

Thursday 2 May 2019

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

QUESTIONS

Endorsed Federal Liberal Candidate for Lyons - Comments made on Facebook

Ms WHITE question to PREMIER, Mr HODGMAN

[10.03 a.m.]

The endorsed Liberal candidate for Lyons, Ms Jessica Whelan, has clear and inflammatory views on multiculturalism and immigration. Last August, Ms Whelan responded to a Facebook post saying:

Given that your profile states you went to college at Never Lose Hope in Allah ...
I hope you're not bloody on our housing waiting list.

You shouldn't even be in Australia if you believe in Allah.

Does Ms Whelan have your support to continue to be the endorsed candidate for Lyons considering her highly offensive and racist comments?

ANSWER

Madam Speaker, I thank the Leader for the question. I am aware of what has been reported with respect to this matter and, indeed, matters that may be in contention. I am not aware of anything beyond that. Clearly what the Leader of the Opposition asks of me is a matter for the federal campaign but, given what I and other leaders said in this place yesterday about tolerance, diversity, and the power and strength and value of multicultural community, my position on this matter is very much on the record.

Endorsed Federal Liberal Candidate for Lyons - Comments made on Facebook

Ms WHITE question to PREMIER, Mr HODGMAN

[10.05 a.m.]

On 21 August, Jessica Whelan's inflammatory and racist views on immigration were posted on my Facebook page. I was shocked to read them. Any claims made by your party that this post was digitally altered cannot be based on any fact.

The standard that you walk by, is the standard that you accept. These posts are real. Given these are clearly Ms Whelan's personal views, do you stand by her and her views, or will you seek to have her dis-endorsed as the Liberal Party candidate for Lyons?

ANSWER

Madam Speaker, I thank the member for the question. I note the verdict she has delivered with respect to this matter and the certainty with which she makes statements of fact. I will not necessarily accept them to be so.

I say again, what I will stand for and what I will stand up for is supporting our multicultural communities; supporting diversity and tolerance, respect and harmony in our communities. We have had that very debate. It is exactly what I am doing now, what I did yesterday and what I will continue to do.

Rights of Victims

Mr SHELTON question to PREMIER, Mr HODGMAN

[10.06 a.m.]

Can you update the House on the Hodgman majority Liberal Government's plan to stand up for the rights of victims?

ANSWER

Madam Speaker, I welcome the opportunity to talk about my and my Government's very strong position on standing up for victims and not walking past them. Protecting the most vulnerable in our community has always been and will always be a centrepiece of this Government's agenda.

It was a clear part of our plan, has been for years and will continue to be so. We will stand by it and continue to do all we can to better protect those in our community, whether it be through additional resources and support through government working very closely with non-government organisations, and also through strengthening our laws, to not only better protect people but better punish those who offend against the most vulnerable in our community, especially children.

Labor has repeatedly blocked our attempts in this parliament to do exactly that. As they often say of us, you should accept responsibility for what you have done, once again, blocking laws that would protect those most vulnerable in our community and strengthening the laws to better sentence those who offend and commit serious sexual offences against our children.

Worse still, they have been caught out this week trying to develop a new policy, on the run. They announced this week a policy which would not guarantee jail time for those who commit serious sexual offences against children.

Ms O'BYRNE - Madam Speaker, point of order. If I can raise two questions with you: is the Premier in breach of two Standing Orders, one, reflecting on a vote of this House, and two, reflecting on the Chair?

Mr Ferguson - No.

Ms O'BYRNE - Thank you, Mr Ferguson, I asked the Speaker for the ruling. You are not the Speaker. You may want to be Premier, but you are not the Speaker.

Madam SPEAKER - Order. As I am the centrepiece of this one, I will take advice from the Clerk.

My ruling is that you cannot reflect on the will of the House and the Chair, but you may discuss the issue at a higher level.

Mr HODGMAN - Thank you Madam Speaker. I want to reflect on the policy position of the White Labor Opposition. Not only have they blocked legislation before this parliament on numerous occasions, over a number of years they have also tried to con the Tasmanian community about what they claim they are trying to do to better support people in their community. They have let down, walked past and not stood beside the true victims in this and that is, sadly too often, children.

There are the brave advocates for better laws, to which I will refer soon. We have worked closely with these victims and victims' groups for a number of years to develop and make the case for our laws.

They have been cruelly misled by Ms White's Opposition this week. They told the Tasmanian community, they told victims' groups, that they were going to move to strengthen our laws and take action. They wanted everyone to believe they are now going to somehow be tougher on crime in this Government. No-one believes that. Once again, your actions speak louder than your words, which are showing you to be shallow and without substance. You moved to delay the vote. You moved to refer it to a committee that would not even report until the end of this year, and your policy would not be implemented until 2022. How on earth can you claim to be tough on crime?

Members interjecting.

Madam SPEAKER - Order. I believe this is sailing close to the wind, Premier. If you do not mind, I ask you to resume your seat and we will move on.

Endorsed Federal Liberal Candidate for Lyons - Comments made on Facebook

Dr WOODRUFF question to PREMIER, Mr HODGMAN

[10.11 a.m.]

As Liberal leader, you are on the Tasmanian Liberal Party state executive and you are one of the people responsible for approving all candidates standing in this federal election, including your candidate for Lyons. Facebook posts bearing Ms Whelan's name have said hateful and Islamophobic things, including the statement that women who supported Islam should be mutilated and sold as slaves. As leader, you are responsible for setting the culture in the party. You cannot flick this off as a matter for the federal campaign. Given your just-stated legacy of commitment to non-violence against women, will you also commit to disendorsing this candidate if the allegations are found to be true?

Madam SPEAKER - Premier, I can advise you that because this is dealing with a Commonwealth matter you do have the right not to respond but, as you have already responded, you are most welcome to do so.

ANSWER

Madam Speaker, I am happy to because I and my team are totally committed to doing all we can to better produce outcomes for those in our multicultural community that are positive and to send a clear message, including through this parliament. My Government works to strengthen multiculturalism, to support those in our community and do things that make it a lot easier for those within our community to do so.

Despite what the Acting Leader of the Greens says about my responsibilities in this matter, my responsibilities are to lead this team, to demonstrate within this state Government all the things we are doing to advance harmony, tolerance, inclusion and better support for those in our community who are affected by acts of terror and violence and those in our community who may not share these values. My views and values are very clear on this matter. These are matters under the control of the federal party, and will be properly considered by them. I am sure all appropriate actions will be taken in response.

Endorsed Federal Liberal Candidate for Lyons - Comments made on Facebook

Ms O'BYRNE question to PREMIER, Mr HODGMAN

[10.13 a.m.]

Your colleague, the Liberal candidate for Lyons, Jessica Whelan, has been caught out posting deeply offensive, derogatory comments promoting violence against women online. Ms Whelan is behind one post on the subject of feminism in America which says -

Round them up Donald, cut their clitoris' off & sell them to Muslims in Muslim countries & cancel their passports. You'll make a mint.

The post ends with an 'okay' emoji. As the Premier of this state, as a white ribbon ambassador, as a leader who has claimed previously that preventing family violence is a priority, how can you possibly stand by and not condemn this behaviour? You have said today that actions speak louder than words. What action will you personally take to ensure Ms Whelan is disendorsed?

ANSWER

Madam Speaker, as I said in my earlier response to a question, whilst not aware of any details beyond that which have been reported, we stand by our values. We would stand firmly against any statements of that nature, of course we would. We have a very strong track record in advancing multiculturalism and harmony in our community and better protecting women and children in our community. I hasten to add that when you had the chance to do more for the latter yesterday, you failed.

Mr O'Byrne - You are conflating those two issues. That is outrageous.

Madam SPEAKER - Yes, Premier, I am not happy with that. We will move in a different direction, please.

Ms O'BYRNE - Point of order, Madam Speaker. The Premier was asked what actions he would personally take to ensure this person, who has said such horrific things, is disendorsed.

Madam SPEAKER - It is not a point of order, but please do not conflate the two, Premier.

Mr HODGMAN - As I said previously, I expect this matter to be properly looked into and that all appropriate action would be taken in response to it.

Biosecurity Systems

**Mr TUCKER question to MINISTER for PRIMARY INDUSTRIES and WATER,
Mr BARNETT**

[10.15 a.m.]

Can you update the House on how the Hodgman majority Liberal Government is strengthening our biosecurity system to protect our primary industries, environment, community and the tourism sector?

ANSWER

Madam Speaker, I thank the member for Lyons for his question and his strong support of biosecurity, being a top priority of our Government. Tasmania's unique island status ensures that our biosecurity system is a top priority. It protects our trade, our economy, our tourism sector, our environment and our lifestyle. It underpins our \$2.4 billion agrifood production per annum, our \$3 billion in exports and our \$2.8 billion inbound tourism industry.

We have seen the Queensland fruit fly incursion. Our island has faced increased biosecurity pressures, risks and challenges in this last year or so. The largest biosecurity response of its type in Tasmanian history demonstrated that the Hodgman Liberal Government puts it as a top priority. You can see the importance of that in delivering before the state border, at the state border and on-island biosecurity measures once they were inside Tasmania. We are responding.

The Hodgman Liberal Government formed Biosecurity Tasmania to better support and protect our primary industries, our environment and our tourism sector. We have invested more in developing a modern biosecurity system and we have doubled the number of detector dog teams to 12 from the six under the Labor-Greens government. We have boosted the frontline services in biosecurity to meet those seasonal demands, increasing our inspections and backed up by more specialists. We have delivered that vital biosecurity infrastructure, upgraded diagnostic systems, laboratories, and border signage. We have the Powranna truck wash up and running. We are investing more to tackle pests, disease and weeds. We have a weed action plan and I thank Ian Sauer for taking a leadership role. We have the new offshore biosecurity clearance system with the TT-Line that is diverting significant more biosecurity risk material from it ever being in reach of Tasmania. We are partnering with the fruit growers of Tasmania and the Tasmanian Farmers and Growers Association.

Until now, we have managed our biosecurity under eight different laws and this framework served us pretty well. They have been delivered over the last few decades and we have come to today, when I am proud to announce I will be tabling the Biosecurity Bill 2019. It replaces the current seven bills. It is a single, modern statute that is fit for purpose and best practice. It is landmark legislation and we are proud of it, for and on behalf of the Hodgman Liberal Government. It is going to deliver best practice. It is going to streamline and modernise biosecurity practices and it will continue to improve, protecting Tasmania for the next 30 years.

The bill affirms some critical principles, including that biosecurity is everyone's responsibility; government, industry and the community, across the board, all working together to support our biosecurity system. It is everyone. There will be a general duty of care - I say that as a lawyer. It is important that everyone has a duty of care in Tasmania to support our biosecurity responsibilities. We need to be aware, to be vigilant, to be prepared for emergencies, have good communication and

collaboration between Government, industry and the community, and effective compliance and enforcement measures.

The bill is a result of four years hard work, consultation with a broad array of stakeholders and community consultation. I want to outline very clearly that we have broad support for this bill from the Tasmanian Farmers and Graziers Association, Fruit Growers Tasmania, Wine Tasmania, the Tasmanian Seafood Industry Council, Poppy Growers Tasmania, the Tasmanian Beekeepers Association, the Tasmanian Agricultural Productivity Group and the Tasmanian Salmon Growers Association. This is terrific support across the board and the community from those key stakeholders so we are very pleased about that.

Mr O'Byrne - Hear, hear.

Mr BARNETT - Thank you for that interjection from the Opposition.

We take biosecurity very seriously. The Hodgman Liberal Government has delivered this. This is real action. We have delivered this landmark legislation and we will be better prepared than ever. Best practice is where we are going and we are pleased and proud. It will be a very special day for Tasmania.

Endorsed Federal Liberal Candidate for Lyons - Comments made on Facebook

Ms O'BYRNE question to PREMIER, Mr HODGMAN

[10.21 a.m.]

Yesterday in this House you affirmed your resolve - and I quote - 'to unite against intolerance, racism and violence and instead promote harmony, multiculturalism and peace in our community'. Do you believe that the statements of Ms Whelan align with your stated values? Will you now in this House condemn Ms Whelan's comments, or do your words in fact mean nothing?

ANSWER

Madam Speaker, I thank the member for the question. I certainly stand by my words in this place and by my Government's commitment to do all it can to better support and strengthen our multicultural community and those who live in it in our state. In my view it is important to also acknowledge, having been referenced, the significant work this Government has done to better protect women and children in our community, and we stand by that.

These comments, which as I say I have not heard before beyond that which was reported, are without doubt abhorrent. There is no doubt that if those words were used by any person, they should not be endorsed as a candidate in this upcoming federal election. That is an obvious conclusion to draw.

I ask those members opposite what they have done in the past when it has been revealed that members of their own party have expressed views that are inappropriate? Have members opposite done as they demand of me? I am not sure, and there have been a number of most unsavoury statements made by Labor candidates, and it is happening, sadly, as we speak, at a national level. Where it happens of course it is appropriate for the necessary action to deal with it to occur and, as I have said before repeatedly, I would expect that to occur in this case.

Forest Industry - Policy Developments

Mrs RYLAH question to MINISTER for RESOURCES, Ms COURTNEY

[10.23 a.m.]

Can you update the House on the recent growth of the forest industry and also the developments in forest policy that have the potential to destroy the growth?

ANSWER

Madam Speaker, I would like to start my contribution by welcoming the spectacular backflip by the Labor Party when it comes to forestry. This is the industry that employs 5700 Tasmanians, mostly in regional areas. This is the industry that is the backbone of economies in many towns. This is the industry that has supported families for generations and it is the heart of regional communities, and this is the industry that Rebecca White and her colleagues not only abandoned, but drove a stake into the heart of its future sustainability, all with no regret.

From opposition, we watched in horror as Labor teamed up with the Greens both here and in Canberra to rip 4000 jobs out of our communities. The Labor-Greens objective was to remove around 500 000 hectares of productive native forest to have it locked up, expansion of World Heritage Area and the decimation of jobs and economies provided in regional areas. Regional communities were devastated from Huonville to Buckland, St Helens to Scottsdale, across the north-west, through the Central Highlands and down the west coast. The same Labor-Greens coalition government, including many of those on the opposite side, stood by when the Triabunna woodchip mill was sold to the Greens and their allies and then cheered when this piece of infrastructure was dismantled.

Members interjecting.

Madam SPEAKER - Order.

Ms COURTNEY - No regrets from the member for Lyons. In stark contrast, in 2014 when the majority Hodgman Liberal Government was elected, we won a comprehensive mandate to rip up the disastrous job-destroying TFA.

Members interjecting.

Madam SPEAKER - Order! For goodness sake, this is an absolute rabble. Take a few minutes to calm down and remember where we are. Take a deep breath. Proceed.

Ms COURTNEY - Thank you, Madam Speaker. I am proud to say that the Hodgman Liberal Government has delivered on our mandate. We have retrieved over 350 000 hectares of productive forest and land from being locked up. We created the beginning of a new era in Tasmania's forest industry by providing a positive setting for the industry to have the confidence required to invest in the future, safe in the knowledge that there will be no more lock-ups, secure in the knowledge that this Government cares about the industry, the workers, the future of the industry, the important part it plays in our regional communities, and confident to invest in the future. What we have seen is growth in investment and jobs. The industry now supports around 5700 direct and indirect jobs, the vast majority of which are in regional areas and are full-time.

It was with horror that Tasmanians watched on in December late last year when the federal Labor Party platform was quietly amended to support the implementation of the 2012 Tasmanian

Forest Agreement. Shane Broad and Rebecca White sat passively in support of this massive lock-up of production forests. Once again, they were too weak to defend the communities that they purport to represent.

Members interjecting.

Madam SPEAKER - Order, Mr O'Byrne.

Ms COURTNEY - We all know how opportunistic Bill Shorten is. Yesterday, at the forestry debate in Launceston, with seats at risk in northern Tasmania, Labor crab-walked away from the policy they have had for less than six months. While we welcome this spectacular backflip, Tasmanians know that Bill Shorten, Tony Burke and Rebecca White cannot be trusted when it comes to forest policy. Rebecca White and Shane Broad were too weak then and they are weak now. They have demonstrated they do not have the guts to stand up to Bill Shorten and Tony Burke.

Members interjecting.

Madam SPEAKER - Order. There has been enough chatter across the Chamber. That is not going to happen anymore. I am not going to tolerate the carry-on that we are getting. Warnings will be issued. I can stand up all day if necessary but we are wasting valuable question time. Please be respectful of the speakers. Proceed.

Ms COURTNEY - Thank you, Madam Speaker. We know those on the other side do not have the guts to stand up to Bill Shorten and Tony Burke. They have demonstrated before that they will sell up regional communities and they will do so at the first chance. Indeed, only this week we have seen the federal Leader of the Greens already outlining the deal he would like to cut with Bill Shorten to share power. We know when a Labor leader says 'no deals' how credible that promise is.

The question remains, where does that now leave the Tasmanian Labor Party? Have they changed their view on the Tasmanian forest industry now they can see it is functioning, profitable and sustainable? We have seen 'Backflip Bec' on a number of issues and we will see it again. This time we want to know whether she supports the Tasmanian forest industry.

Madam SPEAKER - Order. Ms Courtney, we will use proper names in the parliament, thank you.

Ms COURTNEY - The Tasmanian forest industry in its current form is growing in strength and confidence. We are seeing investment, jobs and growth and the best way to maintain that confidence within the industry is with stability and a strong vision. Only a Hodgman Liberal Government can provide the forest industry with the certainty required to invest into the future.

Endorsed Federal Liberal Candidate for Lyons - Comments made on Facebook regarding Hospital Services

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.29 a.m.]

You have continually denied the health crisis that is clear to all Tasmanians including the endorsed Liberal candidate for Lyons, Ms Jessica Whelan. Ms Whelan understands the extent of the health crisis so thoroughly that she complained about her children needing to go to the Royal

Hobart Hospital. Last June Ms Whelan posted on Facebook that she had private health insurance but, and I quote -

I don't want to be stuck going to the Royal Hobart Hospital even though I pay for that too. Having to take my children there is bad enough. Why do I have to take my children to the public hospitals when I can pay a bomb for private health?

Do you agree with Ms Whelan's views that the situation at the Royal Hobart Hospital is so catastrophic that parents do not want to take their children there?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for what is clearly a very sincere question - not. I am not have not seen such a post. Unfortunately, I am never in a position to take anything that the Leader of the Opposition brings into this House at face value.

Members interjecting.

Mr FERGUSON - That is fair. People have been raising with me that access to private hospitals is a problem in Hobart. I agree with that.

Not having seen the posts, I do agree it is a problem for many people who have private health insurance that they are paying for and have a reasonable expectation that they should be able to access private hospital emergency departments. I agree with them that access can and should be better. For people who do not have private health insurance but have the means to pay the co-payment fee to access private hospital emergency departments, I agree with them that access is poor in southern Tasmania and needs to be improved.

The Leader of the Opposition did not mention in her question, and this a bit of a pattern, the Government does not control the private hospitals. We run the public hospitals.

Members interjecting.

Madam SPEAKER - Order.

Mr FERGUSON - Madam Speaker, if I could continue, I will improve access to beds in our public hospital system. We are committed to doing that. I have been extensive in my answers through this week. We get it. We want better access in our public hospital system. I am strongly on the record. It is not fair, either for patients or our staff at the Royal Hobart Hospital that the Royal should have to carry the case load for not just public patients, but also for private patients. It is not right and it is not fair.

The Hobart Private Hospital is co-located on the same campus as the Royal Hobart Hospital. It is the case that there has been a change of management at the Hobart Private Hospital. Through our department we have been engaged in active discussions with the new management at the Hobart Private to ensure they are doing everything they can to ensure that the Hobart Private's Emergency Department is not on bypass as often as it is. When it is on bypass it has directly affected bed access at the Royal Hobart Hospital.

I am not sure if Ms Whelan said those things but if she did I would agree with her. We need to work on those accessibilities in the public system, and in the private system. If that is a sincere question, and I am not sure it is, that is my sincere answer.

While government does not run private hospitals - that is self-evident - what we do control is the long-term arrangements.

Ms White - 'Having to take my children there is bad enough', she said. I am surprised you agree with that.

Mr FERGUSON - Madam Speaker, what we do control is the fact that we own the fabric, the building and the land upon which the Hobart Private Hospital is based. It is a taxpayers' asset. It was the Labor Party that was demanding that the Government roll over the lease. That was during a time when the Hobart Private's emergency department was chronically on bypass, with the lease expiring this year.

Members interjecting.

Mr FERGUSON - The reaction going on over there is very interesting. Members opposite demanded that the Government would not go to an open, transparent, competitive process for the Hobart Private Hospital, which is owned by taxpayers. Its 20-year lease is coming up this year.

Ms White interjecting.

Mr FERGUSON - On the fence, Rebecca White demanded that the Government roll over the current arrangements when Tasmanians know that those arrangements have not been very good. The current arrangements have seen the emergency department on bypass and elderly, children and middle-aged patients sent to the Royal Hobart Hospital. Ideally, we want all emergency departments helping each other.

I conclude on this point: we will not take that advice from Rebecca White and Sarah Lovell. That would be the wrong thing to do for taxpayers. It would be the wrong thing to do for the health system. The right thing, which we are doing, is going right now through a robust, probity-inspected, open, competitive process so that we can get the best deal for the Tasmanian community in regard to the use of that asset. We are doing the right thing, not the White thing in regard to that.

It is entirely open to the process that Healthscope may well be selected. We wish them good luck but there are other interested parties. We will report to the parliament when there is more to say.

World Heritage Area - Tourism Master Plan

Dr WOODRUFF question to MINISTER for TOURISM, HOSPITALITY AND EVENTS, Mr HODGMAN

[10.36 a.m.]

Your corrupted EOI process for parks and reserves is putting our globally significant wilderness World Heritage Area at risk. UNESCO recognised the threat your Government's large-scale, luxury tourism plans have for the TWWHA which is why they insisted you develop a tourism master plan before increased private development was allowed.

The first of your public information sessions on this very overdue tourism master plan is being held today at Geeveston. The successful tenderer responsible for drafting the master plan, chosen over other tenderers, is a private consultant who is being engaged at a cost of more \$300 000 to the taxpayer. Is it not true that this private consultant is also working for EOI proponents, including on at least one proposal within the Tasmanian Wilderness World Heritage Area? This serious conflict of interest is yet another example of your shoddy, pro-development, corruption of process coming back to bite you. When will you finally listen to Tasmanians who our public lands belong to, instead of your business mates, and walk away from that corrupted EOI process?

ANSWER

Madam Speaker, I thank the member for the question but not the ridiculously inflammatory content of it. I dispute any suggestions -

Dr Woodruff - It is entirely factual.

Mr HODGMAN - It is entirely not.

Dr Woodruff - It is so overdue. UNESCO did want it because you were going to destroy the wilderness area with your plans.

Mr HODGMAN - What we have done is secure UNESCO support for what we do to manage our wilderness World Heritage Area. What we have done is establish a process which is robust, and which requires additional layers to be considered before anything can be taken further in this process. It is done robustly, separately from executive government.

Independent and expert advice informs decisions that are made and will allow Tasmania to continue to be a world leader in ecotourism operations. It ensures that we embrace and harness the ideas for what is one of the world's great tourism industries. Its operators are amongst the best in understanding what best protects our wilderness and environmental values, of what can be done to ensure that more of us are able to visit them. That drives not only visitation to our state but also encourages Tasmanians to celebrate what is so special about our state and its wilderness areas.

