPEAKER - I remind the Premier of standing order 45, relevance.

Mr ROCKLIFF - Mr Speaker, we are a government that is passionate about investments and reforms. You opposed a number of reforms in the skills area, TAFE reform and investment. The harder you fought against that, the harder we fought for it. Years 11 and 12 extensions in high schools right across regional Tasmania to give greater access, reducing barriers to education for people in the years above year 10 - the harder you fought against it, the harder we fought for it.

I recognise that there may well be opposition in some areas, but we believe in what we are doing, and we will continue to believe in what we do for the benefit of all Tasmanians.

Proposed Stadium Development - Federal Liberal Members Reaction

Mr WINTER question to PREMIER, Mr ROCKLIFF

[11.01 a.m.]

The editorials in *The Examiner* and *The Advocate* point out this morning that the big question is why your federal colleagues all of a sudden feel the need to speak out against your very unpopular \$750 million second stadium here in Hobart. Whose bidding are they doing and why are they moving against you?

ANSWER

So says the party that is in administration. You cancel your state conference, you get taken over and put it into administration. Your last election, given that you focused on that through the course of question time, was an absolute shambles, and you are still a shambles, based on the questions you have been asking today.

Mr Speaker, we are focused and we are delivering on a range of services that are important to Tasmanians. We are delivering on the economy and employment, and we will continue to proudly do so.

I also speak to many Tasmanians and what they fear more than anything is another Labor-Greens government. Those opposite having the government benches would scare the pants off every small business, big business, medium business, and everyone who has been employed under our Government. Many people remember -

Ms BUTLER - Point of order, Mr Speaker, under standing order 45, which says that answers shall be relevant to the question. I have already asked once today for the Premier to be relevant. It would be nice if he could answer just one question in question time relevantly.

Mr SPEAKER - I can only remind the Premier of standing order 45, relevance in answering the question.

Mr ROCKLIFF - Mr Speaker, we will continue to focus on the areas that matter to Tasmanians - health, education, public safety -

Ms Finlay - You should see the face of your deputy.

Mr ROCKLIFF - What?

Ms Finlay - Turn around and look at the face of your deputy. He's got you in this deep.

Mr SPEAKER - Order, member for Bass, if you do not wish to leave the Chamber.

Mr ROCKLIFF - Mr Speaker, I have demonstrated throughout question time where our Government's priorities are. What those opposite have done is focus on personal attacks, muckraking politics, and not a single Tasmanian will benefit from anything put forward today. This is a government that focuses on the key priorities and we will continue to do so.

Bulk Minerals Ship Loader - Port of Burnie - Update

Mrs ALEXANDER question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr FERGUSON

[11.04 a.m.]

Can you update the House on the progress with our new bulk minerals ship loader under way at the Port of Burnie and any potential industry expansion through the established rail links to the port?

ANSWER

Mr Speaker, I thank my friend and colleague in Bass, Mrs Alexander, for her question. It is a very exciting expansion that is under way right now at the Port of Burnie. The Labor Party has been relentlessly negative about this very exciting and visionary infrastructure upgrade for Burnie but the benefits are right now being felt right across the north of the state in the north-west, the north and the northern Midlands in Lyons.

The \$64 million bulk minerals export facility operated by TasRail is by far the most important mineral export infrastructure in our state and the new facility under construction will provide this vital industry, which we always support, with the capacity to expand in the decades into the future. You do not have to worry at the next election about us doing a deal with the Greens and signing away the mineral sector in our state. We will stand side by side with them because it is creating jobs and putting food on the tables of Tasmanians right across the state.

I am pleased that the fabrication of the infrastructure is well under way at Heywards in Launceston at Western Junction and at the engineering company at Somerset, supported by quality assurance from our good friends at TMEC, the Tasmanian Minerals and Energy Council.

The shiploader project is supporting 140 local Tasmanian jobs. Mobilisation is now occurring at Burnie port ahead of the arrival of the actual hardware of the shiploader components in late January. I am pleased to tell the House that is ahead of the construction schedule. I am also pleased to advise members that the new shiploader, which we have always supported, and the storage facility is on track for commissioning in mid-2023. That is the current advice.

In the previous financial year, TasRail shiploaded 650 000 tonnes of zinc, lead and high-grade iron ore through the existing facility, which was just one shipload short of a record, but the new shiploader will be able to load at twice the speed of the current one and when combined with the extra 15 000 tonnes storage capacity at the port, this step-changing scale is attracting significant interest from the mining sector that we always support.

I was asked by Mrs Alexander and am very pleased to advise that the largest customer of the facility, Tasmania Mines, has signed an MOU with TasRail to undertake a joint feasibility study to shift its freight task from road to rail. How exciting. Tasmania Mines shifted 260 000 tonnes of magnetite from the mine to the port last year. With the Australian Government's commitment to the \$18 million bulk minerals loading hub on TasRail's Melba line, the bulk minerals industry will be provided with new and exciting storage and logistics options with rail connections being foremost amongst these.

If this is successful, and I hope it is, that will have the potential to remove 6500 truck movements each year off road and instead onto rail. This is why we are making these rail investments in partnership with the Australian Government, fully funded by the former coalition government and I was very pleased to join the new federal Minister for Infrastructure, the Honourable Catherine King, in August. She is just as excited about this and it has been great to see the local Labor people up in the north-west. Something happened because they started to support the project, which has been very welcome.

As I close, this particular project is just one of many in our \$5.6 billion infrastructure program which is supporting and creating jobs, building safer and more connected communities and that is a significant contrast to those negative people opposite here today.

In contrast to the Labor Party and the member for Bass, Ms Finlay, this is the time to make significant new investments in infrastructure. It has been the ingredient to our economic success as we are growing jobs not just in the cities, where the Labor Party seems to think is the whole world, but in the regions and those areas that are creating resource opportunities. That leads to investment and that leads to jobs, so these decisions are paying off.

I am very grateful for the question, and it caps off what from the Liberal Party has been a very positive story of Tasmania and our exciting future, compared to the gutter tactics being played by members opposite who, as we can see, are leaderless, cannot count, cannot manage money and cannot run their party.

Time expired.

ANSWERS TO QUESTIONS

Social Housing Provider - Responsibility for Unpaid Rent

[11.10 a.m.]

Mr BARNETT (Lyons - Minister for State Development, Construction and Housing) - Mr Speaker, on indulgence, I would like to add to an answer to a question from the member for Franklin. The member for Franklin asked me about a particular individual matter. I have followed up with my office. The letter that I had signed has been sent to the member this morning. I am more than happy to follow up with the member at a time convenient.

Regarding your question about debt policy, it is managed on a case-by-case basis depending on people's circumstances. People in social housing are not evicted based on having debt, provided they are engaging with their housing provider. Household rent is determined by household income. When this changes, the rent will change. Therefore, it is very important that tenants update their information with their housing provider.

Election Commitments - Funding

[11.11 a.m.]

Mr FERGUSON (Bass - Treasurer) - Mr Speaker, I will add to my earlier answer. I advised the House that I would seek advice in response to the member for Clark's question. Having reviewed the document that the Leader of the Greens has referred to, it is clear that,

rather than as insinuated by Ms O'Connor, the document does not demonstrate that the former Treasurer was 'planning' to use the COVID-19 provision to fund election commitments. What it does show is that the department provided advice on how commitments might be funded.

As would be expected, the department's advice was fulsome and considered all potential avenues that might be adopted, including the Treasurer's Reserve, or even a supplementary appropriation, or the COVID-19 provision. The department's advice shows that it considered the use of the COVID-19 provision and ruled it out.

It does again show just how shameless members opposite are prepared to be to twist and turn in order to stop good and proper process being demonstrated.

RESPONSES TO PETITIONS

Declaration of Foxglove as a Weed

Mr Street tabled the response to a petition presented by Dr Woodruff on 26 October 2022:

- Petition No. 18 - See Appendix 1 on page 160.

Legislative Council Inquiry Report into Finfish Farming and Salmon Industry

Mr Street tabled the response to a petition presented by Ms Johnston on 19 October 2022:

- Petition No. 16 - See Appendix 2 on page 162.

Finfish Farming Moratorium and Legislative Council Inquiry Report

Mr Street tabled the response to a petition presented by Ms Johnston on 19 October 2022:

- Petition No. 15 - See Appendix 3 on page 164.

TABLED PAPER

Joint Standing Committee on Integrity - Annual Report

Ms O'BYRNE (Bass) - Mr Speaker, I table the Joint Standing Committee on Integrity annual report for 2021-22.

I move - That the report be received and printed.

Motion agreed to.

RETAIL LEASES BILL 2022 (No. 30)
EXPANSION OF HOUSE OF ASSEMBLY BILL 2022 (No. 47)

Bills returned from Legislative Council without amendment.

MENTAL HEALTH AMENDMENT BILL 2022 (No. 56)

First Reading

Bill presented by Mr Rockliff and read the first time.

MESSAGE FROM THE GOVERNOR

Public Accounts Committee - Resignation of Mr Tucker

Mr SPEAKER - Honourable members, I have received the following message from Her Excellency the Governor:

21 November 2022

The Honourable Mark Shelton MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Mr Speaker,

I have the honour to inform you that on 21 November 2022, John Tucker MP tendered his resignation as a Member of the Parliamentary Standing Committee of Public Accounts.

I have enclosed a copy of Mr *Tucker's* letter of resignation.

Yours sincerely,

BARBARA BAKER,
Governor

MOTION

Committee Membership

[11.15 a.m.]

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

- (a) the member for Franklin, Mr Young, be appointed to serve on the Parliamentary Standing Committee of Public Accounts pursuant

to section 3(3) of the Public Accounts Committee Act 1970 (No. 54);

- (b) the member for Franklin, Mr Young, be appointed to the Joint Sessional Committee on Gender and Equality in place of myself; and
- (c) the mover be appointed to the Committee of Privileges and Conduct in place of the Minister for Infrastructure and Transport.

[11.16 a.m.]

Mr WINTER (Franklin) - Mr Speaker, I was not aware of this. I recall very vividly about 12 months ago when the former leader of government business stood in this place and gave me a fair serve for not consulting with members when we appoint new members to different committees. In fact, he was very forthright in that advice that we should always provide the advice across the Chamber in relation to these matters. I am standing here without a copy of the motion and unsure what exactly is being proposed.

I would have preferred to have some advance notice that the Government was planning to make changes to these committees. I will listen to what the Leader has to say.

[11.17 a.m.]

Mr STREET (Franklin - Leader of the House) - Mr Speaker, I apologise if it is standard procedure, but I thought that it was one of our members resigning and being replaced by another one -

Mr Winter - That is exactly the point that the former leader made.

Mr STREET - You are talking about a time before I was the leader of government business. I am speaking as the Leader of the House and saying it is standard practice to let the Opposition know, even though it is swapping one of our members for another one.

Ms White - He does not tell you anything, does he?

Mr SPEAKER - Order.

Mr STREET - Honestly, I thought it was standard procedure. I apologise if I have not.

Motion agreed to.

SITTING TIMES

[11.18 a.m.]

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

For this day's sitting, the House shall not stand adjourned at 6 p.m. and that the House continue to sit past 6 p.m.

We indicated last night that we intend to sit past 6 p.m. today. We would like to complete the Electoral Disclosure and Funding Bill 2022 and the Electoral Matters (Miscellaneous Amendments) Bill 2022 today.

We have also indicated to the Opposition, the Greens and the two Independents that the Government will cede their private members' time from 5 p.m. to 6 p.m. to Government business to continue working on the Electoral Disclosure and Funding Bill 2022. Our expectation is that from 5 p.m. we will work until the completion of those two bills.

Motion agreed to.

STATEMENT BY SPEAKER

Standing Order 93 - Same Question Rule

[11.19 a.m.]

Mr SPEAKER - Honourable members, I note that the Opposition has listed the second reading of the Electricity Supply Industry (Cap Power Prices) Bill for its private members' business this afternoon.

I am concerned that the motion for the second reading may offend Standing Order 93, known as the 'Same Question Rule', which provides that:

... no Motion or Amendment shall be proposed which is the same in substance as any Question or Amendment which, within the preceding twelve months, has been resolved in the Affirmative or Negative.

It is of course permissible for more than one bill dealing with a given subject to be dealt with in the same year. In considering the application of this rule, I must have regard to differences in its drafting and what provisions differ from those contained in any previous bill, what, if any, circumstances may have changed, or what new information may have come to light since the House last considered the previous bill.

Such detail may be elucidated in second reading contributions with an opportunity afforded to the House to test such contributions in debate, but as only such a short amount of time has transpired and the changes to the bill so narrow, I am mindful that such a course entirely defeats the purpose of this Standing Order, which is designed to prevent repetition, particularly given the limited time allocated to private members' business.

Except for a change in one of three 'applicable financial years' detailed in clause 5, and the short title, which has no real effect, the bill proposed for debate today is identical to the Electricity Supply Industry Amendment (Price Cap) Bill which was defeated at the second reading stage on 17 August last. The House has therefore, expressed an opinion on the principle, purpose and substance of the bill only 20 sitting days ago, or a little over three months ago.

I am very mindful of the paramount importance of the House's ability to legislate and I need to consider the desirability for the Chair to limit this right where any doubt exists in favour of allowing the House to consider the matter.

I also do not wish to disadvantage the Opposition by taking up its limited private members' time with discussion on this matter, so I propose to invite short submissions on this question from members now, as you would for a point of order, and I will consider a ruling.

[11.22 a.m.]

Mr WINTER (Franklin) - What an unusual way to do this, Mr Speaker. We tabled the bill last Thursday. I would have been happy to speak to you about this matter at any stage, Mr Speaker. This is the first I have heard your concerns. I would have been more than happy to have discussed them with you earlier this week, perhaps last week, in relation to this, before we listed it. If this was your concern, you could have raised it with me at any time. I would have been more than happy to discuss it.

The bill is fundamentally different. You have used the word 'identical'. It is not identical. The bill we have tabled for debate later today deals with coming financial years, which are different from the dates we debated earlier this year. The bill that we debated earlier this year was for the 2022-23 financial year and years after that. The bill that we propose to debate today is for the coming financial year. The bill is for a different period of time from the bill which we debated.

Mr Speaker, you mentioned in your contribution whether things have substantially changed since we tabled and discussed the bill some three or four months ago. Things have changed. In fact, they have gotten worse for Tasmanians since we debated this bill. Power prices are predicted to go up by 20 per cent and 25 per cent next financial year, which is when -

Mr SPEAKER - This is not a debate on the bill. It is a debate on the issue. Short submissions.

Mr WINTER - You have not set a time limit. Is there a time limit?

Mr SPEAKER - What I said is that as you would do on a point of order - one or two minutes. That is all I am asking. It is not a seven-minute debate.

Mr WINTER - Mr Speaker, you mentioned whether things have substantially changed. Things have substantially changed; they have substantially changed for the worse. If you, Mr Speaker, were to prevent the Opposition from doing its job and trying to protect Tasmanian families and businesses from the rising cost of living, then you would not be doing this House a service and you would not be serving Tasmanians well if you were to make that decision.

This provision is to stop oppositions or governments or crossbenches from tabling the exact same bill. You used the word 'identical'; it is not identical. We are talking about different financial years within the bill, which is what makes it materially different. It is critical that the Opposition is able to debate this bill, not just for the House, but for Tasmanians. If you were to prevent us from doing our job today, I would be sincerely disappointed, not just on behalf of ourselves but on behalf of Tasmanians who need us to act on power prices.

[11.25 a.m.]

Mr BARNETT (Lyons - Minister for State Development, Construction and Housing) - Mr Speaker, you have allowed submissions on the views that you expressed on this. This has just arrived.

Members interjecting.

Mr SPEAKER - Order.

Mr BARNETT - What I am trying to say, if I am allowed to respond, is to ask for submissions on the bill. Just listen, because I think it will help you. You have referred to standing order 93; you have referred to taking submissions. The notice paper is clear this morning that you are bringing on the bill and you have been outlining the plans to bring on the bill. In my view, this bill, which I have a copy of it - we are all ready for it today - is essentially the same. The flaws are exactly the same. The flaws were found in September. Even the Leader of the Greens found the fatal flaws last time. You are obviously clearly more focused on self-interest than public interest.

As a government, we make it very clear that you fumbled this very badly. However, with respect to this bill and with respect to the debate, we make no apology. We say, bring it on. We are more than happy to have the debate because it is opposition time. We do not want to take the time away. You have an hour and a half to put forward arguments - the same arguments you had back in September, which were clearly found to be flawed and it was voted against.

Mr SPEAKER - Minister, we do not have to get into that argument.

Mr BARNETT - I am more than happy, on behalf of the Government to indicate for you bring it on. We look forward to the debate: the same old flaws and the same old debate. You have nothing new to provide the House.

[11.28 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I hope that given the submission that has just been made by the member who has resumed his seat, that you are left in no doubt about the decision that is required now: that is to enable the Opposition members to use their Opposition time as they see fit.

I find the entire process, as you have raised it in this House today, very surprising. As the Leader of the House outlined, there was never any conversation that was held between our party and yourself about concerns that you may have about us bringing this bill on for debate today - a bill that is going to be about protecting Tasmanians from increasing power prices. It is to cap power prices at a time that the cost of living is really making it very difficult for many Tasmanian families.

I thought, Mr Speaker, that we could use our private members time in any way that we see is appropriate, in keeping with the expectations the Tasmanian community have of us, to represent them in this place.

I urge you to allow us to continue to proceed with the motion that we have for the bill we have listed for our private members; time, which is to debate legislation to cap power prices, to give Tasmanian households and businesses relief. I imagine, given the Government has no disagreement with that, that your ruling will be in the affirmative.

Mr SPEAKER - I do not have to hear any more. I can make a ruling now, considering what I have heard. However, I do not need to remind the House again what standing order 93 states. It is known as the 'same question rule', which provides that no motion or amendment

shall be proposed which is the same in substance as any question or amendment. I have been through the two bills and apart from one line, it is written exactly the same. Given the discussion yesterday about adhering to the Standing Orders, I have no option but to go through this process today. I was offering an opportunity for the House to express its views. It has done that.

As the Speaker is only a mere servant of the House, I will allow that debate to continue.

MOTION

Leave to Move Motion to Suspend Standing Orders

[11.31 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I seek leave to move a motion without notice for the purpose of moving the suspension of Standing Orders to debate the following motion:

That this House censures the Premier, Jeremy Rockliff, for his failure to uphold parliamentary standards, and for failing to be transparent about how millions of taxpayer money was allocated in a dodgy Liberal Party grants scheme

I will circulate that motion for members.

This is a very serious motion that goes again to the failings of this Premier to uphold the standards of this House. We had an answer provided by the Premier yesterday in question time, where he said:

The fact is that the funding of some commitments prior to 30 June was transparent in the budget papers for the 2020-21 financial year on page 42.

That is not the case. When we drew it to the Premier's attention this morning in question time, giving him an opportunity to correct the record, he failed to do that. He also failed to take it on notice to come back to the House at a later date to check whether what he said was accurate to make sure, to convince us and to reassure himself that he was not misleading this place.

If you check the budget papers for 2021 on page 42, there is no mention of the Liberal Party's rort scheme. There is no mention of the community facilities fund. I am not sure what the Premier was referring to but he had ample opportunity today to talk about this and clear the matter up. The reality is that the 2021 budget was handed down before the 2021 election, so how on Earth could it possibly contain details about a rort scheme that the Liberal Government and the Liberal Party used to get re-elected? How is that possible? I am not sure what kind of timeline you work on over there, but it is not the same as everybody else.

This is a serious issue that goes to the failing integrity of this Government, led by a premier who champions through his rhetoric, integrity and courageousness, but acts in a very different way. This is a failure of proper probity on behalf of the Liberal Party in the administration of taxpayer money: money that they thought they could throw around like

confetti, that they thought was Liberal Party money, that they thought they could raid the Treasurer's Reserve for and push through this place without proper scrutiny through the normal budget processes.

They failed to recognise that that would come unstuck, and now they have been caught out and the Premier is digging himself a bigger hole day by day. He did mislead the parliament, because his statements yesterday were blatantly untrue, and he has failed to correct the record. He had an opportunity this morning to do that and he did not take it.

There is nothing the Premier has said over the course of the last two days that has been redeeming about the way his Government has handled this murky matter. The only redeeming feature the Government has, to his credit, is minister Street, who did correct the record after he misled the Estimates process. The Premier effectively said the same words about the same grant program. I will read them again, because what Mr Street said was this:

The commitments were all in last year's budget, listed, funded and approved by the parliament.

What the Premier said was very similar. He was talking about exactly the same program and he said the election promise being funded was included in the budget and the budget being agreed to by the parliament. He was talking about that last year in June when we had this debate at that time. He has refused to correct the record about that, and he made a blatantly false statement yesterday in this place and refused to correct the record today when he had the first opportunity. The 2020-21 Budget did not have any details about the Local Community Facilities Fund or the particular rorts that his Government rolled out with pork-barrelling through the last election, because we had not had the election yet.

I am very reluctant to move this because I had hoped the Premier would clear this matter up this morning. There would not have been a reason for us to move this had he done that, but here we are again and the only person who seems to have known what is going on the whole time is the Deputy Premier, the Treasurer. He is the only one who has been up to his neck in this. He has known exactly what people are saying and has never once tried to help them out. I cannot help but wonder if there is a reason, a bit of an ulterior motive, there for him not being particularly useful to his colleagues. I am sure they are starting to question where his loyalties lie right now. So they should, because both the Premier and the Minister for Sport and Recreation have found themselves in a bit of hot water when it comes to this rorts program, this scandalous waste of taxpayer money that did not go through any proper probity process.

Today the Premier did not tell us who was on the decision-making panel when nine Government members have been linked to this rorts program, how the conflicts of interest were managed, and if any of those members were on the decision-making panel that handed out that funding throughout the election. We do not know. It gets murkier and murkier.

The Premier now has an opportunity to correct the record. He could have done that this morning and said, 'I misspoke. I referred to the wrong financial year', or 'Page 42 was the incorrect page number to reference'. He did none of those things. That is because he is in a desperate spin trying to cover up the murky mess this Government has created for itself and has been exposed through multiple RTIs and media reports now, which creates an enormous stink around this Government and its lack of integrity that just gets worse with more and more Liberal Party members being outed as having connections - some of them family connections -

to organisations that received taxpayer money with no appropriate processes adhered to and a government which is being secretive about who made decisions about the allocation of those funds. It is pretty bad.

The Premier can today clear some of this up and tell us which Liberal members sat on that decision-making panel allocating funds, whether conflicts of interest were properly disclosed, but most of all correct the record.

Time expired.

Recognition of Visitors

Mr SPEAKER - Honourable members, I acknowledge that the grade 10 Deloraine High School students are in the Gallery. Welcome to the parliament.

Members - Hear, hear.

[11.38 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I also welcome the Deloraine High School students to the parliament.

The Leader of the Opposition continues to come in here with false claims. We have been a government that delivers on our commitments. We are listening to Tasmanians and we are acting not only on our election promises but on the issues that matter to Tasmanians to ease the burden of the rise of the cost of living, the pressures in our hospital system, to keep Tasmanians safe, to provide a roof over the heads of vulnerable Tasmanians, and a range of areas that we are delivering.

The pathetic muckraking negativity from those opposite has been consistent as well. However, what is surprising is that after eight years - 3100 days - in opposition, you do not have one single policy on the table.

I will put my integrity over those opposite any day of the week. My values are to always tell the truth. If I believed that I misled, I would come into this House and correct the record. Those opposite use this place to deliberately mislead themselves in an attempt to discredit and it needs to stop. Time in, time out they personally attack people on this side of the House. That is not speaking about the things that matter to Tasmanians: the cost of living; housing; health; education; public safety; and child safety services. We are continuing to deliver: the draft salmon plan delivered today; Mr Jaensch's announcement on Ashley yesterday; cost of living; and supporting businesses in Tasmania. We are continuing to deliver and will not fall into the trap of negativity and personal attacks of those opposite.

We heard more false claims this morning from the Opposition. You deliberately tried to mislead the House in your second question by being tricky and mentioning three different amounts of funding. I have outlined those funding matters in an answer to another question this morning. The Opposition Leader's first question was about references to the Local Community Facilities Fund in the Budget papers. The 2021-22 Budget Papers, Budget Paper No. 2, Volume 1, on page 42 -

Ms White - You said the 2020-21 budget yesterday or are you saying *Hansard* is wrong?

Mr SPEAKER - Order.

Mr ROCKLIFF - It describes key deliverables in the Communities Tasmania agency under the heading -

Members interjecting.

Mr SPEAKER - Order. Opposition, you have been warned once before. Interjections should cease. The Premier should be heard in silence. The Leader of the Opposition has left the Chamber once already today. I do not wish to eject her again.

Mr ROCKLIFF - It describes the key deliverables in the Communities Tasmania agency. Under the heading 'Local Communities Facilities Fund' it clearly states that some projects received funding prior to 30 June 2021, and that the remaining would be provided in 2021-22 - that is, in that budget. The 2021-22 Budget Papers show that some of the LCFF projects were funded before 30 June 2021 and the rest would be funded in that budget, the 2021-22 budget. I hope the page 42 reference makes it very clear. Not one of the seven of you could seem to locate it. That is very clear for everyone to see in Budget Paper No.2, Volume 1 on page 42, in front of me: the Local Community Facilities Fund.

You come in here, you try to muckrake and damage people's character, saying that people are misleading, when all you are doing is misleading yourselves and trying to make a point. In your questions you continually mislead. You come in here with all your trickery, when what we are doing is focusing on the things that matter to Tasmanians: bringing down elective surgery waiting lists by record investment; clinician-led, patient-focused; rebuilding our schools from the ground up, some of them which you left neglected after 16 years in government; rebuilding our police service after it was decimated between 2010 and 2014; and bringing back the 10 000 jobs that were lost under your government.

People not only lost their services. Not only were you sacking nurses in hospitals, closing wards, putting beds in storage, but you sent 10 000 people to the dole queue. Imagine that, getting on unemployment benefits when you had a cost-of-living crisis of a 65 per cent increase in energy prices. How would you feel?

What we have done, brick by brick, is rebuild this economy and rebuild these services through the 30 000 jobs that we have created; working alongside every single Tasmanian, and every Tasmanian small, medium, and large businesses working alongside our doctors to rebuild our health system that you destroyed; rebuilding our teacher workforce in our schools, so our kids can have the best possible opportunities in education. These are the areas that we are focused on.

Time expired.

Recognition of Visitors

Mr SPEAKER - Honourable members, I welcome the second group of the Deloraine High School students, Grade 10. Welcome to parliament.

Members - Hear, hear.

[11.45 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, we support the seeking of leave so we can have a debate about whether the House agrees the Premier should be censured for two responses he has given now to questions around the Local Communities Facilities Fund. The first was the one that was raised in parliament yesterday when he was asked about his statement that all of LCFF projects were funded through the Budget process, when they were not.

Mr Ferguson - It was a question about Sandy Bay, and you know it.

Ms O'CONNOR - Yes, okay, I have the *Hansard* here. It is actually about promises being funded included in the Budget and the Budget being agreed to by the parliament.

Mr Ferguson - The question was about Madeleine Ogilvie and Sandy Bay.

Ms O'CONNOR - Okay, I guess the question then for the Premier and for you, Treasurer, is: why is this like pulling teeth? When the question was asked of the Premier, why could there not have been clarity about the different sources of funding for what was an electoral bribery scheme?

We had some discussion about this answer in the previous contribution but the Premier said yesterday, 'The funding of some commitments, prior to 30 June 2021, was transparent in the Budget Papers for the 2020-21 financial year, on page 42'. That was a mistake, wasn't it? The year of the Budget was a mistake. Why could the Premier not come in here and say, 'Yes, I made a mistake. I am sorry'. We all do that. We could not even have that admission of error.

Premier, page 42 of that Budget is about Community and Disability Services. However, on page 42 of the 2021-22 Budget, there is a brief description of the Local Communities Facilities Fund. There is false information in the Budget papers which asserts that the Local Communities Facilities Fund was set up in June 2020, when it was not. It was established in Liberal HQ, working with the Premier's office in April 2021, in the early days of the last state election campaign. So, we have printed Budget papers perpetuating an untruth about the origin of this massive electoral bribery scheme. That is a fact too: a false claim is in the Budget papers.

The Budget also incorrectly states the number of projects funded in the 2020-21 financial year. It fails to note the use of the Treasurer's Reserve to fund 111 projects - more than half of the Local Communities Facilities Fund Projects, and it does not list them. It is not very transparent, not at all.

I acknowledge that two of the Government members who are under the most pressure over this electoral rorts scheme did not cook it up. The person I believe was primarily responsible for cooking up the Local Communities Facilities Fund is the former premier and treasurer. Now, the current Premier and current Treasurer and the Minister for Sport and Recreation are carrying that can. Why would they not distance themselves from the lack of transparency, the clear rorting and conflicts of interest? Why would the Premier not say, 'It will not happen again, not with me as Premier, it won't.'? We need that commitment from this Government. That is the goal here. It has to be the goal for democracy in this state.

We had the Treasurer get up a bit earlier and come back into the House after the question that we asked, which was pretty clear at the end: 'Did the Liberal Government attempt to use the COVID-19 provision to fund election commitments in 2021?' We did not say did the previous treasurer, or did the previous premier. We said 'did the Government seek to', knowing that in the letters that went out to community organisations, the framework was around how this project might contribute to recovery from COVID-19, which as we all know - it is worth putting on the record - is not over, and we are a long way from recovering from it.

The Treasurer comes in on indulgence and his answer says that I referred to documents, which I did not. He narrowed his answer down to the right to information documents which we have, and they were not mentioned in my question. The question was much bigger than what is in those RTI documents. I did not refer to any documents and Mr Ferguson said I did. He quoted me as saying, 'Did the Government plan to', and I did not ask that. He did not answer the question, because the question was:

Did the Liberal Government seek to use those COVID-19 recovery funds to fund its own election promises?

We have not got an answer to that because the Treasurer narrowed his response to the information in the RTI documents we have.

Again, they are not transparent or frank. There is an inability to admit wrong, to take responsibility and to move on. We are copping it on this side of the House from Government members because we dare to apply the blowtorch of scrutiny to a government that is using millions of dollars to buy votes in a secretive and shady rorts scheme. This is Opposition members and the crossbench doing their jobs. This is large sums of public money and the information we are seeking from Government is in the public interest on expenditure and probity. We need to hear this will not happen again. Let us have the debate on censure.

Time expired.

Mr SPEAKER - Before I call on the next speaker, I would like to make the point that I have allowed a certain amount of leniency for the three leaders when it comes to the seeking of leave. After yesterday's conversation, I find it strange that there were no points of order raised in those contributions. I remind members that we are on the seeking of leave. I thank the Chamber for that opportunity to allow that leniency.

[11.53 a.m.]

Mr FERGUSON (Bass - Deputy Premier) - Mr Speaker, I have been searching for the word that would describe a person who runs around making something up and constructing a fabricated story to make somebody else look bad. I consulted the dictionary and found some very unflattering words; not very nice. That is what we are seeing from the Labor Party, which is leaderless, cannot count, cannot manage money and cannot manage their party. What they can do in a year where they have had a disastrous takeover of their party, with just three days of the parliamentary sitting year to go, they are trying to make as much mess as they can, hoping that that mess will reflect not just on the parliament but specifically on the Government.

They are going so low they are bringing the House low, they are bringing the reputation of this parliament low, and I feel for people in the public who might be in the Gallery, or reading

the papers and are not really quite sure who to believe here, because we politicians are sometimes their own worst enemy, bringing down their reputations.

I have had a very close look at what a lot of people have had to say over the last couple of days and I have to say I am very disappointed in the Leader of the Opposition. I can imagine what a troublemaker Ms White must have been at school, going around the playground telling people, 'Did you hear what someone said about you?'.

Opposition members interjecting.

Mr SPEAKER - Treasurer, if I might add -

Mr FERGUSON - It is entirely appropriate, but I will keep moving forward.

Mr SPEAKER - and referring to the Leader of the Opposition.

Mr FERGUSON - The Leader of the Opposition is a troublemaker, Mr Speaker. I suspect she has always been, and that is the kindest word I was able to find in the list of words. I think it is regrettable. This should not happen in a modern workplace. By all means, scrutinise. By all means, highlight failure. By all means, identify a lie if there has been one, and show it. What is happening is the opposite. The Labor Party is in a complete mess. They have been taken over. Ms White is not even allowed to lead this party that she calls herself the leader of and they are making stuff up.

The Premier has correctly referred to the 2020-21 financial year which, by the way, it seems that only Ms O'Connor has been able to find the reference to page 42 of Budget Paper 2, Volume 1 in the 2021-22 budget papers. It refers to the 2020-21 financial year.

Opposition members interjecting.

Mr SPEAKER - Order.

Mr FERGUSON - That is what the Premier talked about. What you have done is shameful because you know exactly what you are doing. You are twisting and turning and trying to make out that somebody else has been dishonest when the person who is being dishonest sits opposite. I find it not just disappointing; I think it brings down this House. We have had the motion for respect and you wonder why people continue to have concerns about the standing of members of parliament in this state and then people are subjected to this nonsense debate.

I find it very surprising, because yesterday when I walked in for question time I did not expect for one moment that anybody would have their sights trained on the Premier in relation to these matters.

Opposition members interjecting.

Mr FERGUSON - It is very funny now. I thought perhaps they might be trained on the minister, Mr Street, because faithful to his word, he made a mistake on incorrect advice and corrected the record. No-one else has had to do that because no-one else has given false information and brought it into the House and in for debate.

I despair at this because if this is the standard now - and yes, we do misspeak at times, and some people do it more than others. Some people turn up in other people's driveways and declare that the house behind them is empty. They get it wrong.

Members interjecting.

Mr SPEAKER - Order. There is no need to comment.

Mr FERGUSON - They get it wrong; they tend to blame their staff, some of us. I will make that point. If that is the standard, that you cannot get something wrong on incorrect advice, and suddenly it has to be a massive nuclear explosion in politics, you are trying to make as much mess as you can. You do not care who gets hurt.

We have heard scurrilous questions today about another member of another House - this is all to create innuendo and smear.

Ms Dow interjecting.

Mr FERGUSON - Yes, that is right. The record is very clear; it particularly sits on the record of the Deputy Leader over there, which is one of the most shameful things that I have witnessed in this House.

The Labor Party is leaderless. It has no policies, it has no plan for our state and the only thing it can do is to get together with its workshop and thought, 'What mess can we make for the parliament in our last few days of the year so that the Government looks bad like the rest of us?'. That is what has happened, and anybody with any political literacy knows this.

I did not particularly expect the Greens to come over and help the Government make these arguments. It is predictable that the Greens, as they nearly always do, side with the Labor Party on political procedural motions. I was disappointed to see that that behaviour is being supported -

Ms O'Connor - We support the seeking of leave. We have to have the debate.

Mr SPEAKER - Order.

Mr FERGUSON - because Ms White's reputation is in tatters.

Mr SPEAKER - Leader of the Opposition, Treasurer - if you could use the correct title.

Mr FERGUSON - The Leader of the Opposition, such as that leadership is, her reputation is in tatters because she is being a troublemaker. It is as simple as that. I think it is unfortunate. It does bring the place down. It is not a good look for the parliament. People do wonder. They see 'he said, she said' in parliament and they might think the truth is in the middle. The truth is not in the middle. The Premier does not have to give an account of misleading parliament, because he has not done that. What has happened is, yet again, the Leader of the Opposition brings muck into this place, dresses it up as a question, and declares it as fact. We will not be supporting this motion.

Time expired.

[12.00 p.m.]

Mr WINTER (Franklin) - Mr Speaker, the question is, as Ms O'Connor pointed, was leave to be granted. We have heard from speakers, particularly from the Government, completely irrelevant. You asked about why there is no point of order about that. It is because my interpretation of your ruling from yesterday is that almost anything goes in these circumstances. You have not pulled anyone up. That is fine and we are happy to go with the debate as you have seen it and the precedent that you have set.

The Premier is under pressure. We saw that in his response to the Leader of the Opposition earlier today. It is pretty obvious he has the federal caucus against him, now in open warfare against him. He has senators, the federal member for Bass, the federal member for Braddon, and the Liberal Senate team now at odds with his position on the stadium. It is obvious he is under pressure. The only question we have is, how much support there is for the stadium in the Liberal caucus inside this place at the moment? We have not heard from many members of the Government about their support or otherwise of the stadium proposal.

We are looking forward to them showing the honesty and bravery that some of their federal colleagues have shown in speaking out for the really important things that matter to Tasmanians: healthcare, and the housing crisis we are dealing with. The Government's proposal is to build a stadium where they were previously proposing to build houses.

Members interjecting.

Mr WINTER - The Deputy Premier interjects. One of the problems the Premier has in these debates is he keeps taking notes from the Deputy Premier as he is speaking. He turns around and takes a note, and every time he takes one of those notes and reads from it, things just get a little bit worse for the Premier. We saw that with his attempt today to deflect by reading out Labor promises, before pointing out that we did not win government and we did not deliver any of them. We did not raid the slush funds and use the Treasurer's Reserve as a slush fund like the Government did.

The question in relation to the Premier's integrity, honesty and accuracy is important. Accuracy matters. The truth matters. Details matter. There are at least two occasions where the Premier has misled the House, in our view. They have been well documented yesterday and today. In the defence of the original misleading from 14 June this year, the Premier says:

It is not unlike a raft of other promises others make, just like any election promise ...

He is not talking about the Sandy Bay Rowing Club. He is talking broadly about election promises:

... just like any other election promise, the promises come to fruition depending on two things.

He is talking broadly about these grants. The defence that the Treasurer and Deputy Premier offers up is as weak as they come. He clearly misled. The Standing Orders are very clear: a member must not mislead the parliament or the public in any statements that they make. The Premier did mislead the House. It is clear that he misled the House. Then yesterday, in his feeble defence, he says:

The fact is that funding of some commitments prior to 30 June 2021 was transparent in the budget papers for the 2020-21 financial year on page 42.

We looked. It is not there. That is concerning. It is not accurate.

The Standing Orders direct that the Premier, when having made an incorrect statement, should come to this place and correct the record. I do not know if that was one of the sheets of paper that the Deputy Premier gave the Premier. That could be the case. That is unfortunate for him if he is still taking the advice of the Deputy Premier, the Treasurer, whose defence is that he told the parliament last year that these grants came through a different set of financial management practices. He obviously, in attacking the Opposition over that, has not realised he is attacking his Premier and Minister for Sport and Recreation on that front as well.

The Premier is under pressure from his federal caucus and his colleagues here. He stood up today in parliament and said words to the effect that the latest CommSec State of the State showed that we are leading on a number of indicators. I dutifully printed out a copy of that. I will read you some of it. It says Victoria remains the strongest for retail scheme; Australian Capital Territory leads on equipment investment; Queensland has the strongest jobs market; Queensland leads on relative population growth; South Australia is the strongest on construction work; the Australian Capital Territory holds the top spot for home buyers; the Australian Capital Territory now leads the way on dwelling starts; it says Perth posted the biggest lift in consumer prices; and Queensland is the growth leader.

Facts matter, details matter. When the Premier tries to correct the record he gives the wrong budget. He should stand up and correct the record. He had the opportunity to stand up the same as he did yesterday. He did not learn a single thing. Stand up and correct the record and say, 'I got the wrong year'. If that is what he did, just stand up and say, 'I got the wrong year'.