As evidenced by the question, of course there is community interest. Of course, we have allowed for additional layers of consultation with communities. It is open and transparent. Yes, we will always preserve and protect the commercial interests of those who come forward but it does not mean, as the member suggests, that it is open slather. They have to pass not only the process but also all relevant state and Commonwealth approvals processes. That is an additional layer that we have ensured occur with this process.

Unlike the member who so often demands of us that we not interfere in process, we will not be doing it. I am certainly not behaving or doing anything such as she asserts in that question.

Agricultural Sector - Developments

Mr SHELTON question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[10.40 a.m.]

Can you outline how the Hodgman majority Liberal Government is getting on with the job with delivering our complimentary plan for growing the agricultural sector, delivering jobs and opportunities across every region?

ANSWER

Madam Speaker, I thank the member for his question and his strong support for agriculture and primary industries. There is no bigger supporter of our rural and regional communities than the Hodgman Liberal Government. Agriculture is a key pillar of our economy. The annual farmgate sector is delivering \$1.48 billion to the Tasmanian economy and we are pleased and proud of that. What a day to celebrate when we have our vibrant rural communities there at Agfest. It is the 37th Agfest - good news and celebrations with an expected over 60 000 Tasmanians, 700 exhibitors and injecting millions of dollars into our regional economies.

That is why I introduced the motion yesterday to say congratulations and well done to Rural Youth Tasmania for the work they do, the band of volunteers doing a fantastic job setting up Agfest and making it happen. What foresight, what leadership and what a bright future Tasmanian agriculture has through Rural Youth, an organisation that has the Hodgman Liberal Government's support and it will continue to have that support.

We have our farmers, our rural communities, and we know that only our Hodgman Liberal Government is delivering the vision and the plans to secure that into the future. That plan is to target \$10 billion by 2050 of the annual farmgate value. We are on track because we are backing in the sustainable AgriGrowth plan with \$150 million in the Budget over the forward Estimates, to grow, to make, to protect our agriculture sector, the industries, the rural communities, the farmers, the growers, every key part of the food chain and the suppliers. We are proud of and pleased with the investment we are making as the Hodgman Liberal Government. We are looking at industry and market development in all key sectors, agricultural research and innovation and we have a strong biosecurity system off border, at the borders and on island.

The farmers' rights are a priority and we have been working to secure that and improve competitiveness. There is on-farm energy - generating energy on farm, and on-farm irrigation opportunities, and I will have more to say about that. We have rural support organisations in rural communities, rural financial counselling and Agrigrowth loans, thanks to the support of the Treasurer of the Government of Tasmania, to support young farmers. We also have farm business counselling and support. That is just to name a few. We have doubled support for Landcare, weeds - we are right behind it - Natural Resource Management support and improved game and browsing animal management.

Water is liquid gold and we are backing it in, led by the former minister, Jeremy Rockliff, our Deputy Premier, with \$70 million in the Budget and that is delivering. We are now heading into tranche 3 with \$100 million on the table from the Morrison government and we are delighted to hear about that because we have all 10 projects over the next eight years that will deliver \$114 million extra to the Tasmanian economy per year - thousands of jobs, 78 000 megalitres and a \$500 million development here in Tasmania over that eight-year period. We are pleased, we are proud, and we are thankful for the federal government support.

But there is more. I thank the Morrison government because today at Agfest they will be announcing their agricultural policies that will include a new 2030 protected horticultural strategy to build more support for our export industry, something Senator Richard Colbeck and the Tasmanian Liberal team are right behind. They are supporting Agri starter loans for new farmers to help them purchase farming land, extra funding to tackle pests and weeds in drought-affected

communities and, in terms of water, a \$100 million national water grid authority. That is what we need in Tasmania. Water is liquid gold.

In conclusion, it is a very exciting time for our farmers, for the agriculture sector and for our regional communities. The Hodgman Liberal Government is delivering that vision and delivering the plan. It is in stark contrast to Labor, which is a policy-free zone.

Royal Hobart Hospital - Asbestos Risk

Ms O'BYRNE question to MINISTER for HEALTH, Mr FERGUSON

[10.45 a.m.]

After yet another asbestos discovery at the Royal Hobart Hospital, the twelfth so far, construction workers say that you are simply not telling the truth. They are outraged that yesterday you said risks from this latest asbestos exposure are 'being managed'. Workers were sent into the site of this latest asbestos detection 18 months ago with no safety or containment protocols in place. They have since carried out excavation and demolition work without asbestos levels being checked. The same area has been used as a storage area and workers are highly concerned that contaminated materials have made their way from here into others areas of the hospital. How do you explain that your mismanagement has now endangered workers, staff and potentially patients and has led to yet another very dangerous situation on this major project?

ANSWER

Madam Speaker, I am concerned always to emphasise that the Government takes safety on any worksite very seriously, including ones for which we are the client and the builder is building a project for us. We are always acutely concerned to ensure that all the laws, rules and appropriate protocols are followed. I stand by that.

I am surprised that the Deputy Leader of the Opposition is allowed to ask me a question about the redevelopment of the Royal Hobart Hospital, which we are now delivering upon. I made it clear yesterday that we will always do what must be done as the client and as a state government, and where asbestos is found - and we know it is an old site - to ensure that all of the right things are done by the workers on site.

The Deputy Leader of the Opposition has unfortunately misunderstood, or does not want to admit that everybody on site has responsibilities. The builder has control of the building zone. That is a fact. Everything that the Government does in this regard, particularly when the Opposition want to get 'gotcha' moments in parliament, I do on advice and I stand by what I have been provided by way of advice.

Mr O'Byrne - 'Gotcha' moments? What about the workers?

Madam SPEAKER - Order, Mr O'Byrne.

Mr FERGUSON - Asbestos has been discovered onsite numerous times. That is an understanding. In some cases that is not surprising, but it is a question of how you manage that risk and protect worker safety. Maybe we do not need to argue about that because we all care about worker safety.

As I said yesterday, the Government is showing concern, as we should, to ensure that protocols are being followed. I restate that the health and safety of patients and staff - because they have been brought into this by the Opposition - and construction workers is paramount. There are well established protocols in place.

Ms O'BYRNE - Point of order, Madam Speaker. I do not want the *Hansard* to reflect that these concerns raised by workers who have been placed at risk, and they believe that other members of staff and patients might be at risk, is an issue that only the Opposition is raising. It has come genuinely from those construction workers who are frightened for their own safety and very much concerned about the safety of other staff and patients. It is not okay for the minister to have on the *Hansard* any suggestion that this has come from anywhere else but workers.

Madam SPEAKER - I will take it as a point of clarification on a point of order.

Mr BARNETT - Madam Speaker, on the point of order, there is no point of order. It is a debating point. She is completely out of order.

Madam SPEAKER - Thank you. Please proceed.

Mr FERGUSON - Thank you, Madam Speaker. Let us be genuine about this and allow me to continue with the advice I have been provided which you might want to hear because it is an important update.

It is no secret that there are asbestos issues at the Royal Hobart Hospital. We have been open about that given the age of the buildings, and is one of the reasons we are redeveloping the site. The health and safety of patients, staff and construction workers is paramount to the Hodgman Liberal Government and there are well-established protocols in place. The potentially affected workers were offered support, I said that yesterday, together with detailed incident briefings and these have been instigated by the builder, John Holland Fairbrother, as is appropriate.

The project's industrial hygienist inspected the area and samples of the material were taken. When the suspect material was identified, the following steps occurred. First, all contractors were removed from that work area.

Ms O'Byrne - They had already walked off the job.

Mr FERGUSON - I would like to continue. The area was isolated using barrier tape. The industrial hygienist, who is qualified with this, sampled the suspected material identified in the soil. The suspect material was covered in plastic by an asbestos removal contractor, an expert in that industry. I can further advise the House, as of yesterday, that I am advised as follows. There is no evidence that any other areas of the construction site or the hospital have been contaminated by asbestos.

Ms O'Byrne - Have you tested the soil? That is a genuine question.

Mr FERGUSON - We have done the test and I am trying to give you the answers from the test.

Ms O'Byrne - Don't be angry, minister. It was just a clarification.

Madam SPEAKER - Order.

Mr FERGUSON - Tasmanians would expect all members of this House to be fair dinkum about this. Please allow me to share with the House the advice that I have received from the testing, on which I am about to give you the analysis.

The airborne asbestos fibre testing was conducted at multiple locations in accordance with the Tasmanian Work Health and Safety Regulations. The Deputy Leader and all members of the House will be pleased to know that all the results were found to be below the laboratory detection limit, which is 0.01 fibres per millilitre. The contaminated soil will be removed and disposed of appropriately by a licensed, expert contractor under appropriate controlled conditions.

That is the Government's robust response. We always want to act in accordance with all the rules, all the reasonable expectations from members opposite and unions. It is fair and reasonable. I trust the response and the advice satisfy the concern you may have had about people's welfare, Ms O'Byrne.

Royal Hobart Hospital Redevelopment - Subcontractor Disputes

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.53 a.m.]

You love to claim you have rescued the Royal Hobart Hospital but the project has been plagued by mould, asbestos and dodgy contractors. Can you confirm that the plumbing subcontractor, AMS Hydraulics, which was sacked by John Holland earlier this year, has now gone into liquidation, owing thousands of dollars to small Tasmanian companies like Lifters Hire in Cambridge and C2 Plumbing and Gas in Granton? Can you confirm that C2 contacted your office last month raising concern that they were still owed more than \$100 000 by AMS, but you have done nothing? This is your project. What is the Government going to do to support these small family businesses who are owed thousands of dollars?

ANSWER

Madam Speaker, I need to be responsible in my answer in contrast to the behaviour of the Labor Party. I am not prepared and I will not, on behalf of Government, make any aspersions against any private company because I have been advised not to do that. I will not take the opportunity to make commentary about businesses. I will not do that. It is not an appropriate response that you are trying to invite me to give. I can advise the House that I and the Government act on professional, competent legal advice. One thing the Leader of the Opposition honestly said in her question was the observation that subcontractors are negotiated by the builder. In this case, that is the managing contractor, not the Government; John Holland Fairbrother.

Members interjecting.

Mr FERGUSON - If you want to interfere in private dealings between companies, that is your business. The Government looks to John Holland Fairbrother as our builder and John Holland Fairbrother is responsible for all subcontractors -

Ms WHITE - Point of order, Madam Speaker. Irrelevance, standing order 45. Small businesses do not know how to navigate receiving the funds they are owed and you have not clearly demonstrated in your answer what they are supposed to do next to recover the monies they are owed. Can you answer the question, minister?

Madam SPEAKER - It is not a point of order. You have had an opportunity to put your point across.

Mr FERGUSON - It is not a matter the Government will become involved in. It is a commercial dispute between private partners. We are focused on ensuring the Government receives what we paid for, which is the project you did not even begin after 13 years of dithering. We are building the project. I have taken advice on this question. I am not in a position to provide you with the negative commentary you want me to give because I am advised that to do so can have other consequences for private corporations and would be grossly reckless and irresponsible.

Since the Leader of the Opposition continues to wash her hands of the project and declare it a project the Government has rescued, I would have to agree with that. We are building the Royal Hobart Hospital redevelopment for the future. We have also outlined through the new master plan, which is our long-term plan for health services at that campus and the repatriation campus. This has been welcomed by stakeholders. It is a positive step forward and the Opposition should be applauding those people who have worked hard together to put the project back on track. Yes, to rescue the project.

We recognise any project of this size has significant challenges that we have had to overcome during the times. There have been asbestos issues, mould issues and workplace issues, all of which a responsible Government needs to make sure, as the client, that we work through in partnership with the managing contractor. We have been doing that. They are challenges we have dealt with competently, responsibly, and we are always placing workers' safety first. The biggest challenge was none of those. The biggest challenge was rescuing the project in the first place. When we came to office, under the previous arrangements, the previous government had not laid a single brick after years of dithering and wasting \$10 million. We look forward to the project being completed.

I will conclude on this point. One of the challenges is that the Opposition does not support this project any more. We do and we are committed to it and I guarantee any members with goodwill and who are serious about this, we will always do our job to protect worker safety and to deliver a project Tasmanians can be proud of.

World Heritage Area - Tourism Master Plan - Alleged Conflict of Interest

Dr WOODRUFF question to MINISTER for TOURISM, HOSPITALITY and EVENTS, Mr HODGMAN

[10.59 a.m.]

You failed to answer the question about your private consultant's conflict of interest with drafting the Tourism Master Plan. We know they have a conflict of interest because they openly advertised it on their website. They worked for the Tasmanian Walking Company on the Three Capes Track and the Cradle Mountain Gateway. The public have had no say on the corrupted EOI process. It has all been done by the Office of the Coordinator-General behind closed doors. Do

you really intend to hand a tourism master plan to UNESCO that has been drafted by a party with such a direct conflict of interest?

ANSWER

Madam Speaker, I thank the member for the question. Without wanting to restate the point I made at length in the previous answer, there are robust processes around the framework that considers EOIs. That is well established so I reject the assertions made by the member.

Dr Woodruff - It is totally corrupted. The public has had no say whatsoever in it.

Mr HODGMAN - That is entirely untrue.

Dr Woodruff - Are you kidding? That is true.

Mr HODGMAN - In relation to conflicts of interest that the member has asked me about, I want to place on record again that conflicts of interest, actual or perceived, can occur in the course of business. It is often commonplace, particularly in Tasmania where some work in specialist fields, that this can occur.

ERA Planning was awarded the contract for the development of the TWWHA Tourism Master Plan following an open and competitive tender process. ERA Planning was successful on the strength of their local Tasmanian context and knowledge, their proposed extensive consultation program, which included comprehensive engagement with Aboriginal communities, and also value for money. ERA Planning was the only local Tasmanian company to submit for the tender. Prior to being successful for the tender after the development of the TWWHA Tourism Master Plan, ERA Planning was engaged by a proponent who has been approved to progress to the next stage of approvals with their proposal within the TWWHA to provide planning services. These long-standing contractual arrangements with ERA were initially made in 2016.

Any relevant conflicts of interest have been declared and managed appropriately. ERA Planning has reallocated project management of the proponent's portfolio to ensure that it is independent of the project management for the TWWHA Tourism Master Plan. ERA has committed to not being engaged on any new project during the contract period for the TWWHA Tourism Master Plan.

I am satisfied from the advice I have received that all reasonable measures have been undertaken and any real or perceived conflicts of interest managed or mitigated appropriately.

Levelling the Playing Field Grants Program - Government Commitment

Mrs RYLAH question to MINISTER for SPORT and RECREATION, Mrs PETRUSMA

[11.03 a.m.]

Can you update the House on the success of the Hodgman majority Liberal Government's Levelling the Playing Field Grants Program and the next steps in delivering on the significant commitment to women's and girls' sport?

ANSWER

Madam Speaker, I thank the member for Braddon for her question and for her commitment to sport, especially for women and girls. Playing sport is key to establishing lifelong healthy habits and has a range of individual and social benefits, including improving physical and mental health, fostering social skills and developing team work and leadership skills.

Whatever we can do to ensure that more Tasmanians play sport and take part in recreational activities will help support the Hodgman Liberal Government's goal for Tasmania to be the healthiest state in Australia by 2025 and also reduce the rate of Tasmania's obesity to below the national average in the same time frame.

Gender is one of the most powerful determinants of health outcomes. Good health and wellbeing positively affect the lives of women and girls in many ways, enhancing their quality of life, education and the ability to participate socially and economically in the community. That is why under the Hodgman Liberal Government's Tasmanian Women's Strategy 2018 to 2021 health and wellbeing is one of the four key action areas, especially as the 2017 report *Health and Australia's Females* from AIHW found that only one in two women get sufficient physical activity. Two of the priorities in the strategy therefore to promote women and girls increase participation in sport, recreation and physical activity and to address the big barriers to women's and girls' participation in sport, recreation and physical activity.

Research has shown that one of the biggest barriers to female participation is inadequate facilities. That is why we have committed \$10 million over two years for the Levelling the Playing Field Grants Program so as to remove this barrier and to make sure our sports facilities are of the appropriate standard.

This \$10 million is by far the largest per capita investment in women's and girls' facilities by any state or territory government. It demonstrates this Government's proud commitment to women's sports. Through levelling the playing field, this Government will provide grants of between \$15 000 up to \$1 million to support the development facilities such as change rooms, lockers, toilets, showers and amenities for female athletes, coaches, officials and volunteers.

The first round was a tremendous success with 21 organisations from right around the state - from Wynyard to Westbury, from Sorell to Cygnet - receiving funding for sports such as AFL, cricket, football, Little Athletics, netball, cycling, surf lifesaving and tennis, just to name a few. This includes \$250 000 to refurbish the North Hobart Oval change rooms. The change rooms were officially opened on Monday and the AFLW players were absolutely delighted. It was exciting to see one of the first projects already completed under this program and already changing women's lives for the better. The total projects to be delivered in Tasmania under round 1 were worth over \$10.1 million - a fantastic return on investment between the Tasmanian Government, local government and sports organisations.

To further encourage women and girls' participation in sport, the Levelling the Playing Field Grants Program Round 2 has been open since March 24. The expression of interest process is open now. By conducting a two-stage process, we are able to: gauge interest; get an overview of the project; manage expectations; and ensure that applicants with a strong case on how their project will definitely increase female participation will move to the second stage.

Again, projects with matching dollar-for-dollar funding from the facility owner and a funding contribution from the relevant sport or local council will also be viewed more favourably as we aim to leverage the Government's \$10 million commitment to achieve around \$20 million of investment into more female-friendly facilities around Tasmania.

Time expired.

VEHICLE AND TRAFFIC AMENDMENT BILL 2019 (No. 19)

First Reading

Bill presented by **Mr Rockliff** and read the first time

BIOSECURITY BILL 2019 (No. 15)

First Reading

Bill presented by **Mr Barnett** and read the first time.

SITTING DATES

[11.10 a.m.]

Mr FERGUSON (Bass - Minister for Health) - Madam Speaker - I move -

That the House at its rising adjourn to Tuesday 21 May 2019 at 10 a.m.

Motion agreed to.

MATTER OF INDULGENCE

Replacement for Speaker

[11.10 a.m.]

Ms O'BYRNE (Bass) - On indulgence, Madam Speaker, I want to raise an issue that occurred in the parliament yesterday. During the latter part of the evening, you sought as Speaker to leave the Chair, as Speakers often do, and at that point, in order for the parliament to continue, one of the other members of the Speaker's Panel takes the Chair. It became very evident that a replacement for you was not available and, in fact, senior ministers were seen instructing Mr Tucker, or perhaps suggesting to Mr Tucker, that he not take the Chair.

Madam Speaker, if members of the Government do not take the Chair for you in your absence then the parliament cannot continue its business. Can you update the House on what action you have taken to ensure that the Speaker's Panel can meet the obligation to the Speaker's Chair?

[11.11 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, on indulgence, if I may, prior to you responding, I would like to add to the comments.

Madam SPEAKER - Okay.

Mr FERGUSON - I simply want to say that I do not know what the Deputy Leader is referring to specifically but I will say on behalf of the Government that we will always do what must be done to support each member of this House to perform all of their official duties. I further commend, through you, Madam Speaker, to the Deputy Leader of the Opposition, to please take note that Mr Tucker has been here for a small number of days and we always want to make sure that the right person is ready for the task when required by you, Madam Speaker.

Members interjecting.

Madam SPEAKER - To clear this up once and for all, there is no reflection on Mr Tucker whatsoever. I know what it is like to be in the House for the first few days. It can be quite daunting. It was frustrating last night but I have had a meeting with the Premier and he has assured me that it will not happen again and we have put in procedures to make sure. I believe there was a misunderstanding that some members did not know that Mr Tucker had been appointed a Deputy Speaker.

Ms O'Byrne - A senior minister of government did not know they had someone on the Speaker's Panel?

Madam SPEAKER - That was unfortunate but that matter is ended now. Thank you.

MATTER OF PUBLIC IMPORTANCE

Jobs and the Economy

[11.12 a.m.]

Mr TUCKER (Lyons - Motion) - Madam Speaker, I move -

That the House take note of the following matter: jobs and the economy.

It is good to see the Opposition bright-eyed and bushy-tailed today; they are an energising lot. I wonder if the Opposition Leader has bought her ticket yet, or should I say brought her Tasmanian Forestry Agreement with her? The federal Labor Agricultural Fisheries and Forestry spokesman Joel Fitzgibbon certainly has not.

This strong majority Hodgman Government has brought economic prosperity and jobs to this wonderful state of Tasmania. Tasmania's export sector is booming and there is no doubt Tasmania has what the world wants. Tasmania exported a record \$3.8 billion in value over the year to February. Export growth continues to be strong, with exports growing 10.8 per cent compared to the previous year.

In February 2019 retail trade was at near record levels of \$545 million in trend terms and grew 3.5 per cent compared to February 2018, faster than the national average of 2.9 per cent. Retailers will remember the dark years under Labor in which retail spending contracted each and every month between November 2009 to March 2011 and October 2011 to October 2012.

The Hodgman Liberal Government's plan to grow tourism is working. Tasmania's latest tourism snapshot shows that in the year to December 2018 there were more visitors, spending more in the Tasmanian economy compared to the previous year. Visitors increased by 4 per cent to 1.32 million and more than 1.1 million were from interstate, an increase of 5 per cent. Visitor expenditure increased by 5 per cent to \$2.46 billion. Total holiday nights increased by 5 per cent to 5.8 million. In the year to December 2018 the number of international visitors increased by 11 per cent to 309 000, according to Tourism Research Australia.

At the same time, expenditure increased 13.2 per cent to \$549 million. The ANZ Stateometer report for the December 2018 quarter showed that Tasmania recorded the highest index result in the country. The report said:

Tasmania remains only one of two states with above-trend conditions. Building approvals for houses remain elevated. Retail activity was also solid, probably reflecting a positive household wealth effect. Tasmania's nominal retail sales growth of 4.7 per cent year on year in December was the highest among all regions. Consumer confidence was also higher than a year ago.

Standard & Poors highlighted the Government's strong budget management, saying:

We view Tasmania's financial management as extremely strong. Tasmania's experienced management team and exceptional liquidity coverage continue to underpin the state's credit worthiness. We still expect Tasmania to achieve solid operating surpluses.

In 2017 and 2018 gross state product grew by 3.3 per cent to \$30.3 billion. This is Tasmania's fastest economic growth in a decade. On a per capita basis Tasmania grew the fastest in Australia at double the Australian average. Overall, Tasmania was the third-fastest growing state in Australia and for only the fifth time in 25 years Tasmania's economy grew faster than Australia as a whole.

Since being slammed into recession in 2012-13 under Labor and the Greens, the Tasmanian economy has grown by about 9 per cent. Economic growth was underpinned by annual growth and household consumption of 2.9 per cent, business investment of 17.4 per cent, including machinery and equipment investment of 49.2 per cent.

Over the year to 30 September 2018 Tasmania's population grew by 1.15 per cent to 529 903, the highest growth in nearly a decade. Such growth is more than four times higher than the last year of the Labor-Greens government. There are now 16 222 more Tasmanians than in March 2014. Net interstate migration added 2370 people in the year to 30 September 2018, an increase of 30.7 per cent compared to the previous year. In stark contrast, Tasmania lost 551 people from net interstate migration in the year to March 2014, the last year of the Labor-Greens government.

I would now like to say a few words about the salmon industry. This industry is the highest value primary industry sector in Tasmania, worth over \$835 million annually. It is a valuable social and economic contributor providing thousands of direct and indirect jobs, many of which are in regional areas. The Government's sustainable industry growth plan for the salmon industry shows how we are supporting the industry to achieve a \$2 billion a year growth target by 2030. Responsibly managed, such growth can meet market demand for Tasmania's iconic salmon products. It is sustainable and appropriate.

Time expired.

[11.19 a.m.]

Mr BACON (Clark) - Madam Speaker, it gives me pleasure to speak on this matter of public importance on jobs and the economy. I do not take issue with much of what Mr Tucker said. I like Mr Tucker a great deal. He has been a breath of fresh air for this parliament and particularly for the tired mob on the other side. He came along at just the right time. No wonder we keep getting the other member for Lyons confused with Mr Tucker. They are hard to tell apart.

I do have an issue with this Government. However, what Mr Tucker read out was a list of economic statistics and commentary from Standard & Poors. I would appreciate if Mr Tucker could let us know when those comments from Standard & Poors were made about budget management. This Government is very keen to pat themselves on the back in what are relatively strong economic times. We have a low Australian dollar, a strong international and national economy, which is driving our export driven economy in Tasmania. We are not going to be the type of Opposition the Government was when they were on this side and talk the Tasmanian economy down. We are very pleased to see those statistics and we are happy for the Government to read them out.

We question the Government; after five long years, where is the economic reform? What have they done? Where are the major infrastructure projects they have invested in? Even if you wipe away that five years, what are they going to do in the next five? There is no talk of economic reform. There are no major infrastructure projects this Government is going to pull out of the ground to create jobs around our state.

Budget management is the biggest lie of all. We have a government patting themselves on the back. They say they have 'fixed the budget mess', but you only have to look at the revised Estimates report that was produced earlier this year by the Treasurer. It lays bare exactly how dishonest this Treasurer and this Government have been about budget management. You can take some highlights from it if you look at the underlying net operating balance. It is well over \$150 million in deficit, year on year.

If you go to one of my favourite pages, page 73, you can see the combined cash deficits of the general government and the government businesses over the next four years. You are talking about averages of around \$530 million in cash deficits each and every year. This Government is going to plunge us, in this report, \$343 million into net debt. This is net debt we have been in since the Labor Party paid off the Liberal Party's debt earlier this century. This Government talks about economic reform and budget management but they do not deliver.

This great fraud has been perpetrated on the Tasmanian people: that Peter Gutwein has fixed the budget. Since this report came out, we saw the downgrading of stamp duty. Why was that? The Treasurer dishonestly inflated his stamp duty projections in last year's Budget so he could talk about good budget management. Now that has come home to roost, we are talking about a \$560 million black hole in downgrades since this came out.

We have heard the Treasurer talk about cutting his cloth but we know, at the same time, we have a crisis in our health and hospital system and we have a minister dealing with crises in that system day after day. He says there is going to be new money in the budget to address some of these issues at the same time the Treasurer is talking about cutting his cloth. The Treasurer cannot guarantee we are going to have budget surpluses this year or across future years. We have a

Treasurer that cannot guarantee we will not see further credit rating downgrades from the rating agencies. We have seen Peter Gutwein preside over one downgrade already.

He has been dishonest with the Tasmanian people about the state of the budget and the pressure is on now. The Treasurer is refusing to rule out further jobs cuts across the public sector and he has refused to rule out further raids of Government businesses, which is one of his favourite tricks in the way he manages the budget. This Government's dishonesty and its lack of transparency is its hallmark. You only have to look at the big project at the Royal. That is a major infrastructure project that is driving our economy. It is providing jobs for Tasmanian workers and workers as far afield as China. They have been treated dreadfully by this Government and by this minister in not being paid. I have talked to workers on-site who say the Chinese workers are treated appallingly, for which the Government should hang their heads in shame.

We have heard today of C2, a local business in Granton in Hobart. They are owed more than \$100 000 resulting from work done at the Royal Hobart Hospital. This is a small business. We hear a lot of talk about small business from the Government but not when it comes to crunch time. This is the kind of small Tasmanian business, which I have been told employs five qualified plumbers and three adult apprentices, we want in this state. They are employing qualified workers and looking to upskill Tasmanians, be they young Tasmanians or, in this case, mature-age apprentices. They should be commended for that. They should be encouraged and supported by the Government. What this Government has done is abandon that business and that minister should hang his head.

Time expired.

[11.26 a.m.]

Dr WOODRUFF (Franklin) - Madam Deputy Speaker, I am very pleased to speak to this matter. I will take up the first point Mr Tucker made. He mentioned the forestry industry. It would be good to know, formally today, Labor's position on whether they are running away from the historic Tasmanian Forestry Agreement. Mr Bacon gave a tacit agreement to that but he is now leaving the Chamber. The first thing Mr Bacon said was, 'We have no truck with anything that Mr Tucker said'; no truck from the Labor Party with anything Mr Tucker said in his whole speech. That is a very interesting statement, very telling, on salmon and on forests. They are in lock-step with the Liberals on both those issues. Let us not forget that this -

Mr BACON - Point of order. What I said is, I do not have a problem with a lot of what Mr Tucker said.

Dr Woodruff - That is exactly what I said, Madam Speaker.

Madam DEPUTY SPEAKER - It is not a point of order, I am sorry.

Dr WOODRUFF - You can stand up in your adjournment speech and make those comments if you wish, but check the *Hansard*.

Mr BACON - On a point of order.

Madam DEPUTY SPEAKER - It is not a point of order.

Mr Bacon - She is misleading the House. It is blatant.

Dr WOODRUFF - You have your right to stand on the adjournment. They can check the *Hansard*. The Labor Party is clearly running out the back door, from their historic signing of the forestry agreement. Let us remember why the Labor and Greens listened to the conservationists and the forestry sector who came to the conservation movement.

Mr Bacon - Why are you telling lies?

Madam DEPUTY SPEAKER - Order, Mr Bacon, you are warned for the first time. Please be quiet.

Dr WOODRUFF - Madam Deputy Speaker, the forestry movement came on their knees to the conservation movement and, over three years, an historic forestry agreement was worked through. There was much conversation and discussion. Why did we reach that point? Because the truth was there. It was a mendicant industry. It was being propped up by taxpayers, over \$1 billion across 20 years. It had collapsed, the market had collapsed, and that is why we came to the point where Tasmanians came together and said, let us end this division. Let us talk about sustainable jobs for regional communities because that logging industry has done nothing.

Corporate logging interests have done nothing for regional communities in Tasmania. They are going hell for leather for automation. They are not thinking about the interests or the long-term future for people in regional communities. The Labor Party is walking away from the commitment to put 356 000 hectares of highly biodiverse areas in Tasmania into reserves, which are the places so richly inhabited by our most beloved native animals and plants, the ones we want to keep travelling with us into the future - the large lobsters, the beautiful blue lobster, the quolls, the swift parrots, the masked owl, the wedge-tailed eagle and their highly biodiverse habitats. This is exactly what was agreed across three years. You know what?

The vast majority of Tasmanians, 75 per cent of Tasmanians, do not support the Liberals' move to go back into the 356 000 hectares. They reject that. They do not want the pathway to division. They want the Government to put its efforts into thinking about regional communities and planning for the future. They would be scandalised to hear that the Labor party has walked away from this huge historic agreement.

Let us not forget that what is happening here is the Labor Party is going back to the dark past of having their decisions written for them by their corporate logging mates. That is what is happening. You are going back to the bad old days because you cannot make the hard decisions. You cannot stick with conviction. I was on the Huon Valley Council when the previous Cabinet met with councillors. I heard from then deputy premier, Bryan Green, from his lips, the very reason they had come to this position. The reason that they had come to the position of signing the Tasmanian Forestry Agreement was because of the facts that were brokered by the conservation movement, particularly the forestry movement, knowing the market, knowing the future, knowing the reality of the junk pulp that we were selling overseas for chips for nothing. We were paying to sell it overseas. We were paying public money that could have gone into north-west communities or into Geeveston and the southern communities where they could be having rich sustainable futures with a pathway.

There is no pathway in the forestry industry. There is no future where you can look at your son, your daughter, your grandson or your granddaughter and say, 'This is an industry I can be proud of. It will be here in 80 years' time'. What a joke. This is an industry pushing hard for automation. There are very few people left employed in the industry. All we are doing is giving our most

biodiverse forests over to corporate logging interests, most of whom are pillaging, rampaging highly biodiverse areas in other countries.

Time expired.

[11.33 a.m.]

Mr BARNETT (Lyons - Minister for Primary Industries) - Madam Speaker, it is a real honour to support my colleague from Lyons, John Tucker, in highlighting the importance of jobs and the economy under the Hodgman Liberal Government.

We have just heard from the Labor Opposition and the Greens. The Greens' prickled the Labor Party when the member for Franklin asked what the position of the Labor Party was regarding the Tasmanian Forestry Agreement. I thought it was a very good question from the member for Franklin. We do not know exactly the position of the Labor Party when it comes to forests and the Tasmanian Forest Agreement. The federal Labor Party has just thrown state Labor under a bus.

State Labor has been backing the Tasmanian Forestry Agreement and all the lockups that have occurred over the years, uphill and down dale. In fact, the opposition forestry spokesperson, the member for Braddon, Dr Broad, was quoted in the *Advocate* saying that the TFA and the deal:

... prevented an industry collapse and ... TFA funding also underpinned an economic transition that is now driving the North-West economy.

The Leader for the Opposition she has said that she has no regrets about the Tasmanian Forestry Agreement and all the lockups. What happened yesterday was that Joel Fitzgibbon, the federal forestry spokesman, threw them under a bus. He attempted to walk away from the TFA. He said, 'No more lockups'. Suddenly, federal Labor is saying 'no more lockups'. This is the position. It has been secure for the Hodgman Liberal Government up hill and down dale for years and years, no more lockups. That is why we are elected. That is why we have a majority on this side of the House.

Let us make it very clear regarding jobs and the economy. What is Labor's position? We do not know. They are trying to walk away and walk on both sides of the street. The member for Franklin said, 'The forest industry came to the Greens on their knees'.

Members interjecting.

Madam SPEAKER - Order. I am having difficulty hearing.

Mr BARNETT - The forest industry came on their knees to the Labor-Greens government. They were thrown under the bus - the industry was thrown under the bus - and they were coming to government on their knees. That is why we had our strong plan to rebuild the industry. We have delivered by rebuilding the confidence in jobs, growth and development. Exports and production are up under the Hodgman Liberal Government. Under the Labor-Greens 4000 forestry jobs were lost, thrown on the unemployment scrap heap, particularly in those rural and regional areas John Tucker referred to. Two-thirds of the industry was thrown out on their backsides and all those families affected. What a tragedy that was.

Here we go again. Senator Di Natale, Leader of the Greens, wants to talk to the Labor Party, do a deal and they say 'no'. Labor cannot be trusted when it comes to jobs and the economy. It was

a coalition of chaos under the previous government. What happened in terms of jobs? What happened was that 10 000 jobs were lost under the Labor-Greens government. What has happened under the Hodgman majority Liberal Government? Over 12 000 have been created. We are proud of that but there is more work to do.

Federal Labor say they are sticking to the principles of the TFA. Goodness gracious me, the disastrous TFA. They are saying no more lockups but we are sticking to the principles. They have thrown their state Labor colleagues under the bus. Labor say they support it. On the other hand, they are preferencing the Greens. Are they embarrassed? Let us have a look at them. No. Yes, red faces across the Chamber, Labor is preferencing the Greens and the anti-salmon candidates.

Members interjecting.

Madam SPEAKER - Order.

Mr BARNETT - We have a hit a raw nerve here. They are preferencing the Greens.

Members interjecting.

Madam SPEAKER - Order. Just a moment please. It is really hard to hear.

Mr BARNETT - It is really hard to hear because of the interjections from the Opposition, Madam Speaker. They are embarrassed.

What we had in the past is a coalition of chaos, massive job losses and the unholy alliance is where they are going yet again. You cannot trust Labor when it comes to jobs and the economy.

In the last week, the CommSec Report came out saying we are the equal-third strongest economy in the country. We rank first for population growth and equipment investment and second for house and finance. This is good news. Two weeks ago, the Deloitte Access Economics Business Outlook Report said:

The best that the state's economy has managed since before the global financial crisis.

This is the Hodgman Liberal Government delivering for Tasmanians - jobs, growth and investment. This is a fantastic place to live, work, invest and to raise a family. That is why we are proud of it. We are delivering on jobs and the economy. We will keep doing that.

Tasmania has never been a better place to live, work and invest, and to raise a family. I propose a note of caution. We know that the Greens want to lock up another 680 000 hectares of Tasmania. That is their policy. We know that Labor will do a deal and this will have a direct impact on not just forestry but mining, recreational land users and the works, Madam Speaker, so that is a note of caution for the people of Tasmania when they go to the ballot box.

Time expired.

[11.40 a.m.]

Mr O'BYRNE (Franklin) - Madam Deputy Speaker, it gives me pleasure to talk about jobs. Let me be clear, we have three state members for Lyons in the House. At one stage, by interjection -

and they all heard it - the question was asked whether they supported or endorsed Ms Whelan, the federal Liberal candidate's comments, and not one of them spoke up. Not one of them responded to say that they rejected them. The three members are still here.

Members interjecting.

Mr O'BYRNE - I will not be disparaging, but you had an opportunity to call out Jessica Whelan by interjection through the member who has just resumed his seat. Here is an opportunity - do you support the comments of Jessica Whelan as reported and on Facebook? Do you support them?

Members interjecting.

Mr O'BYRNE - No, you do not support them. Therefore you endorse them?

Mr Tucker - I support jobs and the economy.

Mr O'BYRNE - Jobs and the economy - 'Oh, no, we don't want to talk about values. We don't want to talk about respect'. You were very quiet during question time.

Madam DEPUTY SPEAKER - Order.

Mr O'BYRNE - We got two noes and the other one has wandered off. That is a telling set of circumstances. You had a chance in question time to stand up for a small business that has been impacted by appalling management of the Royal Hobart Hospital by this Government and those tasked with managing it, because it is ultimately a government contract and there is a small business that will be sacking workers because they are potentially going to the wall because of a lack of a payment on a government job. There was an opportunity to stand up for jobs there but because it does not suit your political narrative and your stunts, you all went very quiet. You are supposedly the champion of Tasmania's small businesses but when they need you, you are not there. You just use them for political purposes and you parrot out these lines with no substance, no details and when business needs you, you are nowhere there.

The Tasmanian economy does not turn on a dime in terms of the structural challenges facing the Tasmanian economy which have been here for 100 years. The member for Lyons read out that list of economic data and of course the Labor Party welcomes positive economic data for the state, but we also need to acknowledge it is an export-orientated economy. Our terms of trade, when you look at the history over the past 50 years in terms of the Australian dollar and our relationship to it either for export and importers, is very much a key component of the success or otherwise of the Tasmanian economy.

For the last 100 years the Tasmanian economy relied very heavily on the resource extraction industry - mining, forestry, fisheries and agriculture. They have been the pillars of the Tasmanian economy. For the last century, the majority of time a party has been in government it has been the Labor Party. We are the ones who have supported those industries over many years and we will continue to do so. We are there not only when things are good, not only when you have the wind in your sails with good terms of trade, we are there when it gets tough.

This Government has said they are the kings of the tourism industry and they are the only ones who support it. Let us be clear. It was a Labor government in the late 1990s that really started to get the shoulder to the wheel behind the tourism industry. It was a Labor government that bought the two ferries. It was a Labor government that negotiated with a number of airlines to lift

visitations to Tasmania. It was a Labor government that supported institutions like the Port Arthur Historic Site and a range of industries across Tasmania.

Mr Tucker - So where do you stand on the Tasmanian Forest Agreement?

Mr O'BYRNE - Let us talk about the forest agreement. This was when there was a global financial crisis and I was economic development minister. The Australian dollar was at \$1.08. We are an export-orientated economy. The Australian dollar is now 70 cents to 71 cents so the terms of trade have improved for Tasmanian exporters by 30 per cent or 40 per cent. If they were not going well, it would be an absolute aberration in history. The terms of trade have improved.

We were there when not only the terms of trade were so bad but Gunns, the largest private sector company in the forest industry, collapsed and they sold assets. It was beyond our control. They sold assets and they collapsed. We had an obligation to respond.

You were no friend to working people in Tasmania. The Labor Party's strategy in response to support the forest industry and support the Tasmanian economy was to come up with an economic diversification strategy that would support Tasmania's competitive advantages. It was the Labor Party through the late 1990s and the 2000s that was the first significant investor in irrigation. We were the ones that brought the water to the farms to allow them to diversify on the land. It was the Labor Party that had significant investment in irrigation.

We bought the boats and the irrigation. In terms of the economic diversification strategy it is remarkable watching from 2014 on. All of these federal and state Liberal members turn up to all these ribbon-cuttings of these projects that have been opened and funded by the previous Labor government. The hypocrisy of you turning up to a whole range of economic initiatives funded and supported and initiated by federal and state Labor working together to diversify the Tasmanian economy.

When our terms of trade are at its worst, what does Labor do? We put our shoulders to the wheel and provide funds and support for economic diversification. Here are some of the projects. The Circular Head Agricultural Trade College, the AgriTas - we were the ones that funded and supported that and put our shoulders to the wheel. There were the freshwater dams to facilitate aquaculture development; Sense-T, an integrated natural resource sensor network; the jetty upgrade at Maria Island and the ecotourism feasibility study; electrical power along Marcus River Road; wine research identification of sites to expand Tasmanian wine production and provision of development extension services; the soft fruit-chilling and snap-freezing facility in the Derwent Valley. Hello? Crickets and frogs over there. We have the substance and when times are tough we are there but you are not there, you are taking it easy.

Time expired.

Matter noted.

HEALTH MISCELLANEOUS AMENDMENTS BILL 2019 (No. 12)

Second Reading

[11.47 a.m.]

Mr FERGUSON (Bass - Minister for Health - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The purpose of this bill is to make a number of minor and technical amendments to the Ambulance Service Act 1982, Food Act 2003, Mental Health Act 2013, Pharmacy Control Act 2001, Poisons Act 1971 and Public Health Act 1997.

Ambulance Service Act 1982

The bill amends the definition of 'non-emergency patient transport' to specify that regulated non-emergency patient transport relates to transport on public roads or by air or water, to remove uncertainty relating to private property and to change the types of services that may be provided from 'basic care and observation' to 'clinical care and monitoring' to add clarity and to better reflect the scope of current NEPT services.

Changes have also been made to the penalties for offences under the act for better proportionality by increasing the penalty for unauthorised provision of ambulance services and decreasing penalties for breach of conditions of a non-emergency patient transport licence and failure to notify of a change in chief executive officer or director.

Food Act 2003

The bill makes amendments to the Food Act 2003, primarily to reduce red tape and support current initiatives. These amendments include a focus on removing unnecessary duplication and improving administrative processes.

The bill will permit a single statewide notification of a mobile food business, rather than separate notifications in each relevant council. This supports the change to the Food Act in 2015 that extended single statewide registration to all mobile food businesses.

The bill will remove the specific application and approvals process for laboratories under the Food Act and automatically recognise laboratories accredited by the National Association of Testing Authorities Australia - NATAA.

The bill will allow notice of an emergency order made to several persons, or a class of persons, to be served on each person as an alternative to, or in addition to, the current requirement to publish a notice in a relevant newspaper.

The bill will clarify that where an audit is required it must be conducted by a food safety auditor approved under the Food Act. Previous amendments to the Food Act introduced the requirement for audits and the framework for approving food safety auditors but did not clearly provide the link between the two.

This bill provides for changes to link the priority classification system to notification and registration provisions. This means that instead of being used only in relation to food safety programs and determining frequency of audits, the priority classification system approved by the Director of Public Health can be used to determine which food businesses must notify or register under the Food Act. This change is included in the bill to achieve clarity and transparency for the existing notification and registration provisions.

The bill also makes changes to allow regulations to exempt certain food businesses from notifying information in the Food Standards Code as required by section 86 of the Food Act, or to require notice of alternative information. This provides scope to require particular information that is more appropriate for certain food businesses than that required by the code. The change would extend the existing exemption for registered businesses at section 85 of the act. Typically, the regulations can exempt certain aspects of the Food Standards Code from applying in Tasmania. However, the specific exemption at section 85 will provide certainty on this.

Mental Health Act 2013

Section 204 of the act has been amended to enable the intent of the act to be met to allow interstate transfers of mental health patients. Advice had been received that the previous drafting of subsection 204(b)(i) was an impediment to such agreements.

Pharmacy Control Act 2001

Recent changes to the Pharmacy Control Act provided for a power to regulate pharmacy depots. However, this power did not include a provision to charge fees for the regulation of depots. The Pharmacy Authority has requested an amendment to the act to allow fees to be charged for the regulation of pharmacy depots if required. The bill therefore varies the fees provisions in the act to provide a head of power to charge fees for the regulation of pharmacy depots. As always, prescribed fees are assessed against cost-recovery principles and subject to regulatory impact statements and consultation if required.

Poisons Act 1971

The bill includes a minor amendment in respect of poppy growers licence renewals under the Poisons Act 1971. With the move from annual licences to licences of up to five years duration, more late applications are likely to be received from poppy growers. Currently any late application after the expiry of a licence must be treated as a new application under the act. It is proposed to allow for a period of three months following the expiry of a licence where a late application can be processed as a renewal of licence rather than a new application.

Sections 36 and 48 of the Poisons Act currently do not explicitly provide for the holder of a permit, licence or authorisation under the act or Regulations to possess and use the relevant substances in sections 36 (declared restricted substances) and section 48 (narcotic substances) in accordance with the conditions of that permit, licence or authorisation. The bill includes an amendment to make it clear that the holder of a permit, licence or authorisation under the act or Regulations is permitted to possess and use the relevant substances in accordance with the conditions of that permit, licence or authorisation.

Further small amendments to the Poisons Act are included in the bill to correct cross-references so that the Poppy Advisory and Control Board provisions in schedule 1 and the Poisons Order provisions in section 40 do not refer to repealed sections of the act.

Public Health Act 1997

The bill makes changes to the Public Health Act 1997 to the definitions associated with regulated systems, which are systems where Legionella bacteria are likely to proliferate and so are at-risk systems for Legionnaires disease. Existing systems include warm-water systems, cooling

towers and air-handling systems. Regulated systems can be required by the Director of Public Health to register under the act and then comply with relevant requirements in the act and guidelines. The existing definition of a warm-water system is not consistent with current national standards.

The changes will ensure water distribution systems, including warm-water systems, that create environments where Legionella bacteria are likely to proliferate are included as regulated systems. The current definition of 'regulated system' does include any system or process that may involve a risk of Legionnaires disease. However, this amendment will provide greater clarity on this. The bill also makes an additional change to remove unnecessary words from the definition of 'regulated system', consistent with recent advice and review of these provisions.

Madam Speaker, the bill contains a number of small but important amendments to clarify the operation of a number of acts within the Health portfolio.

I commend the bill to the House.

[11.56 a.m.]

Ms O'BYRNE (Bass) - Madam Speaker, we support what is predominantly tidying up and implementation of national reforms, fixing some anomalies and appears to be an efficient omnibus of issues that are being dealt with.