Stand up and say, 'On 14 June my statement was misleading and I apologise for that'. The same as Mr Street did. We would not be standing here. They call this a stunt. It is unnecessary because all we are asking for is the Premier of Tasmania to be accurate, to be honest and tell the truth in this place. It should not be something we need to drag the Government, or the Premier, along to make honest and accurate statements in this place. I do not think it is a high standard to set that we have people who tell the truth.

The Deputy Premier in his defence said some people do misspeak from time to time. He is quite right. If the Premier takes anything from that contribution it should be to listen to that advice.

Time expired.

Mr SPEAKER - The question is that leave be granted.

The House divided -

AYES 10

Dr Broad
Ms Butler

NOES 11

Mrs Alexander
Ms Archer

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

Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Street
Mr Tucker
Mr Wood
Mr Young (Teller)

PAIRS

Ms Dow

Ms Ogilvie

Leave denied.

MATTER OF PUBLIC IMPORTANCE

Integrity

[12.15 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Speaker, I move -

That the House takes note of the following matter: integrity

The matter of public importance today is integrity, and the unfortunate lack of integrity that has been demonstrated by this Government and by this Premier who pretends that he said one year when he actually said another, and could have very easily cleared the matter up, but has refused to do so. He is so desperate to appear strong that he plunders on, and it is unfortunate because he is wrong.

The Premier is so desperate not to appear as weak as he is, he just plunders on blindly, trying desperately to pretend that they have been transparent about their roting of the Treasurer's Reserve, when they have not been transparent. His statements from June 2021 were broadly about the promises that were made during the 2021 election where they spent a lot of taxpayer money on different grants to different community groups that did not go through a budget process. Not all of them did: 111 of them were funded through the Treasurer's Reserve in a process that was not properly scrutinised by the Budget.

That is a demonstration of a lack of integrity by this Government. What we have unfortunately seen is that the Premier holds his ministers to a higher standard than he holds himself. He is supposed to be leading a government that he said is built on integrity and courage, and unfortunately, he is failing to do that.

It is not just in relation to this. The reason we bring on this matter of public importance is not just a reflection on the debate that has been had around the community facilities fund and the roting of taxpayer funding to support the Liberal Party's re-election campaign in the 2021 election, but it is also about the Premier's lack of integrity when it comes to upholding the standards the community expects when it comes to selection of candidates.

Again, we asked questions about Ms Howlett, the member for Prosser, and the conflict of interest that has been alleged against her and whether the Premier had asked the member for Prosser about that, whether he had asked her to clarify what was going on there. He told us in Budget Estimates this year that he had not. That the leader of this government has no interest in whether one of his members had a conflict of interest as a minister is astounding. He simply had not asked her. Yet we see now the member for Prosser has been re-endorsed by the Liberal Party to stand again for election in 2024 to contest the same seat. The question was asked again of the Premier, 'Have you asked her now, have you satisfied yourself that the conflict interest that was alleged against Ms Howlett, member for Prosser, has been cleared up to your satisfaction?' Never once has the Premier told us that he has asked and that he has been told anything that satisfies him that there is no conflict of interest there. That is not a Premier who leads with integrity, who cares about the suitability of his candidates for election.

Why does this matter, Mr Speaker? It matters because we have seen form from the Liberal Government in the past. Adam Brooks is the obvious person who comes to mind, or Terry Brooks, as he was also known. The complete scandal around the 2021 election campaign when it came to the candidate for Braddon, Mr Adam Brooks, was disgracefully handled by the former premier. Undoubtedly, the then deputy premier Mr Rockliff knew what was going on. I would like to understand what advice he provided about the need to uphold standards, uphold integrity and principles that are reasonable in the community's expectation for any government to have. Even at that point in the election, I can remember very clearly then premier Peter Gutwein being asked about allegations made against Mr Brooks, evidence being presented to him by journalists in a press conference. He looked at that and he said, 'How do I know you have not tricked that up?'. Dismissal. Reluctance. Ignorance. No regard for the concerns that had been raised by women about Mr Brooks.

That is why we have concerns about this Government's ability to select candidates that have integrity, whether it be Mr Brooks or whether it be Ms Howlett. The clouds still hang around her regarding the allegations of conflicts of interest. Has the Premier satisfied himself, or has he just looked the other way like Mr Gutwein did?

Whether it comes to candidates and their suitability and whether they have values of integrity, when it comes to funding different programs across the community using taxpayer money and the very dodgy processes and the lack of transparency about the allocation of those funds, or whether it comes to misleading parliament, this is a Government that does not have integrity; a Premier that has failed to uphold the value of integrity.

There is a bit of stench around this Government that is getting worse and worse. It is clouded in controversy. It is failing to get the basics right. It is more obsessed with building a \$750 million stadium in Hobart than improving the lives of Tasmanians who need a home, or who need access to healthcare, or deserve support to address the rising cost of living.

This is a Government that has lost its way. It does not uphold the values that the Tasmanian community expects of it when it comes to operating and acting with integrity.

It is vitally important that not only do members uphold the code of conduct and the standards that are expected of us as members in this place, but also that ministers uphold the Ministerial Code of Conduct within which it requires them to provide statements that are accurate, and that if they do not they need to correct the record at the earliest opportunity.

We have seen too many examples perpetuated by this Premier in recent days, particularly in relation to rorts around taxpayer money at the last election. That leads us to one conclusion: this is a Government that is acting without integrity. It chooses to do that because it is more convenient for them to dismiss and ignore the truth and own up to their own mistakes, because the Premier thinks that will signal his weaknesses. It will signal the fact that he is not in control.

We see that with the federal members coming out and calling him out for his warped priorities. What the community wants is a leader who acts with integrity, tells the truth and is honest. Unfortunately, what we have in this Premier is anything but.

[12.23 p.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I welcome the opportunity to speak on a matter of public importance.

What the community wants is for governments to get on with the job and do what they are elected to do: come good on the commitments they promised at the last election; recognise and be upfront and honest about the challenges that face Tasmanians: the rising cost-of-living pressures, energy prices, the increase in demand on our health system, the need to continually build a system of education based on equity, to ensure we do have the resources there for public safety and our police officers around rural and regional Tasmania and elsewhere, to ensure we have the protection for our most vulnerable in the community, including and especially, our children and young people.

Instead of the Labor Opposition coming to parliament this week, in the last three days of parliament, where they could be focused on those issues, all they have been focused on is smear, innuendo, and personal attacks. We had a rerun of that today: a member of our team and a person in another place. It is appalling.

Contrast that with what we have presented to the parliament. I have had feedback already today about the appalling behaviour of those opposite, which reflects badly on the parliament. Particularly, can I say, the people who are the subject of the appalling behaviour. That does reflect badly on the parliament. The performance by Ms White in parliament this morning was shameful, with children in the Chamber and people looking on via links. It is a shocking example of that.

It is upon all of us to rise above the personal attack and innuendo and focus on what matters to the Tasmanian people. Yesterday, we had four ministers talking about initiatives we are doing to keep Tasmanian families and children safe: policies and initiatives that will make a difference to the lives of Tasmanians. What we are elected to do is make a difference. That is what drives our Government and the team that I lead. We want the young people who enter our youth justice system to have therapeutic responses that address their developmental needs and their past trauma and return them to the community as positive members of society.

I could not be prouder of Mr Jaensch and what he announced yesterday, which is why we released the Keeping Kids Safe plan for Ashley Youth Detention Centre until its intended closure. This plan details the completed actions and work under way to ensure the safety of young people in Ashley while we develop alternatives.

We also released a final draft of our Youth Justice Blueprint 2022-2032, which has been developed in consultation with key stakeholders over the past 12 months and will set the

strategic directions over the next 10 years. The first two-year action plan to implement the blueprint has been finalised with a focus on immediate short-term priorities, including responding to matters raised in the commission of inquiry and raising the minimum age of detention from 10 to 14 years.

The proposed youth justice facilities model outlines a nation-leading response, including assisted bails, secure custody and support for young people transitioning back into the community.

I have to commend the Attorney-General and Minister for Justice and for rehabilitation across a range of areas and initiatives. Today, once again, we are debating reform regarding electoral disclosures. Ms Archer has driven a lot of reforms in legislation in this place. I could not be more proud of Ms Archer.

Our Government is determined to build a nation-leading approach that engages at-risk young people early, directs them away from the youth justice system and supports young people who come into conflict with the law to become valued and productive members of our community. This is our job. This is what people expect us to do - make a difference to the lives of every single Tasmanian and the future of Tasmania as well.

It is the final week of the parliament and the Opposition turned up to this place to speak about matters only to do with personal attacks. We are focusing on delivering a plan that strengthens Tasmania's future.

We recognise we need to support a growing economy. Today, the release of the draft salmon plan is an example. It will be out for consultation. It is about supporting an industry and making an industry accountable, but ensuring we can maintain the jobs momentum and growth: a strong economy, growing jobs, investing in essential services, and keeping Tasmanians safe. This is what we are focused on - not the muckraking of those opposite. Eight years of opposition, and nothing has changed. No alternative budget. In all of those eight years, not once has there been an alternative budget delivered by those opposite. I have some faith in Dr Broad that he will deliver, potentially, next May.

Dr Broad - Like Peter Dutton?

Mr ROCKLIFF - I thought you said 'Peter Gutwein'. I have a lot of examples of Peter Gutwein's alternative budgets prior to the 2014 election, where we did draw a line in the sand, where we made commitments and people knew where we stood, where we had a plan for Tasmania. That is when we were elected in 2014 with a plan. We started straight away, rebuilding the forest industry, employing Tasmanians, delivering back into those essential services, reforming our education system. That is what governments are elected to do.

Time expired.

[12.30 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, fundamentally, it is known that there are five principles of integrity. Dependability is the first principle of integrity. Dependability means people can rely on you and that you keep your promises and your word. The second is loyalty. With employers especially, it is the value to appreciate loyalty. It is loyalty to other people and it is loyalty in keeping your word. The third attribute of integrity is honesty. Honesty requires

integrity. The fourth is good judgment and the fifth is respect. They are the five attributes commonly known of what makes integrity.

My fear is that the Government has moved the goalposts on their perception of integrity. That is what I fear has happened. They are so scared of losing power that they would do anything to protect it. Along the way, somewhere their perception and their ability to be dependable, loyal, honest, to have good judgment and respect have gone missing. They have gone out the window.

I doubt any of the members across the Chamber came into these roles thinking that those five fundamental aspects of integrity would be compromised, but that is what we believe has happened.

This is a gendered quote because of the date and it is by Abraham Lincoln, but it is very clear. It says:

Nearly all men can stand adversity but if you want to test a man's character give him power.

That says an awful lot about what we are seeing here in the House of Assembly at the moment.

Governments around the world are moving towards greater transparency while this Government is doubling down on an already toxic culture of control, secrecy and mistruths. The Premier clearly misled the parliament on 14 June - that is a fact - and at the first opportunity he did not correct the record. Again yesterday the Premier misled the parliament. He made a mistake. He got the years wrong of the budget and he made a mistake, but he did not correct the record.

Mr FERGUSON - Point of order, Mr Speaker. I will be brief, unlike others. I invite the member to withdraw that comment. It can only be made in a substantive motion that the Premier misled the House.

Ms BUTLER - I withdraw the comment, Mr Speaker.

According to the ABC, there have been nine members of the Government linked into this group that have received funding through the scheme. The reason it is really important for the Premier to right the record is because it is a serious issue of taxpayer funding being provided for a political party to gain advantage. It is a very important issue.

We know that 111 grants were not put through a parliamentary process. We know that it was only through a process of an RTI request that the Government was exposed. I question how many other crooked and unethical dealings this Government has undertaken under the protection of underfunding the Integrity Commission. I believe they are underfunded. They are not able to pursue many of the claims that have been put to them and also the right to information request system where many RTI requests are denied and then appealed in really long time frames. I suggest it is looking like a bit of a strategy from the Scott Morrison handbook.

Richard Herr recently stated on the ABC over questions raised on the integrity of process that:

Politicians are going to make promises, we expect them to make promises, and there is nothing wrong with delivering on promises, because we would castigate them if they don't deliver. What we don't expect is politicians to behave with favouritism, with bias, toward a section of the community with which they have a special relationship or a special concern. Secondly, we don't expect them to be able to deliver promises that aren't delivered consistently with the appropriate use of public monies.

These are public moneys that were used inconsistently without a proper process. Mr Herr then went on to say:

It's one thing to make a promise that you will try to do something. It's quite another thing to have a private slush fund available to you to give effect to those promises, because they haven't gone through a vetting process to see if there isn't something more important for that community.

If we go back to the five attributes of integrity, the first is dependability. We cannot depend on whether or not this Government has been honest with the use of taxpayer funds; it is lacking integrity. We know that there is a certain loyalty towards the people who elect this Government that they should be able to expect a certain honest exchange in return for them voting for the Government and I think the Government at the moment is not giving them back that loyalty, so there is certainly no integrity there.

We also know honesty is a huge part of integrity, and they are not being honest. If they were being honest they would have corrected the record, and we know that that is a huge part of expectation, especially from the Tasmanian public that trust and rely upon this Government. When we come into this House we do a declaration of principles. It says:

Members of this Assembly must carry out their official duties and arrange their private financial affairs in a manner that protects the public interest and enhances public confidence ...

Time expired.

[12.37 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, this is an interesting topic for us to discuss today, and it is worth placing on the record right here and now that I do not think anyone in this place has a monopoly on integrity. We can all try to be the best people we can be and act honourably and honestly but, ultimately, we are all only human.

In terms of the contribution made by Ms White, I want to address the matter of Ms Howlett's preselection as the Liberal candidate for the division of Prosser. It did not put Ms White in a good light to raise that in the context of an integrity debate. It is a matter for the people of Prosser whether or not they believe Ms Howlett is the right person to represent them. I would argue and feel very strongly that Ms Howlett has paid a heavy price for the allegations that have been levelled against her. Regrettably, they have never been tested, but she has certainly paid a heavy price.

While I am on that, in terms of integrity, I remember that Labor signed a secret memorandum of understanding with the Tasmanian Hospitality Association before last year's state election that required Labor to consult with industry on its policy in relation to poker machines, which we know claim lives and livelihoods. It was an MOU that was signed in secret and was only revealed to the Tasmanian people during the last campaign because of the work of a journalist who got hold of it, so let us not pretend in there that either of the major parties have a monopoly on integrity.

Honestly, I believe there is a fundamental decency and integrity in our Premier, but I feel he has lost his way, and part of it is that for 20 years of his political career he worked with opposition leaders who had a fairly free-loving relationship with the truth. We saw that when Will Hodgman became premier and a decline in standards in question time. We saw a shift in the way ministers were answering questions. They became much less precise and factual in 2014 when the Liberals were elected to government. We saw also in Estimates again repeated attempts of obfuscation at the table by newly appointed Liberal ministers. The worst offender I remember in those first couple of years is the now Minister for Transport and Infrastructure, Deputy Premier and Treasurer.

There is a cultural issue here that has contaminated the whole government, despite Mr Rockliff's innate decency. It has been eight years in the making. I urge Mr Rockliff to shake off what he learnt as 2IC to Will Hodgman and Peter Gutwein and find his strength.

When he says he wants to be honest and open with the Tasmanian people, to not revert to behaviours that have worked for him in the past, be genuinely honest and open with the Tasmanian people. We have not seen that with the Local Communities Facilities Fund. We have not seen a willingness to accept responsibility for incorrect information provided to the parliament. It is basic human psychology. If you admit that you have done the wrong thing or you made a mistake or you could have done things better, it can make the pain go away, politically.

There has been a really unfortunate approach to this Local Communities Facilities Fund. I do not know if it is because the Liberals want to do it again in the next state election but there has been secrecy; ongoing obfuscation and lack of clarity about what was funded and how, and the multiple conflicts of interest between Liberal Party candidates and organisations who received money through the Local Communities Facilities Fund.

I was having another look at the list of organisations. No one begrudges the Tasmanian community organisations a cent. You can see how much need there is in the community for extra infrastructure and program support funds, so why is the Government not saying, 'We won't do that again. What we will do is establish a standing community grants program for just these sorts of projects that people can openly bid into.

The Tasmanian Community Fund is moving away from infrastructure-based projects and more into longer-term educational programs. That is fantastic but there will be a vacuum for community and sporting organisations that have legitimate needs for funding support. It should be open, it should be accessible and it should be transparently administered. That is a win, win, win.

It will not be able to be used during an election campaign to ingratiate yourself with a particular group but it could be catalytic to changing this broader island community and making

sure that organisations from across the island - from pipe bands to men's sheds, to cricket clubs - know that there is a pool of money there that is fairly administered and is based on need and merit and is supported by the Rockliff Liberal Government - established by the Rockliff Liberal Government, if you want to get some political wins for it.

There are much better ways to do this. The Premier said he wants to be up-front and honest with the Tasmanian people. We are calling on him to do so in relation to COVID-19 infection and mass reinfection.

[12.44 p.m.]

Mrs ALEXANDER (Bass) - Mr Speaker, it is a pleasure for me to add my thoughts to the topic being presented for debate today on the MPI. I will start by setting up a bit of a framework before I add a bit more substance to my presentation.

Our Government is committed to acting honestly, professionally, and with accountability in the performance of our duties for a strong future for our state. Since coming to government, we have taken action to improve standards, accountability and transparency. I am sure that this is an ongoing process that will happen and will continue as a matter of ensuring that the Tasmanian community understands what we are all about in this House.

As members of this place would be aware, the Government approved and updated a code of conduct for ministers following the election in 2021. The code applies to the Premier and each minister and is based on the framework that was adopted by the Government in March 2014, updated in 2018, and then updated again in 2021. We have made changes to a number of sections of the code to ensure there is no doubt that the Government will operate in manner that withstands the closest public scrutiny. Furthermore, to protect and uphold the public interest, ministers must take reasonable steps to avoid, resolve or disclose any material conflict of interest, financial or non-financial, that arises or is likely to arise between their personal interests and their official duties. Ministers are asked to declare to the Premier whether they have any conflicts of interest in relation to their proposed portfolio of responsibilities.

We all have signed the members Code of Conduct and understand our obligations to adhere to them and to set the standard when it comes to integrity. We acknowledge that our duty as community leaders and our common values compel each of us to ensure that parliament is a leading practice example for all Tasmanians.

In regard to election commitments, taking commitments to the election and giving people the right to vote on them is one way of transparency and it is a fundamental part of our democracy. It is not the only reason why people vote for a particular candidate. There are many other things that sit behind the vote to that particular candidate.

From the various facts that I have been able to identify, there is step one that I understand was undertaken. The Liberal Party made election commitments in the 2021 campaign, so I understand other parties did the same. Step two, Tasmanians voted on those commitments, but also on other issues that the candidates of all parties presented. Step three, we said we will deliver on those election promises as soon as possible, and I believe that was outlined in the 100-day plan media release. Step four, given the delay to the budget until August, the Government then introduced the supply bill on 24 June 2021. Debating that bill, the Minister for Finance told parliament that funding had already been provided to 111 organisations

through the Local Community Facility Fund. These were funded through a request for additional funding. The minister made it clear to the House that the Financial Management Act provides the flexibility to enable the Government to fund election commitments prior to the Appropriation Act being passed, or the Budget being passed.

From what I understand, there were no questions asked at that time about the 111 small community projects, and the bill was supported. Step five, the Budget papers also made it clear that some local communities facilities funds projects received funding prior to June 2021 with the remaining being funded in 2021-22. In June 2022, when asked, Mr Street tabled a list of all projects funded with the dollar amounts. All of this has been entirely proper and compliant with the Financial Management Act.

There is a concern for me that whilst we are trying to encourage a proper process to be followed and have that scrutiny on the proper process, we throw into it everything, including the kitchen sink, which I think for people out there watching things unfolding and from comments being made, they have become quite confused about what is being pursued here. Are we pursuing clarity of process, or are we pursuing individuals? It appears in trying to make an argument, some people, rather than focus on the argument of improving the process, which I believe the Leader of the Greens has just outlined, which is a fantastic idea to look at the process, have chosen to pursue individuals. People in the community who have been watching with interest have been left scratching their heads. What is trying to be achieved here?

Earlier this year, *The Advocate* called out Labor for various patterns of mistruth. It said:

... the Labor Opposition has succeeded only in painting itself in a poor light. Almost eight years after it lost Government, it seems Labor still doesn't know how to be an effective Opposition.

There is no problem with trying to identify a process, clarify a process and make sure that process functions properly, but, let us do it in a way which actually shows genuine concern for the process. Do not muddy the waters with things which are probably deeper and some of the things that have occurred, and I can only speak for myself, may not clearly identify.

Time expired.

Matter noted.

ELECTORAL DISCLOSURE AND FUNDING BILL 2022 (No. 25)

In Committee

Continued from 22 November 2022 (page 100).

Clause 53 -

Publication on Commission website of disclosures

Further consideration of amendments moved by Ms O'Connor -

Ms HADDAD - Mr Deputy Chair, to refresh the Chamber's memory, we are discussing the Leader of the Greens' amendment to clause 53. She struck out the second part of the three-part amendment. The Labor Party will be supporting this amendment. It is very straight forward and adds to the intent of the bill to increase transparency around political donations received by parties and candidates, sitting members and third parties.

The amendment is to replace the word 'within' with the words 'as soon as practicable, but in no case later than', in two instances.

That means that those time limits will apply and that parties will be able to report donations as soon as practicable. I think that is in line with one of the previous amendments that Ms O'Connor moved, which was around the ability for people to report donations, even if they are not required to be reported under the regime. On that basis, I am happy to support these amendments.

Amendments negatived.

Clause 53 agreed to.

Clauses 54 to 61 agreed to.

New clauses D, E and F -

Ms O'CONNOR - Mr Chair, I move the following amendment:

Page 114, after proposed section 61.

Insert the following new Division –

Division C - Assembly expenditure limit

C. Candidate's expenditure limit

- (1) A candidate at an Assembly election must not, in respect of his or her campaign for that election, incur election expenditure exceeding the expenditure limit.
- (2) The expenditure limit for the purposes of subsection (1) is \$83 000 in the year 2022 and increases by an additional \$1 000 each subsequent year.
- (3) If a court convicts a candidate of an offence against subsection (1) it is to, at the time of conviction, make a finding of the amount by which the candidate's election expenditure exceeded the expenditure limit.
- (4) For the purposes of subsection (1), expenditure incurred by the official agent in relation to the candidate is taken to have been incurred by the candidate.

- (5) A person who contravenes subsection (1) by incurring any amount not exceeding \$1 000 in excess of the expenditure limit is guilty of an offence.

Penalty: Fine not exceeding 0.05 penalty unit for each \$1 of that first mentioned amount.

- (6) A person who contravenes subsection (1) by incurring any amount exceeding \$1 000 in excess of the expenditure limit is guilty of an offence.

Penalty: Fine not exceeding 150 penalty units.

D. Party's expenditure limit

- (1) A registered party must not, in respect of the party's campaign for an Assembly election, incur election expenditure exceeding the expenditure limit.
- (2) If a registered party, in respect of its campaign for an Assembly election, incurs election expenditure exceeding the expenditure limit, the party agent is guilty of an offence.
- (3) For the purposes of subsection (1), the expenditure limit is \$830 000 in the year 2022 and increases by an additional \$10 000 each subsequent year.
- (4) If a court convicts a party agent of an offence against subsection (2), it is, at the time of conviction, to make a finding of the amount by which the party's election expenditure exceeded the expenditure limit.
- (5) A person who contravenes subsection (1) by incurring any amount not exceeding \$1 000 in excess of the expenditure limit is guilty of an offence.

Penalty: Fine not exceeding 0.05 penalty unit for each \$1 of that first mentioned amount.

- (6) A person who contravenes subsection (1) by incurring any amount exceeding \$1 000 in excess of the expenditure limit is guilty of an offence.

Penalty: Fine not exceeding 150 penalty units.

E. Third-party campaigner expenditure limit

- (1) A third-party campaigner must not incur election expenditure exceeding the expenditure limit.

- (2) If a third-party campaigner, in respect of its campaign for an Assembly election, incurs election expenditure exceeding the expenditure limit, the official agent in relation to the third-party campaigner is guilty of an offence.
- (3) The expenditure limit for the purposes of subsection (1) is \$83 000 in the year 2022, increasing by an additional \$1 000 each subsequent year.
- (4) If a court convicts a person of an offence against subsection (1) it is to, at the time of conviction, make a finding of the amount by which the person's election expenditure exceeded the expenditure limit.
- (5) A person who contravenes subsection (1) by incurring any amount not exceeding \$1 000 in excess of the expenditure limit is guilty of an offence.

Penalty: Fine not exceeding 0.05 penalty unit for each \$1 of that first mentioned amount.

- (6) A person who contravenes subsection (1) by incurring any amount exceeding \$1 000 in excess of the expenditure limit is guilty of an offence.

Penalty: Fine not exceeding 150 penalty units.

Obviously, this amendment introduces a new division that contains expenditure limits for candidates, parties and third-party campaigners contesting House of Assembly elections.

Tasmania and Victoria are the only Australian jurisdictions without expenditure caps for lower House elections. Federal elections also do not have expenditure caps.

Chair, it is really important that when we have this discussion, we remember that the former Liberal member for Braddon, Mr Adam Brooks, is reported to have spent somewhere between \$200 000 and \$300 000 winning that seat in Braddon, which is why we think he was asked back to contest the 2021 state election because he had cash reserves that would help grow the party's vote in Braddon. We need to make sure that does not happen again, that people who get elected to the House of Assembly are there on merit.

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

MOTION

COVID-19 Management

[2.30 p.m.]

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

That the House -

- (1) Expresses its sincere, heartfelt condolences to family members, friends and colleagues of the 201 Tasmanians who have died with COVID since the start of the pandemic.
- (2) Recognises these Tasmanians were loved and valued members of their families and communities, whose lives were tragically cut short.
- (3) Acknowledges with sadness:
 - (a) 188 of these preventable deaths have been recorded since 15 December 2021, when Omicron arrived in Tasmania; and
 - (b) the thousands of Tasmanians who suffer from or at risk of disabling, longterm health consequences from COVID infection or reinfection.
- (4) Further recognises the removal of mandated protections, necessary to reduce mass COVID infections, has severely restricted the lives of many vulnerable Tasmanians, including the elderly and clinically vulnerable, and people with disability.
- (5) Accepts the scientific evidence that SARS-CoV-2 is an airborne pathogen with potentially fatal consequences and well understood, debilitating impacts on immune function.
- (6) Notes with real concern stagnating vaccination and booster rates, particularly amongst children and young people.
- (7) Agrees the trajectory of Australian governments' COVID management, which facilitates constant reinfection, is untenable for individual and population health, as well as social and economic wellbeing.
- (8) Resolves to work cooperatively to educate, promote and model increased vaccination and booster uptake, indoor mask wearing and ventilation.
- (9) Calls on the Government to prevent further disabling illness and loss of life, and urgently adopt evidence-based policies, practices and communications that better protect Tasmanians from COVID.

I can indicate at the outset, Mr Speaker, that we will not be calling a division.

It is time for Tasmania's parliament to honour the lives of the 201 Tasmanians who have been lost to COVID-19. We bring on this condolence motion to try to ensure these Tasmanians

are not forgotten and to let their heartbroken families, friends and colleagues know they are remembered.

Dr Woodruff and I grieve this tragic loss of life. It is a heavy toll: 201 Tasmanian lives lost since COVID-19 arrived, and 188 Tasmanians lost since the border was opened on 15 December 2021. So many lives cut short by this lethal and dangerous virus. Nationally we have hit the grim milestone of 16 000 Australians dead due to COVID-19. That is a staggering toll.

This Sunday in Canberra at 2 p.m. there will be a vigil against COVID-19 organised by people whose lives have been deeply affected by the failure of government policy and unchecked community transmission.

Mr Speaker, who were these Tasmanians who have been lost to COVID-19? We do not know their names or where they lived. We do know that they were mums, dads, grandparents, aunts and uncles, sons and daughters and friends. We know they were loved and that they loved. It has saddened me that we know so little about these Tasmanians. They are not reported. We do not hear their stories but each week as the weekly surveillance report comes out we understand that the toll continues to increase.

What do we know about these 201 Tasmanians? What we know, according to the weekly surveillance report up to 12 November this year, is that of the 186 Tasmanians who were recorded as dying since 15 December last year, one was between the age of 30 to 39, three were between 40 to 49 years of age, and 11 were between the ages of 50 to 59. At these ages, people should be able to look forward to many more years of enjoying life. Between the ages of 60 to 69, 26 lives were lost; between 70 to 79 years of age, 39 lives were lost; between 80 to 84 years of age, 28 deaths; and the highest toll amongst our oldest citizens, the 85-plus cohort, where 78 people have died, many of whom would have been in aged care.

What else do we know about these Tasmanians who are lost to us now? If you have a look at the weekly surveillance report, we know that of the 186 deaths recorded in the report as at 12 November - and I might note that the weekly surveillance report due on 19 November is not yet out - 37 of the deaths were people who were unvaccinated, five of the deaths were one dose vaccination, and people who had two or more vaccinations were represented by 143 of those deaths. We also know that of those lost to COVID since 15 December last year, 49 lived in the north of the state, 39 in the north-west, and 97 lived in the south.

The loss of life to COVID-19 nationally and in Tasmania is utterly heartbreaking. Each day as I read information about lives lost to COVID-19 interstate and here, I am more and more broken inside about how, as a society, we are prepared to allow this to happen. It is very important that we acknowledge these lives, as they were our fellow Tasmanians.

I also acknowledge that many thousands of Tasmanians are now suffering from, or are at risk of, disabling long-term health consequences from COVID-19 infection or reinfection. Indeed, when you look at the data, to date there have been 258 000 reported cases of COVID-19 in our community. We know that is an under-representation of the true case numbers as some people will not be testing and some will not be reporting. At least half of the Tasmanian population has been infected with COVID-19 and the data tells us that of those many, many Tasmanians, between and 10 per cent and 20 per cent will suffer from what is termed long

COVID, but long COVID is COVID. The acute infection is one thing, but the after-effect, long COVID, that is the disease. Long COVID is COVID.

I know a number of people and many of my constituents who live with a disability or who are clinically vulnerable and are living shadow lives at the moment. They live in fear of infection or reinfection. Many are dependent on support workers or carers and, because as a society, we have prioritised individual freedom over community health and wellbeing, we have created a circumstance where the lives of many of our fellow vulnerable Tasmanians, including the elderly and clinically vulnerable, and people with disability, have become severely restricted. I know people who barely leave their homes. As a society, that is not something we should be prepared to accept. In fact, it is in direct contravention of the protection of the rights of people with disability and marginalised people.

Mr Speaker, we know that the removal of mandated protections by all Australian governments, Commonwealth and state, has led to an increase in the rate of infections and reinfections and has led to increases in hospitalisations, ICU admissions and deaths. If you are infected with mumps you are required to isolate for nine days. If you are infected with COVID-19 in Australia today, you are not required to isolate at all. It is a lethal disabling virus and somehow we have arrived at a place where we are prepared to let this virus spread unchecked; we are prepared to let it win and claim lives.

Even though there has not been enough honesty from political leaders and their public health advisers, we know that SARS-CoV-2 is an airborne pathogen, with potentially fatal consequences that are well understood along with the debilitating impacts on immune function.

We now have an avalanche of studies on COVID-19, on long COVID-19, on vulnerability, on the impact of COVID-19 on the immune system, on the brain, on the heart, and on the vascular system. This avalanche of studies tells us that COVID-19 poses a major threat to our health, our lives and our sanity. The latest studies tell us, basically, that there is no returning to pre-COVID-19 normal. We know that there is no permanent immunity from COVID-19. Each time we catch it, this virus attacks our system. It attacks our heart. It attacks our brain. It weakens us and it is trying to kill us. It imprints on us so a future variant can have a better shot next time, and because we are not reining in transmission, the virus is rapidly mutating.

You can catch COVID-19 multiple times. There is no such thing with COVID-19 as hybrid-immunity. People are getting infected three, four and five times in a year. People are being re-infected within a month. Re-infections are common, not rare. Two months ago, the data was telling us that in Tasmania re-infections of total reported case numbers were sitting at 27 per cent. If you go to the COVID-19 weekly surveillance report, in total of the reported infections between 15 December and the 12 November, there were 8340 re-infections: most troubling when you look at the re-infection data is what is happening to young people.

In the data, in children between the ages of 0 and 4, who are not vaccinated, there has been a total of 12 082 reported cases up to 15 November of SARS-CoV-2 in Tasmania. Of those babies who are infected, 329 are re-infections. Between the ages of 5 and 11, 25 099 children have been infected; 777 of them are re-infections. Remember, we are talking about cohorts of Tasmanian children who are either unvaxxed, or under-vaccinated. Between the ages of 12 and 15 the data tells us there have been 15 185 reported cases and of them 429 are re-infections. Between the ages of 16 and 19 there have been 13 701 total reported cases;

591 are re-infections. In that most vulnerable group, young people who are socialising and trying to live good and happy lives, between the ages of 20 and 29, 41 032 reported infections and of them 2192 are re-infections, remembering that this cohort of young people is not yet eligible for booster shots.

What we also know is that vaccination provides some protection against severe disease, hospitalisation and death, but it has waning efficacy. We also know that COVID-19 can take your life months after you have been in the acute phase of the infection and you think you have recovered. The studies tell us it can cause brain damage. It can cause blood clots and heart attacks. It does not spare children. Masks work. Cleaning the air helps. Everyone is made vulnerable by this virus. Every single one of us.

When Paul Kelly, the Chief Health Officer, as part of his advice to government advised National Cabinet that it would be okay to remove the bare minimum of five-day isolation period, he talked about high vaccination rates in the Australian community and a high level of infection. He suggested that we had a level of hybrid immunity in the community. The only way to keep hybrid immunity is to keep getting infected, keep risking death and long COVID and keep being part of that chain of transmission. When those chains of transmission continue unchecked, people die.

We want to see a reset on COVID-19 policy. We look at the vaccination rates across the population. Vaccination and booster rates are stagnating. Access is too restricted. When you look at vaccination rates amongst children and young people, only half of Tasmanian children under 11 have had two doses. Forty per cent of Tasmanian children under the age of 11 are not vaccinated at all, and that data has sat at that level for months. There is a whole range of things that government could be doing, and at the moment is not doing. At a bare minimum, to be promoting vaccination and to be making it accessible should surely be a priority for government.

Young people under the age of 30 have not had their boosters. We want young people to live healthy and happy lives. We want young people to be socialising and connecting, but the choices that we are giving them now are socialise and run the risk of catching COVID or being re-infected, or live the life of a near hermit. What we want to see from our political leaders is advocacy at National Cabinet for a vaccine-plus strategy, which Dr Woodruff will talk about in more detail shortly. That does not just rely on vaccines to prevent hospitalisations and deaths, because we know vaccines are not preventing infection. We want to see National Cabinet start making vaccinations much more accessible across all age groups, and boosters. The US administration has just approved a fifth booster. Why is it so hard for people to take personal responsibility by organising a booster? We do not understand. We have governments telling us to take personal responsibility and you are not giving us the tools to do so.

Again, I ask: how does someone who is carer dependent, who lives with a disability take personal responsibility when they are so dependent on the care and support of others? Disability Voices Tasmania made a statement when the mandatory isolation periods were removed on the basis of zero good public health advice. DVT said:

We have grave concerns regarding the removal of the mandatory isolation requirement. We assert that this decision puts the Tasmanian disability community at great risk, not only of infection with COVID-19 but, for many, of long-term and potentially fatal health consequences.

The spokesperson Vaughn Venison, the executive officer, says:

Removal of the mandated isolation period leaves the responsibility on the infected individual who may not be aware that they are working closely with someone who may be prone to infection and at severe risk of long-term health problems as a result. This puts people who are immunocompromised at severe and unacceptable risk.

We wanted to be able to always stand by Public Health advice. For the first two years of the pandemic, our political leaders and Public Health served us really well. Something happened after 15 December and the arrival of Omicron, where we had political leaders not been honest about risk, political leaders removing protections, not modelling the behaviour, bowing to the business lobby that wants to pretend things are normal so that they can keep people eating at restaurants and shopping.

We also had such a failure on Public Health. The sign put up by the Tasmanian Government Public Health 'Keep on Top of COVID-19' is still around shops all over nipaluna/Hobart. There are five things they tell you to do:

- wash your hands.

That is called hygiene theatre. Of course it is good to have clean hands, but it will not stop you catching COVID-19.

- keep your distance.

Yes, tick.

- stay home if you are sick.

Yes, tick. Many people do not, as we heard in Dr Woodruff's question this morning. Employers are making sick people go back to work where they would infect others in unmasked workplaces, childcare centres, and on Metro buses.

- if you have COVID-19 symptoms, get tested.
- follow restrictions.

Well, they are not restrictions: they are protections but there are not any. There are not just any.

What is the missing piece here? The missing piece is masks. Somehow or another, the wearing of a mask, which is one of the most effective ways of preventing infection and transmission has become politicised to the point where it is a dirty word. Sometimes you hear Public Health people talk about face coverings. Just say the word, mask. There is nothing in this advice, which is on windows in shops all around Hobart, to say get your vaccinations updated, update your boosters.

At the moment, even though reported cases in Tasmania have tripled in as many weeks, Public Health's advice still is to tell Tasmanians that the risk is low to moderate. There has not

been an update to this advice for some months as far as I could tell looking at the website today, last week and the week before.

I understand that ultimately Public Health can only advise political leaders. We have seen in Victoria what a gutsy public health chief officer can do. Brett Sutton provides daily updates to the people of Victoria on the pandemic response. Daily or near daily he encourages COVID-safe behaviours including mask-wearing. He is open and public about waves and surges of the virus, so people can take steps to protect themselves.

We are now on the rise of the fourth distinct COVID-19 wave to hit this island since 15 December last year. We cannot as a society, and we certainly as a parliament should not accept this. We cannot accept that we are going to do nothing except occasionally vaccinate people when we have bought enough supplies in, or have decided to make them available and make the Tasmanian people live through wave after wave of COVID-19. We cannot accept a soaring death toll.

Imagine if the road toll was 188 people this year. There would be changes to laws and regulations, there would be more traffic stops on the road, and there would be more police on the road. We would rightly go all out to prevent more deaths on the road. Why is there this double standard? I cannot understand how governments are so willing to bend over to monied interests at the expense of the lives of our fellow citizens. I cannot understand how we have a situation in Tasmania where people are being sent into their workplaces infected.

Everyone has a right to a safe workplace, but people are being failed now. Dr Woodruff and I would like to work cooperatively across this parliament to model good behaviour, to educate and to promote increased vaccination and booster uptake, indoor mask wearing and ventilation.

Mr Speaker, I am hearing a lot of coughing in this Chamber and it makes me feel incredibly sad. I do not want anyone in this place who has had COVID-19 to get it again.

There is a whole lot of evidence-based policies, practices and communications that can be put in place by the Government that better protects Tasmanians from COVID-19, restores trust in political leadership and Public Health advisers, but we need leadership. I am certain, knowing the Premier and Health minister as I do, that he feels sickened by the reality of what is happening with this virus.

This is an opportunity for our Premier to show national leadership on COVID-19: not to accept the deaths of so many Tasmanians and take some action, start listening to the experts and start acting to prevent further loss of life in future. Every death to COVID-19 is an absolute tragedy to our community and to the people who love them. We have to do better.

Mr SPEAKER - Before you finish, Ms O'Connor, I am clarifying that there was no vote required at the end of this?

Ms O'CONNOR - No, Mr Speaker.

Recognition of Visitors

Mr SPEAKER - Honourable members, I acknowledge the grade 5/6 students from Mole Creek in our audience. Welcome to parliament.

Members - Hear, hear.

[2.58 p.m.]

Mr ROCKLIFF (Braddon - Premier) - Mr Speaker, I welcome the students from Mole Creek, not too far from where I lived at Sassafras. I was out that way the other day. It is wonderful to have you in the parliament and seeing how we operate and cooperate in many respects to the issues of the day.

I thank Ms O'Connor for bringing forward this motion today. I note that a vote is not required. I take that in the spirit of cooperation. I note a number of points in Ms O'Connor's notice of motion most notably expresses its sincere heartfelt condolences to family members, friends and colleagues of the 201 Tasmanians who have died with COVID-19 since the start of the pandemic, and recognises these Tasmanians were loved and valued members of their families and communities whose lives were tragically cut short. A number of other points included resolves to work cooperatively to educate, promote and model increased vaccination and booster uptake, indoor mask wearing and ventilation.

I am also mindful of Dr Woodruff's contribution to be made as it is a Greens' motion. Ms O'Connor flagged that Dr Woodruff would have some messages or advocacy for National Cabinet. I am most interested in Dr Woodruff's contribution, given I am part of National Cabinet. I will take the matters that Dr Woodruff raises very seriously.

In March 2020, COVID-19 arrived at our shores, a global pandemic on our doorstep. Without a vaccine at the time, we took very swift action and tried our very best to protect the lives of Tasmanians. We put safeguards in place and escalation plans in our communities and businesses while also responding with a support stimulus package to protect livelihoods wherever possible.

I have said many times before and my predecessor also stated many times that the health, safety and wellbeing of all Tasmanians has been our priority throughout the response to the COVID-19 pandemic. Of course every single death is a tragedy and I extend my unreserved and sincere condolences to the family, friends and loved ones of the 201 Tasmanians who have sadly passed away from COVID-19 or COVID-related causes.

During the pandemic we have all experienced changes to our lives and complied with restrictions. I am grateful to all Tasmanians for the way they have worked with us and together to minimise the risks of COVID-19. Our strong border restrictions served Tasmania well while they were in place by keeping our community safe and allowing us to monitor significant outbreaks in other states, establish our testing and outbreak management processes, and give our health and aged care facilities time to prepare to manage cases in their facilities.

Tasmania's safe border strategy was designed as a three-step transition plan to ease our border restrictions in a responsible way to minimise harms associated with the virus. Although

there was a range of views in the community, we approached the reopening in the knowledge that our state could not remain closed forever. We knew that by keeping our borders closed we would limit work opportunities, stop Tasmanians from visiting loved ones who live interstate and overseas, and restrict the state's economy. All these areas are connected with the mental health and wellbeing of our population, which I also recognise as very important.

What our borders allowed us to do, in terms of pre-December 2021, was to ensure our community was well prepared. We put enormous efforts into achieving a 90 per cent vaccination rate for all Tasmanians aged 16 and over by mid-December 2021. Vaccination has continued strongly through 2022 and the very high vaccination rates we have achieved with a 99 per cent double-dose rate for Tasmanians aged 12 and above represents a tremendous effort by the Tasmanian community and has helped in protecting Tasmanian lives.

The decision to open Tasmanian borders on 15 December last year was made in line with the Public Health advice and carried the confidence of knowing that our health system was well prepared for the inevitable cases of COVID-19 that that would bring. We developed comprehensive hospital escalation and surge plans to ensure continuity of care, safely and effectively, for those with COVID-19. These hospital escalation management plans have guided the operational responses in hospitals throughout 2022 and describe the trigger points and actions for each of the four escalation levels to ensure we can continue to meet demand in our hospitals.

Innovation has been a key component of our ongoing pandemic response since the borders opened, with the success of our COVID@home program, now COVID@homeplus, in reducing hospitalisations and taking pressure off our health system. Throughout this year we have continued our Government's response to the COVID-19 situation and have prioritised supports for vulnerable Tasmanians, including approving programs to expand access to antiviral medications and to extend free rapid antigen tests to concession cardholders.

Although our pandemic response has had a strong focus on health, we have also provided vital support to Tasmanian businesses as well. I know that the pandemic has impacted the lives of all Tasmanians and any steps we have taken to remove restrictions have been done so in a measured way as we learn to live with COVID-19 in our community and in line with other jurisdictions nationally.

The pandemic has been a challenge nationally and internationally, but our planning and investment in hospital capacity has ensured that our health system has been able to cope with the surges of COVID-19 cases in Tasmania, but not without its challenges. I recognise that the Omicron variant post-15 December 2021 provided enormous challenges for our health system. The furloughing of staff in the time leading up to Christmas was a huge challenge for all of us. I again take this opportunity to thank each and every one of our front line and those throughout our health system, irrespective of position, for the work they did in preparing for the borders reopening and indeed continue to work as well.

I was able to acknowledge the number of people working at our COVID hotline just the other day and the many calls - I think 1.4 million calls - that were taken since March 2020, including some 14 000 in one day on a number of occasions. There were calls about information on borders, restrictions, vaccinations, a huge range of subject matter that people would ring in about. They were often feeling vulnerable so having a caring and knowledgeable person on the other end of the phone would have been of great comfort.

We know that our case numbers will continue to fluctuate. That is why getting vaccinated and keeping up to date with the booster continues to be the best defence against COVID-19. We also encourage people to test as soon as they have symptoms and Tasmanians at high risk who test positive, which includes older people, are urged to seek antiviral treatment as soon as possible to ensure it is most effective in treating the illness. Antiviral treatments can be accessed by contacting your local GP or usual healthcare provider in the first instance, or call the COVID@homeplus team. I continue to encourage all Tasmanians to stay home and get tested if you have symptoms.

I acknowledge the issue of long COVID as well, which was raised in Ms O'Connor's contribution. Our Government has launched a new service to support those experiencing ongoing effects of COVID-19. We have committed to a range of measures to improve health services for the benefit of all Tasmanians and some \$400 000 investment to establish a statewide navigation and referral service specialising in long COVID was launched in September this year. It is available to patients statewide, regardless of where they live, through a referral from their GP. Internationally, the understanding of long COVID continues to evolve, and a person experiencing long COVID may have a range of symptoms, with the impact on each individual varying significantly.

I am advised that people who are up to date with their vaccinations are less likely to experience long COVID. Vaccinated individuals who experience long COVID typically experience symptoms that are less severe and last for a shorter period. I encourage all Tasmanians to remain up to date with their vaccinations.

When it comes to the long COVID service, following the emerging understanding of long COVID and its impacts, we have established this navigation and referral service. The entry point to the post-COVID navigation service is through the person's general practitioner, which is important as it is critical that a thorough medical history is taken to inform the patient's referral to the service. The GP can determine the patient's individual medical needs and prepare a referral that may request the input of health professionals from a range of specialties. Initial assessment will be via telehealth, available wherever people live in Tasmania.

The objective of the post COVID-19 navigation service is to deliver patient-centred care, optimising COVID-19 care both within the primary and tertiary healthcare setting. Its goals include improved access to timely care, reducing inequalities, helping self-management, providing guidance and decision support for primary care and delivering coordinated and patient-centred care ultimately to improve patient outcomes.

Mr Speaker, I thank Ms O'Connor for bringing this motion to the parliament's attention. I could speak a lot longer than this, but there are two speakers, including a Greens member - and the motion is from the Greens - who has to speak as well. I take great note of what members are contributing today. I thank the Public Health team for all the work they have done and the advice they have provided, their best efforts with the best information available, both statewide and nationally in keeping Tasmanians as safe as possible.

We will always do all we can to make that our number one priority. I repeat what I said this morning: each of the 201 people who have passed away with COVID-19, can I offer our sincere condolences to their families as the motion so eloquently expresses and encourage all Tasmanians to remain up to date with their vaccinations and to be mindful of COVID-safe

behaviours. I also commend the leadership as we provide a consistent approach across the nation when it comes to the pandemic.

[3.11 p.m.]

Ms DOW (Braddon - Deputy Leader of the Opposition) - Mr Speaker, it is my pleasure to speak on this motion this afternoon. From the outset, it has been an incredibly difficult two-and-a-half-years for everyone across Tasmania with COVID-19. I was only speaking to someone about this this morning at the prayer breakfast, how suddenly it came upon us and consumed our lives and continues to do so. It has been a difficult time for those Tasmanians who have lost their loved ones, their friends, their colleagues, their family members to COVID.

I also put on the record this afternoon my sincere condolences and to say that my thoughts are always with those families and members of the community. Those people are not forgotten; they are always remembered. It has been a really difficult time for those family members and continues to be.

Ms O'Connor, in her contribution, spoke about how we do not often hear about those people, or who they were, or where they were from, or their story. In preparing for my contribution this afternoon I came across a lovely story that was in the *Mercury* in May 2020. It tells a story of the granddaughter of a Burnie woman who died after contracting COVID-19 in hospital. She described her grandmother as 'an absolute bloody ripper' of a grandmother. Excuse my French. She said that her grandmother contracted COVID-19 while she was at the North West Regional Hospital for pain management.

That is a really important point. Many people contracted COVID-19 in places where they were seeking medical assistance, not always admitted in the first instance with COVID, such is the nature of the virus. She goes on to say that her grandmother battled heroically with the virus for weeks, enduring a harrowing roller-coaster ride. People do not realize that COVID-19 is a real roller-coaster. You have very good days and really bad days. From the moment where you are called to the hospital because your grandmother is unconscious, to the next day, when she would be sitting up eating her porridge.

She tells of the heartache of how they went through that on a number of occasions during her grandmother's battle with the virus. She says that it was an elongated trauma of ups and downs and hope and despair. Many people in the community are blasé about the risks of COVID. It was important to realise just how horrific it could be for the people suffering with it.

She goes on just briefly, to describe her grandmother as the glue that held their family together. She was a gentle soul. Always had a smile on her face and was always welcoming to everyone. Her sense of humour and love of life were contagious. Not one person who had met her could deny her warmth and her wit. She was stoic and stubborn and she had qualities that saw her battle heroically for 21 days against COVID-19. Not once did she complain about the unfairness or the pain. She was just merely concerned about protecting the rest of her family.

She goes on to say that we could learn a lot from her grandmother, and I tend to agree. It is so important to share that story today because that is the human face of suffering of COVID, and tells of that real lived experience for the affected families and for their loved ones

who they have lost. As we have said already today, 201 of those Tasmanians to date have lost their life with COVID-19.

Something that has been raised with me a number of times by members of my community is their distress about having not been with their loved ones in a healthcare or aged care facility when they were unwell with COVID-19, but also at the end of their life. That is another aspect to the way we have managed COVID-19 across our communities and healthcare settings that has left a big hole for some people - and the inability for them to grieve and support their loved ones at the end of their lives, which is not always a good thing. I know that it has affected many Tasmanians adversely and their experience of being with their loved ones at the end of their life. It is important to note that as well as part of this contribution this afternoon.

I thank the Public Health team for the work they have done over the last two-and-a-half years across our state and continue to do so. I also thank Tasmanians for what they have done over this time and what they continue to do, looking out for one another and being COVID-safe.

Others have mentioned the low vaccination rates, which are very concerning. We need to encourage better access to vaccinations and also encourage people to get their fourth booster shot. The fourth booster shot dose is very low. It is only at 36.7 per cent for those over 30, which is pretty significant. I put on the record this afternoon the need for the Government to - as is outlined in this motion - really get in behind the vaccination program and ensure that people can access vaccinations and highlight the importance of the vaccination program, particularly the booster program.

The other thing that has been mentioned today, which is also very important, is support services for those suffering with long COVID across our community, and the adequacy of those services that are currently provided. It is important to discuss this as part of this motion as it is outlined in it. It is about the ongoing support that we provide to Tasmanians who are continuing to experience ongoing health issues as a result of having COVID-19.

Mr Deputy Speaker, I want to give Dr Woodruff ample time to speak on this motion, as it is the Greens' motion today, but to reiterate that it has been a really difficult time, and for many in our community, it continues to be a very difficult time. The Labor Party's thoughts and sincere condolences are with each of those 201 Tasmanian families, loved ones, friends and colleagues as they grieve for the life lost of their loved one who died from COVID across a significant period in time in Tasmania.

Thank you to the Greens for bringing this forward. I have been very pleased to speak on this motion this afternoon, Mr Deputy Speaker.

[3.18 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, on behalf of the Greens, Ms O'Connor and I are bringing this condolence motion on today to remember and to respect and honour the 201 people who have died from COVID-19 in Tasmania.

The pandemic continues and we are in the seventh wave of infection in Tasmania today. Despite the great efforts to reduce the loss of life through vaccines, vaccinations, they are not 100 per cent effective. They have waning effectiveness and lives continue to be lost, even amongst those who are the most highly vaccinated. We are here today to give voice to the

sorrow and loss experienced by the families and friends who have lost the person that they love from COVID-19.

Each of the 201 people who have died in Tasmania was loved and special. There were 13 people who died before the borders opened just under a year ago. Since then an extra 188 Tasmanians have died: 15 times more people have died from COVID-19 in Tasmania during 2022 than did in the first two years of the pandemic combined.

We are seeing the numbers of people infected and the number of people who have died in Tasmania soaring this year but the conversation and attention in the media has diminished as time goes on.

We have just passed 258 000 who are infected with COVID. Before the borders opened there were 240. Some of those 258 000 Tasmanians infected have been reinfected, maybe once or maybe more times. Those numbers would have been shocking two years ago. They are shocking to us today because they represent people's lives and they represent a rippling effect in our community which we find hard to understand. As Ms Dow said: 'We find it hard to imagine the situation of life before COVID'.

One of the reasons we are bringing this condolence motion to parliament today is a plea to the Premier for leadership to not accept this as the new normal. There are different ways of responding. We ought to be doing everything we can as a parliament and the Premier as the leader of the Government to be outspoken and to take all possible preventative actions to stop people becoming infected, with the risk of dying or the risk of serious and disabling long-term illness which we know increases with each infection with COVID.

Science continues to reveal more definitive information about the long-term impacts of SARS-CoV-2 infection on the body. The latest was just 10 days ago in the most esteemed international journal, *Nature*. It makes it very clear that people who are reinfected with COVID have a dramatic increase in risk of death from all causes: a more than doubling of the risk of death from all causes. They have an increased risk of hospitalisation if they are reinfected with COVID and a trebling of the increased risk of hospitalisation of all causes.

We know from the research, and this is a very large study, that the impact on the lungs from diseases of the lungs are more than three-and-a-half times than those in people who are not infected with COVID.

Cardiovascular diseases, blood disorders, fatigue, disorders of the gastrointestinal tract, an increase in kidney disease and failure, mental health disorders, an increased risk of diabetes, an increased neurological impact: all the numbers in this study are enormous. Usually, in research on the impacts of an infection, you might see a 5 per cent increase in a particular outcome such as impacts on the heart and the lungs. With COVID reinfection we are seeing a threefold or twofold or three-and-a-half-fold increase in risk. These are huge numbers. Each of those numbers represents a person whose life has been either cut short by a heart attack or severely changed and affected by continuing fatigue, by heart disease, by lung disease, or by an increased risk of asthma or diabetes. These are things that we ought to be concerned about as one human for another, but also we ought to be concerned about as a Government.

What they represent is a massive and dramatic impact on the health system and on our need to respond and provide more resources. At the moment the Government is struggling in

any way to match the need in the health system. What we have is a huge burden of disease from COVID coming down the line but no discussion, which we find so concerning, from the Premier, or from the Department of Health, about the COVID impacts. We know that other states are modelling the COVID impacts on the health system. We encourage the Premier to do that for Tasmania, to look at the impact of the 258 000 Tasmanians who have been infected or re-infected and to model what that means for the increased support for diabetes services, mental health services and hospital services for those people.

We are concerned that so many of those 258 000 infections ought to have been prevented. They can be prevented, which is why we wrote to the Director of Public Health in February asking why there was such a low-level emphasis being placed on effective mask wearing as a critical tool to protect Tasmanians from COVID-19. We drew his attention to the research which made it very clear that mask wearing is incredibly effective.

Social distancing alone is basically hopeless when it comes to preventing Omicron in a group. Standing a couple of metres or a long way from someone who has Omicron, particularly in an enclosed space, is virtually pointless. When you are in an enclosed space and there is not adequate ventilation, or you and the other person are not wearing a mask, then you are at great risk.

The research clearly shows that universal masking is the most effective method for stopping the transmission of an airborne virus. We do not understand why the Government has never funded a widespread education campaign about the effectiveness of mask wearing. We do not understand why there continues to be signs on every door in a public building about washing your hands, which is, essentially, an ineffective response for an airborne virus. It is far more important that people wear a mask when they go into a building than they wash their hands. All of the sanitising that was useful and maybe important at the beginning of the pandemic is no longer relevant compared to the importance of wearing a mask.

We know that the removal of the requirement for mandatory isolation was probably the most retrograde step that this Premier has made as a response to the COVID pandemic. Before borders opened, we could hold our heads up as a state and say that we had a strong and effective response to this pandemic.

After opening the borders it was obvious there was going to be more infection in Tasmania. In response to that, instead of educating the community and providing audited ventilation services for all buildings, instead of requiring the most vulnerable in schools, children, to wear masks, and instead of keeping the indoor mask wearing requirement in place, the Premier did not do those things and removed the requirement for mask wearing.

I was personally shocked. I know that so many people who are vulnerable, who live with immunocompromising diseases were flattened by the Premier advocating at National Cabinet to remove the COVID isolation requirement. The stories that we read into question time this morning put a voice to the reality that people are experiencing every day; that people are being pushed back into the workplace despite the fact that they tested and remain COVID-positive simply to fill a spot. There is no conversation about the risks to their colleagues in the workplace and about the risk to their own health and the vulnerable people they may be unwittingly infecting.

I do not have time now but I want to thank the doctors and nurses, the hospital staff, ambulance, paramedics and volunteers who have valiantly stood for the community. Thank you and we will continue to stand with them for a safer Tasmania.

Time expired.

**ELECTRICITY SUPPLY INDUSTRY AMENDMENT (CAP POWER PRICES)
BILL 2022 (No. 53)**

Second Reading - Negatived

[3.30 p.m.]

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

That the bill be now read the second time.

There could be no more important issue in Tasmania at the moment than the cost of living for Tasmanians. That is what we are here debating today. It is a solution to at least part of the cost-of-living crisis for so many Tasmanian families who are doing it tough. Families and small businesses, contracted customers, are doing it so tough right now through a raft of increases that we are seeing throughout the Tasmanian economy.

The Tasmanian economy is experiencing its highest rate of inflation since 1987. The last time inflation was at this level, I was two years old. It is at a point where it is making life very difficult for Tasmanian families, households and businesses. Our concern on this side of the Chamber is that the Government is not doing enough to support households and businesses through a really difficult time.

We understand on this side of the House that there are things within the control of this parliament and this Government, and there are things that are outside the control of this parliament and this Government. Interest rates are one. We understand that interest rates have gone up far more than was expected and that is having a significant impact, particularly on households. It has increased mortgage repayments by hundreds of dollars a week for many Tasmanian households and is making life more difficult for them. The cost of fuel has also gone up and is making life more difficult for Australians across the country. It is something that is largely outside the control of this parliament.

Something that is not outside the control of this parliament or this Government is electricity prices. Governments throughout Tasmania's history have acted on power prices to ensure that Tasmanians pay Tasmanian prices for Tasmanian power - until this one. The Government's divergence from its 2018 election policy is a massive divergence not just from this Government's policy but from decades of Tasmanian government policy, which has been all about ensuring that Tasmanians pay low prices for electricity, not just households but also industry. Tasmanian industry has been built on having access to low prices that ensures that they maintain viability, particularly in competitive markets, given the distance from those markets. The fact that we have had cheap, reliable, clean electricity here available for them to use has made it so much easier for them to grow and continue to employ people.

This Government has decided it is going to take a very different approach to electricity pricing. It is very different from the Liberal government of 2018. They introduced price cap legislation which was largely the same as the one we are debating today. I will read the quote from the government of that time. They said:

The Hodgman Liberal Government has made a commitment to lower the cost-of-living burden for Tasmanians, and we are taking decisive action on this matter in relation to power prices. I am pleased to announce that this week the Government will be tabling legislation that will deliver on our election commitments to cap electricity prices at no more than CPI.

Introducing legislation delivers on our election commitment to table the bill within our first 100 days to cap electricity price growth to no more than CPI for a three-year period.

Just like this one would. It goes on to say:

In 2013, the former Labor-Greens government linked Tasmanian wholesale prices to the volatile Victorian electricity market. Wholesale power prices in the National Electricity Market have increased alarmingly in recent times. Had the Tasmanian Liberal government not intervened last year, this volatility in prices would have flowed through and impacted Tasmanian households.

What is happening right now is much worse than was foreseen in that media release, the author of which was minister Guy Barnett. He put that out on 20 May 2018 making the arguments for this bill, the exact same approach that Labor is advocating for today. It is a bill that Labor supported at the time and still supports. As I said at the start of this contribution, this is an approach that governments throughout Tasmanian history have taken to ensure that Tasmanians do not pay too much for electricity, to ensure they pay Tasmanian prices. This is the first Government that has made what I think is a grave error in allowing prices to rise unchecked. It does not appear to have any plan to keep the power prices low for Tasmanians and Tasmanian businesses. There is no plan at all.

I am surprised that more than six months into the National Electricity Market's price rises, a chaotic market, that the Government still has not substantially done anything or announced any plan to deal with this matter, which is likely to get worse if you look at the federal budget and if you listen to market analysts like Mark White from Goanna Energy, who has predicted price rises for regulated customers on 1 July next year of between 20 per cent and 25 per cent. For an average Tasmanian household, the average bill per year is about \$2000, which means that price rises for the next financial year would be around \$500 for an average Tasmanian household.

What is the Government going to do about this? When I talk to experts within the energy field and ask them, 'What are the options?', it all comes down to two options. One is actually the option we are debating today: capping power prices and providing rebates for those larger customers. It is the exact policy prescription that the parliament and the Government had previously supported. The Government took it to an election but they are no longer willing to advocate for it and, in fact, have already indicated that they will vote against this today - its own policy, its own bill.

Mr Deputy Speaker, there was some discussion earlier today about whether this bill was different enough from the bill that we debated earlier this year. It is not identical but it is similar. It is also very similar to the 2018 bill that this Government tabled, debated and was so proud of in 2018, that it took to an election and got bipartisan support for. It did support households and businesses.

In the minister's contribution today - I think I have a fair idea what he will say - I would like to hear him explain -

Mr Jaensch - That's because we've had this debate recently.

Mr WINTER - It was a similar bill, Mr Jaensch.

Mr Jaensch - It was very similar.

Mr WINTER - A very similar bill, but I would like to hear him today explain what his plan is. If it is not this, what is his plan? If it is not capping power prices for Tasmanians, what is he going to do when Tasmanians get a \$500 increase in their power bills next year? Will he just sit there and grin, or will he actually do something about it?

The bill today deals with capping prices for Tasmanian households and small businesses. What it does is cap electricity price rises to CPI, or to 2.5 per cent. We have not chosen 2.5 per cent randomly. We chose that number because that is effectively what the Government's wages policy is within its Budget this year. It has moved somewhat from there in terms of its negotiations with various unions and workers, but that is the stated wages policy within the Budget and that is why the number was chosen.

The bill provides that the Tasmanian Economic Regulator must not approve standing order prices submitted to it by a regulator from a retailer for an applicable financial year if those prices are higher than the tariffs for the previous financial year, indexed by the change in the Hobart CPI for the applicable year, or by 2.5 per cent.

This was mentioned in Ms O'Connor's contribution last time. I am not sure if she is planning on making a contribution again today, but she is quite right in talking about the wholesale electricity price order provisions, which the minister might have stated last time as well. They need to be dealt with by legislative instrument in order to ensure that this bill can work in the same way as it did in 2018. That is what we are advocating for today. We can only move one bill today, and this is the one that we will move. It is obvious that if the Government was to have a change of heart over the next hour and a bit, then it would need to have support by way of a wholesale electricity price order, in the same way as the parliament did in 2017.

We are not advocating for any change in policy. Labor has not changed its position on this. The political party in Tasmania that has changed its position on electricity prices, on power prices, is the Liberal Party of Tasmania. It decided in various ways to say to Tasmanians that it is more important for them to build Project Marinus than it is for Tasmanians to have low electricity prices. The minister for Energy has made this a choice. He is saying to Tasmanians they cannot have investment in windfarms, in hydrogen, in Project Marinus unless they pay high prices. Tasmanians will not cop that. I do not believe that we cannot have increased investment in renewable energy across Tasmania and have low prices for

Tasmanians. We fundamentally believe that Tasmanians should pay Tasmanian prices for Tasmanian power.

I have many conversations with Tasmanians about electricity, talking to business groups, people talking to me in the street or contacting my office to talk to me about this. The number one question they ask is: 'Why do we have to pay more because there is a national crisis? Or because there is a war in Ukraine? We have plentiful electricity here in Tasmania. We have publicly owned electricity generation. So, why are my bills going up by so much? Why has my bill doubled? Why are prices going up by 12 per cent? Why are they predicted to go up by 25 per cent next year? We have Hydro Tasmania, it is publicly owned'.

Since we debated this last time, the dams are more full. They are above the prudent storage level. There is no issue with that. Tasmanians are no longer paying Tasmanian prices for Tasmanian electricity because this Government is happy for them to pay more. I do not understand why this Government has not gone back to the approach it took in 2018. I was waiting earlier this year for them to table this legislation. I was staggered when it did not. I have spoken to many experts in electricity markets who tell me that the only way we can possibly deal with this is through the proposal we have here today on the table.

The Government has been trying to link the provision of government services to electricity prices. The argument I have heard is that if we cap electricity prices, it might have an impact on the Government's provision of health and education services. What on earth are they talking about? Is the Government saying Tasmanians need to pay high electricity prices so they can go to hospital or go to school? The linking of those two things is extraordinary.

Peter Gutwein, the then treasurer who brought this bill in in 2018, spoke about who would pay for the policy and whether it was affordable for electricity companies. He said that Hydro Tasmania will do and should do pretty well during high wholesale prices across the National Electricity Market. Of course, it should; it is a generator, it is publicly owned. The chief beneficiary in Tasmania of higher prices across the National Electricity Market, if there is one at all, is Hydro Tasmania, and now they have finally sorted out their BSA issues - they terminated the BSA which we understand led to significant financial impacts for the business early this year - and have a temporary BSA back in place they should be doing very well out of the current situation.

That is effectively how this was paid for in 2018 and how we would propose it be paid for this time round. There is a relationship. When prices are higher on the wholesale National Electricity Market, when Hydro should be doing very well, is when the pressure is on Tasmanian households and businesses through higher prices. That is the relationship that we would take.

There are a number of ways in which the Government could deal with this. We are not in government so we cannot do it, though I wish we were. The Government could provide the subsidy back through Hydro Tasmania directly, or it could do it through government. It would be up to them. Other states and territories have different approaches to this. The Government had the approach that it took in 2018. Western Australia, for example, has its own subsidy scheme which is dealt with slightly differently. There are ways you can do it and there are ways that you can fund it.

If the Government is still against this approach and still says this is the wrong way to go, even though it is their own policy and it is almost identical to their own bill, what is it going to do? It is not sustainable for Tasmanian households that are struggling so much at the moment to cop a \$500 increase in their electricity bill next year. Surely the Government is not prepared to allow that? Surely it can see and understand the pressure that is on households at the moment through those rising costs, through petrol, interest rates, higher rents, and grocery bills. Surely it understands that these inflationary pressures are having a real impact on Tasmanian families, that real wages are falling and that it has to do something about this. This is the one thing the Government can do to support Tasmanian households directly. This is the piece of the puzzle it has control over. The Government should deal with it and keep its promises.

On 4 February 2018, the minister for Energy, Guy Barnett, and the then premier, Will Hodgman, said:

Lower power prices and guaranteed energy security for Tasmania are at the forefront of our Tasmania First energy policy and will remain so under a re-elected majority Liberal Government.

The Tasmania first policy is dead as far as this Government is concerned. It has abandoned the Tasmania First policy. The only way you could describe that is to say that Tasmanians are now last in its thinking. The Government's priority is somewhere else and not with Tasmanian households and businesses.

The Government promised not 'among the lowest' electricity prices in the nation. It promised that by 2022 we would have 'the lowest' electricity prices. The minister for Energy has been saying lately 'among the lowest', because he knows he failed in delivering the lowest regulated prices in the country. The economic regulator's report shows it. In the comparison of electricity and gas prices available to customers in October 2022, last month, Tasmanians now pay more for electricity than Victorians and people in the ACT. Fail again.

Here we are in 2022 and we do not have the lowest regulated prices. We pay more for electricity now than they do in Victoria or the ACT. That is due to the broken promise of this Government. It said we would delink from the National Electricity Market and that would drop prices by 7 per cent to 10 per cent. Instead prices went up by 12 per cent this year and they look like they are likely to go up by 20 per cent to 25 per cent next year.

'Lowest regulated prices in the nation' is the name of the policy, with a picture - unfortunately, minister Guy Barnett did not get a gig in the picture but that is all right. I am sure he signed off on it. It says:

NEM exit: Breaking the link with mainland pricing

As part of the **Tasmania-First** energy policy we are committed to delivering secure and reliable electricity supply and lower power prices. We have already set a target to have the lowest regulated electricity prices by 2022.

Not amongst the lowest prices but the lowest prices by 2022.

As I said, it is a fail. He should apologise. He has been the minister for Energy for the entire period of this time, almost five years since this policy was put out. This minister was in

charge of ensuring that we could break away from the mainland electricity pricing and force down power prices by 7 per cent to 10 per cent and deliver the lowest regulated electricity prices in the nation by 2022. He has never admitted that he failed, and he should today. He should stand up and say, 'I did not get that right. I did not go through with my policy. Instead I have focused on anything but Tasmanians. My Tasmanian First policy is in tatters'.

He has torn up his promise to Tasmanian households and businesses. Today he will debate and argue against, effectively, his own policy. His own policy will be the subject of him saying that it will not work, that it is flawed, when, effectively, it is his own bill.

Mr Deputy Speaker, this is not the only issue that we have when it comes to electricity pricing. The other major issue when it comes to electricity pricing is for those larger customers. Last week I had the opportunity to speak with the Launceston Chamber of Commerce and their board about electricity pricing, about the impacts that it is having on businesses that they represent. It is fair to say that their comments were that they are concerned about the situation and they want to see action when it comes to electricity pricing.

The Examiner article that followed it up said:

INDUSTRY groups around the state have backed the Opposition calls for the state Government to take action to combat the effect of energy price rises on business.

Ben Carpenter, the president of the Tasmanian Hospitality Association said electricity price rises were forcing an 'unsustainable' reality on café, restaurant and pub businesses, although Steve Old ... said that the rebates were not a good long-term solution.

I would agree with that. I do not think it is a long-term solution but it is something we can do at the moment.

Mr Carpenter said:

Our industry is facing a double-edged sword at the moment with business owners not only dealing with their own extreme spikes in energy costs, but inflation leaving patrons with less disposable income.

That speaks to household pressure from inflation. The first thing many households will do is stop discretionary spending, like on their morning coffee.

He said larger restaurants were facing electricity price rises of between 40-60 per cent ...

When I state numbers like that, the minister says I am scaremongering. That is coming from the industry itself.

... while some pubs that contracted two years ago have price rises of between 80 and 100 per cent.

Is the THA scaremongering?

It is simply unsustainable if we continue down this path.

He pointed out the example of the Goodstone Group, which runs a chain of hotels, bistros, restaurants and bottle shops on the north-west coast.

They will see a 100 per cent rise in their contracted electricity bills from 1 January next year, Mr Carpenter said.

Both the THA and also the Launceston Chamber of Commerce made it very clear that they believe Tasmanians should be paying Tasmanian prices for Tasmanian power. The Launceston Chamber of Commerce President, Kate Daley, said that Tasmania's 'abundant electricity source' and low energy prices was a key economic advantage for the state that needed to be supported.

That is what the Liberal Party used to believe as well. I remember the Tasmania First policy. It is right here in front of me. This is the policy that this Government held for so long.

Mr Jaensch - Read it in again. It will take up another five minutes for you; you still have 15 minutes to go. You are just going to wear this loop out, mate.

Mr WINTER - You reckon I could talk about power for longer than this?

Mr Jaensch - Throw in a couple of new lines.

Mr WINTER - Mr Deputy Speaker, this is the business community now speaking out about this. I was speaking today to another industry group. They are not quite ready to go public, so I will not identify them. They are extremely concerned about their industry and its viability due to rising electricity prices. It has been a Tasmanian business that has been built on having low prices and here we are today with them facing the impacts of a war in Ukraine, inflated coal prices in Europe, and planned and unplanned coal-fired generation outages on the mainland. That is causing them to pay more for electricity prices even though the basic price the generation costs for Hydro Tasmania has not changed. That is when they say, they do not understand. That is what Kate Daley says, 'We have an abundant electricity source. Low energy prices are a key advantage for our state' but this advantage is being eroded by this Government. It is quite happy for prices to increase.

The supports that the Government has announced for residential and small business customers have been too slow to be delivered and are not enough. The winter energy bill buster may as well have been a spring energy bill buster. It was only on the weekend that my colleague, the member for Clark, Ms Haddad, was out talking to a customer of Aurora who still had not received the rebate from Aurora. We understood the entire time that there would be customers who would not receive anything until the end of October. We pointed that out. The minister said I was wrong. Turned out I was right again. The rollout for the rebate scheme was far too slow for many Tasmanian households. In some cases they only got it by the end of October.

I understand they had a very difficult time finding themselves a delivery partner for the solar scheme that the minister has been talking about. They finally settled on Bright Capital. Bright's name has been associated with some terrible stories interstate and, whilst not directly responsible, I think we need to ensure that this delivery partner has the right checks and

balances in place to protect Tasmanian residential customers if they go ahead with the purchase of solar panels through this program.

Today the Government talked about how excited they were about the interest-free loan scheme for solar panels. Unfortunately, speaking to people like Adrian Luke, who is a solar installer and has his own business on the north-west coast, it seems that the minister's plan when it comes to his support package for Tasmanian households and businesses has fallen short. About 90 per cent of Tasmanian contractors are unable to participate because they do not have the CEC accreditation the minister has required. Tasmanian small businesses are locked out of supporting this program. We have a program that took forever to be finally rolled out because the minister could not find a delivery partner. This is all a rush because the minister did not see it coming. He was not prepared for it and he is still not prepared for it.

Energy analyst, Mark White from Goanna Energy, has been advocating for a rebate scheme for larger customers. He told ABC radio that he had been in discussions with the Government since May. There is still no solution from the Government to this issue and they have been talking about it for six months. There is already a policy solution to this. Again, it is the Government's own policy solution. It was delivered when the Government nearly blacked-out Tasmania when they provided rebates to Tasmania's larger customers to ensure that they were not paying massively inflated prices during that time.

Hundreds of businesses across the state are now in the grips of recontracting or preparing to recontract in an overheated National Electricity Market, even though they are based in Tasmania's renewable energy heartland. Here we are in Tasmania saying that the impact of the Ukraine war on higher coal prices in Europe and faltering coal generation on mainland Australia is impacting prices here. We are hearing from businesses across the state that are contracted customers that are facing major increases in their energy costs, despite Hydro's storage levels being above the prudent storage level and Tasmania having had a history of lower prices here.

It is well past time that this minister and this Government finally implemented an energy rebate scheme for those large contracted customers. We are one of the only states in a position to do so. We have done it before and not that long ago; in fact this Government did so in 2017. We have the public generation assets that are available to protect consumers from the impacts of inflated wholesale costs.

The Government should step in at this point; in fact, they should have stepped in quite a long time ago, but the scheme as it was back then should be retrospective. The scheme rebates should be available to those customers who need it who have been contracting under very difficult circumstances they could not and should not have expected, because they expected that this Government would step in as it did in 2017.

We table and debate this bill again because we still believe in that fundamental principle that Tasmanians should pay Tasmanian prices for Tasmanian power.

Mr Jaensch - So it is the same bill?

Mr WINTER - This bill is for a different period of time, minister. The period of time is different from the other one. The principles are the same as they were in 2018, though, when you voted for it. Your Government voted for a bill that was very similar to this one, and it

trumpeted the bill and said it was protecting Tasmanian consumers. The guy sitting next to you was very proud of it. He was proud to put Tasmanians first. The only logical conclusion you can come to now is that he is now putting Tasmanians last because he has abandoned the policy.

The supports that the Government has provided thus far have not been enough and this problem will continue to get worse. As I said this morning, circumstances have changed because they have gotten worse. The federal Budget made the prediction of more price rises with a 30 per cent increase and a 20 per cent increase across the market. Prices are going to continue to go up. We already have a 12 per cent increase this financial year and the prediction from Mark White from Goanna Energy is that prices will go up by between 20 per cent to 25 per cent next financial year. We can see this coming.

As I said, the minister is going to vote against the bill, which is disappointing. If he wants to do that, the least he could do is explain what he is going to do about this. If he is not going to back our plan to cap prices, if he is not going uphold his own policy principles, his own promise to Tasmanians, then what is he going to do? The answer cannot be nothing, like he has been doing over the last six months. It cannot be nothing for small businesses that are struggling through a number of different cost pressures from workforce shortages; some of the same issues that households are struggling with. He has to step in and do something about this.

Mr Deputy Speaker, I look forward to the contribution from the minister. I commend the bill to the House and ask the House to support Tasmanians through this bill. I ask the minister to take his role very seriously and his responsibility to households and businesses, particularly over the next six or seven months when they are likely to see significant pressure put on them.

[4.05 p.m.]

Mr BARNETT (Lyons - Minister for Energy and Renewables) - Mr Deputy Speaker, thank you for the opportunity to share some remarks on this bill and indicate our strong opposition to it. Of course that is no surprise because we had the debate less than three months ago. Here we go again.

This is another effort put forward by the member for Franklin. The Speaker provided advice this morning and I will read standing order 93:

Except as provided for in Standing Order No. 94, no Motion or Amendment shall be proposed which is the same in substance as any Question or Amendment which, within the preceding twelve months, has been resolved in the Affirmative or Negative.

Dr WOODRUFF - Point of order, Mr Deputy Speaker. It was resolved this morning.

Mr Barnett - What is the point of order?

Dr WOODRUFF - You are wasting our time by going back over a question about whether or not we should be having this debate.

Mr DEPUTY SPEAKER - It is not a point of order. This is a debate. The minister is allowed to make his point.

Mr BARNETT - Thanks, Mr Deputy Speaker. They do not like to hear the truth shared. It happened yesterday. It happened again today.

Dr Woodruff - Why don't you talk about cost of living?

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Mr BARNETT - What was made very clear this morning was that state Labor have fluffed it again. They have dropped the ball and there was an embarrassing gaffe by the member for Franklin -

Ms O'BYRNE - Point of order, Mr Deputy Speaker. The minister is misleading the House. The matter was dealt with by the Speaker this morning. He was persuaded by the debate in the House to allow this legislation to continue because it was of import to the House. The minister is being a little bit clever and a little bit not funny when he wastes the time of the House with those kind of attitudes. The Speaker has already made a ruling in this area.