Rather than comment broadly about the bill I will raise a couple of questions. The first is to do with the Ambulance Service Act. This specifies that the regulated non-emergency patient transport relates to transport on public roadways, air or water, and to remove uncertainty relating to private property to change the types of services that may be provided from basic care and observation to clinical care and monitoring. This deals with the extended scope of the non-emergency patient transport process. I have a couple of questions on that. Some are procedural so I will say them quickly so they can be dealt with by the staff. When would the regulations be developed and when would you anticipate they would be given effect? There are also five NEPTs operating in the state. Do you have a list of the current five and does the minister have any anticipation that that number will change?

This fundamentally moves to a paramedic model in private ambulance services. The minister would be aware of debates over many years on privatisation of ambulance services. Does this minister feel this is a step toward the potential privatisation of some parts of our ambulance service? What might that mean to people in a position to hold private ambulance insurance? Would there be any concern that instead of dialling 000, if you are somebody who has private ambulance cover, that you might contact the private ambulance person directly? What measures might be in place to ensure that does not occur, because we want to see proper triaging within the statewide system?

The minister would be aware of concern about privatisation creep in the sector. We are very dependent on our ambulance service operating well, collaboratively, and anything that might undermine that could put us at risk. Whilst I am not saying the minister is looking to a privatisation agenda, that is one of the things that could eventuate since we are now putting paramedics into a transport and clinical care model. If the minister could address that, that would be fabulous.

The Food Act 2003 was amended to ensure you only need to register with one council and that will make things a lot easier. We have no problem with that. I understand this process was already approved by the national body, so that seems to be quite a sensible change. Does the minister have

any idea of how many food businesses we currently have? I am not expecting you to have the answer now but it would be interesting because we are seeing such a significant shift in the way that part of the industry is developing. Might we be looking at other issues in the future?

The Mental Health Act makes sense in that recognition of interstate transfers for mental health patients is good. I did have a couple of questions for you on the Pharmacy Control Act. I am trying to work through this quickly because we have a long day. It amends the bill currently before the Legislative Council and picks up some pharmacy control issues. Is that right?

Mr Ferguson - There has been.

Ms O'BYRNE - I do not know whether it needs -

Mr Ferguson - It is not to be concluded up there.

Ms O'BYRNE - It is a kind of side step because it will mean something is in process as well. As I understand, pharmacy depots are in towns at least 10 kilometres from their nearest pharmacy. How many are there and where are they?

Mr Ferguson - The depots?

Ms O'BYRNE - Yes, the depots. We asked in the briefing and they referred to the Alonnah store on Bruny Island. How many more are there? Can we have a list of where those pharmacy depots are? Whilst I understand consultation took place with the Pharmacy Guild, I am also aware that not everyone is a member of the guild. What consultation occurred with those depots and is there an additional cost associated for depots with this move? Has anyone indicated it would be a concern for their future or in it being sustainable? You would be looking at amending the bill before the Legislative Council. Is that how that process works?

Mr Ferguson - Yes, or amending the same act.

Ms O'BYRNE - Yes, there is a procedural process for this. This may be a silly question about the Poisons Act change. Given the move from annual licences to five-year licences, why does the second reading speech indicate that we are doing this? Do we feel more applications will be made? I thought yearly licences had been a challenge. People often run over time and there would be a number of late applications. I would have thought there might be more time for planning with five-year applications. Are we expecting a significant uptake in the number of businesses applying? It struck me as an anomaly and I am sure the minister has a simple answer.

The other area is the Public Health Act, which deals with the resistance of Legionnaires' disease, managing and keeping up the national approach for legionella control, allowing the director to identify emerging risk and regulate, which makes sense.

With that, minister, I have briefly covered any of our concerns. If you can answer those we can move onto the next legislation.

[12.03 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the Greens will support this amendment to the Health Miscellaneous Amendments Bill. We were grateful for the comprehensive briefing from the department staff responsible for the carriage of different parts of this legislation. I do not need

to go into Committee. I feel my questions have been well answered in the briefing process, where we had questions of the changes made.

Clause 84(8) amends section 86 of the Food Act 2003 to reflect the different classes of food local councils have responsibility for registration of.

As it was explained to me, and perhaps the minister could confirm that my understanding is correct, what this will do is to update a 20-year or so old regulatory system. It requires food to be put into three different risk categories. It does not properly reflect the current scientific understanding about where food risks arise. It is the level and type of processing that a particular product has had and where it is kept that will now be used to determine its risk category rather than simply whether it is an xyz product. If that is the case, then my understanding from the briefing was that would make it simpler for councils to implement. It will also probably mean less paperwork and less need to be unnecessarily bureaucratic about things that do not represent a real risk. If the minister could confirm that my understanding is correct it would be helpful.

In relation to the Mental Health Act 2013, Part 1, clause 1, 240 Effect of certain transfers, I am pleased to see that there is this jurisdictional agreement that has been established. That is important. The minister would be aware that I had been in discussions over a number of years with the previous Attorney-General, Vanessa Goodwin, and now with the current Attorney-General, Elise Archer, about inter-jurisdictional arrangements for people who are subject to mental health tribunal orders. I had understood that this would also include that category of person but it is simply restricted to people under forensic orders. It does not capture civil orders. My understanding is that the work with COAG is proceeding and that Ms Archer, on behalf of the Government, is doing work with other states to look at an agreement to facilitate people who are under a mental health tribunal order and who travel interstate so that they can receive medication, receive care, be observed under the same conditions that they have in Tasmania, without any gaps, so there is no risk to the patient or to other people in the community, which is what has been happening.

If the minister has any more information on where that process is and when that process might be completed, I would appreciate it.

Mr Ferguson - Yes, totally.

Dr WOODRUFF - Thanks. Schedule 1, page 7, clause 2, section 36 of the Food Act 2003 will be amended to change the manner of making orders. It is now providing an option:

... that it be published in a newspaper that, in the opinion of the relevant authority who made the order, will be most likely to bring the order to the attention of the persons intended to be bound by it; or

(b) It can be served on each of those persons.

This updates us to give more flexibility meaning that advertisements in newspapers are not required. That seems to be sensible. It still gives the option of putting an ad in the newspaper if the person cannot be identified. It is ticking a box but getting rid of the unnecessary expense and time of using newspaper ads if that is not required and they can go directly to the source.

We are happy to support the bill.

[12.11 p.m.]

Mr FERGUSON (Bass - Minister for Health) -

Mr Deputy Speaker, I thank everybody for their comments. Thank you first of all for the recognition from Labor and the Greens that this is largely housekeeping. It is not a policy bill per se but an attempt to ensure that the various acts are kept contemporary and reflect current policy and practice.

I will go through the issues raised by Ms O'Byrne and Dr Woodruff in order. If I overlook or miss something, I will be happy to take an interjection and seek further advice.

Ms O'Byrne's questions were around amendments to the Ambulance Act. I advise that there is a need to amend the definition of 'non-emergency patient transport' to specify that regulated NEPT relates to transport on public roads or by air or water only, to remove uncertainty relating to transport of injured persons on private property, for example, farm or mining first-aid.

We also need to change the types of services that may be provided. I have been through this but for clarity, to change that language from 'basic care and observation' to 'clinical care and monitoring'. My advice is that is a better definition in the act to support current activities. It is not an attempt to change or push the boundaries, rather to ensure that people engaged in that sector are adequately regulated and defined.

An important point is that the threshold for NEPT transport remains that 'the person must be assessed by an approved health professional as not being time critical or acute' as those patients would be transported by Ambulance Tasmania. The threshold would be the same. It is unaffected by this bill. Paramedics could support that transport and care but again, it draws the distinction that this is not about extending the coverage of NEPT into time-critical or acute care. Any reasonable person would ask the question if this a privatisation agenda.

Ms O'Byrne - I don't think you are doing it by stealth.

Mr FERGUSON - No, and it is not. The new regulation nationally of paramedicine into national law will support rather than extend the nature of NEPT in itself, which is a really good achievement for jurisdictions.

There was a question about the number of providers. Of course Ms O'Byrne will not need reminding that the act was amended in 2013 with the support of all parties to provide a better framework to regulate NEPT and better support the licence conditions and standards that had been required of them. In fact I am advised it was a significant enhancement to the way it was regulated. There has been some growth in the sector since then. I can advise that you are correct. There are five providers and I can name them: Morton; Medical Edge; St Johns; Ambulance Private; and the Royal Flying Doctor Service, which primarily transports patients between hospitals and other care settings. I really should say there are six providers because Ambulance Tasmania itself as a government provider is of course the biggest NEPT provider. There are five non-government providers. By the way, Ambulance Tasmania remains the primary NEPT provider in the state providing the majority of NEPT transports required by the THS, for example.

In terms of the panel itself, Ms O'Byrne asked a question about when might that change. The department entered into a procurement maybe three years ago, I would be estimating. The current panel arrangements conclude in 2020, I am advised, at the end of next year.

Ms O'Byrne - Do you anticipate there might be more players in the market at that point, or is that a bit too hard to say?

Mr FERGUSON - I am not able to speculate; I do not know. It would be open to the market, I suppose, subject to meeting the panel requirements. I could not guess whether there would be more or less in that.

Ms O'Byrne - The other one was about the timing of the regulations and when they might have effect.

Mr FERGUSON - The regulation consultation process is taking place and I am advised we would anticipate the new regulations to come into effect later this year.

Ms O'Byrne - They have to be in in six months. In my head there was a six-month time frame.

Mr FERGUSON - I cannot do too much better with my answer there, only to say that if there is a further clarification you would like please feel free to write to me. I am advised that the current regulations continue until and unless the new ones are made.

Ms O'Byrne - My only other questions were about the pharmacy and the poppies.

Mr FERGUSON - I will go to the Food Act amendments that Dr Woodruff and Ms O'Byrne raised. There was a question from you, Ms O'Byrne, around that in terms of the number. The advisers do not have the number to hand. You might clarify for me if you are looking for the number of mobile food businesses that would be affected by this and I will obtain that for you. I will commit to write to you.

Ms O'Byrne - Thank you for that.

Mr FERGUSON - The debate earlier captured the intention of the amendments which is about implementing in a transparent way in the act rather than just by practice of what is current practice. You have nailed it; it is about ensuring that the risk classification model which is agreed and which is currently in place is reflected in the act itself.

One thing that has not been said previously which might assist the House is that there are five risk classifications, and food businesses with a higher risk classification would initially be inspected more often than those with a lower risk classification, but it is worth knowing that regulators can increase or decrease rating depending on how well that food business performs and their compliance with their obligations.

It is a response to ensure that the red tape is the right tape for the circumstances and the changes to the act itself in this bill do not go anywhere near attempting to change the food safety requirements in general that are allowed under the Food Act itself or the Australia New Zealand Food Standards Code. The risk classification system is largely an administrative tool designed to help consistent application of the Food Act across Tasmania and to closely align with the existing system of food business regulation. The department has been telling the industry about this to ensure that people are fully aware of it but I do not think it will be burdensome or troublesome; it will be welcome, especially the single notification model.

Dr Woodruff - Through you, Mr Deputy Speaker, is that something that would be changed? If people had a particular classification because they had certain foodstuffs and then this changes that classification, do they have to reapply? Do they have to go through paperwork? Do they have to be visited?

Mr FERGUSON - This would be administered by local government through their environmental health officers at that local level of implementation of the Food Act requirements. This is reflecting the current classification system and ensuring that it is codified in the act rather than just being by guideline and practice.

Dr Woodruff - So this is already happening? There is no change on the ground to businesses?

Mr FERGUSON - The advice is that while it is believed by the department that local government already has the risk classification system in place, this ensures that everybody has it in place without risk of non-participation. In answer directly to your question, it may be the case that while it is an existing administrative tool to help consistent application of the Food Act, it will mandate it for all from 1 July. The intention is to capture the field.

Dr Woodruff - Yes, I see. I guess the department is not sure of the answer about whether a business would have to fill in a new form and say they have milk and it is in a fridge, therefore it is going to change its classification. It would be good to know because it can be a lot of work. If you are selling a lot of stuff and it changes its risk category and you have to reapply you would not want to cook. If it has to happen, it has to happen, but it is good to know.

Mr FERGUSON - It would be considered an aberration if an existing food business were not registered. This would remind the EHOs in local government of their role in ensuring compliance. As the risk classification system is intended to the level of risk rather than a blanket rule, let us say, for all kombucha makers in Tasmania, there is clearly a food risk -

Dr Woodruff - That's right. We have to look after those people. They're great.

Mr FERGUSON - We do. Some might have very good systems, others less so, or a newer manufacturer may have less developed systems. The risk rating applied to individual businesses can and should vary and it can be raised and lowered based on their compliance activities.

We will move on to pharmacy depots, raised by Ms O'Byrne. The bill is already before the Legislative Council and this bill will amend the Pharmacy Control Act but they amend different aspects of it. There is no concern around that. The proposed amendments are to the requirements for depots. Depots are used by some general stores or similar in more regional areas for people to leave their scripts, to be sent to a pharmacy to be dispensed and returned to a patient. Amendments in the act in 2010 inadvertently removed the ability to guide the requirements for these depots. The regulation-making power is about making sure that head of power comes back into the act. It was a drafting issue. The bill before us corrects a further issue in the Pharmacy Control Act. Regulations can now provide for the fee for the establishment and regulation of pharmacy depots. I was asked how many. I am advised there are three. I do not have the place names here.

Ms O'Byrne - There is one at Alonnah, Bruny Island. Do you know the other two?

Mr FERGUSON - I do not know. We will find out and I will include that in my letter back to you. We agree on one out of three, Alonnah, Bruny Island. I can assure you that those depots will be consulted before and during this process, before further steps are taken.

Ms O'Byrne - The only other thing is whether there was a cost implication for them?

Mr FERGUSON - There is, because the regulatory fees would be set at cost recovery levels.

Ms O'Byrne - You don't anticipate any of those three would be at risk?

Mr FERGUSON - That would be investigated as part of the consultation to ensure it is fair and reasonable. The regulatory fees, I am advised, would be relatively small. We cannot indicate what they should be today but the fee model will be developed. It is likely to be relatively small and absorbed by the pharmacies: not the depots but the pharmacies that participate in the depot arrangements out of the pharmacy business model.

Ms O'Byrne - This is an assumption and I may be wrong and it may not be relevant anyway, but can I assume that given we do not know the name of the three, we probably have not spoken to them at this point? Will there be a conversation with them prior to this going to the other place?

Mr FERGUSON - Yes. Given my commitment to you to write, I would be quite comfortable with those providers being aware of what is happening around them.

Ms O'Byrne - I am sure there will not a problem. The last thing any of us would want is one of them throwing their hands in the air and saying, this is all too hard. I am sure it will not be the outcome.

Mr FERGUSON - I completely agree. I can further advise the House that development of regulations will be assessed by Treasury in the usual way to ensure that if a burden is imposed, it is subject to a regulatory impact statement and public consultation.

As to the poppy industry, given the changes to the industry brought through by Mr Rockcliff on behalf of the Government, moving from a one-year permit period to five is about a neater regulatory framework and there are significant penalties for licence-holders who have not complied with their licence obligations. Given the very significant penalties that can be applied for a licence-holder that does the right thing, it is reasonable for the licence period to be longer. We strengthened that significantly. There is a recognition that with a longer licence period, it is regarded that there is a greater likelihood that some individuals may, family farm holdings, for example, overlook that their renewal has come and gone. I have seen it in other areas of -

Ms O'Byrne - Is that because it is not something they check every year?

Mr FERGUSON - It is not regular. It is not annual like a car registration.

Ms O'Byrne - I am sure the body would make every attempt to ensure they are aware it is due.

Mr FERGUSON - Spot on. For example, we have seen people in my other portfolios who have missed their renewal notice while overseas. It is their fault but it is unfortunate. In this case, to do so after a five-year period in good standing, a permit holder would have to go to the very

beginning of the process to apply for an entirely new licence. I would describe this as a grace period within which to apply for a renewal.

Ms O'Byrne - Thank you.

Mr FERGUSON - After three months, you are back to where you started if you have not been able to apply for renewal within that grace period.

That leaves the last questions from Dr Woodruff on the Mental Health Act. This is really important all of us. It is very important to me. You are quite correct in raising that the present bill deals specifically with interstate transfers of forensic mental health patients. I openly say to you we have some significant work to do in regard to involuntary civil mental health patients, people who are subject to involuntary mental health treatment orders. I believe you are aware of this after we discussed it at a recent forum. We are absolutely determined to make sure the Tasmanian act, which is very good in regarding consumers rights and ensuring treatment orders are robust for the consumers safety and for the communities' safety -

Ms O'Byrne - It was world-leading at the time, if I can commend the department. It was an excellent piece of work.

Mr FERGUSON - It still is world-leading. Even if we call it nation-leading, to varying degrees, other states also have nation-leading legislation but the interoperability of the respective state and territory acts is not very effective in some cases. We have to deal with that. On behalf of Tasmania, I put this on the agenda at the COAG Health Council meetings. There is a lot of appetite from other state, territory and Commonwealth health ministers and that work is currently underway to improve the interoperability of mental health legislation around the country.

We have agreed that we need a work program that allows, where required, legislation to change or, where required, interoperability arrangements put in place to allow the exchange of information and to facilitate the cross-border movement of civil involuntary mental health patients without requiring formal agreements. There are barriers. The Tasmanian legislation already provides for interstate interoperability but it has to work on the other side as well. Tasmania and Queensland are leading that work on behalf of COAG Health Council. I can give you an update as well. Justice is involved in this because part of the Mental Health Act in Tasmania is administered by Justice. It is expected that COAG Health Council will consider options to address this issue later this year and if legislative change is required it can be developed in a way that is consistent between jurisdictions rather than us working at it one at a time.

Ms O'Byrne - Will you be looking at a reciprocal model law process?

Mr FERGUSON - I do not know what words to put on that. It may be 'model', but I suppose everybody has a different act with different key definitions and terms. We would find it quite easy to make changes that might allow us to make a deal with Victoria, which would make a lot of sense with them being our closest interstate jurisdiction. The COAG Health Council was very open minded as to how this should be developed.

It may be the case that in Tasmania's circumstances, no changes are required to our act because our act future thinks this opportunity. What we want to do is make sure that the inter-jurisdictional barriers to effective arrangements may be identified. We have to do this which respects that there is the matter of patient privacy and also recognising competence which our act does. Different

states are at different places on this. At last year's COAG Health Council, the first one after the election, I made a commitment to raise it and we are working on that at COAG Health Council but Tasmania and Queensland specifically are preparing the paperwork to bring to ministers to identify hopefully, an agreement that we can all be making.

I do not know what that agreement will look like because it maybe will make changes to laws required in these jurisdictions or it may be a unified agreement that we can sign up to that departments then implement.

Dr Woodruff - Thank you. Through you Mr. Deputy Speaker, so minister, can I be clear about who to speak to on this issue and who to keep following it with. It is you as the Minister for Health. Ms Archer wrote to me and said she was taking carriage of the component at the Justice COAG. Are there two things happening in parallel, or is it going to flip over to the Health COAG?

Mr FERGUSON - Health and Justice are working together in Tasmania because each department has a different portion of the Mental Health Act that those departments and their respective ministers administer. From the policy and interstate interoperability point of view, it is something that health in Tasmania and Queensland are leading in consultation with our colleague departments.

Dr Woodruff - Thank you very much for that explanation and update.

Mr FERGUSON - I hope that is useful. I thank members for all of their comments and questions and commend the bill.

Bill read the second time.

Bill read the third time.

FOREST PRACTICES AMENDMENT BILL 2018 (No. 61)

Second Reading

[12.38 p.m.]

Ms COURTNEY (Bass - Minister for Resources - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

The Forest Practices Amendment Bill has been introduced by the Government to provide for the updating of the forest practices system in Tasmania and for improvements in the efficiency and effectiveness of this important regulatory framework.

The forest industry continues to provide significant levels of employment in Tasmania, both in the forest operations side and the associated downstream industries. Updates as provided for in this bill will improve the clarity of regulatory practices in the forest operations sector for both the regulator and the industry participants.

The forest practices system has evolved over more than 25 years to become a complex system with many inter-related elements. The system recognises the many values that forests have and it

is designed to ensure the reasonable protection of natural and cultural values when forest practices are carried out. The forest practices system regulates forest practices which are the processes involved in establishing forests, growing or harvesting timber, clearing trees or clearing and converting native vegetation communities, and associated works such as construction of roads and the development and operation of quarries.

The key objective of the Tasmanian forest practices system is to achieve sustainable management of public and private forests with due care for the environment. Importantly, the forest practices system is based on a co-regulatory approach, involving self-management by the industry, with monitoring and enforcement by the Forest Practices Authority.

The Forest Practices Authority has the legislated function to implement and review the act and undertake a role to implement continual improvement to the forest practices system. Through a process of ongoing review, a number of required amendments to the act have been identified that are necessary to ensure that the operational efficiency and effectiveness of the forest practices system in Tasmania can continue to be realised.

Turning to specifics, the bill provides a series of minor amendments that will provide clarity in relation to the person responsible for reporting on operations under a certified forest practices plan for the entire life of that plan. Currently under the act there is no capacity for the original applicant to transfer their responsibilities under a certified plan to another person. This is problematic when the original applicant is no longer involved with the implementation of the plan, either because the applicant has sold their interest to another party, or the applicant has died in the case of a natural person, or gone into liquidation in the case of a company. The amendment allows for the original applicant's responsibilities to be transferred to another party by agreement of both parties, and includes the requirement for the notification of the relevant landowner.

This both removes an administrative burden from the authority and allows the new applicant to implement the provisions of the existing plan without having to incur additional planning and application costs for a new plan. The bill will provide for a specific way in which the responsibility can be reassigned from the original applicant for the plan, and for the new responsible party to be identified to the authority.

The Forest Practices Tribunal is an independent body established under the act. Their role is to hear appeals against decisions made by the Forest Practices Authority under the act. The tribunal is made up of a panel of experts appointed by the Governor from specific areas of expertise including forestry, land management, agriculture and conservation science and is chaired by an appointed legal practitioner. In order to maintain the independence of the tribunal, the current requirement that nominations are sought from specific industry bodies for the positions on the tribunal of persons with expertise in agriculture and forestry will be replaced with an open process, calling for expressions of interest from persons with relevant expertise. The minister can then recommend preferred candidates to the Governor for appointment.

The act provides for the establishment of the Forest Practices Advisory Council. The role and functions of the council, which are further stipulated in the act, are to provide advice to the Forest Practices Authority on a number of matters related to the operation and review of the act and on matters directly associated with forest practices. The council consists primarily of a representative body of stakeholders. However, persons employed by the relevant departments in the areas of forest policy and nature conservation have historically participated in Forest Practices Advisory Council meetings as observers.

The input from these experts is considered to be integral to the role of the Forest Practices Advisory Council and, as such, the proposed amendments will provide for the formal appointment of two relevant persons with expertise in forest policy and nature conservation to the council in addition to the current level of broad stakeholder representation.

A further change has been provided in this bill regarding the membership of the advisory council, with the addition of a forest practices officer, who is not the Chief Forest Practices Officer, to be appointed. This addition will provide a valuable set of skills and knowledge for the council to draw upon in advising the Forest Practices Authority.

A key component of the forest practices system in Tasmania is the role that forest practices officers play. They have powers that allow them to enforce the act, the Forest Practices Code and provisions of a forest practices plan. In addition to these statutory powers, forest practices officers are trained to prepare and implement forest practices plans. Some forest practices officers also have a delegation from the authority to consider applications for forest practices plans for certification.