Mr DEPUTY SPEAKER - Thank you, Ms O'Byrne, but this is a debate and the minister is entitled to make his remarks, so I will let him proceed.

Mr BARNETT - Thank you, Mr Deputy Speaker, it is greatly appreciated because state Labor do not like hearing the truth, standing order 93. This is the Opposition's private members' time today and the point I am making is that here we go again. We have no problems, no qualms, debating this yet again. Just three months ago we were debating this bill on 9 August. What the member could have done is simply tabled the *Hansard* of 9 August when the debate was had at that time. Likewise, I could perhaps table the *Hansard* of my contribution at the time because it is substantially and essentially the same bill.

It was made very clear this morning that its substantially almost exactly the same bill, and the arguments put by the member this afternoon in the last 35 minutes have been exactly the same that were put in August, when it was deemed by this place as being a flawed bill. Do not just take my word for it. Let us have a look at what the Leader of the Greens said on 16 June when it was first discussed. The Leader of the Greens said regarding Labor:

They may have been able to do that but instead what we are getting is, I think, cynical. We are happy to sit, but we still think it is a stunt.

For the last two days in this parliament we have had stunt after stunt from state Labor because they have nothing to offer: no policies, no plans, a vacuous black hole. Clearly, here we go again.

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Mr BARNETT - We sat quietly and listened to the member's contribution of some 35 minutes. They do not like hearing the truth and they have made an embarrassing gaffe, but we said; 'Let's bring it on. Let's have the debate again.' We had the debate in August. It was voted down. The member even said during the debate back in August that he knew that it was

going down. That is what he said, 'I knew it was going to go down'. Well, here you go again. You are bringing in the bill and you know it is going to go down.

This is not about the public interest. This is about self-interest. We have an audition going here from the member for Franklin for the leader's job for the state parliamentary Labor Party. That is what is happening. It is a leadership audition by the member for Franklin for the state leader for the parliamentary Labor Party. That is what is going on. He wants to win that audition but what we know is that truth is coming a very distant second in the race for the leadership. That is what this is all about. It is another publicity stunt. It is miles and miles of effort to get some media. The Premier summarised it beautifully this morning. What we are focused on are things that matter as a government - cost of living - and we will talk more about that because it is very important.

Cost of living in terms of growing our economy, creating more jobs, in terms of investing in Health, in Housing, record housing funding. Building 10 000 homes by 2032, that is what we are on about. We announced the Homes Tasmania Board earlier today. We are getting on with the job whether it is health, housing, keeping children safe - and congratulations to the Minister for Education, Children and Youth in delivering great effort and reforms, particularly with respect to our youth and those who have been in detention or potentially will be in detention with a pathway forward. These are the things that matter to Tasmanians. This is important. Here we have another publicity stunt by the Labor Opposition. You have been caught out. You were caught out last time, and here we go again.

Those are the opening remarks to this debate. It is exactly the same debate. I listened carefully to the member's contributions and I did not hear one new piece of evidence or argument different from the August debate on this same bill. Seriously, you could have tabled the *Hansard* argument. We would have accepted it. That would have been fine. Then you could have discussed other matters of importance but no; again this is a publicity stunt.

What we know about the bill is that it is a retail cap and that is the same bill that was put in August with the same flaws. We will go through the flaws again. I will highlight them for you again as we did in August. We will highlight those for the member because, clearly, nothing new has been learnt with respect to the importance of energy and getting our energy policy right. We will go through it but, as we said in August, it was flawed. It was a very poorly thought out bill.

Ms Finlay - It is your bill.

Mr BARNETT - It is not our bill. It is your bill. You introduced it in August. You introduced it again with one line different in terms of the date. You have pushed the dates back. It is essentially the same bill you introduced in August. It is a retail cap, different from the Government's bill many years ago.

Let us have a listen. The key point that I made last time about this bill is that private electricity retailers, which are currently providing competition in Tasmania, are going to be packing their suitcases. Off they will go because they will all be out of business. The impact is putting those retailers and all the people who work for them out of business.

Through you, Mr Deputy Speaker, the member and State Labor believe that there is a magic pudding. I know it is coming up to Christmas. We are all looking forward to Christmas

pudding but State Labor believes in the magic pudding. Where will those hundreds of millions of dollars come from to cover the costs for those electricity retailers? That is the concern. The advice I have is that even Aurora would forgo a revenue of nearly \$50 million in just one year.

Here we go. This is new advice, new evidence, to support you because you have not delivered any new evidence or advice to the Chamber today. You have had three months to do a bit of homework but, no, too busy racking up those political stunts to put up an audition, perhaps over the summer for the state Labor Party leadership. I do not know if it is on the back of the ERMS poll that Mr Winter is doing this because he has no doubt seen those results for Labor. It may be. He is getting ready for the summer season and we know what might happen in State Labor. You are all in administration over there and you are being controlled from Canberra, right through to 2025.

In terms of the impact on those retailers, you will put them out of business. It is a massive own-goal by State Labor. We made that clear in August and we could say a whole lot more.

What I did not hear from the shadow minister was any reference to the federal government. I did not hear one word, not a scintilla, nothing, with respect to the federal Labor commitment to deliver a \$275 power price decrease for Australian households. Not one thing. Why does the member not pick up the phone to call his counterpart in Canberra and say, 'Will you abide by your promise to deliver a \$275 decrease in electricity prices by 2025? When will you do this? How will you do it?' Has that call been made?

Mr Winter - I speak to minister Bowen very often.

Mr BARNETT - Oh, so you have made the call? Have you lobbied for that commitment?

Mr Winter - His commitment is based on Marinus.

Mr BARNETT - So it is all based on Marinus. I will take that interjection, thank you very much.

Mr Winter - It is the same policy that will fund your Marinus project.

Mr BARNETT - What I am hearing from the member is that you are suggesting that Marinus will deliver all of the \$275 decrease by 2025.

Mr Winter - It is the same policy that funds Marinus.

Mr BARNETT - Hang on a minute. Marinus does not get built until 2028-29. How about that? You are a little bit caught out, I would say.

Ms FINLAY - Mr Deputy Speaker, I call your attention to the state of the House.

Mr DEPUTY SPEAKER - Quorum required, ring the bells.

Quorum formed.

Mr BARNETT - I found that a very interesting interjection from the member for Franklin where he has been making calls and contact with the federal minister for Energy and saying that Marinus Link will deliver the lower electricity prices by 2025. He forgot the fact that Marinus Link, in terms of the first cable, is set to be built and constructed by 2028-29. I do not think the federal minister for Energy would be very convincing in the response back to the member. I do not necessarily put much credit in that response from the member for Franklin. I do not think the federal minister would have said such a thing would occur by 2025 because of Marinus. Marinus does not start until 2028-29. Let us get things on track here.

State Labor has made no mention of federal Labor and its commitment of that reduction by 2025. Make the call like our Government has on fuel prices and on electricity prices. The federal government has likewise made a commitment to respond to electricity and gas prices across Australia by Christmas. We are talking a few weeks away. We are looking forward to that response. They want to respond to the war in Ukraine and the volatility in the energy market across the strait. This was raised at the recent energy minister's meeting, which I attended in Melbourne. We are looking forward to that. They are committed to making an intervention. We want to listen to that, monitor that, get feedback on that and see what sort of impact that may or may not have on the Tasmanian market.

This is the way Labor goes about its business: reintroducing the same flawed bill, essentially, as three months ago. This is consistent with its effort to increase Government wages by \$2.4 billion. This is policy on the run. It has no policies, no plans, but it threw something up on the run because it is trying to kowtow to its union masters. Here we go again - \$2.4 billion. How will it pay for that? How many jobs will be lost as a result? How much will taxes go up for every day Tasmanians?

This is the thing to which Labor will not respond. These promises are reckless. Thousands of jobs could be lost. There will be programs scrapped, infrastructure builds stopped and taxes raised. You cannot put forward a policy delivering a \$2.4 billion increase in wages just like that.

That is what we have heard. We know that the six energy retailers in Tasmania will go to the wall. You have retabled the same bill. In terms of understanding the flaws in the bill, you could have picked it up from last time, read the *Hansard* from us, from you, from others. Even the Leader of the Greens criticised it last time. We highlighted the concerns with the bill and you have not picked up any of those flaws. You have introduced the same bill, apart from the dates of the bill.

It is the same bill. I have the bill here. This is the same bill you have introduced apart from one line in the cover and the date. If you took the dates out, it is the same bill. Seriously, we are having the same debate and the same flaws are being highlighted now as they were in August this year.

We are talking about the impact on those electricity retailers over the proposed three years of hundreds of millions of dollars. This is no magic pudding. They have done this on the wages. Now they are doing it on electricity prices as well. There is no magic pudding.

In 2010 Labor went to an election with a policy of a power price cap of five per cent. It failed to deliver on it because it had not done the sums and the cost was too high. Yet here it is calling for an even more onerous 2.5 per cent cap to be implemented. The proposed

legislation does not make provision for any mechanism to support the delivery of the intended price control. Only one element has been considered. The bill is silent on how the proposed cap would be supported through the electricity value chain. It is uncoded. It is unbudgeted and it is fatally flawed. I do not know if Labor has had contact with the energy retailers to get their feedback.

I am pleased that state Labor now supports Marinus Link. On one hand you support Marinus Link. On the other hand you say we should delink from the National Electricity Market. You cannot have it both ways.

Dr Woodruff - It is very confusing.

Mr BARNETT - I take the interjection from the member for Franklin. It is incredibly confusing. How can you be supporting Marinus Link and on the other hand you want to exit the NEM and delink?

Mr Winter - You had both of those policies for two years.

Mr SPEAKER - Order, Mr Winter.

Mr BARNETT - As a state Labor policy it is totally confusing. You cannot have it both ways. Your goose has been cooked. When you say you have supported Marinus but you support delinking, your goose has been cooked. You cannot uncook a cooked goose. It is clear state Labor is totally confused when it comes to energy policy. It has no idea.

I was asked about what the Government is doing. I will be delighted to outline today's announcement of an Energy Saver Loan Scheme of \$50 million for unregulated business customers.

There is \$10 000 for a three-year loan: no interest for three years. In addition to that up to \$50 000 with low-cost concessional interest for energy efficiency measures in those businesses. There are more than 2000 I am advised. That is very encouraging.

What does business say about that? The Chamber of Commerce and Industry certainly welcomes it:

We are grateful that the Tasmanian Government is listening.

The energy efficiency scheme announced today will help. Initiatives like this, combined with coordinated action from the state and federal government to tackle spiralling wholesale gas and electricity prices, will support business in Tasmania as we face the headwinds that are affecting the global and national economies.

The Tasmanian Minerals, Manufacturing and Energy Council put out a statement welcoming today's \$50 million loan scheme announcement by the state Government to increase the range of businesses eligible for financial support with a headwind of increasing electricity prices forecast across the national electricity market. The CEO, Ray Mostogl, said:

Any viable attempt to improve efficiency and therefore reduce the amount of electricity needed in a business is one of the most pragmatic and enduring ways to reduce electricity expenditure each quarter and each year onwards.

The Tasmanian Small Business Council's Robert Mallett also welcomes the initiative that we have announced today. There is very good news in the initiatives.

Mr Winter - Does he? Where is his statement? Are you sure?

Mr BARNETT - You have asked what the Government is doing? I am outlining to you the initiatives, in particular today's announcement of a \$50 million Energy Saver Loan Scheme on top of the previous \$50 million Energy Saver Loan Scheme relevant to 38 000 regulated businesses and households as well. We are very pleased about the feedback. This is all about a targeted response, a concerted response, a comprehensive response targeting the needs of the Tasmanian community.

Unlike state Labor, we have listened and we will continue to listen and monitor the situation and respond as needed.

In terms of what we have previously done, there is the \$180 winter bill buster payment, the \$50 million Energy Saver Loan Scheme, the removal of the fee to access aurora+, in addition to the \$2.7 million through Aurora's hardship program. These are all important initiatives. The bill buster payment has cost the Government \$11.2 million, and that initiative is a better outcome for most of those eligible customers than the 2.5 per cent cap put forward by Labor today. How about that? Our targeted approach for the 94-odd thousand concession card holders is better for them than this Labor proposed retail cap. There is much to be said about the Government's initiatives.

In terms of the system for the Energy Saver Loan Scheme that was announced many weeks ago now is for solar systems, solar and battery, double-glazing and high-efficiency reverse cycle heat pumps. There are many wonderful things and I am very disappointed that the member has again criticised Bright, the provider of the Energy Saver Loan Scheme. I am pleased to report, however, that Bright has begun accepting applications for loans towards energy-efficient appliances such as fridges, freezers, washing machines, clothes dryers and dishwashers. The Premier made that clear this morning and there was giggling across the Chamber from State Labor, and I do not know why. Since the launch of the scheme there has been a very positive response. A total 320 applications have been received and are progressing.

You asked for an update and I am giving you the update. A total 251 loans have been approved - \$2.1 million worth; 26 installations have been completed and 55 vendors are registered with Bright for the scheme to supply the products and services resulting in excellent competition and choice for Tasmanian consumers. Over 1000 Tasmanians have registered their interest so far. So far, 65 per cent of the scheme's loan amounts have gone to Tasmanian businesses. These figures show that the Energy Saver Loan Scheme is resonating in Tasmania for both customers and vendors.

Mr Winter - Are you going to review the CEC?

Mr SPEAKER - Order.

Mr BARNETT - I am happy to grab that interjection and respond. We have organised a meeting with the CEC - some key stakeholder representatives in that space and my department - next week. I look forward to that meeting. We are taking those concerns seriously and taking them on board.

It is important that we have proper standards to provide consumer protection measures to support Tasmanians so we do not have any inappropriate installations that might be counter to the consumer protection measures that we want in this state. Of course, Bright has done this with the ACT Labor-Greens government so any criticisms of Bright are uncalled for and I call the member to account in that regard. My advice is that at least three other states on the mainland have a similar code of conduct with respect to CEC-accredited retailers. There will be a meeting and we will get some more advice and work on that.

In terms of the scheme announced today, I made it very clear that it is applying to those that are unregulated, so some 2000 commercial and industrial customers, which is very good, so above the 150-megawatt hour threshold that applies for the current scheme.

I have made it clear that the federal government has a role to play and we will be monitoring their response before Christmas and calling for them to meet their commitments of \$275 by 2025.

I would like to draw to the member's attention and the Chamber's attention that originally Mr Winter, the member for Franklin, was referring to a 75 per cent electricity price increase claim, and now it has gone down to 25 per cent. We do not know, depending on the day of the week, what are you saying and put no credibility in what you were saying.

You made reference to whether Tasmania has the lowest or amongst the lowest power prices in Australia. I am going to read from the independent economic regulator's report and provide a summary of the key findings. This might assist the member because I do not want you putting out falsities, which is what you continue to do when you are called to account.

The key findings show - this was just in the last month, in October - that for residential customers in Tasmania who consume electricity around the median level for each tariff, the annual bill under Aurora Energy's regulated time-of-use tariff is the lowest compared to the bills under equivalent regulated tariffs in mainland jurisdictions. The annual bill under Aurora Energy's regulated general usage and heating controlled load tariff is amongst the lowest in equivalent -

Mr Winter - It is not the lowest.

Mr BARNETT - Let me just finish and then we can respond. The annual bill under Aurora Energy's regulated general usage and heating controlled load tariff is amongst the lowest of equivalent regulated tariffs in all mainland jurisdictions. The annual bills under the time-of-use tariffs offered by Aurora Energy and First Energy are lower than the bills under all residential time-of-use tariffs included in this report, including in market contracts in almost all mainland jurisdictions.

For business customers in Tasmania who consume electricity under general usage tariffs around the relatively low median level, the annual bill under Aurora Energy's regulated tariff is the third lowest compared to the bills under regulated tariffs in all mainland jurisdictions

behind Victoria and by a very small margin, the Northern Territory. Very few of the tariffs in market contracts across Australia included in this report result in lower annual bills than those under Aurora Energy and First Energy general usage tariffs.

For business customers in Tasmania who consume electricity under general usage tariffs at significantly higher levels, the annual bill under Aurora Energy's regulated tariff is the second lowest compared to the bills under regulated tariffs above some in Victoria.

Except for some tariffs in Victoria, none of the tariffs in market contracts across Australia included in this report result in lower annual bills than those under Aurora Energy's and First Energy's general tariffs. For business customers in Tasmania who consume electricity under time-of-use tariffs around the median level, the annual bill under Aurora Energy's regulated tariff is the lowest compared to the bills under regulated tariffs in all mainland jurisdiction that regulates business time-of-use tariffs. The annual bills under Aurora Energy and First Energy tariffs are lower than the bills under all business time-of-use tariffs included in this report, including in market contracts in all mainland jurisdictions. I am summarising from the independent regulator's report. I am very pleased and proud of that report from the independent regulator.

Your bill is unbudgeted and uncoded, and that is seriously a concern. There have been a host of falsities put forward by the shadow minister and the Premier called out some of those this morning. I thank him for doing that and announcing the Energy Saver Loan Scheme for businesses and industrial customers, but let me put on the record the list of the falsities in the few moments I have available.

Mr Winter claimed that Tasmanians cannot access the Energy Saver Loan Scheme - false. It is being operated by Bright, is up and running and supporting Tasmanians to improve energy efficiency measures in their homes. The member claimed that Bright is a shonky operator - false. Bright is a highly credible company that has been operating a similar and very popular scheme modelled on behalf of the Labor-Greens ACT government for a number of years. The member claimed that the winter bill buster payments were not fully funded - false. They are included in the energy bills for this quarter and they have now been paid or substantially paid.

Earlier this year he claimed, and I quote, 'Lights potentially out for Tasmania'. In fact I have the media release right here from 14 June. It says Tasmanians are being warned the lights could go off. Headline in the media release: Lights potentially out for Tasmania as Barnett bails on energy policy.

That media release was removed from your website, Mr Winter. Why would that be? You have been caught out - false. Energy security is not at risk. It is all about a pattern of behaviour of scaremongering, and being a scaremonger and putting anxiety into the hearts and minds of Tasmanians.

Ms Finlay - Whose quote was it? Who was being quoted?

Mr BARNETT - Mr Winter, your counterpart.

Ms Finlay - What is the source of the quote?

Mr BARNETT - It is a media release from the shadow energy minister, Dean Winter -

Ms Finlay - And the source of the quote that you just read out?

Mr BARNETT - This is from Dean Winter, your counterpart.

Ms Finlay - Yes, but who did he reference made that quote?

Mr SPEAKER - Order, member for Bass.

Ms Finlay - He is misleading the House, Mr Speaker.

Mr SPEAKER - This is a debate. It is not a question and answer session.

Mr BARNETT - I will take the interjection. I have a media release in my hand. It has now been removed from Mr Winter's website, but I have a copy of it. It is sitting here in my hand. I am reading the headline: Lights potentially out for Tasmania as Barnett bails on energy policy. The first paragraph says:

Less than two weeks after the embattled Energy minister, Guy Barnett, confirmed he had dumped the Liberal Government's signature energy policy to delink from the national electricity market, Tasmanians are being warned the lights could go off.

Ms Finlay - By who? Read the next paragraph. Read the next paragraph.

Mr BARNETT - I am reading the first paragraph.

Ms FINLAY - Point of order, Mr Speaker, the minister is intentionally and has repeatedly misled the House. He should correct the record by reading the next paragraph.

Mr SPEAKER - That is not a point of order.

Ms FINLAY - The minister is misleading the House and I ask that he retract the statement.

Mr BARNETT - I am happy to table the media release because it is not on your website. You have removed it.

Mr Winter - It was never on there.

Mr BARNETT - Oh, it was never on there. Anyway, you are trying to use up my valuable time. I am happy to table this, or put it on my website. I do not mind. It is a public document and you have been caught out making falsities again.

Last year the member claimed that the state's actions in regards to Basslink put our energy security at risk. False. Our energy security was not at risk. The claim was refuted by the Basslink operators at the time and the state's actions have seen a great outcome with the money owed under the arbitration repaid to Tasmania. A good outcome.

Some weeks ago the member claimed that Hydro Tasmania had lost \$100 million this year. This was refuted by the Hydro Tasmania CEO. He also claimed that TasNetworks was

overcharging customers. This was strongly refuted by the Australian Energy Regulator and the TasNetworks CEO. As a track record of overblown and sensationalist claims, his claim that a 75 per cent increase is just the latest. It is an alarmist and plain wrong. It is made up.

You can go back to the *Hansard* in August. It is all there. State Labor has a track record of a 65 per cent increase in electricity prices on its watch. It is in administration. If you cannot govern yourselves you cannot govern the state. I know you are feeling a little hurt by the EMRS poll and you are auditioning now for the leadership. That is what is happening. Getting ready for the summer season. They call it the killing season. We will wait and see what happens. That is your call. That is a matter for you, but clearly -

Ms Finlay - Minister, have you tabled that? Did you offer to table that? Can you please formally table that?

Mr BARNETT - Yes, I will give you a copy. I do not want to give away my own copy. Let us put the facts on the table. We are delivering a targeted comprehensive response because cost of living is a top priority for all Tasmanians. We believe it to be. They have been caught out on the other side and they have brought in the same bill of just three months ago. Here we go with the same arguments, the same flaws. It is fatally flawed. They have learnt nothing in three months. We are going through the whole process again. Of course we will be strongly opposing the bill.

[4.45 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I have listened very closely to the contribution by Mr Winter, the member for Franklin, and the minister for Energy, Mr Barnett. I would not be surprised if Tasmanians who are watching would be confused. We are having, essentially, the same discussion we had four months ago. I agree that the year dates have changed and this is for a wider number of years.

The last bill that came through, brought in by Labor, to put a price cap on was for one year. This is for three financial years. Nonetheless, I do not see other than that that there are any other changes to the bill.

I have the same questions that Ms O'Connor asked on behalf of the Greens in August. I would like to hear Mr Winter's current response to why Labor did not introduce in this bill the powers that were in the 2017 and 2018 bills introduced by Mr Gutwein? The one in 2017 gave the minister the power to set wholesale electricity prices. The 2018 bill made several amendments to the Electricity Supply Industry Act 1995 and continued to give the power to set wholesale electricity prices to the minister.

That power expired in 2020. This bill by the Labor Party is an attempt to provide power pricing relief to Tasmanians in their power bills. It does not reintroduce the provisions into the Electricity Supply Industry Act that Peter Gutwein, as treasurer, brought in in 2017 and 2018. It is not about a cap on wholesale or a capacity to cap wholesale electricity prices. It is about a cap on retail electricity prices. Is that right?

Mr Winter - Yes, we had this debate last time with Ms O'Connor. I said in a contribution - I am not sure if you were in the Chamber - that there needs to be action on the wholesale prices as well. You are quite right and that could be dealt with separately.

Dr WOODRUFF - Yes. Ms O'Connor made these points but I will make them for people who are watching. The problem that Aurora has identified in its online material for its customers to explain whether or not people will need to prepare for a price increase next year relates to the fact that we are part of the National Electricity Market. Aurora says:

Because Tasmania is part of the National Electricity Market, we don't only use and buy power generated by Tasmanians. This means interstate and overseas events and pressures can have an impact on our prices.

Obviously so. Aurora's statement makes it very clear. This is not Tasmanian power generated by Tasmanians. This is not what is reflected in the price of electricity because we are in the National Electricity Market. Aurora makes this point. Unless Labor is calling for Tasmania to be cut from the National Electricity Market, I would like Mr Winter to make that clear. The Labor Party messaging is really unclear in some of the way they talk in this area. I think its speaking to a parochial narrative in certain circumstances, and in other circumstances Mr Winter will talk about us being part of the great big united Australian electricity market and being part of the great whatever actions that the Labor Party might be trying to bring with regard to renewable energy. You cannot have both ways.

We are not always comfortable with the impact of being part of the National Electricity Market. When things are going badly, you wish you had responsibility for your own house, because it would be great to be able to batten down the hatches and not be affected by the winds of what is happening in Ukraine and the cost of electricity price increases and how they are passed on to Tasmanians.

The bottom line is that we made the decision to be part of the National Electricity Market. It has advantages and disadvantages. The most important thing for Tasmanians is we understand who is going to pay. The problem with the Labor Party is they are not being clear about who is going to pay. We support the retail cap and we support a reduction in electricity prices. The cost of living is crippling for 120 000 Tasmanians who are living below the poverty line. That is a fact. Any tiny increase in power prices along with petrol prices, rental prices, the cost of food at the supermarket and all the other costs of simply paying for the undisposable costs that people have to come up with every single week to survive, every increase to people who are already living below the poverty line is insupportable. The point is that by far the biggest driver is the wholesale electricity price. This bill does not deal with that, so it is essentially not being honest with Tasmanians, who I feel will cover the costs.

Mr Winter - I covered that in my contribution - Hydro Tasmania.

Mr Barnett - No, you did not.

Mr Winter - Hydro Tasmania - you can check the record. I do not think you were in the Chamber when I said it.

Dr WOODRUFF - Today? I have been sitting here the whole time.

Mr Winter - Apologies, then.

Dr WOODRUFF - Perhaps run through it again, if you would not mind. I am sorry if I did not hear what you had to say. From Aurora's point of view, if and when wholesale prices

do go up, and there are swings and roundabouts - and that is the point. The electricity wholesale price in 2022-23 is 6.5 per cent lower than it was in 2019-20, so it is lower than it was three years beforehand, which was set by a wholesale electricity price by the former treasurer. The following year there was a 7 per cent increase in all residential standing offer tariffs, and an 11 per cent for business standing offer tariffs by Aurora. That was in 2021-22.

In the longer-term context, the financial year before this one, 2021-22, represented a significant price dip in the wholesale electricity price. There is variability in the costs, and it highlights a significant issue with retail price capping, which is what this bill seeks to do. When prices are capped at the CPI every time there is a substantial decrease in costs like we saw in the last financially year 2021-22, prices would be significantly permanently lowered, with no regard for the increasing input costs. That is not a sustainable model because someone has to pay.

Ultimately it will either be electricity consumers or taxpayers who have to pay. We do necessarily have a problem with smearing the costs across the Government. The Greens support a progressive system where people who are living in poverty ought to be able to be subsidised. We support that and we are open to public subsidies but it has to be clearly identified who is paying the costs. You cannot just leave it to build up as a debt on Aurora's books. They have very few opportunities; they do not own kit they can sell off. They do not have opportunities to deal with a debt like that other than possibly by laying off Aurora staff. Is that really the best outcome?

Should we not be having a more open conversation about having a way of reducing people's cost-of-living pressures? The better way, the way that Labor never talks about, is what we have done under a Greens' minister in the Labor-Greens government which gave people in poverty - 9500 households had energy efficiency upgrades. That is what real support looks like. At the time, it represented a cost saving of about \$800 a year. That was nine years ago now. That is a really good cost-of-living relief policy. We want to hear more from the Labor Party, but more especially from the Government about what can really be done to support people who are struggling.

I will wrap up now so Mr Winter can make a response because I would like to hear his answer as to why we are not dealing with the wholesale issue.

I will leave this for the minister: the minister is responsible for an agreement to introduce a massive \$3.5 billion debt onto Tasmania's books without being clear with Tasmanians about where that is going to sit, what the interest rate is that has been negotiated with the Clean Energy Finance Corporation and who is going to pay for that. The minister is not being honest about who is going to pay.

The Treasurer refused to hand over the cost benefit analysis for the Marinus Link. The minister has been talking about this for five years and has never told Tasmanians what the real cost will be for Tasmanians. We are deeply concerned that a big project that the Liberals have been talking about for five years when no information has been given to Tasmanians about where that enormous debt will fit, how it will affect our credit rating and what the interest repayment is with the Clean Energy Finance Corporation, which I believe will be providing that huge loan: how can we possibly be talking about adding an extra \$750 to a billion debt in the form of a stadium on top of that?

Someone has to pay. It is the poorest people who are struggling in Tasmania and we have a right to know who is going to bear these costs.

[4.59 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I did not expect to get another opportunity. I thank the member for Franklin for allowing me a couple of extra minutes to do so.

What I said in my contribution was that, as price pressures go up in the market the only beneficiary in Tasmania is Hydro Tasmania, the publicly owned generator. Our expectation, as it was from the then treasurer, Mr Gutwein, back in 2017 and 2018 is that those two pieces of legislation were complementary and that if this was to be passed by this parliament there would need to be another instrument in order to set a wholesale price order and that would need to occur. Your contribution is very similar to Ms O'Connor's in the previous debate. Quite rightly that would need to occur. The difference here is that there is plenty of time before the next financial year for the Government, if it was so inclined, to stick with its policy from 2018 so it could do that. It could change legislation as required and put in place a wholesale price, if it desired to.

Dr Woodruff - You support a cap on wholesale electricity?

Mr WINTER - That is right but it has chosen not to do that.

Time expired.

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

The House divided -

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Street
Mr Tucker
Mr Wood (Teller)
Mr Young

PAIRS

Ms Dow

Ms Ogilvie

Mr SPEAKER - The results of the division being Ayes 11, Noes 11, in accordance with standing order 167, I cast my vote with the Noes.

Second reading negatived.

WAIVER OF GOVERNMENT PRIVATE MEMBERS' BUSINESS

Mrs ALEXANDER (Bass) - Mr Speaker, in accordance with standing order 42(d), I indicate that the Government Private Members' Business is waived for this day's sitting.

ELECTORAL DISCLOSURE AND FUNDING BILL 2022 (No. 25)

In Committee

Resumed from above (page 48).

New clauses D, E and F -

Further consideration of amendments moved by Ms O'Connor.

Ms O'CONNOR - Madam Deputy Chair, I was just talking through our proposed amendment to number 52, a new division to follow clause 61. As I was saying, Tasmania and Victoria are the only state jurisdictions that do not have expenditure caps for lower House elections, and nor is there a requirement to have an expenditure cap under the Commonwealth Electoral Act.

Most jurisdictions impose a cap on spending for independent candidates and a cap on parties - a dollar amount multiplied by the number of electorates the party has endorsed candidates within. This cap can often be distributed across electorates in excess of a candidate's electoral cap.

In 2013, the Electoral Amendment (Expenditure and Political Donations) Bill 2013 passed the Tasmanian House of Assembly, but stalled at the first reading stage in the Legislative Council. I remember the Attorney-General at the time was Brian Wightman, and that Electoral Amendment Bill was long overdue. It was robustly consulted. It sought to bring Tasmania somewhere closer in line with other jurisdictions that were moving towards a more robust donations disclosure framework. It was not supported by the Liberal Opposition at the time. Then, because the Legislative Council at the time was hostile to the balance-of-power government, it did not pass that reform, which is highly regrettable. That bill would have imposed expenditure caps of \$75 000 for candidates and \$750 000 for a party, increasing by \$1000 and \$10 000 each year respectively.

We have built on that model for the amendment that we are proposing. Attorney-General, I am interested to hear your response to this amendment, because the notion that, for a political party, \$830 000 is not sufficient to run a campaign - a good campaign at that - is not credible, and the proposed cap on individual candidates of \$83 000 a year is also a very substantial sum of money. Most major party candidates, and I believe Ms Johnston as an Independent, end up tapping their own funds in order to run a campaign.

Greens candidates are very fortunate in that the party fund raises, and we collectively fund campaigns. If you cannot run an excellent election campaign on \$830 000 in this year - which, by the time we got to the next election, would be \$860 000 - then there is something wrong with your campaign strategy. That would buy a vast amount of television, print and radio advertising. It would pay for all your corflutes, and it would feed your volunteers. It is

a very substantial sum of money. We think it is reasonable to require that there be some sort of cap on expenditure in a campaign - again on the principle that you want an election campaign to be a contest, to the greatest extent possible, of ideas and values, and not of bank balances.

You can have someone like Adam Brooks who pours vast amounts of their own money in, as I said before the clock ticked over. The chatter was that it was about \$300 000 of his own money to win the seat in Braddon. It does not mean you are buying quality, does it?

Madam Deputy Chair, we feel very strongly that there needs to be expenditure caps. This is supported by submissions from the Australia Institute, Tasmanians for Transparency and a number of other organisations that made submissions. The Tasmanian 2018 Election Inquiry Group want to see caps on expenditure for parties and candidates, and we feel very strongly that it is good, robust law.

Time expired.

Ms HADDAD - Madam Deputy Chair, as I said in my second reading contribution, the Labor Party completely supports the idea of spending caps for state lower House election campaigns. There are already spending caps in the upper House of the Tasmanian parliament, so the Tasmanian public and candidates are already familiar with the concept of spending caps. Local government elections already include spending caps.

As I said earlier in the debate on this bill, I think it is a fundamental fatal flaw in this bill that it includes public funding, but does not include spending caps. I fundamentally believe that those two things must go hand-in-hand, because it is morally and ethically irresponsible for parties and candidates to be able to potentially fund-raise or self-fund, as many people do.

As we heard from Ms O'Connor, I have heard that rumour as well that Adam Brooks - or Terry Brooks, should we say - spent somewhere in the vicinity of \$300 000 on his election campaign in 2014, and likely something similar in subsequent campaigns. It is quite grotesque that someone could spend that much.

It is fundamentally a problem from the Labor Party's perspective that people can potentially fund-raise or self-fund to a huge amount, but not have any reining in of how much they can actually spend. That goes for candidates and for parties.

Having public funding, which we support - and we support the Government's provisions on public funding in this bill - those two things need to go hand-in-hand if we are ever to get to a point of having a truly level playing field in Tasmanian politics. They simply must, because it should be the candidates who have the best ideas, the best policies and the best intentions who get the honour of serving in this place. It is an honour to do this job. I know everyone who has this job, in this place, understands the honour that we all hold in doing the jobs of representing our communities - but that is diminished when huge amounts of money can get poured into campaigns.

It should not be the candidates who have the deepest pockets, the biggest donors or the fattest cheque books who get to run and get to potentially win. I want to see a day where any single parent on a pension would be able to run for parliament and have a red-hot go of winning a place in this place. Somebody with a low amount of capacity to raise funds should have as much capacity to win a seat as someone who does not.

As you know, we will be putting forward a different version of amendments for spending caps, but we will be supporting these amendments as well.

I remember the bill from Brian Wightman because I was working in his office - not right up until the time he presented that bill; I had left about a year earlier. I remember some of the initial work that went on in the department and in the community, consulting on the contents of that bill. I do not disagree with the structure of the amendments that the Greens have put forward today, so we will be supporting these amendments. They are similar to what was put forward in 2013 in that there is a dual cap: one for candidates and one for parties.

I will foreshadow that the amendments that I will put forward take a bit of a different methodology in that they take on the ACT model of how caps operate there, but fundamentally the intention is the same, I think. No matter what model the parliament could go with when it comes to implementing spending caps for lower House elections, regardless of the model, the intention is the same - and that is to rein in some of that big spending that we see happening in election campaigns that can, very much, buy elections. Adam Brooks' election is a prime example of that.

We will support these amendments and look forward to the Government's response to the debate on these amendments - and later on the Labor Party's amendments - because I really struggle to think of an argument against the idea of reining in some of that big party spending.

Ms O'Connor - Especially when you have caps on Legislative Council candidates in elections. Double standards.

Ms HADDAD - Precisely. There are caps, albeit much smaller - although their electorates are much smaller and their elections are a bit different. The caps that are placed on Legislative Council candidates probably would not be suitable for lower House elections just by virtue of how lower House elections operate but, in the future, I would like to see the cost of lower House elections be significantly lower than they are now.

We have talked about that a number of times, and I talked in my second reading contribution about the fact that despite the public perception that major parties have huge war chests of funding, that is actually not my experience, and it is often not the case. In fact, most Labor candidates completely self-fund their campaigns. I have done that with my two campaigns, with small fundraisers like a quiz night, a movie fundraising night, which was quite fun -

Ms Archer - We all fund our own campaigns with Hare-Clark, Labor and Liberal.

Ms HADDAD - We do all fund our own campaigns, that is right, and it is small bikkies. I know that each party - Labor, Liberal, Greens and some of the minor parties - also as a party accept donations that are bigger than that, but that is for central party campaigning. It is not the campaigning for individual candidates. I am told that my campaign was a relatively cheap one. I can tell you it was not cheap. I borrowed against my house. I am lucky that I have a house that I can go into significant debt in order to fund a campaign to retain my job. I know many people are not in a fortunate position to have a mortgage that they can keep extending. In the future I would like to see the cost of lower House elections be much more approachable and much more affordable. Until that happens we will not see a parliament that truly reflects our community.

I believe that elections should be a battle of ideas and not a battle of bank accounts. That might sound a bit clichéd, but it is true. At the moment there is not a level playing field.

Not only is there not a level playing field between parties, but in our Hare-Clark electoral system there is not a level playing field within parties. We have all referenced Adam Brooks quite a bit today because he is rumoured to have spent a lot. I dare say the other Liberal candidates for Braddon in that election spent nowhere near the amount that he spent. I would hazard a guess that no one else in the whole state spent anywhere near that amount and I know that is the case in other electorates as well. There can be two candidates from the same party, vying for the same seat, spending vastly different amounts of money.

We do not have a level playing field within our parties, sometimes, and certainly not between parties, and not between parties and others who might seek to represent their communities.

I will conclude my comments there. I look forward to the Attorney-General's contribution. Then I will return to the details of our amendments when we come to that, in a few clauses time.

Ms O'Connor - Maybe ours will pass.

Ms HADDAD - You are right. I should apologise for foreshadowing the expectations.

Ms Archer - We have the bill before us. It will come as no surprise I am going put the bill's position forward.

Ms HADDAD - It is a good point. The Attorney-General did say yesterday that I was a bit cheeky in expecting that an amendment would fail. It is wrong of me to expect that. I should not have anticipated that my amendments yesterday might not have been supported. They were not supported, but I am an optimistic person, so you never know. Maybe, these amendments will be supported. If they are not, perhaps the Labor Party's cap amendments will be supported. You just never know in this place. I look forward to potentially being very pleasantly surprised.

Ms ARCHER - Unfortunately I have to let you all down on this clause. With this clause in particular we have made our position very clear since the final report. In particular, in relation to the recommendation 4 of the finding of the department's final report as a result of all the consultation that was done and following the High Court case. I will run through the rationale because there is one.

Our position reflects recommendation 4 of the final report of the Electoral Act Review, that any decision in relation to cap should follow the analysis of evidence gathered under the new disclosure system that we will have, hopefully on the passing of this bill. We are not alone in this position on expenditure caps. Neither Western Australia, Victoria or the Commonwealth have expenditure caps in place at present. The determination of the level of any cap is an important one. There is currently no information available as to what is spent during House of Assembly elections. It would be premature to set a cap when we do not know what an appropriate cap would be. A cap set too low would inhibit the dissemination of ideas and policies by all involved in the electoral process. By way of contrast, a cap set too high would achieve absolutely nothing.

The determination of respective caps to the various key political players is also very important. This was a key issue in the judgment in Unions (No. 2) case. Both the Greens and Labor proposed expenditure caps do not see an equity between the caps of the various players in our electoral system. Obviously, both the Greens and Labor are advocating capping third parties at a rate comparable to an individual candidate, whereas parties are able to spend a much higher amount.

The Government is concerned that on its face, this is inequitable and may not withstand constitutional challenge. We have had constitutional challenges on this very issue already.

More specifically, the Greens' proposed expenditure cap model does not include a cap on associated entities. Associated entities can incur electoral expenditure and provision is made in the bill for them to report on electoral expenditure following an election period, as there is for independent candidates, parties and third-party campaigners.

The omission of a cap on associated entities could encourage the funnelling of electoral expenditure through associated entities, while other political players are capped. I think that is a very real possibility.

It is also noted that the Greens' proposed model does not relate to a defined election period, but rather just refers to the expenditure being in respect of his or her campaign for that election. This would then potentially be inconsistent with electoral expenditure reporting currently provided for under the bill, which requires a return to be lodged in relation to election expenditure during the defined election campaign period. The Greens model appears to potentially capture electoral expenditure spent prior to this. Therefore, the election campaign return, a key regulatory mechanism under the bill, could not be definitively used to assess whether the relevant cap has been exceeded. This could make compliance and enforcement very challenging,

In closing, I will note that these comments are based on a preliminary analysis of the provisions. However, from our perspective there has not been the opportunity to broadly consult on these provisions with relevant stakeholders. That is our preliminary analysis and observations at this stage.

As the report has said, and I think I said this when I released the final report of the Electoral Act Review, if at a later date it was proved that capping was required or necessary or, after further analysis and review, it should be done, I certainly have not closed the door. The recommendation from that report was that we are not in a position to have enough information in relation to expenditure caps to know if they are required under this new disclosure system that we will have.

Ms O'CONNOR - With the greatest of respect, I do not buy any of that. The analysis on this clause, effectively a mirror clause from 2013 bill, was undertaken by the Department of Justice in 2012-13. It has been consulted, the drafting has been tested. We do not buy that the analysis has been done. I will go now to a submission made -

Ms Archer - I do not know how the analysis could be done. I am talking about analysis of the system that we would have in place. The system has never been in place.

Ms O'CONNOR - An analysis of the risk, for example, of High Court challenge or the robustness of the drafting or, indeed, for the efficacy of setting a cap.

Ms Archer - Yes, and we have already had a High Court challenge.

Ms O'CONNOR - All done and so that is not a reasonable excuse. I will go now to a submission made by barrister Roland Browne to the Have Your Say process that Justice undertook. Roland mentions the report that the Attorney-General just mentioned, the Electoral Disclosure and Funding Bill Electoral Act Review final report, which came out nearly two years ago. In that report, as Roland says, recommendations 1, 3, 4, 5, 6, 10, and 11 each required, or were proposed reforms that were to follow modelling and/or further analysis.

In particular, recommendation 3, which dealt with the disclosure system, was to be informed by modelling and analysis. Notwithstanding that, the bill sets the disclosure limit at \$5000. I have listened to you, Attorney-General, it does sound like that was the number that was pulled out of someone's hat. We had in this report -

Ms Archer - I gave you an answer to that.

Ms O'CONNOR - Hmm?

Ms Archer - With the greatest of respect, that is your view. I answered that question.

Ms O'CONNOR - I am not talking about my view. I am talking about the fact that in the final report, following the consultation, recommendation 3 did not propose a number for a disclosure threshold. It said, 'further modelling and analysis is needed'. Then suddenly we get a bill that sets it at \$5000. I have not seen any modelling or analysis that that is an appropriate cap. As we know, when you compare electoral finance laws by jurisdictions, the only other jurisdiction that has a disclosure threshold of \$5000 is South Australia. This tiny island has set a disclosure threshold at \$5000 when all the other states - Victoria, New South Wales and Queensland - are all sitting at about \$1000. Western Australia, a massive state, densely populated, \$2500; Northern Territory, \$1500; and the ACT, \$1000.

Ms Archer - Western Australia changed theirs.

Ms O'CONNOR - Okay, but it does not take away from the fact that you have said, 'We need more modelling and analysis', which is just an excuse for kicking the can down the road and not dealing with a fundamental reform.

As Ms Haddad said, the problem with this bill is that it rightly institutes a public funding system, because we do not just want elections to be for rich people to run as candidates, but it does not put in place a cap on expenditure. You could have the Liberal Party going to the next state election, no cap on expenditure by party or candidate and then after, because they have spent a whole lot of money getting more votes, they get more public funding. It is just a stinking contradiction in this bill. It is disgraceful.

As Roland says, there is nothing in the fact sheets to indicate what modelling or analysis was undertaken, and we know none was. A request was made to the secretary of the Department of Justice to provide that modelling and I bet it never arrived. As Mr Brown says,

caps on expenditure are critical to these reforms. There was a recommendation in the report relating to expenditure caps. It said more modelling is needed. It informed us:

Caps on expenditure would be considered later after research and data were gathered.

What more research and data do the Attorney-General or the Department of Justice need than a cross-jurisdictional analysis of what other places are doing in terms of party expenditure and candidate expenditure caps? It is an excuse for kicking the can down the road. This, to me, smacks of pure political self-interest on the part of the Liberals.

Madam Deputy Chair, now I go to the submission made by the Human Rights Law Centre, the Australian Conservation Foundation and the Australia Institute Tasmania where they say:

Spending limits are a crucial reform which we urge the Tasmanian Government to consider as part of the proposed bills. We support spending limits which apply to parties, candidates, associated entities and third party campaigners.

Hear, hear.

Spending limits are essential to ensure that elections remain about the best ideas, not who can spend the most money buying the biggest platform. Additionally, limiting how much political parties and candidates can spend getting re-elected leads to the following benefits:

1. They reduce the requirement for public funding;
2. They take the fundraising pressure off candidates and political parties, allowing them to focus on their work representing their constituents;
3. They are the only way to effectively regulate big industry, unlike rules focused entirely on donation income, spending caps apply to all third-party campaigners in the same way, regardless of whether they rely on donations, membership fees or corporate revenue to fund their spending.

Perhaps that is the kicker here; perhaps the Liberals do not want to do anything at all to diminish the amount of money that they get from their big corporate donors.

The University of Tasmania's Campaign Finance Reform in Tasmania report released after the 2018 election recommends that for the House of Assembly elections there be an expenditure limit of \$30 000 per individual candidate, a limit of \$30 000 per candidate for parties and the total cap of \$750 000 per party in House of Assembly elections. They recommend that in the interest of consistency:

We propose that the expenditure cap for Legislative Council elections be increased to \$30 000 per candidate.

That is another perversity in the legislative framework that we operate under and the amendments that we are looking at here. We have expenditure caps for Legislative Council elections but this House is not prepared to put in place caps on the House of Assembly elections and what is spent by political parties and candidates in House of Assembly elections.

Are we that frightfully different? I do not think so. Elections are elections. I think it is very disappointing that the rationale for not supporting caps on expenditure is so weak: that there has been a double standard applied in terms of setting a disclosure threshold to \$5000, without any modelling or analysis. Apparently, we have to wait for more modelling and analysis before we can even consider bringing in these sorts of expenditure caps which, let's face it, most jurisdictions across the country, with the exception of Victoria and the Commonwealth, have in place some form of expenditure cap. Every jurisdiction except Victoria and the Commonwealth has enacted expenditure caps of some form on political parties and candidates. The modelling and the analysis are staring us in the face. It is good policy.

That is why, from the very beginning, we have said that this amendment bill will still leave us with the weakest donation disclosure and electoral laws in the country. They will and it is a lost opportunity. We should not be making laws in this place that are based on bare-faced political self-interest but that is what is happening here. The Attorney-General's argument that because there has not been modelling and analysis done we cannot do it, does not wash. There was no modelling or analysis on the \$5000 disclosure threshold but that was suddenly the preferred option. If there was a will to do this, it would be being done but there is no will to do it while the Liberals are in government. Tragically for democracy and good governance in Tasmania, it is unlikely to happen while the Liberals are in majority, so bring on the day.

Mr DEPUTY CHAIR - The question is that the new division be made part of the bill to follow clause 61.

The Committee divided -

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Mr Young (Teller)

PAIRS

Ms Butler

Ms Ogilvie

Mr DEPUTY CHAIR - The result of the division there being 11 Ayes and 11 Noes in accordance with standing order 257, I cast my vote with the Noes.

Amendments negatived.

Clauses 62 to 68 agreed to.

New clauses G, H, I, J, K and L -

Ms HADDAD - It will take me a little while to read all of this into *Hansard*. Essentially, this is the Labor Party's amendment to implement spending caps for House of Assembly elections, for candidates, for parties, and also for associated entities and for third parties.

I move -

That after Division 4 of Part 6, the following Division is inserted:

Division A - Limits on Assembly electoral expenditure

G. Interpretation of Division A

(1) In this Division -

"expenditure cap" - see section B;

"expenditure period" means, in relation to -

(a) an Assembly general election - the period beginning on whichever is the earlier of the following days:

(i) the day that is 4 months before the last day by which, in accordance with the Constitution Act 1934, such an election must be held;

(ii) the day on which the dissolution of the Assembly, by virtue of which the Assembly general election is required to be held, occurs -

and ending on the day on which the Assembly general election is held; and

(b) an Assembly byelection - the period beginning on the day on which the writ for the holding of the election is issued and ending on the day on which the Assembly election is held.

H Expenditure Cap

For the purposes of this Division the expenditure cap is -

- (a) for the 2022 calendar year - \$80 000; and
- (b) for each calendar year after the 2022 calendar year - the expenditure cap for the previous calendar year adjusted for inflation as provided by Schedule 1.

I. Excessive electoral expenditure by registered party or endorsed candidate

- (1) For the purposes of this section, all of the following persons are the members of the relevant party grouping in relation to a registered party:
 - (a) the registered party;
 - (b) each party agent in relation to the registered party;
 - (c) each person authorised under section 65(6) to operate the campaign account of the registered party;
 - (d) each Assembly Member who is endorsed by the registered party;
 - (e) each official agent in relation to an assembly member who is endorsed by the registered party;
 - (f) each Assembly candidate who is endorsed by the registered party;
 - (g) each official agent in relation to an Assembly candidate who is endorsed by the registered party.
- (2) A registered party commits an offence if the total amount of all -
 - (a) amounts of electoral expenditure that are incurred, during the expenditure period in relation to an Assembly general election, by members of the relevant party grouping in relation to the registered; and
 - (b) amounts reimbursed, by members of the relevant party grouping in relation to the registered party, to persons for incurring electoral expenditure during the expenditure period in relation to the Assembly general election -

exceeds the maximum committed amount, in relation to the registered party, for an Assembly general election.

Penalty: Fine not exceeding 200 penalty units.

- (3) For the purposes of this section, the maximum permitted amount, in relation to a registered party, for an Assembly general election is the amount calculated by -
- (a) determining, in relation to each Assembly Division, the number of Assembly candidates (up to a maximum of the number of vacancies for election in respect of that Division) who are endorsed by the registered party for election, at the Assembly general election, in relation the assembly division; and
 - (b) adding together the numbers obtained under paragraph (a) for each of the Assembly Divisions; and
 - (c) multiplying by the expenditure cap the number obtained under paragraph (b).

I will come back to explain that in detail when we get to it.

- (4) If a registered party is found guilty of an offense against subsection (2) in relation to an Assembly general election, the registered party is liable to pay the Crown a penalty equal to twice the amount by which the total amount, calculated in accordance with that subsection, exceeds the maximum committed amount in relation to the registered party, for the Assembly general election.
- (5) A registered party commits an offence if the total amount of all -
- (a) amounts of electoral expenditure that are incurred, during the expenditure period in relation to an Assembly by-election, by members of the relevant party grouping in relation to the registered party; and
 - (b) amounts reimbursed, by members of the relevant party grouping in relation to the registered party, to persons for incurring electoral expenditure during the expenditure period in relation to the Assembly by-election -

exceeds the expenditure cap.

Penalty: Fine not exceeding 200 penalty units.

- (6) If a registered party is found guilty of an offence against subsection (5), the registered party is liable to pay to the Crown a penalty equal to twice the amount by which the total amount calculated in accordance with that sub section exceeds the expenditure cap.

J Excessive electoral expenditure by independent Assembly candidates.

- (1) For the purposes of this section, all of the following persons are members of the relevant grouping in relation to an independent Assembly candidate.
 - (a) the independent Assembly candidate;
 - (b) each official agent in relation to the independent Assembly candidate;
 - (c) each person authorised under section (66)(5) to operate the campaign account of the independent Assembly candidate
- (2) An independent Assembly candidate in relation to an Assembly election commits an offence if the total amount of all -
 - (a) amounts of electoral expenditure that are incurred, during the expenditure period in relation to the election, by members of the relevant grouping in relation to the independent Assembly candidate; and
 - (b) amounts reimbursed, by members of the relevant grouping in relation to the independent Assembly candidate, to persons for incurring electoral expenditure during the election period in relation to the election -

exceeds the expenditure cap.

Penalty: fine not exceeding 200 penalty units

- (3) If an independent Assembly candidate is found guilty of an offence against subsection (2), the independent Assembly candidate is liable to pay the crown a penalty equal to twice the amount by which the total amount, calculated in accordance with subsection, exceeds the expenditure cap.

K Excessive electoral expenditure by associated entity.

- (1) For the purposes of this section, all of the following persons are members of the relevant grouping in relation to an associated entity:
 - (a) the associated entity;
 - (b) each official agent in relation to the associated entity;

- (c) each person authorised under section 94(2) to make payments for the electoral expenditure on behalf of the associated entity.
- (2) An associated entity commits an offence if the total amount of all -
 - (a) amounts of electoral expenditure that are incurred during the expenditure period in relation to an Assembly election by members of the relevant grouping in relation to the associated entity.
 - (b) amounts reimbursed, by members of the relevant grouping in relation to the associated entity, to persons for incurring electoral expenditure during the expenditure period in relation to the Assembly election - exceeds the expenditure cap.

Penalty: Fine not exceeding 200 penalty units.

- (3) If an associated entity is found guilty of an offence against subsection (2), the associated entity is liable to pay to the Crown a penalty equal to twice the amount by which the total amount, calculated in accordance with that subsection, exceeds the expenditure cap.

L. Excessive electoral expenditure by third-party campaigners

- (1) For the purposes of this section, all of the following persons are members of the relevant grouping in relation to a third-party campaigner:
 - (a) the third-party campaigner;
 - (b) each official agent in relation to the third-party campaigner;
 - (c) each person authorised under section 94(1) to make payments for electoral expenditure on behalf of the third-party campaigner.
- (2) A third-party campaigner commits an offence if the total amount of all -
 - (a) amounts of electoral expenditure that are incurred during the expenditure period in relation to an Assembly election, by members of the relevant grouping in relation to the third-party campaigner; and
 - (b) amounts reimbursed, by members of the relevant grouping in relation to the third-party campaigner, to persons

incurring electoral expenditure during the expenditure period in relation to the Assembly election -

exceeds the expenditure cap.

Penalty: Fine not exceeding 200 penalty units.

- (3) If a third-party campaigner is found guilty of an offence against subsection (2), the third-party campaigner is liable to pay to the Crown a penalty equal to twice the amount by which the total amount, calculated in accordance with that subsection, exceeds the expenditure cap.

Mr Chair, as I predicted, I have used nearly all of my time, so in the absence of someone moving for me to have extra time, I will give a very brief description of this, because I understand that was a lot of content to take in as I read it out.

I can talk again? Yes. I will explain how this would work and why the model is different from what was proposed in the 2013 bill, and different from the amendments that we have dealt with from Ms O'Connor.

The way this would work is that it sets an expenditure cap sum that is being used in several different ways. That sum is \$80 000, rising by inflation each year. That \$80 000 would represent the spending cap for associated entities, for third-party campaigners, and for independent candidates for Assembly elections. It would also represent the cap for political parties and the way that would be calculated.

I know I am about to run out, so I might sit down and come back to explain how the \$80 000 would work.

Mr CHAIR - Ms Haddad, we are seeking some clarity here. You mentioned the fine not exceeding 200 penalty units but you did not mention the balance of that particular section:

'or imprisonment for a term not exceeding two years, or both'.

Ms HADDAD - I have a mistake in my amendments. I had the term of imprisonment applied to some, but not all, and that is inconsistent. I think I had a typo in my amendments, so I skimmed over that, because in (c) I only had the 200 penalty units and not the term of imprisonment, and then in -

Mr CHAIR - To be clear, we are running with what you have said, not what is printed?

Ms HADDAD - Yes. We could revise that in the upper House but I will take my seat now and come back to explain how the cap would operate. It is a bit hard for others to contribute when I have not made my argument yet but I am sure we will find a way through.

Ms O'CONNOR - Mr Chair, thank you. Ms Haddad, I have a couple of questions about the approach that you have taken here. Is it modelled on any other jurisdictions? Is this the

ACT model? Does the drafting mirror the ACT's drafting? Do you know how long the ACT expenditure cap regime has been in place?

Ms Haddad - I do not know. For quite some time, I believe. At least more than one election cycle but I do not want to give you a wrong answer. I can try to find out.

Ms O'CONNOR - Yes. The primary number that you have arrived at - which is the \$80 000 per candidate that threads through the other amendments - where did that come from?

Ms Haddad - I can explain that when I stand again. Basically it is the same as the ACT but it is a higher figure. The ACT calculation operates exactly the same way as what I have expressed but they use a figure of \$40 000. Through the consultation I have done on these amendments, it was acknowledged that elections run quite differently in the ACT, including the fact that no parties use TV, radio and newspaper advertising and that generally elections in Tasmania do cost more.

We have used the same methodology and the same calculations but we have used a figure of \$80 000, not \$40 000.

Ms O'CONNOR - Thank you. We are quite comfortable supporting your amendment because any provision in the legislation that reins in excessive expenditure - much of which will come, particularly for the Liberal Party, from corporate donations - is a provision that we support. More importantly, it is not just us who are supporting it but also the Australia Institute, the Australian Conservation Foundation, Human Rights Law Centre; respected community sector organisations, so we will support your amendment.

Ms HADDAD - Thank you. Sometimes, very rarely, I am envious of our upper House colleagues not having speaking time limits. That was one of the few times that I was -

Ms Archer - They get afternoon tea as well.

Ms HADDAD - They do. I felt like I did not really get to explain. I know that was a lot to read into the *Hansard* and it sounded really complex but the way it would operate would actually be very straightforward.

As I said, in answering the questions from Ms O'Connor, it is modelled on the ACT. Working from today's numbers for the House of Assembly, if a registered party fielded 25 candidates - a full ticket, as many parties do, five candidates per five electorates - that party would have a spending cap of \$2 million. The individual candidates would not have an extra cap on top of that.

We have not gone with the model Ms O'Connor had, and the 2013 bill had, of having a two-stepped cap - one for candidates and one for parties. Rather, we have gone with a global cap that would apply to the party. What happens then for individual candidates is a matter for those parties to dictate.

In the ACT, for example - I am only aware of how the Labor Party organises it but they set an internal rule, basically, of how much their candidates are allowed to spend. Those candidates still self-fund but the party imposes, if you like, a kind of artificial internal cap on their endorsed candidates. I am not sure what their current cap is, but say,

for example, they tell their candidates that they can spend \$20, the party can then spend the remainder of the cap available in that electorate on central party campaigning.

The other way that this \$80 000 cap would work is that a party would only receive however many lots of candidates they are endorsing, times \$80 000. If they are endorsing five candidates - one per electorate - they would have a spending cap of \$80 000 times five, that is \$400 000.

If a party chose to endorse 30 candidates for a 25-member chamber, they would not receive extra spending allocation in their cap -

Ms Archer - We are going to have a 35-member Chamber soon.

Ms HADDAD - We will, but as I said, I am going just from the current figures in these amendments, which have been drafted based on a 25-seat Chamber.

Ms Archer - But we are going to have 35.

Ms HADDAD - We do not yet, so these amendments are based on a 25-seat Chamber.

Anyway, let me get to the explanation. It is quite a simple calculation: \$80 000 is the cap for an Independent member, \$80 000 is the cap for a third-party and \$80 000 is the cap for an associated entity. Also, \$80 000 is the cap for parties but they get the \$80 000 cap multiplied by how many candidates they endorse to run in the election. So, if they endorsed 25 candidates, they would have a \$2 million cap. That would be more when we expand to a 35-seat Chamber.

If they choose to endorse more candidates than there are available vacancies - so, surplus candidates - if they endorsed 30 candidates for a 25-seat Chamber, or 40 candidates for a 35-seat Chamber - they would not receive extra spending allocation in their cap for those surplus candidates.

In other words, it caps out at the number of available vacancies, which at the moment is 25 seats. That would mean a spending cap of \$2 million for parties. I know that \$2 million sounds like a lot of money -

Ms O'Connor - Well, it is. It is too much.

Ms HADDAD - It is less than the Greens' cap because the Greens' cap that we just voted on in the last amendment would be \$2.835 million. The caps in the amendments from Ms O'Connor were \$810 000 for parties plus \$81 000 per candidate, in addition to the party cap of \$810 000, whereas these caps would use that \$80 000 cap in a number of different ways, including arriving at a global cap for parties. Parties would have a spending cap of \$2 million, which is less than the party cap suggested in the last set of amendments. It would be up to those parties what they do in terms of their internal rules for their candidates. That is how these are drafted.

The offence provisions are drafted in a way that the party would be responsible for any overspending of the cap. That is how the ACT operates. The way the Labor Party rules operate, for example, is that if it is a candidate who overspends on the cap that the party has imposed on them, therefore causing the party to break the law and breach the cap, there are sanctions

for that candidate internally in terms of what they can do. They become liable to pay that to the party. The party is the entity that is held responsible for the overspending when it comes to party expenditure.

I know it was a lot of words to read into the *Hansard* but what it would achieve is a maximum of \$2 million per party going into the electorate, into advertising, into leaflets, into billboards and into corflutes. It would also cap the spending of third party campaigners and of associated entities to \$80 000.

The other thing that our amendments do is set an expenditure period. The last set of amendments that we just voted on from the Greens did not do that. That is problematic because if there is going to be spending caps, parties and candidates need to know, as they do in the upper House, when that cap starts to come into force. For the upper House, they need to start disclosing their spending and accounting for their spending from 1 January on the year in which their election is due to fall the following May. It was not as simple as that for House of Assembly elections because we do not have fixed terms. I wish we did but we do not. The Liberal Party put up a private member's bill in about 2007-2008 for fixed terms, which failed in this place. That is a shame.

This sets an expenditure period but because we do not have fixed terms we have borrowed words that are used elsewhere in the Government's bill, which is either the day that is four months before the last day on which the election could be held, or the day on which the Assembly is dissolved. In other words, the day that the Premier says we are having an election and provides a date.

The 2020-21 election provides a good example of the reason for that distinction. If we just had the day four months earlier than the day on which the election was due, it would not have worked because that election was held 10 months early. Nobody would have known that the election was going to happen 10 months early and therefore been able to count back and know when they needed to start counting their electoral expenditure. This wording is taken directly from another part of the Government's bill and that is setting an expenditure period whichever is the earliest of either the date that the Premier says we are going to the polls and here is the date or the date that is four months before the day on which the election is due.

That is the only way around it other than amending the bill to implement fixed terms, which I did think about doing but it seemed more than what was required to achieve this purpose. The purpose of these amendments is to rein in that spending. Rein in the amount of money that parties can put out there on electoral spending. Rein in the amount that candidates spend and rein in the amount that third parties and associated entities spend on their campaigning.

As we have seen in recent elections there are often pop-up campaigns that spend millions of dollars. We are guessing because there are no disclosure requirements. Some of the estimations of the Love Your Local campaign ran into the millions of dollars. We all saw the evidence of that because we know the cost of billboards and we know the cost of television and radio advertising. It was millions of dollars. This set of amendments would also cap spending for those types of campaigns.

Time expired.

Ms JOHNSTON - Mr Chair, I have some points to clarify regarding the amendment, to make sure I am clear about how it works for parties. Am I right in saying that where there is a five-member electorate the \$80 000 cap applies to each individual candidate collectively as a party? So a party can spend \$400 000 in a single electorate and it is up to each party to determine how that is distributed between their five candidates? For instance, you could have one candidate spend \$20 000 and another candidate agreed to spend \$380 000?

Ms Haddad - It is a good question. Can I answer it by interjection, or do you want to keep going?

Ms JOHNSTON - The reason I ask the question is because I support election expenditure caps. Very supportive. I have spoken before of my concerns about public funding. The absence of these kinds of provisions in the bill leaves me concerned about public funding. I will support the amendment.

I put on the record my concern that this would significantly advantage parties, because it would provide them the opportunity to strongly spend on, or endorse, one particular candidate and provide the other candidates as cannon fodder to increase their expenditure limit, or cap, in a particular electorate. This would disadvantage independents, in particular, or minor parties that might not be able to field more than one candidate. I put on the record my concern about that, but on the balance, I think election caps are very important.

I will support this amendment but I flag my concerns about the disadvantage it will cause to independent candidates and minor party candidates. A major party could put up five candidates, max out their \$400 000 election cap, spend \$10 000 each on four candidates and \$360 000 on their one major candidate to get that person up to secure that seat. That means that someone is spending \$360 000, compared to \$80 000 as an independent or a minor party.

Ms HADDAD - Thank you. It is a good question. The only way I can answer it is to explain the ACT experience and how this same model, albeit with a lesser figure, operates in the ACT. I had very long conversations with the amazing Robyn Webb in OPC. You can tell from the complexity that a lot of work went into these. This model would work really well for Tasmania.

How it works in the ACT is, using the figures you use in one electorate, there would be a \$400 000 cap available to a party that fields five candidates in one electorate. I am not sure what the ACT cap is, but for simplicity let us say it is \$20 000. That is uniform. Each candidate is only allowed to spend up to \$20 000 and they are not given that money by the party. They self-fund it and then the remainder of that cap, the remaining \$200 000, is available to the party to do central campaign advertising. In the Labor Party there is a real differential in how campaigns are run between individual candidates. We fund our own campaigns, we buy our own billboards and so on. The central Labor Party campaign does not say, 'Vote Ella Haddad' or 'Vote Joe Bloggs', it says, 'Vote Labor'. I believe the other parties have a similar model.

The way the ACT works is that they impose that cap on their candidates, and that is uniform. There are big sanctions within the party if somebody overspends on their cap, because in doing that they have actually caused the party to breach their overall cap.

That said, that is not written into the amendments, because it did not seem necessary to me for the legislation to dictate how any one party manages their own candidates. Certainly,

in consulting on these amendments with our party office, if they were to - by some miracle - be accepted, I know there would be an intention for them to operate in the same way that the ACT does. Come next election there would be me and four other candidates for Clark for the Labor party, and we would all have the same cap available to us to spend. The remainder would be spent by the central campaign - not necessarily on Clark, Lyons, Braddon, Franklin or Bass, but general party spending.

Does that answer the question?

Ms Johnston - Yes, that does. Thank you.

Ms ARCHER - Chair, I can repeat much of what I said in my previous contribution on caps. What I did want to add, in relation to Ms Haddad's provision, is that I understand everybody is going to vote based on principle, rather than probably looking at any flaws in the clauses, but I am going to highlight some things that I think would be problematic with how they are currently drafted.

There is no provision in relation to coordinated campaigning. Therefore, there is the risk that this would encourage the registration of small third-party campaigners, with the intent that they would collaborate and perhaps pool their capped funds. Although the Labor model does provide a defined capped period, this period is inconsistent with the election campaign period defined in the bill. Also, the proposed model runs from four months prior to the last possible polling day, until polling day. Does that make sense?

Under the bill, the election campaign period runs from six months prior to the last possible polling day, until 30 days after polling day. Therefore, the election expenditure covered in the election campaign return, required under the bill to be lodged following an election, will not easily reveal whether someone has exceeded the proposed cap. There is the potential that the shorter period proposed by the Labor amendment for their cap period would simply encourage expenditure earlier, or encourage the deferral of the payment of invoices until directly after polling day.

It should also be noted that clauses C(1)(e) and (g) are redundant, as endorsed candidates and members are required to utilise their party agent. Only independent members or candidates or Legislative Council candidates are able to appoint official agents.

These comments are obviously based on preliminary analysis provisions, and we have not been able to look at this more broadly. That is certainly the preliminary analysis at this stage.

Mr DEPUTY CHAIR - The question is that the new division be made part of the bill, to follow clause 68.

The Committee divided -

AYES 11

Ms Butler
Ms Dow
Ms Finlay (Teller)

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett

Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff

Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Mr Young (Teller)

PAIRS

Dr Broad

Ms Ogilvie

Mr DEPUTY CHAIR - The results of the division being Ayes 11, Noes 11, in accordance with standing order 257, I cast my vote with the Noes.

Amendment negatived.

Clauses 69 to 116 agreed to.

Clause 117 -

Registration of official agent

Ms HADDAD - I do not have an amendment. I have a question about the registration of third parties. The question raised with me wants to get on the record from the Attorney-General the rationale and policy intent regarding the different registration requirements for associated entities versus third parties. Third parties need to register each election cycle. They can register early but if they anticipate that they are going to be captured by the scheme they will need to register each election, whereas associated entities in clause 120(3) -

For associated entities a register is to be kept on a continuing basis.

Clause 125(2) says the register of third-party campaigners -

- (a) in relation to an Assembly general election - is to be kept from the polling day for the previous Assembly general election; or
- (b) in relation to an Assembly by-election - is to be kept from the day on which the day of the by-election is announced under the Electoral Act 2004.

The question is the rationale behind the different rules around how associated entities are to register and that there is an ongoing register of associated entities versus third parties who will need to register each election.

The specific example raised with me is that there are unions which will be captured as associated entities and there will be unions that are not captured as associated entities because -

Ms Archer - Because they only get involved in election campaigns?

Ms HADDAD - No, because they are not captured by the definition of associated entity because they do not have voting rights or pay a membership fee to a party. Unions could do that to any party but at the moment it is the Labor Party. There are affiliated unions: unions that are affiliated with the Labor Party which definitely fit within the definition of associated entity and they will be captured as associated entities and part of that ongoing register.

Other unions, which operate very much like affiliated unions but they are not affiliated to the Labor Party, are not going to be captured as an associated entity. They are expecting to be still part of the reporting regime but as a third party. Their concern was that they will need to register each time and that might be -

Ms Archer - Each time there is an election, you mean?

Ms HADDAD - Yes, because they will be classified as a third party not as an associated entity.

Ms Archer - Which is not very often.

Ms HADDAD - Yes. I suppose from their perspective there could be some nervousness the different treatment of those two bodies.

I am not moving an amendment because I am not sure what the effect would be if you kept a register of third parties running all the time, like an associated entities register is intended to be kept on an ongoing basis. That might disadvantage some civil society organisations and others who will be third parties under the reporting scheme. What I have committed to do is to put that question to you so we can have some clarity around your expectations and the Government's expectations around how third parties will register and report versus associated entities' obligations to register and report.

Ms ARCHER - I understand why you have asked that question. I can understand why there might be some nervousness. Once this act is in place all organisations that are going to get involved in some way in election campaigns need to avail themselves of what the requirements are.

Our House of Assembly elections are scheduled for four-year terms. Obviously, they are not fixed so they could be shorter than that. Generally speaking, our history is that they run full term. The last one did not, but it was still three years. Three to four years is still a substantial period of time.

It is fair that those that are affiliated, as you have put it and therefore associated entities, are on a permanent register, because they are likely to be involved at every election campaign. You have used the example of unions, but if we think of another type of third-party campaigner, there may be a campaign that occurs because a group is enraged about a particular issue and it is only relevant to that election campaign. The issue could be salmon, it could be forestry and so therefore they are not associated entities, they are third-party campaigners and only need to register for that purpose. They may be more frequent than that but they may be once-offs. I will just check if there is anything to add.

I was having a discussion because there may be things that the TEC develops for administrative assistance for third-parties, for examples text messages asking if they are going

to register for the next campaign. It is going to be up to the TEC as to how much administrative support it provides.

In relation to associated entities, do not forget that they have to disclose their donations year-round between election cycles, in the same manner parties do. There are certain obligations that they have that third-party campaigners do not. In other words, as third-party campaigners, the requirements are not as onerous. They are required to register each election cycle because a third-party campaigner is a concept that only exists during the election period, which I have said.

Associated entities have an ongoing register as they are required to disclose whether they are in an election period or not. Registration will not be an onerous process. There might be reminders to those particular third-party campaigners, so it should be a relatively simple process for them. It is probably far more complicated getting involved in the campaign, but in terms of the registration, I imagine that it is going to be just another form-filling exercise where they really just have to disclose that they are going to be campaigning. As you have identified, being an associated entity has far greater obligations and duties.

Clause 118 agreed to.

Clauses 118 to 131 agreed to.

Clause 132 -

Registered parties eligible for public funding of Assembly election campaigns

Ms O'CONNOR - Mr Chair, there are two amendments to clause 132.

First Amendment

Page 203, paragraph (b).

Leave out "party; and".

Insert instead "party.".

Second Amendment

Page 203, paragraph (c).

Leave out the paragraph.

This clause, as we know, is about registered parties that are eligible for public funding of assembly election campaigns. These amendments are the first of a series we intend we are moving to replace the \$6 public funding rate with a rate tied to the Commonwealth Public Funding Rate and to remove the 4 per cent threshold. The effect of the amendment is to, first, remove the 4 per cent threshold required to be eligible for public funding for votes.

In each jurisdiction where public funding for election occurs, there is a requirement for a minimum of 4 per cent of the primary vote for an eligibility with the exception of 6 per cent in Queensland which means the proposal here is not surprising or anything new. It is however,

not justifiable. The amendment in the bill is not justifiable and of course, we argue it is very hard to justify public funding for elections when there are no caps on expenditure for parties and candidates. It does feel a bit weird and self-defeating to be standing here as a member of a small party which is always scratching for donations to be making this argument, but you have to be consistent in life. We find the failure to link caps on party and candidate expenditures are with a measure of public funding is an egregious failure in the bill.

Once you introduce public funding without limits on party expenditure, you are looking at something quite disastrous which will allow major parties, until effective expenditure caps are introduced, to receive both unlimited political donations and public funding. What a stitch up, Mr Chair, where you are a member of the Liberal Party - I have painted this scenario before - the Australian Office of JBS or the Bastista brothers, makes a massive donation to you as a Liberal Party or a Liberal Party Candidate, knowing you will deliver on it after the election and there will massive expansion against community wishes of industrial fish farming in inshore waters and then, the Liberal Party can go and hook into the public account or where ever it is, or the public trough, for public funding. It is just not right. It does not pass the sniff test at all.

What we know about the 4 per cent minimum vote threshold is that it was criticised by the federal parliament Joint Standing Committee on Electoral Matters which noted, quote:

... minor parties and independent candidates can attract significant electoral support without passing the 4 per cent threshold for receiving public funding.

For the committee, the only rationale they could find for a 4 per cent threshold was for cost saving purposes. Public funding schemes are based on a monetary value being assigned to a first preference vote: as such there is a strict ceiling; the number of enrolled voters on amounts payable. Excluding eligibility for public funding on the basis of a voting threshold, therefore has quite minimal implications for the public purse but might deter potential candidates who are not wealthy, who are not cashed up, who cannot get hold of corporate donations to risk not qualifying for a rebate.

We feel very strongly about this and this is as a party that has been arguing for public funding of elections for a very long time. We strongly feel the four per cent threshold should be removed. It is there to look after the major parties and it definitely disadvantages minor parties and independent candidates.

We know that good electoral reform policy demands limits on political donations and public electoral funding and we have the missing piece here which is caps on expenditure. I do not understand; I do not think there could possibly be a rationale for not limiting party and candidate expenditure during campaigns, but also opening up the public purse.

We want to see public funding. We are committed to public funding. We have an amendment that lowers the rate, because we do not understand the rationale behind the \$6 per vote public funding level, but the first step is removing the four per cent funding threshold.

Ms ARCHER - The Greens' amendment is different from what you are proposing to do, Ms Haddad?

Ms Haddad - Mine is to deal with the -

Ms ARCHER - In relation to what Ms O'Connor said and I will be as brief as possible. My understanding is this amendment proposes there should be no threshold for entitlement per vote public funding. The threshold requirement for public funding is the norm in other Australian jurisdictions that provide per vote public funding. This amendment represents a substantially different approach to funding than the model developed in the bill and it was not the model we consulted on.

Ms O'Connor - Nor was the \$5000 donation disclosure threshold.

Ms ARCHER - While there may be arguments in favour of some changes to the funding model, the Government does not support such a significant departure from the funding model in the bill, as drafted.

Ms Haddad - I wonder how removing the threshold would operate for a campaigner like Clive Palmer? It might just be that I am not very good at this but how would it work for someone like him who puts millions of dollars in - not to try to win seats but just to try to - I do not know if I understand -

Ms O'CONNOR - As I said earlier, there is only a certain number of voters in Tasmania. You have an automatic cap on the amount of money that would go out for public funding anyway. As objectionable as I find Clive Palmer, the Palmer United Party in the last federal election - I do not know if they clocked over the 4 per cent threshold, they were certainly smashingly unsuccessful - but they participated in democracy. You would not want to set up a framework where you only wanted democracy to include parties whose values you align with. If you have parties and candidates that are prepared to run and participate in democracy, you want to be agnostic about their values and policies. Would we not want to have maximum political participation anyway in an election, because the Tasmanian people ultimately are pretty savvy and certainly, as an electorate that is accustomed to the complexities and the wonders of Hare-Clark.

Ms Archer - That is a lot. I like that description.

Ms O'CONNOR - It is a fantastic system because it is fair. What you end up with is a parliament - apart from our lack of diversity - that is broadly reflective of what the Tasmanian community would like to see in it - which makes it, I think, fair.

Ms Archer - We have gender diversity now.

Ms O'CONNOR - Yes. It is a start, but we do not have culturally and linguistically diverse people in here.

Ms Archer - I agree.

Mr Ellis - We have Lara Alexander.

Ms O'CONNOR - Okay, we do have Lara Alexander.

Mr Ellis - She speaks seven languages, I think, which makes up for the rest of us.

Ms Haddad - Seven? Wow.

Ms O'CONNOR - Okay, that is great. We have a member in here who was born and raised in another country. However, when you look around the Chamber, we are pretty pale. I will just leave it at that. We do not have dedicated Aboriginal seats. I do not believe there is anyone in here like Senator Jordon Steele-John who lives with a physical disability. Yes, we have some diversity, but we have a long way to go.

If you have an open democratic system, and free and fair elections, and frankly, you invite everyone who has the guts and the will to stand for elections - then viva la democracy. I am certain that at the next state election - which will be for a 35-seat House - we will see a Melbourne Cup field of parties and candidates running and that is wonderful. It would be really good for this place, for governance, to get more people in here from smaller parties who are not from the major parties, more people who are Independents. It is a very good thing for the people of Tasmania, ultimately - which is why, of course, we are here.

Amendments negatived.

Ms HADDAD - Mr Chair, my amendment is to clause 132. I move -

Page 204, paragraph (c),

Leave out the paragraph.

Insert instead the following paragraph -

- (c) the total number of formal first preference votes received by all Assembly candidates, endorsed by the registered party, who were nominated for election in the division in relation to which the Assembly candidate was nominated for election, is at least 4% of the total number of formal first preference votes in that division.

I will foreshadow that I have an amendment to the next clause as well, which is linked to this amendment.