A forest practices officer can be an employee of the authority or employed by an external employer involved in the industry. The co-regulatory structure of the forest practices system makes it particularly important that high standards for forest practices officers are maintained, and seen by the broader community to be maintained. There is general agreement in the forest industry that a code of conduct would be useful to provide clear guidance to forest practices officers when they are carrying out their responsibilities under the act.

The bill provides the board of the authority with the powers to prepare and issue a code of conduct for forest practices officers, and requires the officers to conduct themselves in their professional roles in accordance with such a code. The code will be prepared in consultation with the advisory council and forest practices officers, and will be required to be tabled in Parliament as a disallowable instrument prior to being formally issued by the board.

The bill also provides for the Chief Forest Practices Officer to direct a forest practices officer in the manner that forest practices officers are to undertake their required roles. The Chief Forest Practices Officer is not, however, able to direct a forest practices officer in the exercise of their delegated power to make particular decisions.

This set of amendments is important and will go towards ensuring a modern and consistent approach to the regulation of forest practices is undertaken by and on behalf of the Forest Practices Authority. It recognises the important link between the Chief Forest Practices Officer, who must administer the forest practices system on a day-to-day basis, and that of forest practices officers who are implementing the system in the field.

One key element of the forest practices system is that it provides for reasonable protection of the environment and the effective and efficient management of the forestry resource. This bill provides further clarification around the ability of the authority, or forest practices officers, to direct a person responsible for forest operations.

Specifically, this bill provides for directions to be given to a responsible person by a forest practices officer, or Chief Forest Practices Officer, where appropriate and reasonable to do so, to make good damage done and to rectify any such damage including to revegetate or rehabilitate the land where that damage has been caused by unauthorised activities. This is an important

amendment and will result in even better outcomes for the environment and the forest practices system in general.

Mr Deputy Speaker, finally, the bill provides the authority with the discretion to allocate funds received from fines directly to a person who has incurred costs associated with revegetation or rehabilitation of any land damaged due to non-compliant activities under the act by another party. The current provisions require a person to seek compensation through civil court processes for costs incurred. The proposed amendment will provide a fair and equitable way of recompensing an aggrieved party under such circumstances.

The forest industry is an important provider of local employment and provides sustainably sourced timber for the Tasmanian community and national and international markets. The co-regulatory approach to the oversight of forest practices has proved to be both resilient, and adaptive to change. The Tasmanian forest industry has been through significant upheavals over the past decade but the forest practices system has continued to operate efficiently and effectively. In doing so, it ensures our obligations under the Regional Forest Agreement to manage our production forests according to the principles of ecologically sustainable forest management are met.

This bill fulfils a key objective of the Government in supporting the forest industry. It ensures that the forest industry of the future will continue to operate in a modern and efficient regulatory framework that reflects contemporary standards.

I commend the bill to the House.

[12.49 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I say from the outset that Labor will be supporting this bill. The reason is because this makes significant improvements to the forest practices system. I thank Peter Volker and departmental staff for their briefing a few weeks ago. We have a forest practices system we should be proud of, despite what some people say in the media, on occasions, although we have not heard as much of it as we have in the past. We have a forest practices system we should be proud of. We are not the Solomon Islands, we are not New Guinea, we are not a nation that has a poor standard of forest practices. We have a very good forest practices system. Today this bill should be a moment where all members of this parliament should be able to stand together and support the bill because it does make improvements. This is something the forest industry wants. They also want peace in the forest. They do not want to go back to the divisive nature of political comment on forestry.

I will discuss the merits of the bill and the reasons why we are supporting it. In question time and matter of public importance today we already saw the seriousness of accusations levelled at the Labor Party and the pure politicking of the forest industry.

Dr Woodruff - You haven't answered.

Dr BROAD - I am hearing it now. I am trying to make a point that today we have a bill before us which this parliament should be able to celebrate. If we want to hold hands and sing 'Kumbaya My Lord' that is good. This is a bill that modernises the Forest Practices Act from 1985.

We have seen it from both the Greens and the Government, unfortunately. A Dorothy Dixier in question time was a blatant politicking of the forest industry, which is the last thing that the forest industry wants. The forest industry wants to be able to rebuild.

Dr Woodruff - Dr Broad, where does Labor stand on this deal at the moment?

Mr DEPUTY SPEAKER - Order, Dr Woodruff.

Dr BROAD - They do not want to go to the barricades.

Dr Woodruff - Don't take us there. It is in your hands.

Mr DEPUTY SPEAKER - Order, Dr Woodruff, you understand the Standing Orders. That is your first warning for constantly interjecting.

Dr BROAD - I am trying to make the point that this should be above politics. There are elements in this parliament who cannot help making it political.

The forest industry wants to rebuild and this is part of it. The forest industry needs to have a credible body behind it, which is the honest broker in the system, making sure that forest practices are up to a modern standard. That is what this bill does. It corrects a number of issues that have arisen over time through drafting errors and interpretations of the previous bill. This bill now provides for assigning the responsibility of a forest practices plan to somebody else other than the original applicant. This was a bit of an oversight. If any land was sold, whoever purchased that land would have to go through the entire process again. That would result in delays and waste. That is inefficient and should be struck out. This bill corrects that error.

One of the most important aspects is the development of a code of conduct. The Greens should support that because it is a disallowable instrument. I am looking forward to seeing the code of conduct presented to the parliament so that we can have discussions on it. It is something that is positive. Everybody in this House should be applauding that we have a code of conduct being developed, which will further clarify what forest practice officers and plans should operate. It is a good thing. That should be celebrated and I hope it is. I hope politics can be taken out of support for this bill.

In the past of people have contravened the act or not complied with the Forest Practices Plan. The mechanism to rectify that was through the courts. You had to take people to court if things were done without a forest practices plan. This oversight in the previous legislation in 1985 is now being corrected. From what I understand, the previous member for Braddon, Mr O'Halloran, had something happen on his own property. I am not sure how it eventuated, but he had some of his trees logged by a neighbour. For Mr O'Halloran to rectify that he would have had to go through the courts. I am not sure if he did. I am not sure if that was actually the issue that highlighted this error in the legislation. If it were to happen again, they do not have to go through the courts because there is a mechanism for rectification to take place. For example, if somebody was using someone's bridge without authority and the bridge collapsed, they would be liable. There is a mechanism to rectify that damage.

It also provides powers to the Forest Practices Authority to direct monies received from fines for activities that contravene the act directly to an aggrieved third party. In the past, that was not possible. Again, this bill before us amends the act in an appropriate way and solves something that in the past has been legally challenging. That is a really good thing.

This bill in its entirety should be supported. We will not be seeking amendments or going into Committee because it does really good things. Let us hope that we can all agree that the bill should

be supported. I know that it has been widely consulted, not only with the Forest Practices Advisory Council but also FIAT, TFGA and other people. I have been personally urged by the Forest Industries Association of Tasmania to support this bill. I agree that it is a very good piece of work.

During the development of this bill there were potentially some contentious issues but those issues are not part of this bill. They have held the middle ground and put together legislation that everybody should support.

Positions on the Forest Practices Advisory Council are now to be formalised. People from the department previously sat in an informal way. That is good. Having a serving forest practices officer on that group is also good. Information from the practice on the ground can be relayed to the group. It also clarifies that the Chief Forest Practices Officer can have the authority to direct a Forest Practices Officer.

The bill clarifies a number of issues that have been identified through consultation and through using the act. This is a very good addition to the regulation of forestry in Tasmania.

Unfortunately, things that have been said today in parliament need to be addressed. It gives me no pleasure in having to do it once again. We see an industry that is definitely rebuilding around the state, one that has credible regulation. It has a good image at the moment in the market place and it is growing on the back of plantations, certifications, especially FSC certification. It is growing on the back of a strategy of diversification. We are seeing some very exciting projects being developed. It is based on a value add. We are seeing more processing coming into the state with Patriarch and Sons' project at Bell Bay. In my electorate of Braddon, the Hermal Group is proposing a very exciting project. They are moving now to a pilot plant to prove up their intellectual property. If Hermal can take it from the pilot plant to the bigger factory, that would be an amazing revelation for the timber industry in Tasmania, especially, the plantation industry. Hermal continually says that they do not want conflict in Tasmania's forest. They do not want forestry to be on the front page of papers in Tasmania all around the state.

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

FOREST PRACTICES AMENDMENT BILL 2018 (No. 61)

Second Reading

Resumed from above.

Dr BROAD (Braddon) - Madam Speaker, I was talking about the exciting future of the forest industry and the project the Hermal Group is proposing. This is a fantastic opportunity for Tasmanians to further value-add to the plantation estate, lead the world in technology and have something we can all be proud of.

The idea of cross-laminating eucalyptus, especially plantation eucalyptus, gives the strength to potentially build very tall buildings with cross-laminated panels. One of the exciting things about their project is the concept of prefabricated housing. The external panels and plastering are already in place, the wiring is already done, you put the panels together, stick a roof on and you have a house. Their idea of delivering a cross-laminated timber product and potentially delivering a whole

house and using that as an export market to the Middle East is exciting. They are determined that it will only be based on plantations and certified timber.

The industry has had challenges over the last 10 years. The disappointing thing is that history is, a lot of times, mischaracterised and politicised. When we look at the past of the timber industry, it gives us some indication of what we should be doing about the future. This bill is about the future of the forest industry and that is why we are supporting it. If we go back in time and see the massive expansion of managed investment schemes all around Australia, especially by the two companies, Great Southern Group and Timbercorp, but also Gunns. Gunns was a player in the managed investment schemes, putting plantations all around the country and heading a massive expansion in Tasmania. The global financial crisis and the resulting credit squeeze in around 2008 resulted in what was, in effect, a Ponzi scheme.

Great Southern and Timbercorp had very generous prospectuses. They were assuming continued growth in the export markets for wood chips. I have seen graphs in their prospectus of increasing revenue, especially in the Japanese market. It did not bear reality. A former colleague of mine did a presentation at a plantation forestry conference and was howled out for demonstrating that their projections of massive price increases in the Japanese market did not bear with the trends that were currently present in the market. What we saw towards the managed investment schemes was a Ponzi scheme. They were paying out their earlier rotations of plantations from the income coming in. They were topping up. The yields and the prices were not there. In order to keep more money in, they had to do as you do in a Ponzi scheme, to pay the previous owners of managed investment schemes with the money coming in. What brought this all to an end was the global financial crisis, which also pulled up other Ponzi schemes like the one created in the US by Bernie Madoff.

Timbercorp and Great Southern collapsed in 2008 and Dr Jacki Schirmer's long-term assessment of jobs in the forestry industries will show there was a massive reduction in plantation expansion when Great Southern and Timbercorp went broke. All the roads, plantations and planting and so on stopped. There was an investment drought in the forest and plantation industry as a result of the global financial crisis unwinding the managed investment schemes.

Jobs in those regional communities were lost when managed investment schemes collapsed. That was not the state Labor government's fault. The current Government has made much effort, and successfully so, to blame Labor for many things but the collapse of the managed investment schemes was not Labor's fault. It was the GFC, and the Ponzi scheme in place, and there is no doubt those jobs were lost. But the collapse of the managed investment schemes was the cause of those losses.

After the global financial crisis, we also saw massive appreciation in the Australian dollar. Around the time of the global financial crisis, the Australian dollar was around 70 cents. What we saw from mid-2008, in a rapid expansion into the middle of 2009, was a massive appreciation of up to 80 cents. This had a massive impact on export markets. We are an export-orientated market, especially in the timber industry. We export the vast majority of our product and that had further impact on things like the woodchip market. In 2010, we saw continued pressures on the forest industry, resulting in Forest Enterprises Australia going under and receivers were appointed. Again, jobs were lost. Labor should not be blamed for the collapse of Forest Enterprises Australia. From then on, until 2011, there was a massive increase in the Australian dollar, up to \$1.10. As an export-oriented market, there was a huge mining boom and that mining boom drove a massive increase in

the Australian dollar. Tasmanian Labor cannot be blamed for that massive increase in the Australian dollar, which put enormous pressure on an industry already under enormous pressure.

There was also market pressure from the Greens movement. Combined with massive financial pressure, due to tightening markets and plantations and estates from around the world coming online, massive pressure was put on the export markets, especially in woodchips. We saw huge pressure on Tasmania's biggest player, which was Gunns. Gunns decided they were going to try to put all their eggs in the pulp mill basket. That was their way to go because they saw that value-adding was their only option. Their potted history could be debated at length and it was. In 2013, we saw Gunns being liquified but, along the way, the Triabunna mill shut in 2011. The Triabunna export facility was shut and it was sold by Gunns; a private corporation sold that export facility to private interests. It was not the government that sold it.

I have some *Hansard* excerpts. The minister continually tries to implicate the state Labor Party in the sale of Triabunna. He blames Labor for a private sale of that export facility and that is a lie. It was not a state-owned facility and it was not the government's to sell. It was sold by Gunns, a private enterprise. Gunns sold it to a private interest in a private transaction, which was not the government. That myth is still perpetrated by the Government and this minister, who did so only a few weeks ago, as *Hansard* captured it, blaming Labor for the sale of Triabunna. During this disaster, when the industry was literally on its knees, the industry came to government with a proposal. It was a difficult proposal that was uncomfortable for everybody. An agreement came out of the ashes of the industry that was hard fought, fraught and resulted in political turmoil. Indeed, it resulted in people losing their seats in parliament. To a certain extent, we are still seeing the legacy of that because of the politics. People do not want to move on from this difficult past and continually bring it up in a way that does not reflect its true history.

A compact between environmental groups and the industry came out of it. A point that is continually missed is that the industry signed up to the agreement, as did the environmental groups. There is no doubt that there are people in the environmental movement who still do not support the history. The Bob Brown Foundation is one example that would never be satisfied. It continues to try to become relevant again and is really struggling. We saw in the last state campaign that they tried to be relevant but nobody was listening. That is because the compact established during those very difficult times has held. That is the key thing.

The compact between the environmental groups and the industry, along with the massive injection of restructure money that was part of this agreement, changed the industry. Now the industry is on a growth phase for the better. We should be thinking about the future of the industry and not the past. The industry is 100 per cent committed that this compact has to hold. The industry is growing. There is a current investment but there are even bigger investments on the horizon, which are very exciting, as I have outlined. There has been further access available in the markets. It is unarguable that the peace has worked. Yet, despite the rhetoric that the Government has torn up the TFA, in reality there have been no policy changes. The peace that was hammered out under very difficult circumstances has held and the industry is recovering.

The plantation estate is at a point where we need to be encouraging it. We need more trees going into the ground. The way to get more trees in plantation estates in the ground is for the industry to have confidence that there will be no conflict, that the compact will hold. Somebody who is about to make a 15- to 25-plus year investment, depending on the timber that is put in the ground, can be reasonably certain that we are not going back to the barricades. We will not go back

to the politics of the past, which pitted environmentalists against industry and tried to divide Tasmanians into pro-forestry and anti-forestry.

This is an industry that can make us exceedingly proud. If you look at the benefits of the sustainable timber industry in terms of carbon capture and environmental performance, it is far better than concrete and steel. There is an amazing future for the timber industry in terms of structural timber and also bioplastics. There is a whole bunch of things that are really exciting about the future of the forest industry and we need to embrace it. That is why we need further improvements in the management and the regulation of forestry. That is what this bill does.

We do not need petty politics like we saw in question time and in the MPI today, harking back to create the divisions of the past. We have a government that is continually looking for a wedge and the Greens are increasingly looking for relevance. That is probably one of the biggest issues.

Dr Woodruff - So, it's all the Greens' fault.

Dr BROAD - It is not the Greens' fault. What they are doing is looking for relevance. The Greens know that one of the outcomes was the peace agreement, which was probably not foreseen by the Greens at the time. The peace agreement and people holding the peace agreement has meant that the Greens have not had much to complain about. They do not have their long-term issue. They are struggling to pump up the tyres on other issues. They have had a whole series of people in the party whose sole reason for being in the Greens has been all about conflict in forestry. That is why the Greens continually want to pump up the tyres on continued conflict in forestry. They need to rebuild their party.

Dr Woodruff interjecting.

Dr BROAD - We saw that after the last election the member who is interjecting only scraped in on a few votes. The bubble has burst on the Greens. The party has lost its major vote attractor, which was conflict in the forests. The forest peace deal has really harmed them. There is no doubt that this is the reason the Greens want to see conflict. They want to see a debate.

Dr Woodruff - Give us some confidence that you are not going to back the 356 000 hectares. Stick to the Forestry Agreement and there will be nothing to talk about.

Dr BROAD - In the MPI the Greens member, who is currently interjecting again, was trying to say, 'What is Labor doing?'. She was trying to fester some political capital here for a bigger play because there is a federal election coming up. They are trying to insert themselves by creating another issue in the forest industry. The Government plays along with that.

The federal Labor opposition, hopefully soon to be government, committed to no new reserves when they were in Tasmania earlier this week. Nobody should have any appetite for new reserves. We are not interested in new reserves; the compact has to hold.

In a year or so there will be a debate about the future potential production area. We need that compact, the agreement between the environmental groups in the industry, to hold. We need to balance the tensions that are building up, rather than go back to the barricades. The industry does not want that; the industry wants investment certainty.

The forest industry is not like growing any other crop where you can plant your potatoes in October and harvest them in March. When you plant trees, the management of that asset means that it is a 12-, 15-, 25-year investment. You are putting a lot of effort and a lot of capital in the ground upfront so you need some certainty. If we go back to the barricades, if we have a government that is successful in driving a wedge in, or we have a Greens party that, through its efforts to be relevant, creates a conflict, then we will have an investment drought in plantations especially and also in massive projects like Hermal. We will become an investment pariah because people will not put the money in place.

We have to have some certainty for the industry and the certainty for the industry is peace. It is not going to the barricades; it is not scoring cheap political points. It is not, 'He said, she said', 'What are you doing? What are you up to?' Nobody is interested in new reserves. Maybe there is going to be some horse trading down the track. I do not know, but we should not be discussing that today.

Dr Woodruff - What does horse trading mean?

Dr BROAD - A discussion will be had about the future potential production forest. Whoever came up with that name? It is a tongue twister. We have areas that the industry and the environmental groups may have a discussion about, but that is not up to us. That is up to the industry and the environmental groups. We can have that debate at a later time.

We have no appetite for new reserves. I will make that statement again. The peace has worked, the industry has recovered and the industry is heading more towards diversification and value-adding. How did this all come about? The other thing the government is loath to talk about is the impact of the jobs and growth packages. As the member for Franklin, Mr O'Byrne, highlighted in the MPI, there are a number of Liberal members who are more than happy to cut the ribbons but very loathe to acknowledge that this money came about purely because the restructure packages, the result of the forest peace plan. There are many projects that we should be proud of that are diversifying our economy and the state has taken advantage of that.

The other thing that happened - if you see the graph I have in front of me - is that from about March-April 2014, when the Government assumed power, the Australian dollar went from \$1 to 75 cents within the space of six months. The incredible luck of the Australian dollar plummeting by 25 cents in the period of six months which massively increased the ability of Tasmania's forest industry to compete on the world market cannot be understated, the dumb luck that happened because of the massive decline in the Australian dollar. You cannot argue that this was the Liberal Government in Tasmania that made this massive drop - approximately 25 cent drop - in the Australian dollar over a short period of time which coincided with the Liberals coming in. It was extraordinary luck. If you see the graph you would see this extraordinary piece of luck. The Australian dollar has held low and that has massively changed the ability of Tasmania's forest industry, and indeed all Tasmanian products, to compete in the world market.

Part of that restructure package were grants, which are having a huge effect. There were grants such as \$8 million to SERS Sheetmetal for construction of a new workshop. That has created massive jobs in south Burnie. They are involved in new projects and are trying to seek projects in the Australian military. That all came about because of the machinery they purchased from money that came from the forest peace deal. It is incredible, and the foresight of it, and the amount of money that was put into the Tasmanian economy as a result of the investment that was brought

forward by that, coincidentally also started coming on line when the Government came in and they were the ones who managed to cut all the ribbons as a result of the timing.

Spreyton Fresh got a cider brewing facility and so on, and it is good stuff. Costa Exchange had a funding commitment of \$1 million and we know that Costa Exchange is still expanding around the state. That was money well spent. I do not hear the Government talking about this other side of the equation. They only talk about the jobs that were lost. I would argue that the vast majority of those jobs were lost because of things like the collapse of the managed investment schemes, and Jacki Schirmer's statistics will show that is exactly what happened. It is not the fault of government.

There has been recovery in the Tasmanian economy, especially in things like manufacturing - for example, Haulmax in Burnie also received \$3 million for prototype development of specialised machinery for the Australian surface mining market. They are doing really good things. That investment has led not only to an increase in capability but has led to things like their ability to build buses and so on. It is these sorts of investments that have helped the economy. Huon Aquaculture received \$3.5 million to value-add at their facility; I believe it was for their smoking facility to smoke their salmon at Paramatta Creek. It was forestry money that did that. That is an amazing legacy of the previous government.

SFM Environmental Solutions received \$5 million for hydrowood. Hydrowood is an amazing example of not only innovation but it is also about recovering a resource that was previously lost. It is a resource that is untapped. Forestry restructure money got that project off the ground. I do not think I have ever heard in this place an acknowledgment from Government about these sorts of investments, especially in the forest industry. Ta Ann's Smithton plywood mill received \$7.5 million. That mill is operating and continues to value-add with rotary peeling. We do not hear about that.

There is the Dial Blythe Irrigation Scheme. We have heard members opposite talk about irrigation. Irrigation is a game-changer and another of Labor's legacies, an amazing legacy where both state and federal Labor governments put in place a massive investment that created the Midlands Irrigation Scheme and others. The current member for Montgomery has taken advantage of the Dial Blythe Irrigation Scheme. I know she is one of the participants in the scheme but I do not think I have ever heard her acknowledge that that scheme is on her property because of a restructure in the forest industry and the investments from state and federal Labor governments that delivered to her property the Dial Blythe irrigation scheme. The irrigation scheme she is currently taking advantage of was a direct result of the restructure in the forest industry and the package that state and federal Labor governments put together.

Britton Timbers, for example, expanded their processing facility; they received \$1.19 million for that. It was crucial investment in Smithton where along with the Gunns collapse they shut down the mill in Smithton. What has happened since that? Britton Brothers have taken up some of the slack, but the facility, the land where that Gunns mill was, now has a milk factory on it. From the ashes of the Gunns bankruptcy and their investment choices, their going down the road of not only managed investment schemes but also trying to put in the pulp mill - I draw your attention to the state of the House, Madam Speaker.

Quorum formed.

Dr BROAD - I will continue talking about the benefits to the economy of the restructure and the massive injection in restructure money that came as the result of the Tasmanian jobs and growth

plan. There were things like Sense-T, an amazing project that I think is still underway that brought world-first technology and intellectual property development to the state and a big injection of money to the university. We also saw Caterpillar underground mining's advanced manufacturing development receive \$5 million out of that package.

The result of these series of investments brought forward a number of projects and created employment. We do not hear about that in this place. The only thing we hear about when it comes to forestry and the history of forestry is about the political pain, the politics of it and the issues.

There is no doubt it was fraught. It was a very difficult process for everybody involved. There were long-term deep-seated hatreds that had to be put to bed as part of this process and there is no doubt there was a lot of political pain. People want to relive that. As I have highlighted we have a situation where we have the Government looking for a wedge and the Greens looking for relevance. We need to move beyond that. We need to take advances like we are seeing today.

The improvements in regulation can facilitate increased confidence in the market and increased confidence in the industry that is before us so that our industry can grow. We can have a plantation industry and a timber industry that continues to grow and continue the investment to create even more jobs. We have an industry that has risen from the ashes. It has had a difficult history. We need to look at the future and try to go back to the stage where we had a bipartisan approach to forestry, to allow the forest industry to grow again.

Time expired.

[3.00 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, I am pleased to speak on this bill. We will go into Committee because we have a few things we would like to talk about, the specifics of a number of clauses toward the make-up of the tribunal and some others. We have no problems in principle with including the expertise on the forest practices on the tribunal and the advisory council. Looking at the overall picture, you have to understand that the Forest Practices Authority is a creature of this Government. Fundamentally, the Forest Practices Authority is utterly governed by the principles, the policy directions and the commitment of this Government to go back into 356 000 hectares of highly biodiverse forests.

Mr Shelton - Are you questioning their ability to be independent?

Dr WOODRUFF - There is no doubt that bodies such as Forest Practices Authority -

Mr Shelton - That is a disgrace.

Madam SPEAKER - Order.

Mr Shelton - That is typical of the Greens.

Madam SPEAKER - Order, Mr Shelton.

Dr WOODRUFF - that work underneath this Government are affected because of the funding, because of the lack of money available to the Forest Practices Authority to allow them to do their job effectively. They are starved of the resources they need to do a proper job of enforcement. If we had a well-funded Forest Practices Authority, the sorts of things I am contacted about on a semi-

regular basis, with people in tears about the fact that illegal logging has occurred on properties and there is no-one to turn to. No-one gives a toss about that.

We have prime land that has beautiful forests with incredible biodiversity values. There were recent cases near Cygnet and people have contacted me. Tens of hectares were illegally bulldozed and nobody turned up. People talk about the ability of the authority to undertake the high level of assessment required in order to fully assess whether there are endangered species on a block of land that people want to clear. With the extent of plants and animals, the resources are not provided to the authority to do the work that they need to do. There are not the resources to check when illegal logging has occurred, to make sure the job has been done as it was said to be done.

The cultural direction of this Government is to go into forests and to unlock areas that were agreed under a forestry agreement to be set aside for reserves; 356 000 hectares was agreed over a three-year period. It was a long, very painful, difficult and complex process of looking in great detail at the quality of the Tasmanian forests and making independent scientific assessments, bringing people from outside of the state, academics with whole careers in forest carbon, wildlife, biology and plants. Those people assessed our forest, and for the first time we had information about the high quality of forests in Tasmania and an assessment of high conservation values. Definitions were put in place that had never existed, and work was done in Tasmania that had never been done before. It gave us information about which areas were of particularly high conservation value.

The agreement was made that 356 000 hectares of forest should be put aside into a permanent reserve estate because of their high conservation value, because they provide the place for plants and animals to live and ecosystems to remain intact. These are ecosystems that provide us with water, air quality, soil, plants and animals that exist nowhere else on this planet. They are in an intact state, for the very beauty and intrinsic value they have as well as what is called ecosystem services they provide to us humans. On the basis of that, the agreement was made. Under a Greens government, the Forest Practices Authority would be able to undertake the work they do with more money toward enforcement, more money toward monitoring, more money toward the assessment process and the monitoring of what is done on properties where forest practice plans are provided.

The minister said the key objective of the Tasmanian forest practices system is to achieve sustainable management of public and private forests with due care for the environment. Looking at those words 'with due care', it is clearly an afterthought in the minister's sentence because this Government and this minister show wilful disregard for the sort of care we need to be taking of our carbon estate. We have a planet that is rapidly moving toward a level of global warming that has already tipped over to an increase of more than 1 degree in the average surface temperature since the long-term record began. According to the United Nations, we are on a trajectory to be more than 1.5 degrees warmer than the long-term record within 10 years, to be 2 degrees warmer than the global record by 2030. Unless we do something very urgently and very seriously by 2050, it is predicted that we will have more than 3 degrees locked in, and this is something that is cumulative. It has a life of its own. It is like a balloon. There is only so much carbon the atmosphere can take up and the temperature rises once it reaches capacity. We desperately need to keep those carbon sinks intact for our planet.

We are already filling up the oceans. They can only take so much heat and they are doing so, and what we are seeing is sea level rise. It is happening, and the predictions of the amount of sea level rise we will see in the next 20 to 50 years are truly concerning. The predictions of 10 centimetres, 20 centimetres talked about 10 years ago - when I did some work for the IPCC as

an epidemiologist, which was about 15 years ago, I remember they seemed like comfortably far-off time frames and comfortably small numbers. People were very complacent about that. When you are talking about 10 centimetres, 100 centimetres, it does not seem like a huge amount, especially when you are talking a century away. What we are hearing now is that the Antarctic ice sheets and the rate of melt of Greenland is much greater than we ever expected. There was no idea at all that the Antarctic ice sheets were at the risk they clearly are and there was no indication that it was possible for the Greenland ice to melt as fast as it is.

The sorts of predictions that we are seeing now are far greater than tens of centimetres. They are more like tens of metres. Those sorts of figures are a wake-up call for the planet, Madam Speaker, and it is a wake-up call for us in Tasmania. It means we have to respect the value of the carbon estate that we are custodians of and that 356 000 hectares - the World Heritage Area and the reserve forest that we protect - are so valuable, not only for their intrinsic value and the beauty of the plants and animals that live there and nowhere else on this planet, but because they provide us with a very important service that we are coming to understand is really essential for human life and survival, and that is locking up carbon.

Madam Speaker, 'with due care' really has to mean the care of the carbon in the trees that we manage, the care of the biodiversity in the forests that we manage and the care of attending to how a forest practices plan is signed off, how it is checked, on what basis it is made, and how much money goes to the appropriate experts who can do the work in the right time, to the right level of detail and take enough samples. When you go to a block of land where a person or a business is proposing to clear it, there is much work that needs to be done to ensure the unintended consequence is not going to be the loss of significant habitat for birds like the swift parrot, which we know need not just nesting trees but trees that flower at the right time for food.

What we understand now is that on the east coast of Tasmania those trees do not all flower at the same time in the same place. Some flower in the south-east in one year and parts of the northern east coast will flower in other years, and some of them will only flower in the southern forests in other years. There is a patchwork around the state; it is a mosaic. Trees are not ordered in a way that humans can predict. You only have to look at what is happening with leatherwood flowers. The leatherwood trees have been reducing their flowering in recent years and only 10 per cent of leatherwood trees flowered last summer - a very small number - and we are bumping along the bottom of a sustainable honey market because of the loss of trees through bushfires and increasing temperatures. What this says is that we need to pay real attention to supporting the bodies that do the science, monitoring and assessment to make sure that the decisions being made are being made with the right people, at the right time and in the right level of detail.

I want to make a few comments about Dr Broad's contribution. It is clear that he has a pretty unusual idea about the forest industry. I agree with his snapshot of history. It certainly was the case that the forestry agreement came on the back of a sustained period of downturn in the global woodchip market and the reason for that - there are many reasons for that - is that it nose-dived at the end with the global financial crisis but fundamentally the quality and quantity of Tasmanian woodchips is not good enough and big enough relative to other exporters in the market.

The space for Tasmania in every area, including the forestry industry, is high quality; it is not high volume - we can never be that player. We cannot compete with Norway on salmon, we cannot compete with South America on woodchips, and we should not want to. It is beyond our ability and it demeans the very values we trumpet as things we love and celebrate. Those values are about being clean and green and those values are as a state about humanity and community.

Dr Broad was right in talking about that, but I am not comfortable with the fact that Labor has not made a strong statement about continuing their support for the forestry agreement. It is not good enough for such a significant agreement, an agreement as Dr Broad said that was made with great stress and a lot of pain. Hard decisions were made. It is not okay for the Labor Party to hide from their real position. We need a strong statement about the 356 000 hectares, because at the moment Labor is doing what Labor always does, which is use weasel words so they can sit on the fence and go whichever way the wind blows them.

The people of Tasmania want to know about not just any new reserves but those forests, the 356 000 hectares that the Liberals have committed to knocking down as soon as they can get their hands on them. The Labor Party has to make a strong statement about those forests, because those are the forests that people worked so hard to make the hard decisions about, where all that scientific assessment was done, and they were determined to be the forests with high conservation value. These are the forests of the Styx, the Weld, the Florentine, Middle Huon, Picton, Butlers, Mount Field, Bruny, Tasmania Peninsula, parts of the east coast, parts of the Great Western Tiers, parts of Dove River, parts of the north-west and parts of the far south.

The Tarkine is a beautiful place. I had the joy and privilege of spending a week walking there a couple of weeks ago over Easter and it showed to me how little we value the things that are the most precious in the world. This is an area which, of all parts of Tasmania, deserves to be reserved on a permanent basis for the planet to enjoy in perpetuity. It is an extraordinary part of Tasmania. It has the wildest beaches and the wildest coastal landscape I have ever seen. These are the sorts of places that the Liberals should be valuing if they really want to take due care of the environment because that environment is like no other.

There are quite a number of questions I would like to ask about the process in the -

Quorum formed.

Dr WOODRUFF - We will ask some questions in the committee stage about the composition of the proposed changes to the Forest Practices Tribunal and the advisory council.

We have no problem with any attempts by this Government to improve their management in any part of forestry because it is, in most areas, abysmally low. The shining light has been the Forest Practices Authority. That is something we would continue to support, provide resources for and provide a structure which enables it to do the work it does, free from political interference, and free from a culture which endorses going into prime high-conservation-value, high-biodiversity, high-carbon-rich forests for logging potential. That is the sort of thing the Greens are here to try to achieve.

[3.21 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - As Minister for Primary Industries and Water and member for the Lyons electorate, and a proud member of the Government, I am keen to support this bill. I thank the Minister for Resources for her leadership in bringing it forward. It highlights the backing of the Hodgman Liberal Government for forestry and the forest industry in Tasmania. It highlights many of the good things we are proud of in Tasmania. We have rebuilt the forest industry and everything that goes with it.

In this Chamber we are surrounded by timber. We are at timber desks made from beautiful Tasmanian specialty timbers. We have Tasmanian blackwood and Tasmanian Huon pine. The

chair Madam Speaker is sitting in was sculpted and made by William Peter Briggs from Tasmanian blackwood in 1851. It was presented as a gift to Sir Richard Dry, the first Tasmanian-born Premier and the first Australian-born knight. There was a special recognition of Sir Richard Dry in the Long Room at lunchtime today. We are pleased and proud to be standing in a Chamber like this. It highlights one of Tasmania's great special interests and comparative advantages, that is our timber, our forest industry. We are proud of it. We are proud that over the last five years we have helped regrow and rebuild that industry.

I take the opportunity to thank the officers in the Chamber today for their work behind the scenes. They have worked with this Government under the instruction and leadership of the Hodgman Liberal Government to deliver a very comprehensive best practice forest management plan for Tasmania, for Australia. We are proud of what has been delivered. All this is on the back of the Labor-Greens chaos and decimation of the forest industry for so many years, particularly those last four years when 10 000 jobs were lost across the economy and some 4000 jobs in the forest industry. Two out of every three jobs in the forest industry were lost. They were thrown onto the unemployment scrapheap.

It was fascinating to hear from Dr Broad, the forestry spokesman, who is supportive of the Tasmanian Forestry Agreement. He was talking about it and lauding it in his contribution in this Chamber when people on the other side should be hanging their heads in shame.

Quorum formed.

Mr BARNETT - As I was saying, I do not think the Labor Party has any idea of the consequences of pain and suffering that was meted out across Tasmania, particularly the rural and regional communities where people in that industry were thrown on the unemployment scrapheap. We still have members in this Chamber from the other side lauding the Tasmanian Forestry Agreement as the so-called 'peace deal'. They have not learnt their lesson. History will repeat itself if we do not learn from history. That is as plain as the nose on my face. The forestry spokesman for the Labor Party is making it clear that history will repeat itself. They will do a deal behind closed doors with the Greens yet again. The federal minister said yesterday, 'There will be no more lock ups. However, we still support the principles of the Tasmanian Forestry Agreement'. Yet they say, 'no more lock ups'. Unfortunately, those in state Labor are not able to say that. Can they say those four words? No. More. Lock. Ups.

They are on the other side and they cannot say it. It is shameful and sad. You are so forlorn. You are part of the coalition of chaos that was and could be in the future. I do not think that will be the case because the Tasmanian people said, 'No, let's rip them up. Let's get a majority Liberal government in'. That is what has happened. We have ripped them up. That is part of history. We have learnt from history. We are now rebuilding the industry.

I remind those in the Chamber and those on the other side that the member for Franklin put up a hopelessly weak case earlier today about how wonderful his time was as minister for economic development and how he developed the economic development plan for the Labor-Greens government between 2010 and 2014. What happened? Ten thousand jobs were lost under that plan. Let us remind ourselves who the peace deal was with. It was with Julia Gillard, for federal Labor, and Bob Brown. So, you have Labor-Greens federally. Then what do we have at the state level? Lara Giddings and Nick McKim, Labor-Greens. So, we have Labor-Green federally and the state Labor-Greens signing the deal. Guess what happened? That was signed on exactly same day David O'Byrne signed and released his economic development plan for Tasmania. How about that?

You have a document outlining how Labor and the Greens are going to put in place lockups across Tasmania. They did the deal behind closed doors. Then they released it to the public. Yet we still have a member representing the Labor Party coming into this Chamber saying how good that deal was, in locking up so much of Tasmania and throwing people onto the unemployment scrapheap. It is a disgrace.

The honourable member mentioned Gunns and Triabunna. We have 25 million reasons why that was such a disgraceful deal done behind closed doors yet again, using taxpayers' money to close down the Triabunna Chip Mill and the Triabunna port.

Members interjecting.

Mr BARNETT - That was a disgraceful decision and you know it. What has happened since? What about the Greens? The biggest donor in Australian history - \$1.6 million to the Australian Greens. No wonder they want more lock ups and nothing else to happen.

What has happened over there at Triabunna? Not much. What did he promise? A \$50 million development. What has happened? Not much, very little. The people are still waiting from 2010. It is now 2019; nine long years on the back of this \$50 million development. We know the deals that get done behind closed doors. They should hang their heads in shame.

Yesterday's deal put up by the federal Labor forestry spokesperson, Joel Fitzgibbon, shows that he is backing the TFS and saying the principles are still the same. Guess what the Tasmanian community's response was to the federal Labor forestry spokesman when he said, yes, we want to support the principles of the TFS? The response from the Tasmanian Wilderness Society was to welcome the announcement. This is the TWS and this is the body that wants to lock up more of Tasmania. They know federal Labor cannot be trusted. At least the Greens are consistent. I commend the Greens for being consistent. They want to lock up more of Tasmania, but you have federal Labor, you have state Labor and you know they will do a deal. It has been welcomed. This so-called national forest policy has been welcomed by the Tasmanian Wilderness Society. Come on, read my lips. The Wilderness Society, on behalf of the Greens, is welcoming the federal Labor forest policy. What a shame and what a disgrace.

The Greens want another 10 per cent of Tasmania locked up - 680 000 hectares. Yes, that is exactly right, they want the Tarkine national park turned into a world heritage area. What will that mean for the mining industry? A thousand mineral deposits, that is what it means. That is what is locked up. You have eight current mining leases, you have \$150 million of value that is locked up over that 20-year period. You have \$250 million worth of forestry value locked up over that 20-year period, not to mention the impact on the recreational land users. Surely, people can see through the Labor sham. That is what they are putting forward to the Tasmanian people and I hope and I believe they will see through that in the north-west coast, in Braddon. Gavin Pearce is a person who supports the forest industry, for and on behalf of the Liberal Party in Braddon. Unfortunately, the Labor member has been caught out because it has been welcomed by the Wilderness Society. Read my lips. People know. They can see through that.

That brings me to the Regional Forest Agreement, because I was in the Senate at the time. That was one of the first pieces of legislation I had the honour of speaking in support of and it was passed. What that means is resource security. They were cheering in the gallery because it was hard won, the Regional Forest Agreement, a 20-year rolling agreement. I had the pleasure of being with the Premier and the former prime minister, the former minister for forests at the federal level, signing

the next 20-year Regional Forest Agreement. That locks in resource security and the opportunity to grow with confidence. Yet, under the federal Labor plans, be concerned because they want to bring in more environmental red tape and regulations with the involvement of the EPA.

Richard Colbeck, the senator for Tasmania, has made this very clear. He is worried and he should be, as should the industry. I have identified how good wood is. I have often said wood is good and there is nodding around the Chamber because they know how proud I am because wood is good. It is recyclable, sustainable, renewable, and it is the ultimate renewable. We can be proud of it and we are. Under this Hodgman Liberal Government, led by our Minister for Resources and the Premier and everyone on this side of the Chamber, we are pleased and proud because we have brought production back. It is growing. We have our exports back and growing strongly. We have brought jobs back and they are growing as well.

There has been reference to the Hermal Group. This is great. CLTP in Burnie is very encouraging. This is value-adding downstream processing. I had the opportunity to catch up with Ron Goldschlager a few weeks ago. I thank him for that investment and for that commitment to Tasmania. He is so committed to Tasmania. The vision and the plans are big and significant and the opportunities are substantial.

I conclude by referring to the commitment to Norske Skog in the Lyons electorate in the Derwent Valley. The state Government has committed \$1.5 million to Cyrene development. It is backed by the federal Liberal government as well. It is encouraging, forward thinking and visionary. Again, it is all because wood is good. We are using wood for different reasons and purposes. This is almost the ultimate of value-adding. We hope those studies and research, the pilot program, will come forward with new opportunities for Tasmanians. There is much more that could be said, but we are seeking world's best practice in our forest management practices. We have a lot of that in place and this legislation will simply take us to the next level. I am a pleased and proud member of the Hodgman Liberal Government to be supporting it.

[3.35 p.m.]

Mrs RYLAH (Braddon) - Madam Speaker, Tasmania's forest industry is alive and well. It is growing, expanding jobs, harvesting, regrowing and replanting. We need to do more to improve and expand the operations within the forest industry, in particular with the Forest Practices Act. This is what this bill is about and I commend the minister for bringing this bill forward. We need to make our industry the most sustainable carbon sequestering industry we have in this state and we need to make it world's best practice, as the previous speaker said. This bill is to improve governance and administration effectiveness and to provide further clarification on the intent of the act.

I was gobsmacked to hear my colleague and member for Braddon defame the independence of the Forest Practices Board -

Dr Broad - How did I do that?

Mrs RYLAH - I am sorry. I apologise. I take that back because I have said the wrong person. I withdraw.

Dr Broad - Thank you. I am glad we cleared that up.

Mrs RYLAH - Dr Woodruff, member for Franklin. Years of operation have shown that we need to improve the administrative effectiveness of this board. I have no doubt of its absolute independence in the way it operates. We need that in a growing and expanding forest industry. Over the last 100 years in Tasmania, we have shown the way to regenerate our native forests and our plantation the world. We have amazing scientific research in forest production, from our foresters in Ridgely down in the Huon, and all over the state. They are amazing people who did tremendous research on our forests. The reason why the Tarkine is so good is because of our foresters. I hate it when people say it is unique or it has nothing to do with it; it is because we have such good foresters. It is our foresters that have made the Tarkine what it is.

Dr Woodruff - Are you serious?

Mrs RYLAH - They are unique, beautiful forests. I mean that. It is our forests in the Tarkine that are the absolute recognition of the work of our foresters.

Plantation forestry has also blossomed under the Hodgman Liberal Government. Our challenge, as correctly identified by Dr Broad, is replanting and we need to get on with it. To do that, we need to have very clear operational practices for the Forest Practices Board and forest practices plans. This bill provides a number of administrative changes to help with that. It provides a consistent approach for the authority so that we have consistency with forest practices officers and that is important. Anybody involved with forest practices plans knows that ensuring consistency from our forest practices officers was a frustrating element of the past. I am delighted that we are bringing forward this bill to change that.

The forest industry offers to us jobs, opportunity and the strengthening of regional communities. Companies and jobs, like Forico, Pentarch, Ta Ann, Brittons, McKays, the Kelly Gang, CLGP and Hermal. I was there only a few weeks ago speaking with Chris Skeels-Piggins on their plans. While still in very early days, it is an exciting place and exciting to see what they are contemplating that they will be able to do.

These businesses are putting food on tables for thousands of Tasmanian families in regional communities. We need the forest practices plans to work better, more effectively and with consistency. I commend this bill to the House because it provides consistency with the provisions of the act and other legislation.

[3.40 p.m.]

Ms COURTNEY (Bass - Minister for Resources) - Madam Speaker, I welcome the support we have had around the Chamber for this bill, and the acceptance from most participants of the importance of the forest practices system we have in Tasmania. We should be very proud of it. It is something that predicates investment, it predicates confidence and it means that going forward we can have confidence across the breadth of our forestry industries.

I concur with Dr Broad's comments about the great investment we are seeing across industry, across the north and north-west, and it is exciting. The reason we have that type of investment is because people have the confidence to invest knowing that they have a majority Liberal Government here in Hobart supporting them. We saw that recently when our Government committed to industry that they could have access to the Hobart port into the future, making sure that southern foresters and people in the processing industry know they have the confidence to invest in the future, and the money that has been invested in TasRail as well to ensure that our forest products can get to market as efficiently as possible.

The forestry industry in Tasmania is very important, employing around 5700 people directly and indirectly, many in regional areas, and we know that forestry is at the heart of these communities. Many of these communities have been involved in forestry for generations so it is not just about the economic value, it is also about the social value, the social fabric of these communities, and the fact that forestry reinvests into these communities and is at the heart of many of them. That is why this Government is such a strong supporter of the industry and has a suite of policies to support it going forward.

I understand we are going into Committee from the comments of Dr Woodruff. However I would like to reflect on some of the contributions made by others. It was ironic that Dr Broad came in here concerned about the politicking around forestry and then proceeded to rant about our side of the parliament, which is somewhat unusual, and particularly talking about politicking when it was his side, indeed his federal Labor colleagues, who only yesterday backflipped, which seemed to be on the same day as the federal forestry minister and the federal opposition spokesperson for forestry were debating that very topic in Launceston. I do not think the irony of the timing of that was lost on anyone.

Dr Broad comes in here and suggests that our side is politicking but we have been firm on our policy. We have had a consistent policy for many years now and will consistently support the forestry industry, unlike the other side who will be opportunistic. We know they will do deals with the Greens. They have done it before. They have said they will not but they are not true to their word and the people of Tasmania know that. They know it here in Hobart and they also know in Canberra that a Labor government will sell their souls to go into government with the Greens and we all know what that means for jobs in regional areas. We have seen it before and we will see it again.

I was confused by Dr Broad's quite convoluted history lesson. While some parts were quite interesting it was not lost on me that in the whole history lesson Dr Broad refused to take any responsibility on behalf of his party for the part they played in the demise of the forestry industry. We know that there will always be global factors influencing industries, but for Dr Broad to somehow erase the hand that Labor played in the demise of the industry is absurd, to be honest. They partnered with the Greens, they locked up the industry, they eroded confidence in people to invest and they oversaw jobs decimated in regional areas.