This is what I spoke about briefly in my second reading contribution when we started debate on this bill. It is what has been identified by Dr Kevin Bonham in his submission to the community consultation on this bill, and also on his website recently. I am going to read an extract of what Dr Bonham has said about the way the bill is currently constructed when it comes to how that 4 per cent threshold works. I will not read the entire article, but here is what he said. His main concern is with the way eligibility for public funding - which will be new for Tasmania - will be determined:

The current Electoral Funding and Disclosure Bill has the following as clause 132-

and he includes the wording of that clause.

Clause 133 then goes on to pay the party \$6 per vote received by candidates who qualify under Clause 132, up to a maximum of full reimbursement of expenses to the party and all of its candidates ...

In other words, it is not possible to make a profit.

Clauses 134-135 are the same as Clauses 132-133 except that they apply to independents.

This mirrors the way in which parties are funded for House of Representatives, but applying the same model to Tasmanian House of Assembly elections is inappropriate. Why? Because Tasmania has Hare-Clark, and in Hare-Clark elections parties run multiple candidates per division. Especially ... major parties, the candidates compete against not only against other parties but against each other. This free competition between candidates within a party is much valued by Tasmanians as it gives them a chance to choose to replace MPs within a party without needing to change the party that they vote for.

It gives some examples of when that has occurred in 1986, and it has occurred in subsequent elections as well.

The proposed model, however, means that whenever a party runs a candidate who polls less than 4% of the vote and is not elected, that party will receive no public funding for those votes. This especially affects the Greens, because in some divisions it is currently touch and go whether their lead candidate will receive 4%, but also because a higher proportion of their votes go to candidates who will not receive 4%. But it could also cause all kinds of undesirable distortions in the strategies of major parties and within-party tensions over electoral strategy as well.

...

All the main three parties had significant support (over 4%) in every division but there are great discrepancies in the share of vote that is eligible for funding by party.

He goes on to explain what some of the potential negative impacts of the current drafting of clauses 132 and 133 could be. They are:

- Because small parties like the Shooters will not get any funding if their vote is split across multiple candidates (eg Lyons 2018) they will be encouraged to only run one candidate per division. But when minor parties run a less than full slate of candidates the informal vote by intending voters for those parties rises (in part thanks to disinterest in savings provisions ...

He said that is another story.

- Green voters will be discouraged from voting for minor Greens candidates (assuming the party even runs them) since these candidates will not reach 4% and every vote that is for them and not for the lead candidate is likely to cost the party \$6. But it could be a lot more than that ...

He gives the example that in Lyons in 2021, the Greens lead candidate cleared 4 per cent bar 42 votes. Under that model, had 42 voters for the Greens voted for minor candidates instead, those 42 votes would have cost them \$17 298.

- Since major parties get no funding for candidates who poll below 4% without being elected, there is an increased incentive to ensure 'filler' candidates get as few votes as possible and the vote is concentrated in the major candidates for the party. This increases the risk that where those candidates are later elected on recounts, voters will know nothing about them. It also affects preselections by discouraging parties from preselecting candidates who they feel will poll substantially without reaching 4%.
- There is a possible incentive for spoiler candidates such as fake independents to be run to try to drive small parties' lead candidates ... below 4% and thereby deprive those parties of public funding.

He says the solution is extremely simple: for Hare-Clark, funding to parties should be based on party votes not candidate votes. He makes the point that this is exactly how the public funding provisions in the ACT operate. In a nutshell, Dr Bonham's argument is that the funding model proposed in the bill suits single-member electorates but does not suit multi-member electorates, and of course we all have multi-member electorates.

I am also a big fan of Hare-Clark. It is a hard electoral system to campaign in but a very worthy electoral system to serve in. It does mean Tasmanian voters have more chance that someone they gave one of their top five preferences to is in this place representing them, than in single-member electorates. However, some of those potential unintended consequences of the drafting of clauses 132 and 133 would, I think, be really regrettable for the Tasmanian public, and particularly would lead to a whole lot of potentially really unsavoury kinds of campaigning.

There is a simple solution, which is to have that per-vote public funding allocated based on party votes, not on individual candidate votes, and then all of those potential negative consequences of the current drafting would simply not apply.

I want to acknowledge that public funding is a hard sell in the Tasmanian community. I am very pleased that the Government has gone as far as it has in proposing it because I believe we are the only jurisdiction that does not have public funding, other than the Northern Territory. That adds to the lack of a level playing field, I believe, in elections. If we want to get to a point where that big money that each of us has spoken on in this bill is removed from election campaigning, then public funding is the way to do it.

Much as it is a bit of a hard sell, giving money to political parties and to political candidates, it is good policy. In time, I believe, it will lead to a reduction in other kinds of spending. I have covered on the contributions I needed to make to this clause and the next clause, but I wanted to read Dr Bonham's comments into the *Hansard* on this clause so that the intention of both these next two amendments from me are clear.

Ms O'CONNOR - Mr Chair, this is a good amendment that is a simple, clear fix for the problem that has been identified and articulated by Dr Kevin Bonham. It makes complete sense

in a Hare-Clark election that money should go to political parties who contest. What is the solution for Independent candidates?

Ms Haddad - They would qualify for public funding if they received 4 per cent of the votes which is in the Government's bill. This amendment would be dealing with how public funding is allocated to parties. It is unchanged.

Ms O'CONNOR - Yes. You do not have an amendment to clause 134, which is the Independent assembly candidates eligible for public funding?

Ms Haddad - No, I do not have an amendment to clause 134.

Ms Archer - Independents still have to reach 4 per cent.

Ms O'CONNOR - Yes, that is a bit problematic because it does not completely deal with the problem that has been identified by Dr Bonham which, in a Hare-Clark election, is a serious problem. We have taken two different approaches to dealing with the issue but certainly -

Ms Haddad - It was not intentional to leave out Independents. It was a bit of a last-minute amendment after Dr Bonham's most recent blog post so it could be that I have missed something while drafting.

Ms O'CONNOR - If parliament had agreed to remove the 4 per cent threshold, it would deal with it as well. It is my hope, without reflecting on the other place, that some of the amendments that Labor is putting forward would be put forward and accepted upstairs, particularly around, for example, the donation disclosure threshold, but also this. By the time it gets upstairs, you might have a solution for the Independents, which I think would be to remove the 4 per cent threshold.

Ms Haddad - That is what is in the Government's bill, is it not?

Ms O'CONNOR - The Government's bill requires a 4 per cent vote. On page 206, clause 134(b):

The independent candidate is eligible for public funding if they receive at least 4 per cent of the total number of first preference votes.

That all said, we are very comfortable supporting this amendment in relation to political parties that contest elections. We would need to make it consistent for candidates who are not running for political parties.

Ms Archer - Do you mean in the upper House?

Ms O'CONNOR - No, I am talking about, ultimately, how the bill finally ends up, but I would love to see some of these amendments happen.

Ms ARCHER - That is what I mean. It does not currently deal with it.

Mr Chair, the model for allocating public funding under clause 132 of the bill was developed in consideration of the provisions in the various other Australian jurisdictions with

per vote public funding. While, arguably, the ACT bears the most comparable electoral system to Tasmania, because it shares our Hare-Clark voting system, each jurisdiction in Australia has distinct differences in electoral systems as well as funding systems.

Since the second reading debate, I have requested that the Department of Justice undertake further work to consider this amendment and the issues raised by Dr Bonham. This includes direct consultation with Dr Bonham. Based on the initial work undertaken by the department, I accept that there may be an argument in favour of a change to a model whereby public funding is allocated if all candidates representing the relevant endorsing party receive in total or at least 4 per cent of the formal first preference vote. However, that is not the model that has been adopted in the development of the bill, and nor has that been consulted on. There is significant work required to determine whether such change to the public funding model is preferable, from our perspective, to what is in the bill.

As an example of an issue that requires further consideration, while the proposed amendment changes the way the threshold for receiving funding is calculated, it retains the funding rate of \$6 per first preference vote. As such, the amendment will certainly increase the cost of public funding, and so it may, for example, be appropriate to consider a different figure per vote funding.

Given the public funding model in the bill is based on a 25-seat House of Assembly, there may also need to be further analysis of the effect of moving to a 35-seat House. It may not impact, but it may. In light of all that, the Government does not support the proposed amendment to clause 132 at this time. However, as I said, my department is undertaking further work to consider whether an amendment to this section should be moved in the other place, if indeed it is desirable or preferable to what we currently have in the bill.

Ms O'Connor - Can I just ask by interjection, is the plan to meet with Dr Bonham before the bill is debated upstairs?

Ms ARCHER - I think Mr Paterson has already spoken to him. I have the nod. He will, I am sure, be having further ongoing conversations.

Ms O'Connor - Can you say that last bit, sorry?

Ms ARCHER - We have had a conversation with him so far in the interim. Obviously further work needs to be done and so there will be further conversations. I believe Dr Bonham is listening to this debate now as I have had some tweets come through when you were commenting on the 2013 act. He was disagreeing with what you were saying. It was not thoroughly consulted on in his view. Anyway, I digress.

We want to do some further work and not have any unintended consequences by taking on something without considering it thoroughly.

Ms O'CONNOR - It is good to hear that you have an open mind on this, Attorney-General. The potential unintended consequences of the amendments as they are in the bill now have been made really clearly by Dr Bonham. I hear what you say about consultation. If you look at the final report of the consultation work, there is a whole range of views in those submissions. It is not like the bill that we are debating today reflects either the totality of those

views or predominant views, like having a donation disclosure threshold that is substantially lower than \$5000.

I understand the consultation issue, but with Dr Bonham's work, you are dealing with the analysis of a psephologist, a person who probably more than anyone else in Tasmania and understands the Hare-Clark system.

Ms Archer - I think he has also accepted that he has not looked at a 35-seat House and a few things that I have raised. His consideration at this stage is not as complete as I would like.

Ms O'CONNOR - Not that I am capable of doing that sort of analysis - certainly not in this lifetime - but if you apply the same logic Dr Bonham has in his submission to a 35-seat House, arguably the problem is compounded. I hope that there is a shift on this because the unintended consequences, particularly for minor parties and independents, are quite significant. I do not say this out of self-interest for the Greens at all. You have to have, to the greatest extent possible, a fair system. We are already disadvantaged because we do not take corporate donations. I hope that it is not the Attorney-General's intention that the bill be passed in its current form and then a process of analysis and consultation happens.

Ms Archer - No, I said before it gets to - we know it is not going to get there this week.

Ms O'CONNOR - No, that is right.

Ms Archer - Before it goes to the upper House, which will be next year now.

Ms HADDAD - I want to reflect on some of the contributions made and also to reiterate the comments that Ms O'Connor has just made. The response that the Attorney-General has given is really encouraging, in that she will be looking at the concerns raised by Dr Bonham and potentially amending the bill in the upper House.

The Attorney-General spoke about potential change to the likely cost to the public purse, when the Chamber is increased to 35 seats and Dr Bonham addressed that as well in his article. I did not read that part in, because as I said I just read an extract, but he did address that and said it could be changed to have a lower per vote figure to compensate for the increased number of votes eligible for funding. Sorry, that is not specific to a 35-member Chamber. That was about candidates together, polling more than 4 per cent.

Ms Archer - The thing is whether it is fair to reduce it just because there are 10 extra seats.

Ms HADDAD - I think that the conversation we are having is a positive one because it is complex and it does need analysis. I have done my best to move amendments that would address those concerns raised. As I said earlier, we are committed to moving our amendments in the upper House as well, but it would be welcomed by people in the community and by people in both Chambers of this parliament if we are seeing an amended bill with a Government amendment in the upper House to deal with those potential unintended consequences of distributing the per vote funding to candidates not parties.

I want to comment on this clause again and foreshadow that I will not move my next amendment, which was an amendment to clause 133 and was part of what needed to happen to address the concerns raised by Dr Bonham. I am anticipating that we will see a Government amendment to the bill in the upper House to deal with those things. If that does not happen, then we will reassess at that time as to what amendments might need to look like there.

Amendment negatived.

Clause 132 agreed to.

Clause 133 -

Amount of public funding for eligible parties

Ms O'CONNOR - Mr Chair, I will move these three sequentially.

First Amendment

Page 204, subsection (1).

Leave out "(subject to subsection (2))".

Second Amendment

Page 204, subsection (1), paragraph (a).

Leave out the paragraph.

Insert the following paragraph -

"(a) the dollar amount set out in section 293(2)(a)(i) of the *Commonwealth Electoral Act 1918*, indexed in accordance with section 321 of the same Act, for each formal first preference vote received by an Assembly candidate, who was, immediately before the polling day in relation to the election, an Assembly candidate endorsed by the registered party in relation to the Assembly general election or the Assembly by-election; or"

Third Amendment

Page 205, subsection (2).

Leave out the subsection.

Mr Chair, I appreciate that this clump of amendments in the bill may well undergo amendment before it hits the upper House but I want to make the case that, in the absence of expenditure caps for parties and candidates, it is very hard for Government to justify a \$6 per first preference vote. With the exception of the ACT and Victoria - the ACT's is quite high at \$8.62; Victoria is at \$6.25 per first preference vote over a 4 per cent threshold for candidates - it would be the most generous public funding rate in the country for a little island like ours.

When determining our position before the previous election, we looked at the proportion of elector expenditure that is covered by funding regimes in other jurisdictions and compared it to the possible funding rates in Tasmania. Our assessment was that if an expenditure cap, as proposed in 2013 - which we tried to move before - was adopted, the Australian public funding rate would cover 56 per cent of election expenditure which would be the best coverage rate in the nation and one of the cheapest.

Unfortunately, we know that Government does not support expenditure caps nor indeed does the Liberal Party in its submission to the review but many submitters questioned the merits of public funding without an expenditure cap and posited that \$6 may be too generous. We are inclined to agree. We are moving effectively to halve the rate that is proposed here to replace the \$6 funding rate with a rate tied to the Commonwealth public funding rate and to remove the 4 per cent threshold which has already gone down but the Commonwealth funding rate is \$2.83 a vote. It is the lowest in the country - apart from Western Australia - but this bill has to pass the sniff test and at the moment without a cap on expenditure, it is not going to pass the sniff test.

The submission made by Roland Browne, the Director of Election Funding and Reform Tasmania, notes that, unless you have effective expenditure caps, you will have the big parties getting both unlimited public donations and public funding and the end result will be even more money channelled into political parties. Good electoral reform policy requires limits on political donations and electoral funding and he makes the point, which we completely agree with, that the 4 per cent threshold needs to be removed as it discourages participation in the electoral system.

We would like to see some consideration given to these amendments. I do not know what will happen upstairs but we find the current proposed rate of public funding hard to justify and we do not believe that it is justified through the consultation process either. Overwhelmingly, there is concern about public funding as a broad principle because it has never been argued particularly well down here and you have had governments repeatedly who are antagonistic towards it. There is also, from people who have expertise, a recognition that public funding helps to level the playing field and gets some of that dark money out of election campaigns. I commend the amendments to the House.

Ms ARCHER - We did not support the removal of the threshold from clause 132 so this amendment is also not supported.

I can see what Ms O'Connor is wishing to do and the amendment makes sense in light of the proposed amendment to section 132 as the removal of threshold per vote funding would otherwise result in a significant increase in the costs associated with providing that funding so I can understand the reason for it. However, as we have not supported clause 132, we are not supporting this amendment to clause 133.

Ms HADDAD - Mr Chair, I support public funding and the Labor Party supports public funding of elections because we want to see a fairer and more level playing field in elections. We want to see the need for those big donations to disappear from Tasmanian parliamentary elections. Part of that, I believe and the Labor Party believes, is supporting public funding.

As I said earlier, public funding has to go hand in hand with caps on how much parties and candidates can spend. Those are fundamentally morally and ethically linked. To have an

unlimited capacity to fund raise or self-fund and receive public funding without the need for spending caps, with the need to rein in that spending, is reprehensible.

That said, the way to get that money eventually out of the Tasmanian parliamentary elections is to support public funding. I have worked on a lot of federal campaigns over the years. They are quite different. There are different capacities for parties to fundraise and work across the country in a much bigger parliament, a bigger Chamber. I will not be supporting the reduction in the per vote to the Commonwealth rate, which is \$2.87 at the moment. I think it changes annually. I do agree there is a deep chasm in this bill in that it implements a public funding regime without imposing caps on how much can be spent.

Amendments negated.

Ms HADDAD - My amendment to 133 is required if we are to address the issues raised by Dr Bonham. However, I have undertaken not to move it here on the expectation that there will be a Government amendment in the upper House. If there is not then I will turn to moving both these amendments but also taking on board the comments that were made around the effects on Independents and potentially move an opposition amendment in the upper House to deal with all three of those things.

Mr CHAIR - The question is that clause 133, as read, stand part of the bill.

The Committee divided -

AYES 19

Mrs Alexander
Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Mr Rockliff
Mr Shelton
Mr Street
Ms White
Mr Winter
Mr Wood (Teller)
Mr Young

NOES 3

Ms Johnston (Teller)
Ms O'Connor
Dr Woodruff

Clause 133 agreed to.

Ms O'CONNOR - Just to flag, Chair, that we are not going to be moving our amendments to clause 134 or 135 but I do want to flag - so the record is complete in terms of the Greens' intentions here - that the amendment to clause 134 was another amendment relating to the public funding threshold, which removed the 4 per cent threshold requirement for independent candidates; and our proposed amendment to clause 135 was another amendment connected to the public funding rate, and changed the public funding rate in respect of independent candidates to the commonwealth public funding rate. They are the final amendments that we were going to move that we will not be moving. However, while I am on my feet, I might just say a few words in closing, and not very long at that.

I always enjoy working with the Attorney-General on the Floor, on a bill, but this has been one of the more frustrating experiences, particularly when we are dealing with a reform of such substantial consequence for democracy and governance and the conduct of elections in Tasmania. It is worth noting that not one amendment was accepted, either an amendment from the Greens or from the Labor Party; amendments that were evidence-based; that were supported by a weight of submissions to the review process; amendments that, in some cases, were best practice and led to a more robust donations disclosure framework; and an amendment where you saw both Labor and the Greens moving for a \$1000 donation disclosure threshold, against a \$5000 threshold which has no foundation in evidence that we can find in any of the submissions that were made to the review process and, certainly, is right at the outer edge of what is acceptable amongst other Australian states and territories.

It has been an interesting debate but, ultimately, very disappointing because in the same way that it has been four years since the then-premier, Mr Hodgman, promised - after the stinkiest election campaign that I have seen run down here - the bill has been delayed and it has been weakened. It makes some important administrative improvements to our electoral disclosure and funding arrangements; but ultimately, Chair, it is substandard.

In the first iteration, when we finally have our own electoral disclosure and funding bill - after being the only Australian state and territory that did not have a disclosure framework in our own law - what we have been left with is something that is substandard, that will predominantly work to benefit the Liberal Party and Liberal Party candidates and to a lesser extent the Labor Party as another major party candidate in this place. We should hardly be surprised because, as the former Speaker, Mr Polley, used to say: 'In politics, if you back the horse 'Self-interest', you'll win every time'.

It has been disappointing that there was not a willingness here, when we finally had this opportunity, to bite the bullet and deliver a really robust, fair, transparent and publicly acceptable and saleable donations disclosure framework for Tasmania. It is a lost opportunity, and now our hopes sit with the other place.

Ms HADDAD - Mr Chair, I will not be moving any more amendments to this bill either. Before we move onto the third reading, I also want to put on the record some final thoughts and to recognise this has been a long time coming. This first began with a 2018 election commitment from Mr Hodgman, to reform our political donation laws. Unfortunately, not long after he came to office as Premier, Mr Gutwein seemed to walk away pretty strongly from that commitment. Then we had private member's bills put forward both by the Labor Party and by the Greens and all the way along that time frame, there was enormous public pressure from civil society organisations.

There was a comprehensive report conducted by Richard Eccleston and Zoe Jay as part of the Institute for the Study of Social Change at UTAS; the Australia Institute report written in 2020. I know that public pressure would have been felt within the Liberal Party as well.

I acknowledge that it is significant that we are here. I have no doubt that getting to this point has been an enormous task for the Attorney-General, and I am very glad that we are here debating genuinely substantive reforms to the Electoral Act. The first administrative bill that went through in 2019 or 2020 really did just make administrative changes around things like postal vote registrations and so on, and also some changes to how the media can operate. It is positive that we are here, and for a lot of us, there is more contained in this bill than we expected. I do want to put on the record that is a genuinely positive thing but, it is still the weakest in the country, if it is passed as it is currently written.

I will foreshadow that the three main pillars of the Labor Party's amendments which were: lowering the disclosure threshold; increasing the frequency of donation disclosure; and imposing spending caps will be moved in the Legislative Council. I also put on the record in this Chamber that I very much hope that the will of the parliament will be respected. If the bill returns to this Chamber with amendments from the upper House, I hope that is not going to prevent the continuing consideration of that bill and the eventual passing of that bill by the entire parliament.

With respect, the Attorney-General has said a few times throughout the debate on this bill that she hopes that the upper House does not reach into our Chamber but some of the contents of these bills do affect upper House members of parliament as well. It is their right to amend any bill that comes before them. I imagine that there will be amendments moved by Independents as well. As we all know, it is unpredictable how a bill is amended in the upper House and how it will return to this Chamber.

As I said earlier, I am a very optimistic person. I do not want that beaten out of me by politics. I hope that if the bill is substantially amended in the upper House, it will be reconsidered in this Chamber and not - as we have seen in some circumstances in the past - potentially just sitting there languishing and not return for debate with those amendments by this Chamber.

Those are my concluding comments.

Clause 134 agreed to.

Clauses 135 to 188 agreed to.

Schedule 1 agreed to.

Title agreed to.

Bill to be reported with amendments.

ELECTORAL DISCLOSURE AND FUNDING BILL 2022 (No. 25)

Suspension of Standing Orders - Move Third Reading Forthwith

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

That so much of standing orders be suspended as would prevent the bill from being read for the third time.

Motion agreed to.

Third Reading

Bill read the third time.

ELECTORAL MATTERS (MISCELLANEOUS AMENDMENTS) BILL 2022 (No. 26)

Second Reading

[7.32 p.m.]

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

That the bill be now read the second time.

As discussed during the second reading speech of the Electoral Disclosure and Funding Bill 2022, the final report of the Electoral Act Review, which I will refer to as the review recommendations, have formed the basis for this bill. The terms of reference of the review are to consider -

- (1) modernising the current Tasmanian Electoral with specific examination of sections, including 191(1)(b), 196(1) and 198(1)(b).
- (2) whether state-based disclosure rules should be introduced and, if so, what they should include; and
- (3) the level of regulation of third parties, including unions, during election campaigns.

The review has been guided by two governing principles: protecting freedom of speech with regard to constitutional implications and a minimal cost to the taxpayer. The review has incorporated a public consultation on the terms of reference, the development of an interim report, a public consultation on the interim report, passage of an amendment bill and then the development of a final report with recommendations for reform.

The final report, which was delivered in February 2021, makes 11 high-level recommendations for proposed reform to modernise our current system and create a political

donations disclosure regime specifically for Tasmania. The recommendations broadly fall into four areas: recommendations of a technical nature that will ensure our electoral system is effective and contemporary; recommendations relating to a new disclosure regime for candidates and political parties; recommendations relating to the regulation of third-party campaigners, donors and associated entities; and a recommendation in relation to the public funding of election campaigns.

I am pleased to be delivering the further legislative reforms as a result of the Electoral Act Review, namely the Electoral Disclosure and Funding Bill 2022, which already has been considered by this place as well as this bill, the Electoral Matters (Miscellaneous Amendments) Bill 2022.

The Electoral Matters (Miscellaneous Amendments) Bill 2022 proposes legislative amendments in response to the first and second recommendations in the Electoral Act Review final report. Recommendations 1 and 2 address the first term of reference for the review, which was modernising current Tasmanian Electoral Act with specific examination with specific examination of sections including 191(1)(b), 196(1) and 198(1)(b).

The bill represents the second tranche of reforms in relation to term of reference 1 of the review. Broadly, it addresses the recommendations made by the final report in relation to the sections of the Electoral Act specified in term of reference 1, namely in sections 191(1)(b) and 196(1), as well as several other matters in relation to modernising the Electoral Act and related legislation.

These additional matters have been raised by stakeholders, including the Tasmanian Electoral Commission, during the initial consultation process on the terms of reference for the review in 2018.

I will now turn the proposed amendments in this bill. The bill proposes a new definition of 'electoral matter'. This is an important change as the term 'electoral matter' is a fundamental element of the authorisation requirements under the Electoral Act. It is also an important term in the new Electoral Disclosure and Funding Bill. The current definition of 'electoral matter' in section 4 of the Electoral Act means matter which is intended to, is likely to or has the capacity to affect voting in an election.

The definition goes on to specify a number of matters that are taken to be intended or likely to affect voting in an election. During consultation on the terms of reference, concerns were raised that the current definition of 'electoral matter' is extremely broad as it captures matter which refers to current or previous Governments, opposition parties, members of the Commonwealth or of another state or territory.

It was submitted that there is a potential for confusion and difficulties in compliance and enforcement, particularly when the election period overlaps with election periods in other jurisdictions.

The final report recommended that the definition of 'electoral matter' be amended to apply a dominant purpose test consistent with the definition in section 4AA of the Commonwealth Electoral Act 1918.

The final report noted that the Commonwealth's definition was the most recently drafted definition of electoral matter in Australian electoral legislation and that the new definition had appeared to provide greater certainty to political parties and third party campaigners.

The bill, therefore, proposes a new definition of 'electoral matter' which is based upon the Commonwealth definition and includes a dominant purpose test. Under the new definition, electoral matter is matter that is communicated or intended to be communicated for the dominant purpose of influencing the way electors vote in an election.

There is a rebuttable presumption that the communication matter expressly promoting or opposing a party, candidate or member of parliament is for that dominant purpose. In addition, the proposed new definition sets out a non-exhaustive list of matters that must be considered in determining the dominant purpose of the communication.

Some examples of whether the communication would be to the public, whether it would be by or on behalf of a party, candidate, member, associated entity, significant political donor or third party campaigner, whether the communication contains an expressed or implied comment about a political entity or member, whether the communication is or would be received by electors near a polling place and how soon an election is to be held.

Under the new provision, there are a number of exceptions including, amongst other things, for news reporting, communication for a dominant purpose that is satirical, artistic or academic, certain private communications and communication by a person in their capacity as a public officer.

Another significant feature of this bill is the proposed reform of the authorisation requirements in the Electoral Act. The terms of reference for the review specifically mentioned section 191(1)(b) of the act which prohibits during the period between the issue of the writ for an election and the closing of the poll, the publication of any electoral matter on the internet without the name and address of the responsible person appearing at the end of the electoral matter.

The review received a number of submissions on this issue, recognising the importance of authorisation, but suggesting that the current requirements are outdated and should be revised to take account of social media and other new platforms for communication.

The final report recommended that the Electoral Act be amended to clarify the application of authorisation requirements to online social media and digital communication content consistent with the Commonwealth legislative requirements and with appropriate exceptions and defences similar to other jurisdictions.

Accordingly, under the proposed new section 191, a person is prohibited from communicating, or permitting, or authorising another person to communicate electoral matter unless the authorisation particulars are displayed in the applicable manner.

As with the current provisions, this prohibition applies between the issue of the writ for an election and the close of the poll at that election. The authorisation particulars are:

The name and address of the person who is the author, or who authorised the communication of the electoral matter;

A statement to the effect that the person is the author of the authorised communication of the electoral matter;

Correction to the second reading speech - 'the' should come before 'authorised communication'.

If the communication was made on behalf of a disclosure entity, which includes a party member, candidate, associated entity, significant political donor, and third-party campaigner, a statement to this effect, and

Any other matters that are prescribed.

The manner in which these authorisation particulars are to be displayed depends upon the type of communication. This is clarified in detail in the proposed new section 194 (4). For example, for hard-copy documents or objects, the authorisation particulars are to be legibly shown on the document or object. For social media, the authorisation particulars are to be legibly shown at the end of the communication, or if this is too many characters - for example for Tweets - then at an electronic address included at the end of the communication or as part of the information commonly included in the 'About Us' or 'Contact Us' section of the account. For telephone calls, such as robocalls, the authorisation particulars must be spoken at the beginning of the call.

The existing exceptions in section 192 of the Electoral Act still apply, so that things such as clothing, lapel buttons, badges, pens, pencils and balloons, business or visiting cards do not have to be authorised. In addition, the proposed new section 194A provides exceptions including:

A communication for personal purposes.

An opinion poll or research relating to voting intentions that is not intended to encourage a person to vote for or against a particular party of candidate.

A communication by way of social media that forms part of a person's individual personal political views if the person is not paid to express those views, and is not a candidate or member.

An internal communication.

A communication at a meeting if the identity of the person communicating, and the disclosure entity on whose behalf they are communicating can be reasonably identified.

A communication on radio or television by a licence holder under the Commonwealth Broadcasting Services Act 1992. This exception, based on a similar exception in the Australian Capital Territory legislation, is because the Broadcasting Services Act 1992 already imposes authorisation requirements in relation to electoral matter broadcast on television or radio.

Another provision which is specifically mentioned in terms of reference 1 of the review is section 196 which prohibits the printing, publishing, or distribution of advertisements, how-

to-vote cards, handbills, pamphlets, posters or notices that contain a candidate's name, photograph or likeness, without that candidate's written consent.

It was noted during the review that this restriction does not exist in any other Australian electoral legislation. There was general consensus amongst the submissions to the review that section 196 is problematic for reasons including that it hinders scrutiny of candidates and freedom of speech.

The final report also recommended that section 196(1) be amended so that it only applies to how-to-vote cards. Accordingly, the bill includes this change. As part of the consideration of section 196, the review also looked at section 197 of the act relating to misleading and deceptive electoral matter. The current section 197 prohibits printing, publishing, or distribution of electoral matter that is intended to, is likely to, or has the capacity to mislead or deceive an elector in relation to the recording of his or her vote.

During consultation on the terms of reference for the review, some submitters had suggested that this provision should be enhanced. The review considered relevant provisions in the New South Wales Electoral Act 2017 and concluded that they would be a beneficial addition to the act. Accordingly, the final report recommended amendments to section 197 along the lines of the provisions of section 180 of the New South Wales Act to prohibit the printing, publishing or distribution of electoral matters that:

- contains incorrect or misleading information about whether a person is or is not a candidate member of/endorsed by a registered party;
- uses the name or derivative of a name of a party in a way intended to or likely to mislead any elector;
- could result in an elector casting an informal vote;
- contains a statement, express or implied, to the effect that voting is not compulsory; and
- contains a statement intended or is likely to mislead an elector that the material is an official communication from the Electoral Commission or the Electoral Commissioner.

The bill substitutes section 197 with a new provision in accordance with this recommendation.

As was also recommended in the final report, this new section 197 is not limited to the period between the issue of the writ and the closing of the poll and applies to broad types of communication of electoral matter such as print displays, broadcasts, internet, email and phone. This provision includes provisions to address political advertising that prevents the disseminating of misleading information by making unlawful the publishing or distribution of any misleading or deceptive electoral matter.

Our Government is confident that it strikes the right balance and builds upon the existing provisions already contained within the Electoral Act.

Mr Speaker, other significant reforms made by the bill relate to compliance and enforcement. During the bill, it was identified that whilst the act confers a number of functions and responsibilities upon the TEC, including responding to complaints regarding potential breaches of the act, its powers of investigation are limited.

The final report recommended that the act be amended to provide the TEC with investigative powers to meet its current responsibilities under the act, particularly in relation to its functions under section 9(1)(f) which are to investigate and prosecute illegal practices under the act.

The bill accordingly introduces a new division into Part 7 of the act, division 8 - Investigation. This new division includes a number of provisions conferring powers on the TEC to require the provision of documents, information and things which may be relevant to the enforcement of the act.

Under these new provisions, the TEC can also require a person to answer questions about any matters in respect of which information is reasonably required for the purposes of the enforcement of the act and to attend at a specified place and time to answer questions or produce documents or things.

Failure to comply with a requirement without reasonable excuse is an offence, as is providing a document that the person knows or ought to know is false or misleading in a material particular, in that it is of significance and not trivial or inconsequential.

The new provisions also provide for the appointment, functions and power of inspectors, including allowing an inspector to apply for a warrant to enter and search land, premises, vessels, aircraft or vehicles and to seize relevant documents or things in certain specified circumstances. These investigative powers are consistent with powers set out in the Electoral Disclosure and Funding Bill 2022.

In relation to enforcement, the bill also proposes amendments to offence provisions in sections 186, 187 and 188 of the act. Section 186 establishes a number of offences in relation to voting, including amongst other things destroying a nomination form or ballot paper; forging or uttering in relation to a ballot paper or a declaration required by the act; impersonating an elector for the purpose of voting at the election; applying to vote in the name of a fictitious person or in the name of any other person; and voting more than once at an election.

Currently, all section 186 offences are crimes punishable on indictment under the Criminal Code Act 1924, regardless of the severity of the conduct concerned.

During the review, it was suggested that in many cases, it may be appropriate for an offence under section 186 to be dealt summarily, given the nature of some of the offences. Summary proceedings are generally timely and less costly; however, in some cases it may be more appropriate and fitting to proceed on indictment. For example, where the conduct has been undertaken on a larger scale such as the destruction of a large number of ballot papers.

To this end, the final report recommended that electoral offences under section 186 of the act be made mirror offences whereby there would be an indictable offence and summary offence for the same conduct and to allow for offences to be charged on complaint or indictment, depending on the circumstances of the case.

The bill proposes amendments to section 186 in accordance with this recommendation. Under the proposed amendments, a court of summary jurisdiction may deal with an alleged offence under section 186, if the court is satisfied, it is proper to do so and the defendant and prosecutor consent. More serious offences will still be able to be prosecuted on indictment. The bill also makes changes recommended by the final report in relation to the offences of electoral bribery and electoral treating in the current sections, 186 and 188 respectively.

As noted in the final report, the Director of Public Prosecutions raised concerns that these offences are extremely broadly defined and lack an element of fault or improper conduct, making them difficult to enforce. The final report recommended that these provisions be amended by including appropriate fault provisions. The bill introduces a fault element into both of these sections by clarifying that they apply to conduct undertaken dishonestly or for an improper purpose.

The final report recommended a number of changes to the party registration process which have been incorporated into the bill, including requiring an application for party registration to be accompanied by a copy of the party's constitution. This is a common requirement in all other Australian jurisdictions, including the Commonwealth. Parties that are already registered under the act must provide a copy of their constitutional documents within six months of the commencement of the amendments and up-to-date constitutional documents must be provided to the TEC during the party review process.

Another proposed amendment to enhance the party registration process is that the members statutory declarations required to accompany an application for registration must have been made no more than 12 months prior to the date of lodging the application to ensure that these declarations are not out of date.

The bill also amends a number of technical and administrative changes to the Electoral Act recommended in the final report, including amendments to allow postal vote materials to be provided in person to an elector. For example, the postal vote material will be able to be issued to a family member to hand deliver to the elector. An amendment to require that the express and interstate pre-poll ballots are printed with the word 'postal' on them so that they are less easily identified when counted, an amendment to clarify that a ballot paper is to include instructions that are consistent with the requirements set out in section 102, and an amendment to clarify that where polling is adjourned at a polling place, for example, due to a polling place being closed for safety reasons, such as storm damage or bushfire, only electors who have not already voted and who are entitled to vote in that particular division are entitled to vote at the adjourned polling.

In addition to the Electoral Act reforms, the bill also makes amendments to two other acts, namely the Constitution Act 1934 and the Legislative Council and Electoral Boundaries Act 1995. The amendments to both of these acts relate to a change in name of the body currently known as the Redistribution Tribunal. Under the bill, this body will be renamed the Augmented Electoral Commission.

The Legislative Council Electoral Boundaries Act provides for the periodic review of electoral boundaries for Legislative Council divisions to ensure fair and equal representation consistent with the one vote, one value principle.

Under the Legislative Electoral Boundaries Act, the Redistribution Committee, consisting of the Electoral Commissioner, the Surveyor General, and a representative of the Australian Statistician, make proposals for redistribution of electoral boundaries. The Redistribution Tribunal is then formed to undertake a process of public consultation and provide a further redistribution proposal and a determination with reasons. The Redistribution Tribunal comprises the members of the Redistribution Commission, along with the chairperson and remaining members of the TEC.

During the consultation process for the review, concerns were raised that the Redistribution Tribunal includes members of the Redistribution Committee. The review found that the composition and operation of the Redistribution Committee and the Redistribution Tribunal is consistent with the ACT and the Commonwealth, with other states and territories having only one body to conduct the whole redistribution process.

In the ACT and the Commonwealth, the equivalent authority to the Redistribution Tribunal is called the Augmented Electoral Commission. In recommendation two of the final report, the review recommended that the current composition of the Redistribution Committee and Redistribution Tribunal be retained, but that the name of the tribunal be changed to more accurately describe the role of that body in the redistribution process.

In accordance with recommendation two, the bill changes the name of the Redistribution Tribunal to the Augmented Electoral Commission, which is the same as the equivalent ACT and Commonwealth bodies, and reflects the composition and role of the body. The bill updates all references to this body in the Legislative Council Electoral Boundaries Act and the Constitution Act.

There has been extensive consultation throughout the review process, including on this bill, which was released for public consultation along with the Electoral Disclosure and Funding Bill. While there were many submissions received in that consultation process, unsurprisingly, most focused on the Electoral Disclosure and Funding Bill. There were only a small number of submissions that commented on this bill, and the responses were supportive of the proposed changes.

I thank those people, groups and entities who made submissions, not only on this bill, but throughout the review process. I would also particularly like to acknowledge the contributions of the TEC to the consultation on the review and the bill.

I also wish to thank my department, including the Office of Parliamentary Counsel, for their extensive work throughout the review and the development and drafting of these bills.

This bill is an important step, representing many years of work by our Government to review and assess the complex issues of progressing meaningful and appropriate reforms to Tasmania's electoral laws. I am confident that this bill, along with the Electoral Disclosure and Funding Bill 2022, will increase transparency, while ensuring that the public continues to have confidence in the outcomes of elections into the future.

Importantly, these reforms will bring Tasmania in line with other jurisdictions, and introduce state-based requirements for the disclosure of political donations and expenditure, and provide for a modern and appropriate electoral system that the Tasmanian community expects and deserves.

Mr Speaker, I commend the bill to the House.

[7.57 p.m.]

Ms HADDAD (Clark) - Mr Speaker, I am glad to provide a short contribution on the Electoral Matters (Miscellaneous Amendments) Bill 2022, and begin by acknowledging what the Attorney-General said at the end of her second reading contribution - which is that this bill follows on from the Electoral Funding and Disclosure Bill, and that most of the substantive changes that are required to update Tasmania's electoral laws were contained in that previous bill, and that the majority of changes in this bill are administrative in nature, or updating things that need to be updated to implement the changes that were contained in the bill that we just passed, the electoral funding and donations bill.

I also acknowledge the work of the Department of Justice and the Office of Parliamentary Counsel in not only working with the Government to write these bills, but also with the Opposition and the Greens on amendments. It has been a massive amount of work for the Office of Parliamentary Counsel. I have enormous respect for the work that they do.

I have said that a number of times in this place, particularly prior to the time when the Opposition had access to the Office of Parliamentary Counsel, and we would stumble along writing our own amendments. While I really enjoy working on legislation, I have always acknowledged that I am not a legislative drafter. It is a very specific, very niche skill-set that I have enormous respect for.

While I do not have amendments to this bill, I do have a series of questions.