We know it was not just across forestry. When they were in government, nine out of 10 small businesses thought the government was working against them, whereas in Tasmania now small businesses here are some of the most confident in Australia. We know that the colour of government can make a difference, so for Dr Broad to completely wash his hands of any kind of responsibility for the loss of thousands of jobs in regional areas, stakes driven into the heart of those communities, is devastating. It is an absolute travesty that he is unable to take any kind of responsibility. We know that the Opposition Leader has no regrets over the absolute demise of both communities and industry. The fact remains that when it comes to forestry, Tasmanians simply just do not trust Labor. We know that because they have changed their minds before.

We heard my colleague, Guy Barnett, reflecting on what has happened recently. With Tony Burke in there in Canberra as well, we do not trust Labor's word. Today, yesterday, they might be supporting the TFA federally but we also know that tomorrow they probably will not be. They will do anything they want to get back into government and we know they will do another deal with the Greens.

Unlike that side, we have provided a ministry with certainty. We provided certainty around the port, we have provided certainty around investment. We provide industry with the confidence to invest so we can see jobs being created across industry.

Dr Woodruff should be ashamed of the comments she made and the slurs against the ability of the managers, employees, the board and the advisory council of the FPA. To suggest they do not have the integrity to act independently is a shameful slur.

Dr Woodruff - Rubbish. Don't put words in my mouth. It's your responsibility for not providing the funding required to make sure they can do the work they need to do with integrity. They are professionals and you starved them of funds.

Ms COURTNEY - No, Dr Woodruff, you stood in this place and you said that this body somehow did not have the ability to make decisions for themselves and that this Government would somehow influence that. That is shocking and you should be ashamed of yourself. These are professional people who work with integrity, representing different industries on the advisory council and different sectors. These are people who go to work each day wanting the best outcomes and making sure that they are delivering as per the legislation that surrounds the entire establishment of the Fire Practice Authority.

Dr Woodruff - I've heard from plenty of them about the fact they don't have the resources they need to do the work that they have to do in a professional way.

Ms COURTNEY - Dr Woodruff, you should be ashamed of what you said because it is a personal slight on the people who have been involved. It was also frightening that you went on to say how the Greens would influence the FPA when you are government in the future. We have great respect for the fact the Forest Practices Authority has been going for a number of decades now and underpins the fact that we have one of the world-leading forest management systems in the world. It is disgusting that you would be so willing to undermine that and I think that is really unfortunate. You should know, Dr Woodruff, that the FPA is independent. You should know that they have no role in relation to FPPF land.

Dr Woodruff - You are prepared to court companies like Pentarch & Sons that has an appalling track record for human rights abuses and -

Ms COURTNEY - You come in here, Dr Broad, and make assertions -

Members interjecting.

Ms COURTNEY - Sorry, I meant Dr Woodruff. You cannot come in here and make unsubstantiated claims about companies investing in Tasmania and trying to create jobs. It is reprehensible.

Dr Woodruff - No, it is all on the global public record. We have asked questions in question time about it. It is clear who your corporate logging mates are and where your corporate logging interests are.

Ms COURTNEY - No wonder we do not want you in government. No wonder we do not want Labor to do another deal with you. You are the people who undermine investment in Tasmania. You are the reason that people do not -

Quorum formed.

Ms COURTNEY - I am also very concerned about the allegations Dr Woodruff made about illegal logging. If she is aware of any practices that are in contravention to the law, I encourage her to report those to the relevant authorities. The Government and I feel confident that the FPI would take it seriously. To suggest in here that it is not being taken seriously is slurring the reputations of people involved in this industry.

This was touched on by my colleague, Mrs Rylah, the member from Braddon. I am glad to hear she enjoyed the Tarkine. The Tarkine is a great multi-use area. We are committed to that and making sure we can continue forestry, making sure we can have mining and making sure that Tasmanians have access to it to enjoy it. Unlike that side, we want to retain the Tarkine as a multi-use area. We want to see forestry continue, supporting families and supporting communities, as it has done for generations. We want to see the rich mining industry we have in the Tarkine region flourishing in the future. It is an enormous area of job creation in regional areas.

While some of Dr Woodruff's comments were very concerning, I am pleased that we have support for this bill from the other side. It will strengthen the Forest Practices Agreement under the act. The forest practices we have in Tasmania underpin our forestry system. The people involved over many years have done so with integrity to ensure that we have a forest industry in Tasmania that will be strong for decades to come. As minister, I look forward to supporting the industry in continuing to invest and support Tasmanians across regional areas.

Bill read the second time.

FOREST PRACTICES AMENDMENT BILL 2018 (No. 61)

In Committee

Clauses 1 to 7 agreed to.

Clause 8 -

Section 18 amended (Application for certification of forest practices plan)

Dr WOODRUFF - I have a question about the period for which the plan is to remain in force, which is clause 8(a)(ca). Could you provide more detail of what sort of periods would be prescribed? Is this not done at the moment? Is there a possibility of extending the period? How does it work? I would like more detail.

Ms COURTNEY - Dr Woodruff, in terms of periods of time, this bill does not amend what is currently done. At the moment, it is done by an administrative arrangement. This is formalising what is currently done. At the moment, the norm is for FPPs to be done for five years; that is the convention, and 10 years for low impact forestry and quarries. This formalises current practice.

Dr WOODRUFF - Does that mean it is currently not specified? Or is it written into regulations but it is not written in the Forest Practices Plan itself? What is the difference between what this is doing and what has already been done?

Ms COURTNEY - In terms of the time length, this clarifies its expiry. At the moment, the act provides for an estimate but it does not clarify that there are time frames. This does not change the

practice of what the time frames are and how they are determined by the authority. Nothing has changed from practice. This is formalising the fact that the authority has the ability to set these time frames.

Dr Woodruff - Thank you.

Clause 8 agreed to.

Clauses 9 to 19 agreed to.

Clause 20 -

Section 37A amended (Forest Practices Advisory Council)

Dr WOODRUFF - My question is related to what 'a person with knowledge and expertise in relation to national heritage or cultural heritage' might be. They seem like such broad terms. Are those terms defined under the Nature Conservation Act? Or are they are nominated by the secretary of the department responsible for the Nature Conservation Act? I am trying to understand what type of expertise would be drafted onto this committee. It would seem to me that an appropriate addition to a committee like this would be a wildlife biologist, for example. There are many other people with academic or other forms of expertise that would be useful but that is the sort of expertise that I imagine that a committee like this would value. Could you please tell me what those terms cover?

Ms COURTNEY - Dr Woodruff, this amendment formalises as members the observers we already have. This is not looking at bringing in new people. Historically, my understanding is the person nominated by the secretary of the department is usually the general manager, looking after the Nature Conservation Act 2002. It is the person within the department with the specific expertise of that act who contributes that specific knowledge to the council.

Dr WOODRUFF - There is not going to be an addition of a person outside the department, an expert in either one of those fields. They are a public servant.

Ms COURTNEY - My understanding is this is not opening up a new position that will be advertised, as such. We have the representatives from the department and one of the people there at the moment comes with knowledge and expertise in relation to the Nature Conservation Act. This formalises the current arrangements. Currently, the council has senior representatives with their specific attributes and knowledge attending and participating in meetings. These people already attend the meetings. This ensures they are attending in a formalised capacity.

Clause 20 agreed to.

Clauses 21 to 25 agreed to.

Clause 26 -

Section 41 amended (Failure to comply with provisions of certified forest practices plan or Act)

Dr WOODRUFF - This comes to one of the comments I made in my contribution. Prior to this, the authority has been unable to direct people responsible for activities that contravene the act or a certified forest practices plan and to repair the land damaged as result of the contravention, at least to a sufficient level. The following issue is how much money goes to ensuring that work is done properly.

This specifically enables land that has been damaged to be revegetated or rehabilitated. That is a very long-term process. What is possible, what is intended, what will be regulated, and what will be proscribed to govern what that means? It is either a motherhood statement or it opens the possibility for real rehabilitation, revegetation. When damage has been done and people have acted in contravention to the forest practices plan, what will stop them doing it again? What is the incentive for good behaviour? What sort of teeth does this act provide and what sort of teeth is the Government going to provide to the Forest Practice Authority to allow them to stop people doing illegal things on land and stop people acting in contravention to forest practices plans? We know it happens. It has nothing to do with the authority. It is what some people do and the evidence appears from time to time and I hear about it. What do you have to say about how it is going to play out under regulations and in funding?

Ms COURTNEY - Dr Woodruff, the point of this clause 26, section 41 amended, is to make sure we have sufficient strength to ensure remediation occurs. This is the clause that helps the FPA, as you mentioned it, having the teeth to regulate activity. With regard to what needs to be done, this is not specified here. This is specified by the FPA on a case by case basis, which will specify to the person what needs to be done. They will define the requirements. It is often the requirement they will have to obtain their own forest practices plan at their own expense to remediate. If the person or the body is continually doing the wrong thing and, as you mentioned, if somebody is continually breaking the law, the Forest Practices Authority has no hesitation in fining and taking people to court.

Dr WOODRUFF - Ms Courtney, what are those fines? What is the scope of penalties if a person contravenes the act and fails to remediate or who fails to do the work?

Ms COURTNEY - Dr Woodruff, the authority has the ability to fine someone up to 1000 penalty units. In terms of the quantum of the fine, that is determined by the authority on a case-by-case basis, itself considering the scale and the nature of the breach. I know these fines can be quite substantial and they are used.

Dr WOODRUFF - Is that per action or contravention, or is it like a global cumulative 1000 penalty units for a person - if they did one action and another action?

Ms COURTNEY - Each would be discrete. It would not accumulate over your lifetime. If you breached the act in a certain circumstance then you are liable to up to 1000 penalty units depending on the nature of the breach. If a few years later you breached it again that circumstance would be investigated separately by the FPA and a determination made.

Clause 26 agreed to.

Clauses 27 to 32 agreed to and bill taken through the remaining stages.

Bill read the third time.

GREATER HOBART BILL 2019 (No. 11)

Second Reading

Resumed from 1 May 2019 (page 144)

[4.13 p.m.]

Mr GUTWEIN (Bass - Minister for State Growth) - Mr Deputy Speaker, I will begin where I finished last night when I provided an undertaking to the House to consult with the four councils in terms of the amendments proposed by Dr Woodruff. I can inform the House of those two amendments. One was to amend the proposed definition of 'transport infrastructure' in clause 3 to include reference to pedestrians and cyclists, and the second amendment was to clause 5 which lists the Greater Hobart Objectives to expand paragraph (b) from 'to facilitate the effective flow of transport in the Greater Hobart area' to include reference to the safe flow of transport and improved equitable access to transport and to reduce emissions.

The feedback we have received today is that there is a consensus view to support the making of an amendment to clarify that the infrastructure associated with the transport of pedestrians and cyclists is captured within the scope of the bill. What I would be proposing is to move an amendment in Committee.

Regarding the second amendment, the feedback received today reflected a range of views. We do not have consensus on the second amendment but nobody is arguing against your intent. Therefore what I would be proposing is that post this debate and before the bill arrives at the upper House the Government is prepared to commit to consulting with all four mayors. The Hobart City Council is very comfortable with your amendment but in terms of the other three councils, they all seem comfortable with the intent but want to understand whether there are any consequences of where this might be placed in the bill. I do not have advice on that as yet. What we are proposing in terms of the second amendment is that we would consult with the four councils between the bill leaving this place and arriving at the upper House to see if we can arrive at a suitable amendment to deliver the intent of what is proposed.

Dr Woodruff - Minister, did you have a conversation with all four councils?

Mr GUTWEIN - My office did, and in fact the department has.

Dr Woodruff - All four councils have had some engagement?

Mr GUTWEIN - All four councils. In fact on leaving this place last night, the Department of State Growth emailed at that time to all four councils and has interacted with all four today.

Dr Woodruff - Thank you.

Mr GUTWEIN - I provide a commitment in terms of the second amendment that we will engage and see whether an amendment can be crafted that meets the intent without any unintended consequences. It would be my intention then to bring forward that second amendment in the upper House should that be the case. It would also be useful to have an engagement between yourself and our offices at State Growth to ensure that your intent is clearly understood. I think I understand what you want to do but it is to make certain we are all on the same page. With that, I commend the bill to the House.

Bill read the second time.

GREATER HOBART BILL 2019 (No.11)

In Committee

Clauses 1 and 2 agreed to.

Clause 3 -
Interpretation

Mr GUTWEIN - As I just explained, after consulting with the four councils, they are comfortable with an amendment to clause 3. I believe the amendment has been circulated. I move -

That clause 3 be amended in the definition of 'transport infrastructure', after 'transport' insert 'or the movement of pedestrians or bicyclists'.

Dr Woodruff - Minister, could you read that again, exactly what it is. Transport infrastructure means?

Mr GUTWEIN - After transport, it would now read, 'means infrastructure to enable road, rail, water or air transport or the movement of pedestrians or bicyclists'.

Dr WOODRUFF - I am very grateful for the efforts that the minister made to get collaborative agreement on this. I am very happy with that wording. I believe it captures the intention that we were trying to capture. That is great.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4 agreed to.

Clause 5 -
Greater Hobart Objectives

Dr WOODRUFF - The Greens foreshadowed an amendment in the second reading debate, but the minister has now given his commitment to have the conversations and to seek suitable wording along the lines of including the idea of the safety of the flow of transport to improve the equitable access to transport and to reduce transport emissions.

That is the intention of what we wanted. It would be great to be involved in that conversation with the department with the four councils. I look forward to making it clear what we are thinking, if there is any lack of clarity. I think it is pretty clear, but I am happy on behalf of the Greens to take carriage of that. I thank the minister for doing that work.

Mr GUTWEIN - I thank the member for the Greens for those comments. I think it is fair to say that as it is written on the page: to facilitate the efficient and safe flow of transport; to improve equitable access to transport; and to reduce transport emissions.

I do not think you will have any argument in terms of intent.

It is a matter of understanding where in the bill, importantly, and this is between you and the department to establish exactly what you would like to achieve. Then we can have those discussions, subject to those discussions. If there is consensus we will move an amendment in the upper House and we will proceed there.

Clause 5 agreed to.

Clause 6 agreed to and bill taken through the remaining stages.

Quorum formed.

Bill read the third time.

ELECTRICITY SUPPLY INDUSTRY RESTRUCTURING (SAVINGS AND TRANSITIONAL PROVISIONS) AMENDMENT BILL 2018 (No. 64)

Second Reading

[4.27 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

The purpose of the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment Bill 2018 is to clarify Hydro Tasmania's ongoing obligation to supply water to entitlements holders along the Lake and Ouse rivers under Division 2 of Part 4 of the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995.

A legislative process to clearly define the water rights of riparian landowners on the Ouse and Lake rivers and determine Hydro Tasmania's associated water supply obligations came into effect on 6 July 2011 with amendments to the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995. Prior to 2011, section 16 of the act required Hydro Tasmania:

To make available to the owners of land to which this section applies water reasonably required for the irrigation of that land from the beds of the Lake River and the River Ouse and the channels of the Lawrenny irrigation works that have continued in existence since 1 November 1957 or earlier.

The amendments in 2011 were made to achieve two key outcomes. First, to provide relevant landowners with a contemporary, properly specified water access entitlement under the Water Management Act 1999 or Irrigation Clauses Act 1973, thus meeting the Government's obligations under the National Water Initiative and to provide those landowners with certainty regarding the statutory nature of their water entitlements. Second, it defined the amount of water that Hydro Tasmania would be required to make available to relevant landowners, thus providing certainty to Hydro Tasmania, an important point, particularly as the water resources involved are its most valuable.

The process that came into effect in 2011 provided for the amount of water to be made available to relevant landowners to be determined by agreement, or by arbitrated award if agreement could not be reached.

Hydro Tasmania has negotiated agreements with all relevant landowners on the Ouse and Lake rivers to quantify the amount of water required. However, in determining the process for fixing the amount of water by order, a legislative drafting error became apparent. The current wording of the act means that the obligation on Hydro Tasmania to make water available to the 'entitlement holders' essentially continues until their death. In addition, the act currently provides that Hydro Tasmania's obligations to make water available to the original entitlement holder will continue to exist, even if such a person transfers their relevant water authorisation.

The bill I present today clarifies that Hydro Tasmania must make water available from the beds of the Lake River and River Ouse to every person who held riparian land in 2011 or persons to whom land has been transferred or novated. In addition, this bill clarifies the period during which an agreement between an entitlement holder and Hydro Tasmania could be made.

Once this bill has been enacted, the Minister for Primary Industries and Water will then be able to approve orders under section 16D of the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995 to fix the amount of water Hydro Tasmania must make available to riparian landowners and the Lawrenny Water Trust.

The water entitlements under the order will be based on the agreements that have been made with Hydro Tasmania and will be formalised as either water access entitlements under the Irrigation Clauses Act 1973 or Water Management Act 1999. This will provide certainty to both entitlement holders and Hydro Tasmania regarding water that is obliged to be made available from the Ouse and Lake rivers.

Entitlement holders will benefit by having fully tradeable entitlements that constitute a capital asset that does not presently exist. This contrasts to the present situation where, whilst Hydro Tasmania makes water available, it retains ownership of the access entitlement to that water.

Mr Deputy Speaker, the Government fully supports the introduction of this bill.

I commend the bill to the House.

[4.32 p.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, I indicate the Labor Party's support for this bill. It is obviously off the back of Labor legislation introduced in this House in 2011 which clarified the relationship and the management of water from Hydro Tasmania to landowners on the Lake and Ouse rivers. Clearly the error needs to be resolved and the loophole closed to provide surety to the landowners and to ensure that in Hydro's relationship with those landowners there is a transparent and equal negotiation and partnership in terms of ensuring the water continues to flow under the existing arrangement and that they become fully tradeable in the eventuality of a sale or transfer of ownership.

Mr Barnett - Where you the minister in 2011?

Mr O'BYRNE - No, that was Bryan Green. With the work that Labor and now the current Government are following up on in terms of irrigation and at various points in time getting access

to water rights, it would be good for the minister to clarify something. It is very clear in terms of Tas Irrigation the hierarchy of surety in which who gets what call at various times: environment, hydro, landowners and those sorts of matters. It would be good for the minister to explain the surety arrangements in these cases and how that is managed under these arrangements given it is a negotiation or arrangement between a government business enterprise and private landowners about the resource. I seek some clarification from the minister on that.

Having said that, this is clearly one of those pieces of legislation which resolves a loophole and gives full effect to the original intent of the legislation that the then Labor government passed through both Houses in 2011 and it therefore has our support.

[4.35 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, we support this bill. We are always happy to fix a legislative loophole once identified. These things happen.

Anything to do with water rights and the allocation of water is within the frame of this resource is becoming scarce on the ground but falling with greater volatility. It is more difficult to predict when water is going to fall and how much water will be in these rivers. It should be noted that any water rights for agrarian landowners in the Ouse and Lake Rivers ought to be reassessed, as ought all water rights in Tasmania, under the lens of the new predictions for water fall in Tasmania, which are evolving. We need to be abreast of the changes.

The Tasmania Fire Service has updated and undertaken a substantial reassessment of the risk of bushfires and has made some big changes in their knowledge, understanding and practice of fire management and firefighting because the seasons are changing and the period for bushfire is lengthening, unfortunately. The Tasmania Fire Service has made some big adjustments and is on board with the reality of the changing climate.

Similarly, Hydro Tasmania, in a briefing I had with Hydro probably three years ago after the energy crisis, made it pretty clear they are also fully abreast of the changing climate. How can they not be? It has a direct impact on the amount of water that flows into the catchments. The pattern of water fall across Tasmania is changing enormously and it is no longer the case that Hydro could be confident these dams will fill at certain times and to certain levels, as they have done in the historical period. Hydro has made a 10 per cent downgrade in their estimate of water that will flow into the catchments and that is a big adjustment. I expect the minister, as the minister responsible for water rights, is looking at the long-term planning for reassessing water rights, reassessing the amount of water flowing into the catchments and making sure that environmental flows are being properly addressed. I would like to hear the minister's views about the allocation of this important and scarce resource.

The situation in south-eastern Australia demonstrates how we can reach that very dire place where we do not have the environmental flows. The consequent changes to plant life around the edge of rivers, to the fish and other animals in the rivers can be massive. In the case of the Murray-Darling River it has been totally devastating with the loss of species and to people's cultural heritage and farmers who rely on the water, who rely on the trees that live on the banks of the water to survive; water is life. Without water, we are nothing. It is important that we plan for the future and changing water allocations.

I cannot go past this opportunity to ask the minister to explain whether that concern about water rights, transparency and the just allocation of water that underpins the purpose of this, which is to

fix the process to ensure it happens in that way, is also being applied to the Prosser River. The east coast of Tasmania is in extremely low rainfall. It is very dry. Water restrictions are happening. Mr Deputy Speaker, you know that very well as a member for Lyons.

At the same time, we have an application made on behalf of Tassal Operations Pty Ltd, Glamorgan Spring Bay Council and D F Turvey, the property owner, to vary a water licence, which was approved by the previous minister. The purpose of that application for a new water licence was, as the applicants described, 'to apply for a water allocation from Tea Tree Rivulet for the taking of water into a proposed 3000 megalitre storage dam'. The applicants said -

Tassal are currently undertaking an expansion of their salmon fish farming activities into the Triabunna region. Tassal are proposing to construct 3000 megalitre storage on Derek Turvey's property on Tea Tree Rivulet near Buckland. It is likely that the development proposed by Solace at Louisville Point near Triabunna will also take water from this water resource for their requirements. At this stage, Tassal are applying for the full water allocation but a percentage of that allocation may be transferred to Solace in future. The likely annual usage demand from the dam will be around 1000 megalitres. However, due to the need to have a very high reliability of supply, 97 per cent of water will need to be carried over from one year to the next so a modelled dam capacity of 3000 megalitres is likely to be required. A dam assessment is currently being undertaken and all necessary requirements will be submitted.

This goes to the heart of the issue about water allocations, who gets who have rights and who gets them first. On what basis could that possibly be approved by the minister? Right now, residents are on water restrictions and farmers are struggling to find enough water on the east coast of Tasmania. On what basis do we in this state make decisions about water allocations? TasWater provided a briefing note about the proposed Tea Tree Rivulet dam at Buckland, principally the one that Tassal has put the application in for, and they raised some serious concerns about the conflict, the inherent tension between being able to ensure residents would have access to water and the ability for that private commercial operator to have access, to give them surety of access.

There is no problem with having private operators having access to water. That is the basis of productivity in the agricultural sector and everywhere else, but we have to triage the priority of where water goes. Can the minister tell us how is it possible that the concerns of TasWater have been properly dealt with in relation to the Prosser River water, which is coming from the catchment at the top? The dam will be at the top.

TasWater was concerned at the loss of catchment yield and concerned that they would need to separately provide for more bulk water storage for long-term water security to Orford and Triabunna. They made the point that because no pipeline is proposed from the Tea Tree Rivulet Dam to the Lower Prosser Dam, the water losses in the river-run transmission will result in significant uncertainty and inaccuracy in water quantity measurement and consequent inaccuracies in user-pay charges.

These are serious concerns. These are the sorts of things that people who are on water allocation get very litigious about. There are tensions with other users who are already there who are already drawing from the Prosser River but they will now be downstream of this dam.