Since that time - particularly with the complexity of some of the amendments that I moved to the previous bill - having the support of the Office of Parliamentary Counsel was enormously helpful not only in being able to write the amendments, but also making sure they were in line with other Tasmanian legislation and were less likely to come under criticism for having unintended consequences. That is particularly the case for the amendments that I moved to spending caps, which I believe are a very workable and robust model for Tasmania going forward.

I will briefly indicate our support for the provisions of this bill and recognise that they implement most of the recommendations that were made in the final report under recommendation one, including a new definition of electoral matter and applying a dominant purpose test. I do have questions about both those things that I will put on the record.

Updating authorisation requirements, clarifying how they are to apply to online and social media and digital communications: that is important because the legislation as is currently drafted was written at a time before there was that online and social media way of communicating with people. The act as it is currently written, did not anticipate online communication. It is really important that authorisation requirements are modernised and are applicable and work in the online communication world.

Similarly, the next amendment that he has made, which is an amendment to section 196 of the act, that is about using a rival candidate's photo or likeness. At the moment as candidates would know, that is not allowable under the Electoral Act, once the writs have been issued. On the face of it, that looks very fair that you would need somebody's consent to use their photo

or likeness. In the way that all parties and all candidates campaign now, we do talk about each other in election campaigns, particularly with the rise of online communications.

Often what that would mean is, even though an online post might have been made about a rival candidate or a sitting member prior to the writs being issued, in some circumstances that I am aware of, at least, there were times where people had to go back and trawl their online social media and remove posts that might have offended section 196 as it is currently drafted, even though they were posted well and truly before the writs were issued. That is an important amendment that is contained in this clause that we will also be supporting that it only applies to 'how to vote' cards. We do not have 'how to vote' cards in Tasmanian lower House elections.

Section 197 is amended to deal with the consequences if people put out information that is not correct or misleading about specific things, such as alleging that someone is a member of endorsed party, or not a member of an endorsed party, or encouraging somebody to make an informal vote, or giving misleading information about compulsory voting. All those things are very important to our democracy and the way elections are run here as well.

The bill then makes some changes to compliance and enforcement provisions, including introducing a fault element into the offence electoral bribery and electoral treating.

There are changes to the party registration process which are a healthy update and that is, parties will need to provide a copy of their constitutional documents when they are registering. I think that shows good governance. As the Attorney-General said, it is the case in every other jurisdiction.

There are some administrative changes regarding the distribution of postal votes and how interstate and express and prepoll votes are to be printed.

Finally, of course, the Redistribution Tribunal is being renamed to match the wording in other jurisdictions, the Augmented Electoral Commission. It sounds kind of mysterious.

Ms Archer - It is an awful title but it follows what others do.

Ms HADDAD - We will get used to it. We are all familiar with the work of the Redistribution Tribunal because people get quite nervous when redistributions occur in both the upper House and the lower House. The Augmented Electoral Commission does sound a bit cyber in some ways.

I will put on the record some of the questions I have for the Attorney-General, specifically in relation to the dominant purpose test, the definition of 'electoral matter' and the application of the dominant purpose test.

I am not sure if we will end up moving amendments to this in the upper House, but I want to begin by putting on the record the questions that have been raised with me by civil society organisations about how that dominant purpose test will apply to the work of third parties and associated entities.

The new definition of electoral matter contained in the bill, reads:

Electoral matter means matter communicated or intended to be communicated for the dominant purpose of influencing the way electors vote in an election, including by promoting or opposing a political entity or member.

The concern that has been raised with me is specifically around the day-to-day work of organisations that might involve themselves in election campaigning, but that is not their primary purpose for existing. I would argue most third parties and associated entities certainly do not exist for the purposes of involving themselves in Tasmanian election campaigns. They involve themselves in Tasmanian election campaigns by virtue of the fact that things that are considered by parliaments and by governments affect their members or their supporters or the Tasmanian community, albeit there are pop-up campaigns. We talked about that in the other bill as well, where pop-up campaigns might emerge specific to an election to campaign around a specific issue.

The fact is, there are many organisations that work on things that are relevant to politics and are relevant to government, including being critical of government policy and critical of the parliament's actions on a day-to-day basis. Civil society organisations would like to know what that means in terms of the application of the dominant purpose test, and specifically, what has been raised with me is, an addition to the Commonwealth Electoral Act, where I believe these words mirror what is in the Commonwealth Electoral Act; and that is there is a note in the Commonwealth legislation that makes it clear that electoral matter can have only one dominant purpose. That has been the case in the Commonwealth act and it has been a workable and understandable definition.

The extra wording that appears in the Commonwealth Electorate is, when it comes to the dominant purpose test:

Communications whose dominant purpose is to educate their audience on a public policy issue, or to raise awareness of, or encounter debate on, a public policy issue are not for the dominant purpose of influencing the way electors vote in an election, as there can be only one dominant purpose for any given communication.

Specifically, this has been raised with me by the Australia Institute and by TasCOSS. The Australia Institute say that they support consistency between Tasmanian and Commonwealth laws - very sensible - and the addition of this kind of clarity would help particularly with third-party campaigners who advocate on issues across both jurisdictions but also who advocate on issues that are relevant to government and parliament. They would like to see that clarity brought in to the new definition of 'electoral matter' here.

It is also relevant to people who campaign on things. For example, public sector unions campaign year-round on issues that, during the electoral period, might be considered electoral matter, because they might be intended to influence a vote but that is not their primary purpose for campaigning on those things. Therefore, they also are seeking some clarity that electoral matter can have only one dominant purpose.

I flagged that I would be putting those concerns on the record with the Attorney-General to seek some clarity and put some statements on the *Hansard* around the intention and the expectation of the application of the dominant purpose test with a view to potentially moving an amendment in the upper House depending on how the debate goes here.

On indulgence, Mr Speaker, I also have a question for the Attorney-General around the last bill that I did not end up asking but it is relevant to this one as well. Just a bit of guidance around implementation and whether there will be an implementation period for the previous bill and this one, and when the obligation on parties, MPs, candidates, third parties and associated entities will kick in. Is it at royal assent, for example, that people will need to start disclosing, or will there be an implementation period?

Ms Archer - There is transition.

Ms HADDAD - Yes. I would like to have some clarity about that as well. Thank you.

[8.10 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Speaker, I am going to make a short contribution on the second reading of the bill. We will be supporting the bill. I can flag and have distributed four amendments to the bill relating to the return of monies that have been provided to the Tasmanian Electoral Commission as the candidate deposit, a provision around informal votes and what counts as a vote, and also a new clause that would insert a truth in political advertising provision. This is long overdue in Tasmania and is working in a number of other jurisdictions. Ours is similar to the South Australian provisions around truth in political advertising.

This bill primarily in significant part, other than the establishment of the augmented Electoral Commission to replace the Redistribution Tribunal, deals with the conduct of election campaigns, communication within election campaigns, the tools available to the Tasmanian Electoral Commission to ensure free and fair elections, the legal procedural responsibilities of the Tasmanian Electoral Commission, parties, candidates, and others who participate in our democracy, in election campaigns.

I note that finally we are going to have some changes to section 196 which relate to not being able to use a candidate's image or their name without their permission during a campaign. This has had me in trouble a couple of times.

Ms Haddad - All of us.

Ms O'CONNOR - All of us. The first time I was volunteering as a campaigner on the Save Ralphs Bay campaign. It was just before the 2006 election and we had spoken to all the candidates for Franklin. We had their views on the Ralphs Bay proposal, so put a newsletter out with multiple candidates' images and names. I had a call from the then Electoral Commissioner, Bruce Taylor, a lovely man. It scared me because I was sitting at home in my living room at South Arm and then the Electoral Commissioner rings up. Then during the Legislative Council election for Huon we used Dr Bastian Seidel's name in relation to his party's position on electronic gaming machines, given his interest in the health and wellbeing of his constituents. We fought that complaint about our identifying Dr Bastian Seidel. I believe we won that. Anyway, it did point out what a ridiculous provision section 196 is in its current form.

As the Attorney-General said, there is no other jurisdiction in the country that has such a protection racket for candidates in campaigns. It is not fair but it is also not healthy for the conduct of the campaign.

Ms Haddad - The last example you gave supports it. We have called for this change as well.

Ms O'CONNOR - It has long been an anachronism. The question I have relating to section 196 for the Attorney-General is regarding our amendment, which is to omit from 196(1) 'any advertisement, how to vote card, handbill, pamphlet, or notice' and substituting 'or keep on display any how to vote card'. Can the Attorney General confirm that in election campaigns when stakeholders survey candidates and parties and present a ranked assessment of those candidates' positions - often it is a simple thing without any opinion expressed - that would not be captured as a how to vote card under the newly amended section 196? We have all been part of that material that is distributed during campaigns where our position on something is ranked. We just want to make sure that that is not the case.

Ms Archer - At what point? Obviously, you cannot hand out anything when someone is going in to vote.

Ms O'CONNOR - No. That is right and particularly not a Hare-Clark state election. This is for the period of the campaign.

Ms Archer - Got you.

Ms O'CONNOR - In closing, I express on behalf of the Greens our deep gratitude for the work of the Tasmanian Electoral Commission, their professionalism and their integrity. Electoral Commissioner Andrew Hawkey is such a thoughtful and decent man. It comforts me that he is one of the guardians of our democratic processes in elections. We should all be very thankful for the professionalism, the perseverance, hard work and commitment to democracy of the Tasmanian Electoral Commission.

[8.16 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Speaker, I thank members for their contributions. They were quite short so that is even better. I mean that in a really loving way. I also express my gratitude for contributions by Ms Haddad and Ms O'Connor and for the way you have both conducted yourselves in relation to the debate on the previous bill and this one.

I know that we are going into Committee to deal with four amendments, but we are almost there.

I will deal with some of the questions, Ms Haddad asked about the dominant purpose test. With the proposed new definition of 'electoral matter', it is largely based upon the equivalent definition in the Commonwealth Electoral Act. During consultation on the bill, the proposed new definition was supported. However, two submissions recommended that the definition be clarified by including a note which appears in the Commonwealth definition. The relevant note states:

Communications whose dominant purpose is to educate their audience on a public policy issue or to raise awareness of or encourage debate on a public

policy issue are not fit for the dominant purpose of influencing the way electors vote in an election as there can only be one dominant purpose for any given communication.

It was suggested that this note is of assistance to third party campaigners. This feedback was considered and it was determined not to include such a note in the bill. Tasmanian legislation does not generally include interpretive notes and the new definition provides significant guidance as to which types of matters are considered to have been made for the dominant purpose of influencing the way electors vote in an election.

Given that the purpose of this note in the Commonwealth act is to provide guidance, it is considered preferable to include this matter in any guidance materials or guidelines issued by the TEC rather than by attempting to codify it in the legislation. This enhances flexibility also, as it will allow the TEC to respond to any requests for specific guidance or additional clarity as they arise.

To clarify, under the dominant purpose test, there is only one dominant purpose for a communication. If the dominant purpose of a communication is to educate on a public policy issue or raise awareness of such an issue, it is not electoral matter.

The other question in relation to implementation: the TEC has been closely consulted on this sort of issue. They will not commence until a date to be proclaimed. While some work on implementation has been undertaken by the TEC, there is significant work - as I think members can appreciate - on implementation, specifically in relation to the full content of these bills, until the full content of these bills is known, because in the other place, anything could happen. It is a bit difficult at this point to say exactly what might happen.

Both bills have been drafted to commence on proclamation. In considering the commencement of the bills, it should be noted that the Electoral Disclosure and Funding Bill applies to both the upper and lower House, except for the funding provisions, which apply only to the House of Assembly.

To ensure an effective transition to the new requirements, the provisions of the Electoral Disclosure and Funding Bill should commence outside the January-to-May election campaign period for the Legislative Council.

Ms Haddad - For 2023?

Ms ARCHER - Well, in any year. Next year may be a bit too early, but if it is 2024, it would have been outside that period as well and so it would not be until after that because there is some impact on the Legislative Council.

Further, the next House of Assembly general election must be held on or before 3 May 2025. Under the Electoral Disclosure and Funding Bill, this would result in the election campaign period for the House of Assembly election period commencing six months prior to that date, on 3 November 2024. If the reforms were to be enforced in time for the next general election, the bill must commence sufficiently prior to this time for the TEC and all stakeholders to be prepared for their obligations during the campaign period.

The commencement of the reforms in these bills is a significant implementation project. The TEC will have to create a new - or tailor an existing - online disclosure system, develop an investigative capacity within the TEC, and roll out an education and awareness program for all stakeholders.

After consultation with my office, the final bills were provided to the TEC for input. Implementation discussions with the TEC will commence after the passage of the legislation to develop advice on a recommended time frame for commencement, and subject to the implementation time required, the possible windows of opportunity for commencement are either mid-to-late 2023 or mid-to-late 2024 - to avoid the Legislative Council periods, as I have said - but begin in time for the six-month campaign period before the 2025 general election.

I hope that answers your questions.

Now Ms O'Connor's. I am pretty sure the answer is no, it is not a how-to-vote card.

Ms O'Connor - Yes, I just want it on the record.

Ms ARCHER - I will see what we have here. How-to-vote card is not defined under the act but it is not my view that the concept of how-to-vote card would extend beyond the generally understood concept of cards produced by candidates and parties seeking to guide voters on how to allocate their preferences. Ordinary meaning. The usual understanding of a how-to-vote card is the distribution of one-two-three-four, et cetera.

With that, I commend the bill to the House.

Bill read for the second time.

ELECTORAL MATTERS (MISCELLANEOUS AMENDMENTS) BILL (No. 26)

In Committee

[8.24 p.m.]

Clauses 1 to 12 agreed to.

New clauses A and B -

Ms O'CONNOR - Madam Deputy Chair, I move the following amendments to be inserted after clause 12:

"A. Section 77 amended (How and when nomination takes place)

Section 77 of the Principal Act is amended by inserting after subsection (8) the following subsection:

(8A) A person who lodges a nomination deposit under this section may nominate an account into which the deposit is to be transferred if the deposit is required under section 86 to be returned to the person.

B. Section 86 amended (Disposal of deposit lodged for election)

Section 86 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) "a candidate" and substituting "the person who lodged the deposit in relation to a candidate";
- (b) by inserting in subsection (3) "the person who lodged the deposit or, if that person is the candidate," before "the candidate's personal representative";
- (c) by omitting from subsection (4) "the deposit is to be returned to each candidate" and substituting "each deposit lodged, in relation to a candidate, by a person is to be returned to the person";
- (d) by omitting from subsection (5) "to the candidate" and substituting ", to the person who lodged the deposit, ".

Madam Deputy Chair, this might seem like a technical administrative issue, but it is actually a significant challenge. With the Greens, for example, the party will lodge our candidate deposits, and then the money is returned to us as individual candidates. Luckily, we are all incredibly honest and efficient people, so the deposits of course go back to the Tasmanian Greens Party. However, as I understand it, Tasmania is the only state that requires the TEC to return the deposit to the candidate instead of the person or the organisation that lodged the deposit. Section 86 of the Tasmanian Electoral Act 2004 requires a candidate deposit to be returned to the candidate regardless of who pays the deposit. This is a glaring oversight in our current electoral framework.

In New South Wales, Victoria, Queensland, the Australian Capital Territory and Northern Territory, the payment is returned to whoever lodged it. In Western Australia, it is returned to whoever lodged it when the candidate is party nominated.

South Australia is the only Australian jurisdiction, other than Tasmania, that does not provide for this, but the South Australian legislation does allow for a candidate deposit to be returned to a person authorised by the candidate, which is something of a step-up from the Tasmanian act. These are two amendments that allow a candidate deposit to be returned to the person who lodged it. We think that is just good administrative and business practice.

The amendment allows the lodger of the deposit to nominate an account for its return. We are aware that currently a candidate can nominate a return account. This is distinct, however, in that it allows whoever lodged the deposit, to nominate a return account. The Attorney-General and I have had an exchange of letters in relation to this issue. There were some very good conversations between our offices, I must say, on the whole electoral reform package.

We did raise the issue before we had a briefing with the Department of Justice. As I understand it, the Attorney-General discussed the matter with the Electoral Commissioner. I seem to have misplaced that letter from the Attorney-General. Apologies. Our understanding

from the briefing was that the Electoral Commissioner did not have any objection to the proposal to have candidate deposits returned to the person who paid the deposit, but did believe there needed to be a mechanism to ensure that the correct person could be accurately identified. As we wrote in our letter to the Attorney-General on 30 August this year, the problem seems eminently solvable.

We were also advised in the briefing that the issue was not one which has previously been raised with the Electoral Commissioner. While we accept this, the issue has been raised now, and it is undeniably a genuine issue which should be non-controversial to remedy. It was unclear to us from the briefing whether this proposal would be pursued further by the Government, and as such, we submitted a request to OPC to have the amendment drafted, and the amendment is now before the House.

We hope this is one amendment that it is no problem at all for the Government to support. Or two amendments, but yes.

Ms ARCHER - I too have not got that letter.

Ms O'Connor - You do.

Ms ARCHER - I have not. No. This seems like it is purely an administrative matter. None of the advisers I have with me have personal knowledge of the exchange with the TEC, so I am very willing to look at this, I think, in the other place, so that in the interim we can check that. It seems like it is sensible. I think it is there because I know, personally, I would pay it to the party and the party pays it on my behalf. It cuts that sort of middle man situation, I suppose where it comes direct back to me.

Ms O'Connor - Yes.

Ms ARCHER - Is it more administration for the larger parties to have to then send it out to every candidate rather than it direct to the candidate. I think that is why it was constrained that way.

Ms O'Connor - But you could nominate an account.

Ms ARCHER - Yes. Rather than do it on the hop, let me have a think about that in the interim. It is one that I am very willing to look at because I do not think there is anything fraught or problematic. It could be argued parties can rectify this administratively through agreements with candidates and whatnot but it might be cleaner to deal with it this way, so we will undertake to look at that.

Ms O'Connor - They are OPC amendments. They are fine. The drafting is good.

Ms ARCHER - I do not have a problem with the drafting, sorry. I meant checking with TEC about the administration aspect of it.

Ms O'Connor - Okay. Just to add to my interjection. Our amendments, when they are done in our office are good too, but just so you know we got advice from OPC on this amendment as well.

Ms ARCHER - Yes. Thank you.

Ms HADDAD - Thank you, and thank you to the Leader of the Greens for explaining the intent of these two amendments that we are discussing together.

We will be supporting these amendments. They are very logical and straightforward. From the two contributions, it sounds like at the moment the three parties represented in this place have good administrative processes in place in returning candidate nomination fees to the candidate, even if it has been paid by the party but that might not be the case for every single party out there. There might be some people who do not act in an honourable way. It feels like a logical way of an administrative amendment which would make sure that whoever lodges or pays the candidate nomination fee can receive it back at the end of the process.

We are happy to support both these amendments. I should add that I am also encouraged by the words that Attorney-General said in her contribution and that she will be looking at this amendment. I agree that the drafting of OPC is outstanding. I have put on the record a number of times tonight that we are grateful for their support with our amendments as well. I hope that the Attorney-General will be able to look at the intent and to bring an amended bill to the upper House so this can be rectified.

New Clauses A and B negatived.

Clauses 13 and 14 agreed to.

New clause C -

Ms O'CONNOR - Madam Deputy Chair, I move -

Page 21, after clause 14.

Insert the following new clause -

C. Section 103 amended (Informal ballot papers)

Section 103 of the Principal Act is amended by omitting subsections (2) and (3) and substituting the following subsections:

- (2) Despite subsection (1)(c), if an Assembly ballot paper would, if not for this subsection, be informal, and the ballot paper -
 - (a) has a first preference marked next to the name of a candidate; and
 - (b) has no other first preference marked on the ballot paper;

Then -

- (c) any numbers, including and above, the first occurring duplication of a number, or omission in the sequence of numbers, if such duplication or omission exists, are to be disregarded; and
 - (d) the ballot paper is to be treated as being formal.
- (3) Despite subsection (1)(c), if a Council ballot paper would, if not for this subsection, be informal, and the ballot paper –
- (a) has a first preference marked next to the name of a candidate; and
 - (b) has no other first preference marked on the ballot paper;

Then -

- (c) any numbers, including and above, the first occurring duplication of a number, or omission in the sequence of numbers, if such duplication or omission exists, are to be disregarded; and
- (d) the ballot paper is to be treated as being formal.

Madam Deputy Chair, this is about strengthening our democracy and encouraging everyone to participate and to exercise their hard-fought right to vote. When I say hard fought, I am talking about those who came before us and established this great democratic country but also those who fought to keep it free and fair.

This is about a recognition that a first preference vote is a vote and it is an expression of democratic intent. The amendment introduces a provision that would allow for unintentional informal votes to be counted as formal so long as the first preference is clearly indicated up to the point that an omission or duplication in the sequence of preferences occurs.

This amendment is largely based on provisions in the Australian Capital Territory's Electoral Act. It is based also on the recommendations by Dr Kevin Bonham in his submissions to the various stages of the Electoral ACT Review. The rationale is very simple. In a democracy we should count as many votes as possible if a preference is clearly expressed. The final report of the Electoral Act Review claims that Dr Bonham argues that this change will increase the number of exhausted votes. Dr Bonham rejects this assertion, saying that is not what he said. He notes that in the Australian Capital Territory the savings provisions mean minor parties are less inclined to run a full slate of candidates. The result is that voters are more likely to provide preferences rather than voting for a single party and then exhausting. Dr Bonham also notes in a blog post on the matter that the current system favours the Greens, albeit very slightly, and that restoration of the seats in the Assembly may increase this advantage for some parties. This being the case, members can be confident that we are moving this amendment on genuine good faith policy grounds, potentially to our own admittedly minimal electoral disadvantage.

In so many jurisdictions in the world, that intent expressed by a first-preference vote and any number of votes after it before the ballot paper becomes informal, is accepted as a valid vote. I think we need to evolve here and make sure the legislation is inclusive of people who may not fill out the full ballot paper. I think we also need to be very clear-eyed about the fact that Tasmania has adult literacy challenges. Some people have cognitive impairments. The number of times, when I was the minister for Disabilities, that people who I worked with in that portfolio would tell me that they had voted for me. One of my constituents said, 'I just vote you my number one, I did not want to vote for anyone else'.

This is not put forward out of self-interest. It is put forward out of respect for the will of Tasmanians. We need to open up to make sure that people's intent, as they fill out a ballot form, is understood and that we give legitimacy to that intent as expressed on the ballot paper.

Ms HADDAD - Madam Deputy Chair, in Tasmania, maybe because we are a small state and have a lot of elected representatives across local, state and federal government, people are generally very electorally engaged. I think it is still the case that Tasmania has the highest proportion of the below the line Senate voting, for example.

However, the Tasmanian population has alarmingly low general literacy rates. I think about 48 per cent or 49 per cent of adults in Tasmania have low functional literacy. I recognise that this amendment would implement similar provisions to what exist in the ACT. We have all had those kinds of conversations with constituents who have said, 'I voted for you, and I voted just for you'. We all know that that is really kind, but that vote was informal and would not have been counted. I think we have very high rates of informal voting in Tasmania partly because of our complex electoral system but also because of those low literacy rates.

I worked on this year's federal election. When we were scrutineering those booths, in some parts of Tasmania the informal vote actually topped the booth. It was higher than any of the candidates. That was really depressing because some of those ballots would have shown a clear intention of who that person intended to vote for.

In the federal seat of Clark, I embarrass myself because I cannot remember if there were seven or eight candidates on the ballot paper for Clark. The rules for voting in Senate elections changed, so now you can vote 1 to 6 below the line and that is a formal vote. You used to have to vote through to 12 below the line but because there was that rule that people could vote 1 to 6 to be a valid vote in the Senate, we found that on a heap of House of Representative ballot papers, people voted just 1 to 6 and stopped there. There were actually a lot of informal votes across the whole of Tasmania. I was in one of the rooms that was hearing some the scrutineering results coming through. It was quite depressing to know that those voters clearly had an intention of who they wanted to vote for but that their vote would not have been counted.

We will be supporting this amendment. I wanted to put on the record that I would not in the future want to see a move to optional preferential voting. Part of what is really important in Tasmania's system is that we have preferential voting. Friends who live in first past the post jurisdictions around the world tell me that they are often quite envious of the fact that we have preferential voting. While it is a more complex voting system, it does lead to more democratic results. I know that is not the intent of the amendment but I wanted to put on the record the importance of preferential voting. It always needs to remain part of our electoral system.

Where someone has clearly voted at least 1, or in those federal examples that I gave, particularly in the lower House seat of Clark for the House of Representatives where people voted 1 to 6 because they were confused between the Senate ballot paper and the House of Representatives ballot paper, it was unfortunate that those votes could not be counted as formal. I know that those Commonwealth examples are irrelevant to the changes we are making in the Tasmanian legislation but they are still illustrative of why this change would be positive for Tasmanian voters.

Ms ARCHER - First, I can sympathise with the meaning behind this amendment. I will not be supporting the amendment. I note the recommendation within the final report of the review recommended that:

The current formality rules under sections 102 and 103 of the Tasmanian act be retained.

That the TEC actively pursue avenues to reduce unintentional informal voting by electors with literacy or vision problems.

The TEC stated that:

Any changes to the formality provisions would need to be carefully considered as there is the potential to reduce the effectiveness and accuracy of the Hare-Clark counting process.

A reduction in formality rules for House of Assembly elections would increase the likelihood that more candidates would be elected without a quota, increase the likelihood that more ballot papers will be exhausted and lost to the count due to fewer preferences being provided, and have implications for filling vacancies within the House of Assembly.

The TEC advised that:

Informality due to duplication or omission of numbers between the numbers 2 and 5 accounted for less than one per cent of ballot papers cast at the 2018 State election.

Madam DEPUTY CHAIR - The question is that the new clause C be made part of the bill to follow clause 14.

The Committee divided -

AYES 11

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

NOES 11

Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Mr Rockliff
Mr Shelton

Ms O'Byrne
Ms O'Connor
Mr Winter
Dr Woodruff

Mr Street
Mr Tucker
Mr Wood (Teller)
Mr Young

PAIRS

Ms White

Ms Ogilvie

Madam DEPUTY CHAIR - The result of the division being 11 Ayes and 11 Noes, in accordance with Standing Order 167 I cast my vote with the Noes.

Amendment negatived.

Clauses 15 to 27 agreed to.

New Clause D -

Ms O'CONNOR - Madam Deputy Chair, I move -

Page 38, after clause 27.

Insert the following clause -

D. Section 197A inserted

After section 197 of the Principal Act, the following section is inserted in Division 5:

197A. Misleading Advertising

- (1) This section applies to advertisements published by any means (including radio or television).
- (2) A person who authorises, causes or permits the publication of an electoral advertisement (an advertiser) is guilty of an offence if the advertisement contains a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent.

Penalty: Fine not exceeding 200 penalty units or imprisonment for a term not exceeding 6 months, or both.

- (3) It is a defence to a charge of an offence against subsection (2) to establish that the defendant -
 - (a) took no part in determining the content of the advertisement; and

- (b) could not reasonably be expected to have known that the statement to which the charge relates was inaccurate and misleading.
- (4) If the Commissioner is satisfied that an electoral advertisement contains a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent, the Commissioner may require the advertiser to, within a timeframe specified by the Commissioner, do one or more of the following:
 - (c) withdraw the advertisement from further publication; or
 - (d) publish a retraction in specified terms and a specified manner and form; or
 - (e) pay costs of any person reasonably incurred in correcting the inaccurate or misleading statement.

Madam Deputy Chair, we are not naïve. We understand that during election campaigns, parties and candidates say all sorts of things. We do not want to be black and white about this but there has to be a set of standards. In fact, we do want to be black and white because we are moving an amendment that is in black and white.

Truth in political advertising laws are provisions which prohibit false statements in political advertising during election campaigns. These laws can establish offences or allow for the removal of statements. I will never forget before the 2010 election because of a few words I had said in here about the madness of locking up drug addicts, the Labor Party put out some pamphlets with a picture of me on it saying; 'The Greens want to give heroin to your kids'.

They also funded robocalls that called numbers around the state falsely claiming that the Greens, me, wanted to give heroin to children. This is not personal but that is an example of a straight-up lie that was used during an election campaign to try to damage another party and candidate.

South Australia was the first jurisdiction to introduce truth in political advertising laws in 1985 with the exception of Commonwealth laws, which were passed in 1983 but repealed a year later, sadly. In 2020, the ACT passed laws modelled on South Australia's. The South Australian provisions which ban a 'statement purporting to be a statement of fact that is inaccurate and misleading to a material extent' were found to be the strongest example of such a law by a 2019 United Kingdom analysis. The keywords are 'to a material extent'. Despite some issues with the legislation, the assessment found the laws to be reliable, workable and fair.

The scope of truth in political advertising laws is deliberately tight. They apply to a statement of fact that is inaccurate and misleading to a material extent. In South Australia, the Electoral Commission has to seek legal advice from the Crown Solicitor's office to determine if a statement is misleading, which takes considerable time. The South Australian Commissioner has also received paperwork some 22 to 25 centimetres high in the form of

supporting documentation. Such tactics could be used to delay a decision until after election day, particularly during the crucial last days of the campaign. The South Australian Electoral Commission, which administers South Australia's truth in political advertising laws, has been critical of their role in administering the law, a scepticism shared by the Victorian Electoral Commission when submitting to an inquiry around similar laws.

Complaints made include: the time needed to administer disputes, which can draw substantial resources away from the key role of managing elections; that it is not the core business of electoral commissions to discern truth; disputes can take much time to resolve; and it undermines the independence of the commission if they become involved in political controversy.

That said, you have to have in life and in elections a set of standards. I want to commend Eloise Carr, the Director of the Australia Institute Tasmania, and the Australia Institute more broadly, for their strong advocacy for truth in political advertising in Tasmania. I want to read into the *Hansard* their argument:

In Tasmania, it is currently perfectly legal for political parties and candidates to lie during an election campaign. Australia has laws against misleading and deceptive conduct in trade and commerce but not in politics. It is reasonable for Tasmanians to expect this level of protection, if not higher, when it comes to political discourse. Truth in political advertising laws are extremely popular. Polling undertaken by the Australia Institute in April 2021 found almost nine in 10 Tasmanians ...

about 87 per cent, Madam Deputy Chair:

... want truth in political advertising laws. National polling over the last four years supports this.

The proposed Section 197 of the draft disclosure bill is too narrowly focused. It is limited to preventing misleading voters about casting a valid vote.

In August 2020, the ACT Legislative Assembly passed truth in political advertising laws based on the South Australian laws. It had the unanimous support of the South Australian Assembly's Labor, Liberal and Greens MLAs. The laws came into effect in July 2021. In South Australia, truth in political advertising laws have existed since the 1980s.

The Australia Institute goes on:

The laws establish an offence for misleading political advertising and empower the ACT Electoral Commissioner to request that the persons who place the advertisement not disseminate it or attract it in its stated terms. The laws are limited to electoral material that requires authorisation and do not burden publishers any more than existing rules about defamation or offensive material do.

Under the new laws, an individual could be fined up to \$8000, and the corporation up to \$40 500 if they have been found to have issued untrue political advertising.

We know truth in political advertising laws are evidence-based. They are popular - in another jurisdiction they have been supported by all three political parties in that Assembly. We recognise that, despite the advocacy of a number of submitters to the review process, the Government here has rejected the need for truth in political advertising, and we do not think it is on sound enough grounds.

If there is an issue with the Tasmanian Electoral Commission's resourcing, then provide them with some more resourcing to make sure that, not only do we have free and fair election campaigns, but we have campaigns that are honest with the voters. We think it is a bare minimum.

I commend the amendment to the House.

Ms ARCHER - During consultation on the bill, some people who provided submissions suggested that the act should be amended to introduce laws prohibiting false statements in political advertising during an election campaign, which is what Ms O'Connor has been referring to with this amendment. It was suggested that these laws be modelled on relevant legislation in the ACT and South Australia, which prohibit the dissemination and publication of an electoral advertisement that contains a statement purporting to be a statement of fact, which is inaccurate or misleading to a material extent.

While it is acknowledged that there is support for truth in political advertising laws amongst some stakeholders, and potentially in the wider community, there are also significant concerns that have been expressed about the operation and administration of such laws. For example, in its report on the 2020 ACT Legislative Assembly election, the ACT Electoral Commission expressed concerns that the assessment of political statements requires complex and often subjective judgment of concepts, policies, figures and theories, and is outside what the commission's statutory function should be. It was also suggested that investigating complaints would significantly increase the commission's workload during election campaigns.

I accept what Ms O'Connor said about resourcing but there is a very real concern and a lot of discomfort about this subjective judgment issue.

In addition, the ACT Electoral Commission was concerned that its determination of the truth or otherwise in political advertising could raise accusations of political partisanship and affect the commission's reputation, which is based on neutrality and independence. The ACT Electoral Commission also raised issues around enforcement, suggesting that political participants may decide to risk post-election sanctions in the hope of electoral advantage. Actually, I think a lot of people do that at the moment, when they breach the act.

The consequence of positive prosecution for a breach of the truth in our political advertising laws is a formally disputed election through the Supreme Court. This could provide for potentially long periods of electoral uncertainty for learning the conclusion of each election.

I hope members agree that the truth in political advertising issue is complex, not least of all because of these arguments that have been raised by other commissioners - and, indeed, in discussions at officer level with our commission.

Any proposal to introduce such laws would require careful consideration and consultation. At this stage, the issue was considered to be outside the scope of the electoral act reviews, so there has not been that extensive consultation and it was not included in the draft bill that went out to consultation.

I suppose, being a candidate, I can have some great sympathy for these clauses, but I have noted the expression of concern, particularly in relation to having to make a subjective judgment. Also, a big issue of concern for the commission is that they would be seen in a light that was not neutral or independent in having to be arbiter of these types of issues.

Ms O'Connor - The words 'to a material extent' are significant.

Ms ARCHER - Yes. They are the discussions that are being had.

Ms HADDAD - Madam Deputy Chair, I acknowledge the concerns the Attorney-General has put on the record but I do feel the wording of this amendment is very uncomplicated. It does have safeguards that would ensure that the right implementation and guidelines for the Commission, and for people advertising during election campaigns, would prevent that risk of the TEC or the Electoral Commissioner looking like they are making a subjective judgment or partisan decision.

Indeed, I think how it operates in other jurisdictions. Similar provisions have existed in South Australia since the 1980s, and in the ACT more recently - just last year. The Commonwealth Government - the new Labor Government - has indicated in-principle support for truth in political advertising laws and I think they are undertaking a committee on that right now.

We do want to see more truth and honesty in election campaigns. There are examples across every jurisdiction in Australia where we do see candidates of every colour saying things for political gain that are not true. I believe the TEC could be empowered with the kind of structures and so on that they need to be able to make decisions.

It is tricky to word amendments such as this right. When I read this amendment, I thought it is actually written in a way that would allow that to happen. It would allow the commission to be protected from having to make a decision that might look subjective or partisan, but actually, the matter would have to be materially misleading. A body of evidence would be built up over time of what that looks like, and in the meantime, there would be examples from other jurisdictions about what material would be misleading or what inaccurate to a material extent means and looks like.

There would need to be robust guidelines for the TEC to do that, and also to avoid any vexatious or frivolous complaints. You would not want to see a situation where every single political ad could be complained about and create a huge administrative burden for the Electoral Commission. With the right structures in place that could be avoided as well.

There were some polling done by the Australia Institute into people's views in Tasmania about political advertising laws earlier this year. They found that 87 per cent of those Tasmanians who were polled were in favour of political advertising laws; 5 per cent were opposed and 8 per cent were unsure. They broke that down by party grouping and found that 80 per cent of Liberal voters supported truth in political advertising laws, 93 per cent of Labor, 88 per cent of Greens and 93 per cent of independent voters were in support of truth in political advertising laws.

The Tasmanian public wants to see us behave better in political campaigning. We all want to see political campaigns being fought in a more honest and truthful way.

On the basis of those comments, also the in-principle support that has been given by federal Labor to these kinds of laws, we are happy to support this amendment. It comes back to the questions I asked in my second reading contribution on this bill around implementation time frames, that if this amendment ended up being part of the bill, there would be the capacity during that implementation phase to work with the commission to make sure that they had in place all the structures, rules and guidelines to make sure these laws could be applied as intended.

Ms O'CONNOR - Ms Haddad, I am very happy to offer you this amendment for the other place, should it not get up now. Clearly it will not because the Attorney-General is not amenable to it. I take issue with something the Attorney-General said about it being outside the scope of the review. Sure, it was not written down in the scope of the review which I do not have in front of me.

Ms Archer - It was only an observation.

Ms O'CONNOR - I am not sure it was fully outside the scope of the review. I do not think that matters. If we are coming into this place and debating a whole new framework, which we are with these two bills combined, then we should be open to following best practice. The issue here is that a clause like this would not stop a politician from lying because there is pretty much nothing that can. If a politician wants to tell a lie then they will, or hedge around the truth. This is about political advertising that purports to be fact. 'Ms O'Connor wants to give heroin to your children'. That is a statement purporting to be fact which goes back to 2009.

The effect of provisions like this, which as we know are evidence-based, enormously popular, tried and tested in other jurisdictions, would probably be to ensure that political parties were a bit more mindful of the content of their advertisements during a campaign period. I think that this is a very robust amendment and I am glad to have Ms Haddad's agreement.

I remind the House that in 2019 a constitution unit in the University College of London assessed a range of truth in political advertising provisions. They found South Australia's was the strongest example that they had assessed. These are laws that have been in place for a very long time so they are not perfect. They have administrative costs, which we have all acknowledged. You can have people playing party politics and being vexatious about it but you can have structures in place that would mitigate that.

I understand the frustration from electoral commissions. This has happened in South Australia having to be the administrator of a truth in political advertising framework, and the

arbiter, or a feeling that they need to be the arbiter of what is truth. That, of course, is a very difficult thing for a commission, particularly in an election campaign.

It is about something that is purporting to be fact that needs to be found misleading and deceptive to a material extent. We are talking about big fat lies that end up as political advertisements.

These provisions must be in a healthy electoral framework. I am very disappointed that the Attorney-General has no interest in progressing this at this point, given what we have just heard about the polling, where 80 percent of Liberal voters support it because it comes from a basic sense of decency and also from all of us, who have to sit there during elections and sometimes listen to absolute fraudulent political garbage. We have all been there, frustrated, watching some of the rubbish that comes out of political parties during campaigns.

Madam DEPUTY CHAIR - The question is that the new clause D be made part of the bill to follow clause 27.

The Committee divided -

AYES 11

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

NOES 11

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

PAIRS

Ms O'Byrne

Ms Ogilvie

Madam DEPUTY CHAIR - The result of the division being 11 Ayes and 11 Noes, I cast my vote with the Noes.

New clause D negatived.

Clauses 28 to 76 agreed to and bill taken through the remaining stages.

Bill read the third time.

ADJOURNMENT

[9.24 p.m.]

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

That the House do now adjourn.

Social and Affordable Housing - Government Inaction

Ms HADDAD (Clark) - Mr Speaker, I will make a short contribution at this opportunity on the second last day of parliament for the year to talk about the Government's lack of ability to deliver on their own housing promises.

The Government made a very welcome promise to deliver 10 000 new social and government houses within 10 years. and that is a promise that absolutely is welcomed and is needed by Tasmanians. That many houses and more will be needed in 10 years. Last month alone, they fell 90 per cent short of meeting their own target to deliver on that promise. I am fearful that they are giving false hope to Tasmanians.

In particular, I will focus on the eight housing land supply orders that have passed through this place since 2018 that would have provided over 1000 houses for Tasmanians in desperate need. At the time those housing land supply orders were being passed through this place, in 2018 - that is years ago - we were told by the then minister that 'this will speed up the supply of affordable housing around the state by fast tracking the rezoning of surplus government-owned land', and 'it is a multi-pronged approach to addressing affordable housing across Tasmania'. The Government's departmental fact sheet said things like the Housing Land Supply Act 'is responding to the high current need of demand for housing in Tasmania by providing a quicker process'.

Since 2018, we have been through a second election. We have been through years of waiting. There is nothing on those eight vacant blocks of land that were fast-tracked for rezoning through this place and still no houses on them.

Burnie, Romaine, Warrane, Devonport, West Moonah, Rokeby, Huntingfield and Newnham: all these places had housing land supply orders come through this place that were supposed to speed up the delivery of housing. One thousand houses across the state - there were going to be over 100 on the Burnie site alone, for example; and Warrane, over 100. There were going to be 50 lots at Devonport, West Moonah and Rokeby, with multiple dwellings on each of those lots - more than 50 homes on each of those lots; 75 at Newnham and 450 at Huntingfield. Every single one of those places is still a vacant block of land.

In a week where we have the Premier speaking at length about a football stadium for Hobart that is going to cost the taxpayers \$750 million, we have people sleeping in cars and tents, couch surfing with friends and family, living in insecure housing situations, and being turned away from housing shelters that are full, at capacity and working to the brink. Everyone working in that sector is feeling under pressure right now. Working in the housing sector now is one of the hardest jobs.

Today I heard from a constituent who recently left an abusive and controlling relationship with her kids in tow. There are family violence orders against the partner and against a previous violent partner. She cannot find anywhere. She is now couch surfing. It is unsafe and it is part of the reason that people often end up finding themselves returning to violent relationships.

We had the Premier taking extraordinary measures to mythbust on his Facebook page about the football stadium, going through, one by one, every single one of those loud community concerns that the Liberal Party must be hearing. If they are not hearing them from the community, they are hearing them from their federal caucus colleagues - Jonno Duniam, Bridget Archer and Gavin Pearce do not want the football stadium. They do not want Tasmanian taxpayers' money being put into a football stadium while there are people in their electorates, our electorates, sleeping in tents and sleeping in cars.

The Premier took to his Facebook page to mythbust each of those community concerns. Instead of mythbusting those concerns, he should be listening to those concerns. He should be seeing and hearing what the Tasmanian people, and now his federal caucus colleagues, are telling him: people do not want it. We do not want it. It is unfunded, unneeded and unwanted in this state. What people want to see is action on housing, action on health and action on education.

In particular, I hope we come back in 2023 to this place and see fast-tracked action on those eight places where they brought legislation into this place since 2018: fast-track housing supply in Burnie, Romaine, Warrane, Devonport, West Moonah, Rokeby, Newnham, and Huntingfield. Those houses that have been promised on those sites are desperately needed by the more than 4500 Tasmanians who are waiting on the social housing register an average of 70 weeks and, in the meantime, are living in dangerous and unsafe housing situations.

Social and Affordable Housing - Government Inaction

2022 PowerHousing Academy Scholarships and National Awards

[9.30 p.m.]

Mr BARNETT (Lyons - Minister for State Development, Construction and Housing) - Mr Speaker, I am pleased to speak tonight to indicate that this Government is doing so much to support and care for vulnerable Tasmanians, particularly in building more homes faster and our very ambitious agenda.

There is no doubt that we need to do more. That is why we are establishing the Homes Tasmania authority from 1 December. That is why I announced today the new board headed by one of Australia's most experienced and skilled leaders in the area of homes and delivering housing and homelessness services around this country.

I respond to the member for Clark, who criticises the Government, particularly regarding land housing supply orders. We have set a very big agenda. It is funded with a \$1.5 billion commitment: \$204 million this year and \$538 million over the forward Estimates. You know it is in the Budget. You opposed establishing Homes Tasmania in this place, which is integral to rolling out that plan. You have opposed and continue to oppose.

We will not be backwards in coming forward to deliver on that agenda. We are fighting tooth and nail. I say thank you to the housing providers, the community sector, to those who

deliver homelessness services in this state. We are working shoulder to shoulder with you. The goodwill in the community is fantastic - the goodwill to get results with an ambitious agenda. I ask state Labor to come onboard and support that agenda.

I am delighted to speak also about the 2022 PowerHousing Academy Scholarships and National Awards held last night on the mainland. They are designed to showcase the individuals and teams in our membership and across Australia who have gone above and beyond to support tenants and new houses coming out of the ground sooner across Australia. These are national awards. The awards acknowledge our sector and the community at large as well as highlighting the difference that PowerHousing members make to the lives of tenants, local communities and our nation. I thank them for hosting these awards and collaborating for a better future.

A key part of what PowerHousing is about, something they encourage through their government program collaboration award and something that is really important to our Government and a core part of what our new Homes Tasmania authority is all about, is working more closely with the sector to deliver housing for Tasmanians.

In contrast to the doom and gloom and criticism from the Opposition, last night Tasmania's own tier one community housing providers, Centacare Evolve Housing, won the national award for government program collaboration. Congratulations. This is an exceptional achievement by Centacare, which have collaborated with the Tasmanian Government through our Community Housing Growth Program. Founded in 2014, Centacare has quickly become one of Tasmania's leading community housing providers and has a strong working relationship with the Tasmanian Government. Centacare Evolve Housing now owns or manages over 2500 properties throughout Tasmania and supports our Government's vision to deliver more homes, faster.

I acknowledge Ben Wilson and his team at Centacare Evolve, and for the incredible achievement of winning this national award. In addition, I say thank you for achieving this national recognition on the national stage for what Tasmania can do when it leverages its partnerships with the housing sector. This is exactly what we are all striving for: Government working together with the housing providers.

I also acknowledge the efforts of my department, Housing Tasmania, soon to be Homes Tasmania. It has done a great job. Thank you to Peter White for his leadership and for all that they do, specifically on winning this national award and the collaborative approach they have taken of working with Centacare as well as other community housing providers to deliver to Tasmanians under our Community Housing Growth Program.

That is where I was at lunchtime today: another 15 units for older Tasmanian men, who deserve that care and support at Rokeby. To my department, St Joseph's and Centacare Evolve, and Hobart City Mission, thank you for what you are doing. A donation of \$1 million with \$2.4 million from the state Government is being delivered due to collaboration and a positive approach. I call on all in this place to deliver a more positive, collaborative and constructive approach rather than relentless negativity.

I thank the community housing sector. I look forward to working with you in the months and years ahead.

Salmon Industry - 10-Year Plan

[9.36 p.m.]

Dr WOODRUFF (Franklin) - Mr Speaker, I will speak today about the Government's release of the 10-year salmon industry plan, which has been a very long time coming. I need to take a short romp through the recent history of salmon farming in Tasmania so that we can understand the context in which the community will be reading this plan, the expectations they have for what it needs to fulfil, and the initial response that people have had to it.

In December 2017, we had the Sustainable Industry Growth Plan for the Salmon Industry. That is now five years old. It promised an enormous amount. As we can see from the history of what has happened since December 2017, it utterly failed on delivering its promises. For example, it promised to have a zero-tolerance approach to marine debris; to develop a Tasmanian Salmon Industry Scorecard that would benchmark the industry with international best practice; it would strengthen biosecurity; farm sustainably in Macquarie Harbour; and maintain public confidence in the salmon industry.

The evidence of the horrors, the public outrage at the gross environmental damage that was wrought on Macquarie Harbour and the World Heritage Area and the precarity of the existence of maugean skate by salmon farming is evidence that the salmon industry plan of five years ago has utterly failed to fix these. Instead of gaining the confidence of the community, it has shattered whatever social licence the salmon industry may have had.

The 2018 Marine Farming Development Process that followed immediately after that salmon plan for Storm Bay was the most corrupted process coastal communities have ever seen. They were utterly gobsmacked. Their confidence was lost. For many people, it broke the trust that they had in Tasmania's institutions, in the agencies that were meant to be there. It started to bring people's attention to the failures of the EPA to stand up against the industry.

Since then we have seen a doubling down of the industry in more intensive farming in Brabazon Point, Tinderbox, Long Bay, off Bruny Island. The moratorium in place has not stopped the industry from continuing to expand with biomass. We have had marine water tipping points and the biodiversity has fallen off a cliff in many of the estuarine areas around the state.

Richard Flannigan's 2021 book, *Toxic*, was an ode to the grief and sadness of coastal communities witnessing the loss of biodiversity in marine waters, and it was a call to defiance and to collective action against the might of the salmon industry.

The enormous fin fish farming inquiry from the Legislative Council - a report with hundreds of pages - represents the heart and soul of Tasmanians who made representations. The recommendations from the community were very clear: there has to be information available to the public, when it is not currently. There has to be an EPA that is not directed by the State Policies and Projects Act 1993 and by the government policies of the day. There has to be statewide monitoring of water quality - and so many other things that this enormous inquiry found.

All this time we have been waiting for the salmon industry growth plan - and meanwhile, while it is coming, we have had two enormous companies storm into Tasmania. The first, the takeover of Huon Aquaculture last year in November by the JBS meat giant - which is now the

Batista brothers and their company JBS, the world's biggest producers of our protein. They are reported to be the worst company the United States EPA has ever had to deal with. They are responsible for gross workplace harms and widespread illegal deforestation. The JBS company is a family empire built on corruption and bribery and it has fuelled the expansion of JBS around the world, including in Tasmania.

Then there is Cooke - which as we know has just taken over from Tassal. That company in 2017 caused a whole Washington State farm to collapse. It was fined enormous amounts by the US government. It was regarded by a government official as showing complete disregard and recklessly putting the state's aquatic ecosystem at risk. It was charged with a banned pesticide and fined for overstocking farms. We can go on.

I want to come to the report that we have here. It is much waited for and what we have is an insult to communities. It is a 17-page pamphlet. It has a gross absence of detail about the things people care about. There is a 20-page work plan for the community to comment on, and I encourage people to have their say. What good that will do? We will have to see - the Government has a history of failing to take on board coastal communities.

What we know from the cosy corporate dinner that happened with the Premier and the JBS and Cooke CEOs is that they gave money to the Liberal Party - \$4400, because you can buy politicians cheap in Tasmania. In Brazil, they spend \$150 million on bribing Brazilian officials and politicians. They were found guilty, they were charged and sentenced, and went to jail. That is what happens in Brazil. In Tasmania you get to have dinner and you get to say what you want in your salmon industry growth plan.

We do not buy it. We will be fighting with communities all the way for their marine waters.

Time expired.

St Helens School - Infrastructure Issues

[9.43 p.m.]

Ms BUTLER (Lyons) - Mr Speaker, I rise tonight to talk about the St Helens School.

I was invited by the school association last week to attend the St Helens School, which currently has over 520 students enrolled from kindergarten through to year 12. Pretty much no money has been spent on infrastructure at the school since the Gillard-Rudd years. The Department of Education has advised that the St Helens School is category 5 in its need for repair and maintenance upgrades. I believe the worse is category 1 so St Helens is certainly not being classified as a priority at the moment.

I believe the head of the school association spoke about this on *Tasmania Talks* a few weeks ago, and last week as well, and that there has been quite an amount of correspondence and discussions with the Department of Education but they are reluctant to move it from the category 5 at the moment.

I had a look around the school. My mum was on the school association for years and my sister is a St Helens School alumni.

Mr Barnett - Your mother was, and is, a wonderful person. She did a great job for St Helens.

Ms BUTLER - Thank you very much. She certainly has done.

I will quickly list some of the problems at the school. I can tell you that the only reason the school looks as good as it does is because the groundskeepers, cleaners, teaching staff, the principal, the members of the school association, volunteers and students take such great pride in that school. The culture is just incredible.

However, the actual asset itself, the infrastructure of the school, is in dire need of major capital overhaul and assessment. To start with we have mould, which is being continuously cleaned from classrooms due to design and ventilation issues.

We have rotting joists in the year 9/10 classrooms. The Department of Education has sectioned off two classrooms because they are actually sinking due to rotting joists. Those particular buildings - you probably know them - are over 100 years old. Currently they are not fit for purpose. They were closed for use in September 2022 and it will take an estimated 18 months to fix those classroom issues.

In the beautiful Trade Training Centre that my mum lobbied for funding to have built - the roof leaks under substantial rainfall. Believe it or not, they have not been able to offer students a VET cooking course in two years in that facility because the roof floods every time there is substantial rain. It has a beautiful industrial kitchen and it is a top-of-the-range facility but it cannot be used because it leaks. It is a design fault. The roof needs replacing. Silicon is applied to it every time it leaks and the plaster is patched up but there is structural damage as a result of that flooding. It has also stopped the function of the hospitality school.

When you are in a community such as St Helens, which relies so much on hospitality workers - and if you can train chefs there, instead of having them go to Launceston or Hobart to receive that training, many of those young chefs do not come back to the community. We need them here.

The kindergarten has structural problems. The back left side of the building is visibly sinking. You can see it. There is movement showing in the brickwork. The facility is also too small and it does not meet the demand. Many children should be in that kindergarten who basically just cannot get in.

The science labs: there is leaking from the ground up. A team was assessing the site while I was there. The science labs have been shut down. It is assumed there is a leaking pipe underneath seeping up through the floors. That was actually flagged for redevelopment in 1985 so that is how old that facility is. The gas fittings were not compliant with Australian safety standards either. The science lab has needed an upgrade for quite some time. Now it is actually not-fit-for-purpose, and the students cannot use it. The St Helens School offers pre-tertiary level 3 year 11 and 12 Science but, unfortunately, those students have not been able to access the science lab. That is completely inappropriate.

There are decaying sewerage pipes running underneath the enclosed school walkways.

The school crossing to the kindergarten is not marked and they have not been able to get any resolve from the Department of Education to have that crossing marked.

We will be working with the school association over the next few months. We will be raising this as a significant issue for the area. We do not want the community feeling that they cannot enrol their kids at the St Helens School.

At the school itself, the culture is strong. The teachers do a fantastic job. The groundskeepers do a fantastic job. The whole community loves the St Helens School but the problem is the infrastructure is crumbling.

We can all work together to get the Department of Education to reclassify it as a priority, and have that infrastructure work and an overall assessment undertaken immediately.

Ben Lomond Ski Patrol - 60th Anniversary

[9.50 p.m.]

Mr WOOD (Bass) - Mr Speaker, I will not speak for long; I am just finishing what I commenced last evening, talking about the fantastic Ben Lomond Ski Patrol and the 60th anniversary celebrations that I was very fortunate to attend the other weekend. I will not rehash what I have already said but I will commence this evening with saying this: the funding of the patrol into the early 1990s was entirely by sponsorship and fundraising exercises carried out by the patrol members. These included raffles, ski fashion parades, dances and film nights.

At the introduction of the mid-week patroller in the late 1980s to early 1990s the National Parks financed this person and then subsequently it was subsidised by the Mountain Management. Since the early 1990s an introduction of the Mountain Management and the road toll, the Mountain Management has reimbursed the patrol's expenses. Since the disbanding of the Mountain Management, the funding has been provided once again by the Government through the Parks and Wildlife Service.

The Tasmanian Government is a huge supporter of the Ben Lomond Ski Patrol, as shown through the now ongoing funding established through the Hodgman Liberal government in 2017 and fostered and expanded by the Gutwein Liberal government and has continued into the future by the Rockliff Liberal Government. We are very aware of how the service provided by the Ben Lomond Ski Patrol uniquely complements the emergency services that do not have the equipment or capabilities to reach those who have been injured in this difficult terrain. This state Government funding has freed up much of the patrollers' time so that they concentrate on key activities of the patrol and in keeping people safe on our mountain.

The future of Ben Lomond is very bright with the Tasmanian Government's 2021 election commitment of \$2.8 million to enable critical investment in Ben Lomond as an important recreational and tourism asset for Tasmania.

As an organisation, the Ben Lomond Ski Patrol should be very proud indeed of what has been achieved from humble beginnings over the past 60 years. Not only have they created a strong platform for future generations to continue their valuable work but countless lives have been saved and preserved through the continued efforts of these hardworking volunteers. I take this opportunity to wholeheartedly thank them for their service.

Salmon Industry

[9.53 p.m.]

Mr WINTER (Franklin) - Mr Speaker, I was not going to contribute tonight but as has happened in the past, Dr Woodruff has inspired me to stand up and defend the aquaculture industry which is so important to the Huon Valley, which I represent, and to Tasmania more broadly.

This is an industry that supports 3000 direct jobs; 10 000 indirect jobs, according to the Blue Economy CRC report which came out only last week. It is based on outstanding scientific work from Tasmanian scientists - scientists who monitor the aquaculture industry across reputable organisations and who have been doing so for a long period of time.

It is an industry which is critical to Tasmania's future. I believe it is an industry which, almost certainly, has been the most successful industry over the last 30 years in Tasmania in terms of its growth, its support for jobs and its support for regional Tasmania. Frankly, I am sick of a fellow member for Franklin standing up in this place and attacking the industry that supports so many jobs in our electorate - so many people I know. So many workers I know depend on the industry. It is almost always up to Ms Finlay, the member for Bass, and me to defend the industry. There is no one here from the Government who is going to stand up and defend the industry again tonight. It will be left to Labor to defend this industry once again.

The aquaculture industry has been an enormous success. It has been built by the likes of the Bender family: the Bender family that Dr Woodruff used to stand here and talk about how bad the family was. Now she stands up and says that the new owners are even worse.

The reason we have JBS - or one of the reasons, I am sure - is her relentless pursuit of a great Tasmanian family that did so much for jobs and the economy here. The Greens continued to attack that family, that business and those workers for years. That is one of the reasons why that business is no longer Tasmanian-owned and why it is owned by JBS.

The member for Franklin, Dr Woodruff, stands up here and attacks not just the owners, not just the business but the workers who rely on that industry. The comment from Dr Woodruff was she talked about JBS and the corruption and bribery, words that she would not dare say outside of the Chamber, I am sure, accusing a business of corruption and bribery. It is almost like it is routine now to come in and defame businesses which are employing Tasmanians. That is what the Greens do in this place. That is how they attack workers and that is how they attack a reputable industry that is important to Tasmanians.

The Greens continue to attack an industry which has almost \$1 billion in gross reduction value for our state. As I said, 3000 direct workers, 10 000 indirect workforce, and 83 000 tonnes of Tasmania's farm salmonoid sector. That is what its contribution is and yet they do not care.

The independent member for Clark was on video a couple of weeks ago and said, 'There is no contribution to local communities', or words to that effect. There are communities in the Huon Valley which would not exist if not for the aquaculture industry, communities that rely on having that sector there to support them and their families, families who rely on the income that that industry provides to them and their families.

That is the critical investment that this industry makes for Tasmania and it should not be forgotten by the Greens or by anyone in this place. We should respect businesses like that, that are employing many people, and we should respect the science around it.

I say congratulations to the Blue Economy CRC on their outstanding report, released last week, which showed a pathway forward for what the challenges and opportunities can be for our industry. The opportunities are immense. We have a world-class opportunity to grow the industry and continue to grow more jobs in Tasmania. We are passionate about doing that.

We need to make the most of the unique opportunities that we have in Tasmania, one of which is the aquaculture and the salmon industry. There is nowhere else in Australia that has the abundance of natural resource which can be used like the aquaculture industry has been doing here for now 30 years or longer and I hope continues to do so for a long time.

I am disappointed and flabbergasted that we continue to have these attacks. It was only last week that the Greens were out attacking the industry on its use of antibiotics. It did not take me long to realise that what they were saying was not correct. All I had to do was go to their website and find out that antibiotic use on Huon farms is rare. Like all farming operations, sometimes our fish get sick and it is important that we have the ability to responsibly treat with antibiotics and, on those rare occasions, to ensure fish health and welfare needs are met. That is pretty important.

The response from Huon Aquaculture was around the welfare of the product they are fishing. It is not surprising they would do that and it is not a secret either. In fact, the information I found had been on the website for months, months and months before the Greens attacked it:

In January 2022, some smolt pens in our Yellow Bluff lease were treated, Huon will report actual grams produced in accordance with global salmon initiative, GSI annual reporting requirements and completion of our end of year reporting, i.e. the 2022 calendar year following the antibiotic treatment and residue monitoring survey that was conducted.

Mr Speaker, the information is on the website, but the Greens are happy to attack the industry on the basis of whatever they can find next.

Time expired.

Salmon Industry

[10.00 p.m.]

Mr ELLIS (Braddon - Minister for Resources) - Mr Speaker, I am a member for Braddon, proudly one of Tasmania's premier salmon farming regions. I know it is 10 p.m. and, like my friend opposite, had not planned on speaking. However, the outrageous slurs we have had tonight from the Greens simply cannot stand.

I was a little disappointed by the Opposition's insinuation around the Government's position on salmon farming because I probably spent more time talking about the salmon

industry in this place than those opposite. I have also spent time working on the tools on salmon farms, on salmon boats and for salmon farmers.

Plenty of food has been put on my table because of this phenomenal industry. We are always proud to support them. I note your support and that is really important. We can do good things together. It is really important. There are three extremists in this place and 22 who support Tasmanian jobs in the salmon industry and salmon farmers who, as my friend opposite said, work across this state, in regional communities, making a great living, supporting their families, and feeding the world.

There is almost no more sustainable protein that you can find anywhere in the world than farmed salmon. The conversion rate that happens from feed that goes into those fish that come out protein at the other end, the lack of waste, and the production methods that we have here in Tasmania are world-leading. What our Tasmanian salmon farmers do is at the forefront of sustainable protein production on Earth. We should be proud of that. When you look at carbon emissions, the emissions from salmon farming are a fraction of what you will see on almost any other animal-based protein.

The extremists I mentioned, particularly those in the Greens, approach these things as though we should all just be eating vegetables. I have made comments about that in the past and I will not go into them further. We have to acknowledge that people want to eat meat. If they do, as most of us do and at various different quantities, then we should be giving them the choice to eat Tasmanian salmon. It has lower emissions because it has less waste because you can use almost every piece of the fish. There are even parts that you can feed to your dogs in beautiful dog treats.

We should be supporting this industry. They employ people from Dover to Strahan, up to Devonport. They make a phenomenal living. As my friend opposite said, it is perhaps the most successful industry in Tasmania in the last 30 years when you look at growth, sustainability and adaptation to some of the challenges that we continue to face as a community, as a state, as a nation and as a world.

It is extraordinarily important. It is not just those who work in the salmon industry growing the fish. It is everyone else who is involved in the supply chain. This Government put in some significant funds as part of an industrial renewal that happened at Wesley Vale at one of the old particle board mills there that is now a BioMar's fish feed facility, which I have toured and I am sure those opposite have as well. We have bipartisan support for this phenomenal industry in this state that is manufacturing jobs.

That is 65 people in my local community who I know you once represented as well, Mr Speaker, in Wesley Vale who are getting great jobs, working in manufacturing, producing the primary industries grown on this land, produced in our factories, sold to salmon farmers in Tasmania who then continue to feed the world. What we are producing is so good in the food space that BioMar is now opening up export markets to New Zealand. That just shows that what we do here is better than just about anywhere in the world.

We continue to hear outrageous slurs from the Greens. Perhaps that will never change, because they are anti-everything. It does not matter what you do, if the Greens decide that they do not like it, then they will oppose it.

I was disappointed that one of our new members, Ms Johnston, was making anti-Tasmanian claims saying she did not want people eating Tasmanian salmon, that she did not want people investing in this place. I encourage her to take another look. What you are missing is not just thousands of jobs, but it is a way to feed the world that is perhaps more sustainable than just about any form of animal agriculture you will ever see.

There is some rank hypocrisy in this debate. I am reminded of the most famous real estate advertisements ever posted in Tasmania. When Richard Flanagan was selling his book attacking fish farms, he noted around his shack at Bruny Island noisy factory ships, green slime, strange bubbly brown broth, a dead environment and tourism killers. When Richard Flanagan was selling his house near fish farms, he noted the tranquillity, the serenity, the beauty, the fresh fish and fresh oysters, and potential visitor accommodation. There is a lot of madness and hypocrisy that goes into this debate. Only in Tasmania, with our strange strain of anti-everything green nonsense, even farming fish is seen as some kind of great environmental killer.

I am very proud of our salmon farmers. I am very proud of Tasmanian salmon. I am proud that his House has bipartisan support for the great work they do. I am exceptionally proud of the fact that we today have released our 10-year salmon plan for Tasmania that will see the industry grow, that will continue to see it feed the world. It will make sure it upholds the world's best practice when it comes to environmental stewardship.

Salmon Industry

[10.07 p.m.]

Ms FINLAY (Bass) - Mr Speaker, this evening there is a theme of support for our incredible Tasmanian salmon industry. My colleague, Mr Winter, has already spoken. Our parliamentary colleague from the north-west coast, Mr Ellis, has just spoken about this great industry, following an 'I can stand and say anything in this place' sort of approach to undermining great Tasmanian industries.

I was not expecting to speak on this. I have an adjournment speech on the amazing Waverly Mills prepared, but because of this and the contributions of my colleagues, Mr Winter and Mr Ellis, I am going to talk of our bipartisan approach to this industry. I am going to invite Mr Ellis to do some work on his side based on the comments that he made.

It is not a 10-year draft plan that was released today. It is a salmon industry plan. It has transitioned from a 10-year plan into an industry plan which is meant to be enduring and the best plan possible for the future of the industry.

Although we all support this and we all see a great opportunity, it feels like the Government is reserved in its support for the industry and contained about what really is possible. Maybe it is trying to play the fence between people on the north-west coast and people in Mr Ellis's electorate who can come out strongly in support of industry.

We have seen the Premier in some bizarre behavioural commentary about support for the industry. Perhaps they are playing that off against some of the other sectors in their support base who are not so supportive of the industry. You might do some work internally, Mr Ellis, on questioning why the moratorium is still in place. Why on earth, for an industry

that we all love and are proud of, that we know not only creates great job opportunities, it can, as you said, neutrally feed the world, did the Premier and minister, whoever was the person who was motivated to put on a moratorium put on a moratorium on our most successful industry? It is not only Tasmania's most successful aquaculture industry, but Australia's highest value industry for aquaculture.

If you really believed in that, and truly backed the industry, you would not have placed a moratorium on the industry. You would not have retarded their opportunity to invest and grow. What you have done is signal to potential investors who could continue to back the great technology, research and development and innovation that happens, as you have said, right here in Tasmania, that is actually informing and being used right around the world, you stopped that happening. You have stopped hundreds of millions of dollars of investment right here in Tasmania because of the moratorium.

The 10-year plan that you referred to - which is in fact now a salmon industry plan that has been framed today to be the answer to the future of the industry - is a very limiting document that has a real focus on the past and seeks to just address the negativity in the community.

Mr Winter has referred to another document released today. It was released with some information available from the Blue Economy CRC that was released last week, an ambition for what they call 'an ocean economy' - so, not just limited to salmon, or to aquaculture - saying the industry did not call for a new plan. It was actually in response to the community, all users of our ocean, whatever they may be, calling for an integrated response and an integrated opportunity to grow value in our ocean economy.

Having had access to this - I am sure the Government had access to this from last week as well, and they have only just released their plan today - they could have responded to this in a positive way. This document - The Blue Economy CRC: Ocean Economy and Vision - actually asks, what is the full carrying capacity of our oceans here - the oceans around Tasmania that are the gateway to the Pacific and Indian and Southern Oceans?

What is the full opportunity that Tasmania can create, not just in our localised salmon industry, but in our aquaculture industry and in the full economy of the oceans, where we could do more to lead research and development and innovation and technology, not just for use here in Tasmania, but be the global leader.

What is it that Tasmania could do to be the global leader across aquaculture and other economic opportunities in our oceans from Tasmania? When I read it on Friday afternoon, it seemed like this is exactly what our community is asking for. Our community is asking for a way to participate to build awareness, engagement, education and understanding to work together in our oceans, to say what is possible? What is the natural carrying capacity of our oceans, where we are all comfortable - subject to technology and innovation and further investment - to not be afraid and not step back from the opportunities for immense growth in this industry?

I had a briefing on this ambition. I am going to invite you, Mr Ellis, to respond to this, or encourage your Government to act quickly on this. One thing I was dumbfounded with in my briefing is that one of the very first things I did in this parliament was participate in the legislation that moved through to allow the research in Commonwealth waters. I am not sure

if you know, Mr Ellis, but your Government is so supportive of this industry that it has not even created a form where they can apply to do the research.

We passed this legislation months ago. If this Government was truly committed and was truly backing this industry there would not be a moratorium. They would have the processes available for this research to occur, to address and respond to the community expectation that we can go into high-energy open water. We can continue to grow to the full capacity available within our oceans.

Like others in this place tonight, I was hoping to celebrate Waverley Mills. I was hoping to have a great conversation about another great industry and a fantastic growth opportunity in Tasmania. However, as a response to somebody standing up in this place and feeling like they can say anything and undermine the great opportunities for companies and for Tasmania to be showcased around the world, and to undermine jobs of Tasmanians, we have had to stand here and back in our industry.

I encourage you, Mr Ellis, and I encourage other people in this place, to be real and strong about your support because all you are doing is retarding investment.

Time expired.

The House adjourned at 10.14 p.m.

APPENDIX 1

Petition No: 18 of 2022

RESPONSE TO PETITION

House of Assembly

TITLE OF PETITION:

The petition of the undersigned Citizens of Tasmania draw to the attention of the House:

Listing of foxglove (*Digitalis purpurea*) as a declared weed.

GOVERNMENT POSITION:

The declaration of foxglove (*Digitalis purpurea*) as a declared pest under the *Biosecurity Act 2019* and associated *Biosecurity Regulations 2022* (which will soon replace the *Weed Management Act 1999* and *Weed Management Regulations 2017*) is not recommended.

The Government acknowledges that foxglove is a threat to conservation values in Tasmania and that measures need to be implemented to control the further spread of this plant. However, it considers that better outcomes for its strategic management can be achieved without declaration.

Foxglove is a popular ornamental plant that has been in the garden and nursery trade for many years. It is well established in many residential gardens and is widespread in the landscape across many parts of Tasmania. Eradication of foxglove from all parts of the State is not economically feasible at this time.

Declaration can provide some mechanisms to manage weeds, but it does not guarantee that a species will receive more resources for regulation or for control and eradication. Declaration of a species takes into consideration the biology of the plant, its impacts, current and potential distribution and feasibility for eradication and containment. Foxglove poses a challenge for regulation in Tasmania and other jurisdictions. An investment of resources into targeting all foxglove plants (including those in residential gardens where their impact is minimal) may take away efforts from higher priority species. Any resources invested in foxglove should be made in areas where it is having the most significant impact, such as within and surrounding Tasmania's Wilderness World Heritage Area and other areas of conservation value.

It is considered that the strategic management of foxglove can be achieved through a number of mechanisms that can be implemented without declaration. These mechanisms, which are outlined below, include the development of a Biosecurity Program, delivery of an education and awareness program and the potential restriction of sale and trade.

The success of any future management program for foxglove will require the involvement and collaboration between government (both state and local), industry and the community.

Biosecurity Tasmania proposes the following actions:

Development of a Foxglove Biosecurity Program

Part 9 of the *Biosecurity Act 2019* (the Act) provides for the preparation of a Biosecurity Program. This is to provide a framework for the *prevention, elimination, minimisation, control or management of a biosecurity risk or biosecurity impact*. It is proposed that a Biosecurity Program be drafted for foxglove. Biosecurity Tasmania has initiated the development of this document and will liaise with relevant stakeholders in this process. The

Program will aim to set key objectives for the management of foxglove in Tasmania with a focus on developing strategies and implementing measures that address the spread and containment of foxglove and manage infestations in areas where they are having the most impact on Tasmania's natural values.

Part of the Biosecurity Program would be the *identification of Biosecurity Zones*. Under the Act a biosecurity zone may be used to:

- provide for the long-term management of a biosecurity risk or impact, or
- prevent, eliminate, minimize, control, or otherwise manage a biosecurity risk or impact.

A biosecurity zone may be identified as any place, area, region, or specified part of Tasmania. The current known distribution of foxglove would be used to identify appropriate and priority areas as biosecurity zones. Specific measures would be identified for respective zones, for example hygiene requirements to prevent spread and control and management requirements for infestations.

Implementation of an education and awareness program

The Government proposes the development of guidelines to provide a range of options for foxglove management and also detailed measures to prevent spread. Information has been provided to Biosecurity Tasmania from community groups and land managers detailing outcomes of various control programs. This is valuable, Tasmanian specific, information that will be incorporated into any documentation. An awareness program, using the Department of Natural Resources and Environment Tasmania's social media platforms, will also be implemented to improve the broader community's awareness and understanding of the impacts of foxglove, including both its toxic properties and impacts to Tasmania's natural values.

Initiate discussion regarding restriction of sale and trade

Restricting the sale and trade of foxglove is a measure that could be prescribed under the Act. This is regardless of the species being listed as a declared pest or not. Biosecurity Tasmania has had some initial discussions regarding this issue and proposes to further progress this in 2023. This process will require consultation with the nursery and garden industry, local government authorities and other stakeholders and will take some time to implement. It will also require thorough consideration within the Department as restricting sale and trade will require additional regulatory resourcing from Biosecurity Tasmania to ensure compliance.



Hon Jo Palmer MLC
MINISTER FOR PRIMARY INDUSTRIES AND WATER

Date: 9.11.22

APPENDIX 2

RESPONSE TO PETITION

Petition No. 16
House of Assembly

The petitioners call on the State Government to:-

- (1) Implement all the recommendations contained in the Legislative Council Report on Finfish Farming in Tasmania
- (2) Finalise an evidence-based, sustainable and consultative Salmon Industry Growth Plan
- (3) Require the cessation of all salmon farming operations, as a matter of priority, within Long Bay (Port Arthur) and remediate the area

GOVERNMENT POSITION:

We are developing a new Salmon Plan which is centred on innovation, continuous improvement and world-leading practices. A plan that will be forward looking, enduring and responsive to the future, and a plan that is developed around the principles of:

- future growth lies in land-based and off-shore salmon farming;
- world's best practice through continuous improvement; and
- strict independent regulation.

The Government's *Draft Tasmanian Salmon Industry Plan* (the Draft Plan) has now been released for a period of public consultation and we encourage all stakeholders to continue to provide input and feedback to the development of the Plan, which will take effect by 1 May 2023.

Consultation to date has been extensive and inclusive, and this will continue as the plan is developed. The consultation process has included early engagement with stakeholder groups, the 2022 Tasmanian Salmon Symposium and follow up Workshop and Conversation Series both facilitated by the Blue Economy Cooperative Research Centre, the *Discussion Paper: Towards a 10-Year Salmon Plan* and now the recently released *Draft Tasmanian Salmon Industry Plan*.

The Government acknowledges the considerable time, effort and work of the members of the Legislative Council Government Administration Sub-Committee "A", and the many community and industry submissions that led to the release of its report.

The Government carefully scrutinised the Committee's 68 recommendations and responded to each in detail, in its formal response to the Committee tabled on 16 August 2022.

Importantly, the supporting document to the Draft Plan, the *Draft Workplan* identifies specific actions that were committed to by this Government in its response, and will be implemented.

In relation to concerns over Long Bay this Government supports decision making that is underpinned by evidence-based science and consistent with the provisions of relevant legislation.

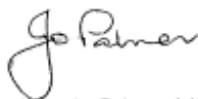
In this regard, Government does not support a reduction in existing, sustainably operated inshore finfish sites, that are subject to best practice environmental management and regulation by the independent EPA.

The results of recent research conducted by the Institute for Marine and Antarctic Studies (IMAS) highlights the sensitivity of low exposure sites with reduced flushing to the effects of nutrient enrichment.

Government notes that there are already provisions in place for the EPA to regulate and manage the environmental performance of existing operational finfish lease areas, to ensure effects are managed to an acceptable level and the health of the environment is maintained.

The EPA is now preparing its response to the report, including the need for any management response.

Any changes to inshore marine farming leases in State waters will be considered in the context of the Plan and associated Workplan.



Hon Jo Palmer MLC
Minister for Primary Industries and Water

Date: 19/11/22

APPENDIX 3

I

RESPONSE TO PETITION

Petition No. 15 of 2022
House of Assembly

The petitioners call on the State Government to:-

- (1) Place a moratorium on all finfish farming expansion, including plans for expansion in northern Tasmanian coastal waters and 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 Report on Finfish Farming in Tasmania
- (3) Finalise a Salmon Industry Growth Plan

GOVERNMENT POSITION:

We are developing a new Salmon Plan which is centred on innovation, continuous improvement and world-leading practices. A plan that will be forward looking, enduring and responsive to the future, and a plan that is developed around the principles of:

- future growth lies in land-based and off-shore salmon farming;
- world's best practice through continuous improvement; and
- strict independent regulation.

The Government's *Draft Tasmanian Salmon Industry Plan* (the Draft Plan) has now been released for a period of public consultation and we encourage all stakeholders to continue to provide input and feedback to the development of the Plan, which will take effect by 1 May 2023.

Consultation to date has been extensive and inclusive, and this will continue as the plan is developed. The consultation process has included early engagement with stakeholder groups, the 2022 Tasmanian Salmon Symposium and follow up Workshop and Conversation Series both facilitated by the Blue Economy Cooperative Research Centre, the *Discussion Paper: Towards a 10-Year Salmon Plan* and now the recently released *Draft Tasmanian Salmon Industry Plan*.

The Government acknowledges the considerable time, effort and work of the members of the Legislative Council Government Administration Sub-Committee "A", and the many community and industry submissions that led to the release of its report.

The Government carefully scrutinised the Committee's 68 recommendations and responded to each in detail, in its formal response to the Committee tabled on 16 August 2022.

Importantly, the supporting document to the Draft Plan, the *Draft Workplan* identifies specific actions that were committed to by this Government in its response, and will be implemented.

When Minister Barnett announced the development of Tasmania's 10-Year Salmon Plan in September 2021 he clearly stated an immediate 12 month moratorium was in place. The

moratorium meant that, while the 10-Year Salmon Plan was being developed, there would be no net increase in total leasable area for finfish farming in State waters beyond the current allocations and those areas subject to current research permits that may result in approved lease areas. While the moratorium expired at the end of September, this principle will continue to apply until the Plan is finalised and takes effect next year.

Offshore aquaculture in Commonwealth waters presents the opportunity for a sustainable future for a range of sectors not just for salmon. Which is why we are working to maximise the potential opportunity for Tasmania from offshore aquaculture for all potential species, including finfish, shellfish and seaweeds. This approach is consistent with the National Aquaculture Strategy.

There is no secret process and no lack of consultation in relation to aquaculture research in Commonwealth waters. All agreements and arrangements are publicly available on the Department of Natural Resources and Environment Tasmania's website.

Current legislation does not provide for commercial aquaculture activities in Commonwealth waters, only aquaculture research activities. We are taking an evidence-based, scientific approach, before there could be any consideration of commercial scale activity.

Legislative changes would be required prior to any commercial activity taking place.



Hon Jo Palmer MLC
Minister for Primary Industries and Water

Date: 19/11/22