TasWater was also concerned that because no pipeline was proposed for the Tea Tree Rivulet Dam to the Lower Prosser Dam the water level had dropped to critical levels during the 2006 to 2009 drought. Any further third-party extractions from Lower Prosser Dam storage will only exacerbate an already critical drought situation. They stated that because the consortium appears to have not used life-cycle costing, the costs of the Tea Tree Rivulet Project will significantly increase when changing to life-cycle costing and it may change the feasibility of the project.

That particular project stinks on so many levels. It has yet to get a final approval from the federal government under the federal environment minister in relation to the Environment Protection and Biodiversity Conservation Act, and the major loss of swift parrot habitat trees that are involved in clearing land, to put the dam in the Twamley's property at Tea Tree Rivulet near Buckland. Were it to go ahead it opens up a huge can of worms for people on the east coast who are already staring down the potential of an incredibly high drought summer with an El Niño this year. We are already in a dry place; little rainfall is expected. We need to have confidence that the Government is looking ahead and is doing the modelling to investigate.

We know that water will not flow with the same patterns so we need to understand how the patterns are going to change and where. The work that Hydro Tasmania has already done in this area shows quite clearly that the patterns of rainfall across Tasmania will change. The work the CSIRO and the Bureau of Meteorology have done also shows clearly that there will be winners and losers in the changing climate across Tasmania.

When it comes to water allocations, what is the Government doing to assess them on a river-by-river, catchment-by-catchment basis, so they can prioritise the needs of existing residents and water users over new players who want an allocation of water?

[4.49 p.m.]

Mrs RYLAH (Braddon) - Mr Deputy Speaker, I support the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment Bill 2018. As the minister outlined, the purpose of this bill is to clarify Hydro Tasmania's ongoing obligation to supply water to entitlement holders along the Lake and Ouse rivers under division 2 of part 4 of the Electricity Supply and Industry Restructuring (Savings and Transitional Provisions) Act 1995.

In 2011, amendments were made to the act to clearly define the water rights of riparian landowners on the Ouse and Lake rivers and determine Hydro Tasmania's associated water supply obligations. As the minister outlined, the current wording of the act means that the obligation on Hydro Tasmania to make water available to the 'entitlement holders' essentially continues until their death. This means Hydro Tasmania's obligation to make water available to the original entitlement holder, will continue to exist even if such a person transfers their relevant water authorisation. This is an unexpected outcome from this bill.

The amendment clarifies these matters and will ensure that Hydro Tasmania must make water available from the beds of the Lake River and the River Ouse to every person who held riparian land in 2011 or persons to whom that land has been transferred or novated.

In addition, this bill clarifies the period during which an agreement between an entitlement holder and Hydro Tasmania could be made. The amendment will provide certainty to both entitlement holders and to Hydro Tasmania regarding water that is obliged to be made available from the Ouse and Lake rivers. Importantly, this also means entitlement holders will benefit by having fully tradeable entitlements that constitute a capital asset that does not presently exist. Being

able to trade water and having the capacity to trade a water entitlement is very important to agricultural land.

Irrigation is tremendously valuable. We have seen that throughout the state. It has been brought up repeatedly today with regard to the irrigation schemes that we are now seeing being delivered in tranche 3. Tranche 1 and tranche 2 are out there. Tranche 3 is starting to happen under the Hodgman Liberal Government.

Water and its judicious usage for agriculture, power, production, households, environment and for industry is complex and very important. Just on 8 per cent of our agricultural land is irrigated. That small percentage of agricultural lands produces 50 per cent of agricultural production. As you can see, our brave, significant target to increase our agricultural production to \$10 billion by 2050 requires and needs the judicious use of irrigation to increase our production. We need to ensure that the competing needs of people for water is well managed.

Farmers particularly in my area see enormous value in the Duck River and the potential for the Don, Flowerdale, and Harkness rivers. Everyone is seeing the potential for rivers and irrigations schemes because they understand the value that has been created in agricultural land. It has benefited from the irrigation schemes in Tasmania.

This irrigation scheme we are talking about in this bill, on the Ouse and Lake rivers dates back quite a long way. There are issues within the bill and its irrigation districts that need some tidying up. These amendments are needed now. Given the wording of the act under which these water entitlements sit, there is an obligation on Hydro Tasmania to make water available to entitlement holders. As mentioned earlier, this is not effective when we consider the transfer of land. People who may still be alive but have passed their land on to their family or sold their land. It is a redundant and unnecessary outcome of the drafting of the bill.

The act currently provides that Hydro Tasmania's obligations to make water available to original entitlement holders will continue to exist, so we need to change that. Amendments proposed in this bill will clarify that Hydro Tasmania must make water available from the beds of both of these rivers to every person who held riparian land in 2011 or persons to whom that land has been transferred. This is contemporising for modern estate planning, land sale and transfers, which occur quite frequently in this day and age.

Further, we need to have consistency. Consistency with national water initiatives is absolutely imperative. Under the National Water Initiative water access entitlements are to be exclusive, tradable, enforceable and recorded in a publicly accessible water register. These existing rights on the Ouse and Lake rivers do not specify the quantity of water, nor are they separated from land and therefore they are not tradeable. What this bill does is create an asset. The intention in the original bill in 2011 was to provide certainty to relevant landholders regarding the statutory nature of their water rights. With this bill, once these proposed amendments become law, the National Water Initiative consistent water rights can then be formalised and that will be of great benefit to the riparian land owners on these rivers.

The initiatives that are being created through the value of entitlements is something that must not be dismissed. The National Water Initiative values now well recognise that water is of tremendous value to agriculture. Hydro Tasmania meets these irrigation water supply obligations on these rivers through releases from a variety of sources including from the Great Lake, Woods Lake, Arthurs Lake and releases via the Poatina and Cluny power stations. To meet the unexpected

future demands it is expected that the amount of water sourced annually will be as follows. For Hydro Tasmania's supply obligation to the Lake River there will be 10 000 megalitres from the Arthurs Lake, 15 000 megalitres from Woods Lake and 40 800 megalitres from Poatina power station. For Hydro Tasmania supply obligations to the Lawrenny Irrigation Scheme there will be 5200 megalitres from the Cluny power station and for Hydro Tasmania's supply obligation to the River Ouse 18 300 megalitres from the Great Lake and nearly 3600 megalitres from the Cluny power station.

Presently approximately two-thirds of the maximum water allocations are being used. As an indication on potential values, the current summer prices for Hydro Tasmania from Great Lake is \$177.41 per megalitre. The largest individual amount of water taken on the Ouse River is approximately 3960 megalitres per annum, giving an annual water value of approximately \$701 000 per annum. The current summer prices for Hydro Tasmania water from Woods Lake or for water released from the Poatina power station is \$22.25 per megalitre. The largest individual amount of water taken on Lake River is approximately 6100 megalitres per annum, giving an annual water value of approximately \$137 000 per annum. Other landholders are taking far less water than this.

These entitlements will be able to be traded. I do not see a lot of trading but there is a lot of talk with farmers about how to trade, when they will trade and whether that opportunity will be available. I think it is really important that we are contemporising these old bills to ensure they can also trade like the modern schemes that are in place today.

What happens if these entitlements are traded? Entitlement holders will hold a tradeable water access entitlement on which a volume of water will be specified. The volume will be as agreed and conferred through a ministerial order as the volume of water to be made available to the entitlement holder by Hydro Tasmania. The holder of the entitlement is able to trade the entitlement in its entirety or partially, anywhere that is hydrologically connected - that is, a pipeline or a stream - and with the approval of the water entity.

Hydro Tasmania's obligation to make the water available against this entitlement is limited, however, on the Ouse and the Lake rivers. What we are trying to do here is make available something like the tradeability of water so that we can have water used in the best places, the most productive places and where we need it for all of the many uses water gets applied to.

Do they need to be consistent with the validity made under water entitlement agreements? Yes, they do. This is a lot about consistency and conferring an entitlement to landholders, fixing the amount of water to be made available to the entitlement holders and covered in the entitlement agreement. It is important that these agreements are consistent.

What I have seen, particularly with the Circular Head irrigation scheme because that is the one that has been part of the previous term of government and where the farmers were applying and so we have seen the whole process through to the opening of the scheme only what seems like a few weeks ago, is a new life to farming. It is changing land use and changing farmers from thinking, particularly in the Circular Head area, only of grazing land predominantly, where cropping was very limited to dry land cropping or where those farmers that had sufficient capital had been able to build their own dams and irrigation schemes. It has really opened up opportunities and what I see when I talk to these farmers is we are getting some very innovative ideas coming forward.

I am hearing people talking about things that they have never talked about before, or certainly not on the scale that they have talked about before - different crops, different ideas about utilising

water - but the trading of water is also really important and I can see that landowners as they get older are seeing that the trading of their water rights is a way they can farm their land less intensively and transfer their water to someone down or up the pipeline to enable them to continue to live on their land, still generate an income and provide opportunity.

I have also seen the opportunity talked about where they can pass this on to their younger family who are perhaps buying a smaller block of land that was not around or did not take up the opportunity to join the Duck scheme, and they are already talking about looking at expanding on this scheme and they could attach additional land and make an opportunity.

That, along with the loans we are providing to young farmers, is really opening up some opportunity for young people to enter agriculture. We all know that the age of farmers is something of a concern and we need to lower that age, but there are many challenges for farmers being able to enter agricultural land and have sufficient water in this day and age.

I know that the Liberal candidate for Braddon, Mr Gavin Pearce, and Leonie Hiscutt, the member for Montgomery, are both strong supporters of our water scheme and without them being in place we would not have the opportunities. It is really important that people understand the strength under the Hodgman Liberal Government and under the Liberal Governments, nationally. It is very important that people support these candidates in these upcoming elections to ensure we expand our irrigation schemes, deliver water and make sure we can continue to grow opportunities in irrigation.

The important effects of irrigation and the difficulties in creating old-fashioned irrigation districts is not something to be dismissed. I have been through the experience. In the Duck scheme many people were talking about creating a different irrigation district and the complexities of trying to do that was unbelievable. It is really important that we support these changes and contemporising of these old acts. We create water entitlement assets for farmers and we enable the transfer of water with assets that fit with the national water entitlements. I commend this bill to the House.

[5.06 p.m.]

Mr SHELTON (Lyons) - Madam Speaker, I rise to speak on this bill and the great efforts put into the amendment to overcome the original bill that had some technical issues. I will talk about the irrigation industry and where we are. The Lake River is in my patch. It is right next door. I have had things to do with Lake River and I reiterate the good work put into irrigation over the years. I can only compliment the Opposition. Back in my day, when I was mayor of Meander Valley Council, I recall the first meeting with Bryan Green over the Meander Dam and the efforts put into that first dam, which allowed this whole irrigation system we have in Tasmania to take place. Jenny Dornauf was on the original Meander Dam committee and Greg Hall was a great supporter of it in those days. It took a lot to put it through. It was the first in-stream dam that was used and the only one since then.

Mr Barnett - Hear, hear, and you were the mayor.

Mr SHELTON - I was the mayor of Meander Valley Council and I had a number of trips to Canberra.

Mr O'Byrne - Backing in strong Labor leadership.

Mr SHELTON - Yes, Bryan Green and David Lewellyn contributed a lot to irrigation over the years, along with this strong Hodgman majority Government. We are now in tranche 3, with a commitment in this federal election of \$100 million from the federal government and the state has committed \$70 million.

The first irrigation scheme was put through when I was going to school in 1974; the Cressy Longford Irrigation Scheme. It was before this last iteration. I do not know which government was in power then.

Mr O'Byrne - It would have been Reece.

Mr SHELTON - It was in the early 1970s and my father-in-law worked on the scheme. I will portray to the House tonight how things have evolved since then. When that irrigation scheme went in, it was questionable. People were billed for the water that came through their place and they said things like, 'We will never, ever use the water, it is always going to be a problem to us, we have this annual bill and we do not use any water out of it', and so on. Then, when the wool crashed in 1988, the people in the Cressy-Longford area had water available and the young farmers took this opportunity and started cropping and it was a saviour. It was not appreciated by many when it was first put in, but it was a saviour of the district when wool crashed in the late 1980s and early 1990s.

Not a lot of irrigation was in place, from the Lake River or the Ouse River, but through some very good negotiation between the owners of the property and the Hydro, they had this water right that indicated to them they could have as much water as they needed to irrigate their property. There was a need in 2011, because of the changes to irrigation rules and transportable licences, to put in a process to overcome that initial issue. Now it is as important, as my colleague from Braddon mentioned, for those rights to be tradeable. They have an asset they can trade rather than it being connected to a person or permanently to a property. There is a limited amount of water, the water trading process takes place and the water cost is variable.

I will declare an interest: my brother and I own a property at Bracknell and we have brought water rights in the Whitemore Scheme. My brother runs a farm and he is flat out irrigating in the summer. I know the benefits of water.

I mentioned my father-in-law and he purchased a little fuel business in the mid-1980s. He was operating it for another guy: that person retired and he bought the business. I was a mechanic at the time, working on this old Bedford TK with a 3500-litre tank on the back of it. He went to Devonport about two or three times a week in order to bring fuel back to the Cressy area. It was not a full-time job. My brother-in-law purchased the business from my father-in-law. One has retired and the other operates the business and they are running three trucks and moving 18 000 litres to 20 000 litres. They have a trailer on the tank so they could possibly bring back about 35 000 litres and they do that three or four times a week. That is all due to irrigation, agriculture and the efforts put in by farmers and the use of fuel in the tractors and irrigation. It is critical to the agricultural sector that we make sure we have this right.

I will reiterate the good story about irrigation and agriculture, but I will touch on a couple of points. That is, the Meander Dam and environmental flows. Unfortunately, the member for the Greens is not here. When I was mayor of the Meander Valley Council, the environmental flow of the Meander Dam was all the talk because without any additional flow in the river in the summer, it ran down to a slimy trickle at the end of the Meander River down by Carrick and Hadspen. There was not very much irrigation taking place out of the Meander. That dried up in the summer and it

has been indicated that it had dried up in the past. Now, with the Meander Dam, there is an environmental flow. We were at the Mitchelson's place not so long ago talking about the land care funding -

Mr Barnett - Ian Mitchelson.

Mr SHELTON - He is seventh generation, with his son, involved in that property and with plenty of water flowing past. The river is very clean and has good environmental flow. It is so clean that they are running platypus tours in the Meander River by Deloraine.

One of the comments about the Meander Dam back then was from the ex-Greens member who said there will not be one spud generated from the Meander Dam. I was at Ian Mitchelson's property and he dug out 750 tonnes of spuds in the last season. People can make that calculation at about \$300 per tonne as to how much it is worth to that property and to the state. The potato diggers are running flat out around the country and it is a tremendous industry, which would not happen without irrigation.

I concur with all the good thoughts and stories that are put into irrigation. I support this bill. It is there for a good reason. The farmers, through irrigation, do a fantastic job for our community in growing that asset.

[5.15 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Madam Deputy Speaker, I thank all those who have contributed to this important bill and shared their thoughts and views. I would like to respond to those. It was encouraging to hear the important contributions because they have been positive.

The member for Braddon and I were recently at the Duck Irrigation Scheme opening with David Littleproud and Senator Colbeck and many of the local community. There was positive feedback on that. A few days before that the North Esk Irrigation Scheme was launched, a very good value-adding downstream processing scheme. It is a terrific outcome for rural and regional communities all round Tasmania.

The bottom line is that this is one of our great strengths in Tasmania. We have 1 per cent of Australia's land mass, 13 per cent of Australia's water. It is a comparative advantage. It is good news. In terms of our investment in irrigation, over previous governments of different colours and persuasions, we can be proud of that effort. Yes, 8 per cent of our agricultural land is irrigated and it is delivering more than 50 per cent of our agricultural output. It is encouraging. It is one of our great assets; we have a comparative advantage and we want to make the most of it.

This bill states how all that is balanced up. Tranche 3 was mentioned. Mark Shelton, my colleague and friend and member for Lyons, talked about the Meander Dam. It is a very important project. I was around at the time as a senator. He was leading the way as the mayor for the Meander Valley Council. It is a very important project. It took extra-long to get up and going but we got there. We are backing it to the hilt. I thank the Morrison Liberal government for its \$100 million commitment to the next phase of tranche 3, delivering five irrigation projects and backed up by, thanks to the leadership of Jeremy Rockliff, our Deputy Premier, \$70 million on the table. If all projects get up, then \$114 million extra income is coming through to the Tasmanian economy, particularly to the agricultural sector with thousands of new jobs. It is good.

I want to address the queries. Mr O'Byrne, member for Franklin, was asking about the assurity with respect to irrigators and the water supplied to Tas Irrigation and what levels they were. Then I will address the queries and concerns expressed by the member for Franklin, Dr Woodruff.

In terms of the current water restrictions and flood takes, when there is insufficient water available to look after the rights of all users, restrictions are implemented. You can understand that; it is important. Water is liquid gold. It is not just flowing from heaven every day and there is not an abundance at all times. Of course, there are restrictions from time to time.

The long and the short of it is that the lowest priority use is restricted first. It is followed by the second lowest priority use, if water resources levels continue to decline and so on. That is how it works. Generally, the highest priority is given to domestic use and stock use, followed by water for our ecosystem and environment protection. That is very important. Then it is water licences converted from old registered rights and Hydro Tasmania and irrigators. They are down the list somewhat if insufficient water is available. Then irrigators and other commercial users are sureties five and six. There is a level; a system is in place. It has been in place for some time. As Minister for Primary Industries and Water I get pretty regular updates about restrictions on certain rivers, particularly during the summer. It is important to stay on top of that. It is a very fair question; it is a fair response. It has to be carefully managed.

I wanted to touch on the rural water use strategy. A month or so ago I launched the Rural Water Use Strategy at the Grand Chancellor in Launceston and spoke about its rollout and the development of the rural water use strategy. In the lead-up to the state election last year the Government announced a policy to develop a rural water use strategy. It has four principles.

1. Guide Tasmania's future water management arrangements;
2. Ensure integrated fair and efficient administration and compliance;
3. Deliver water security for farmers and irrigators; and
4. Manage Tasmania's water assets to achieve sustainable outcomes in a changing climate for agricultural growth the environment and rural communities.

This is particularly important. The heart and soul of much of Tasmania is the rural and regional communities. You know that, Madam Deputy Speaker, and other members from all colours and persuasions in this parliament know it as well. These are likely to deliver the benefits to both government and to licence holders and to be realised through improvements in the administrative processes, modernising the legislation and the technological advances. That is what is intended. I made it clear at the meeting that we will be engaging with the internal and the external stakeholders, with all those rural and regional communities around Tasmania. That is the plan and that is what we will be doing. It is forward looking. I am glad that we are on track to do that.

The National Water Initiative is an important initiative signed up by the government in the early 2000s. I was in the Senate at the time. It is being reconsidered now. Our Government has a very active role in that space. On 31 May 2018, the Government released the Productivity Commission's report. The response to it was 5 April 2019, less than a month ago. In fact, it was my birthday; a special day in the year.

Members interjecting.

Mr BARNETT - Thank you very much for that. As I was saying to my wife the other day, I feel like I am still in my prime or approaching my prime, so watch out, Mr O'Byrne.

The report acknowledged that Tasmania has made a very significant progress in implementing the water reform and meeting its obligations under the National Water Initiative. That is very encouraging.

I will now address the concerns expressed by the member for Franklin, Dr Woodruff. I understand where you are coming from. I do not agree with the views that you expressed earlier in question time, and not just in this place but in other places. I understand the Greens are consistent in their views with respect to the salmon industry; they do not support the industry, particularly on the east coast. They have expressed concerns about the Twamley Dam and the Prosser Plains Raw Water Scheme.

TasWater is working with the Glamorgan Spring Bay Council on the project to ensure the security of the local drinking water supply on the east coast. This is their project. It is their plan to supply raw water from the lower Prosser Dam to Louisville Point and beyond via a series of pipes and pumps. The water will come from the proposed Twamley Dam or Hobbs Lagoon and will only have access to the amount of water released from these sources. The scheme will not use treated water from the Orford water treatment plant. That is the advice I have received specifically from TasWater.

I made it clear earlier in question time, but put it on the record again in this debate, that the Government supports the salmon industry 100 per cent. We do not back away from that and of course Tassal is an important part of that, particularly on the east coast regarding Okehampton Bay. I respect again the views of the member for Franklin, on behalf of the Greens, which is different from the Government.

With regard to the Prosser raw water scheme, I am advised that the department has not received an application for the proposed Twamley dam at this time; it has not received federal government approval. I mentioned that this morning and it is on the public record. As recently reported, construction of a pipeline from the existing Prosser River dam to Orford to service a number of properties has commenced but that is a commercial matter for the parties and the Glamorgan Spring Bay Council. They are entitled to do that and they want to get on with the job. They are progressing the development of a new water storage in the Prosser catchment. I understand that is what they planning to do and they are demonstrating leadership in that regard. The new Twamley Dam will supply the council's proposed Prosser Plains Raw Water Scheme. I am advised that the department has not yet received that application.

The views of the Greens, particularly on that matter, is clear. I expressed my response earlier in question time. It is not directly relevant to this bill but it is a fair question in and around the bill. I want to place on the record my sincere thanks to both the Labor Party and the Greens for their contributions and indeed my colleagues, the member for Lyons and the member for Braddon who made positive contributions in support of the bill. I acknowledge that and thank them for it.

Dr Woodruff - Minister, apologies for interrupting. Through you, Madam Deputy Speaker, I am sorry, I was out of the Chamber briefly. I do not know if you already answered my other

question about whether the department is doing any forward modelling of water allocations with regard to the changing climate and water conditions.

Mr BARNETT - The department does a lot of work and research and analysis in terms of water management. We have the rural water management strategy that is rolling out that will be developed in consultation with the internal stakeholders and external stakeholders and the rural community. By the middle of this year there will be opportunity for the public to have a role in that. There is a lot of research done. I am happy to take that question on notice and get back to the member with a more considered response, but certainly at a high level the department does a lot of good work and that research and analysis is done. I am happy to respond more fully in due course if the member is happy with that response.

Dr Woodruff - Thank you.

Mr BARNETT - I thank all members for their contribution.

Bill read the second time.

Bill read the third time.

SENTENCING AMENDMENT (ASSAULT OF CERTAIN FRONTLINE WORKERS) BILL 2019 (No. 18)

Second Reading

[5.30 p.m.]

Mr FERGUSON (Bass - Minister for Police, Fire and Emergency Management - 2R) - Madam Deputy Speaker, I move -

That the bill be now read the second time.

This bill fulfils the Government's election commitment to reintroduce legislation to require courts to impose mandatory sentences of imprisonment for serious assault of certain frontline workers. From the outset I acknowledge the work of Attorney-General Archer in developing this refined legislation which I have carriage of.

Offending that results in serious bodily harm to frontline workers is unacceptable. Frontline workers provide essential services to our community and the community as a whole has an interest in ensuring their safety. Frontline workers are routinely confronted with dangerous situations from which they cannot walk away. They deal with people who are affected by alcohol and drugs and who are experiencing heightened emotions.

The physical and psychological harms created by violence, to individuals and to the community more broadly, are well documented. Frontline workers are not immune to the serious harms that result from violence. Physically, serious violence can result in severe pain and temporary or permanent disability. Psychologically, victims of violence are at an increased risk of depression, anxiety, PTSD and suicidal behaviour. There are also economic costs associated with violence. Victims may be unable to return to their work. There are personal and community costs and

consequences associated with such violence, as well as the cost of medical treatment of victims of violence and the investigation and prosecution of offences.

Sentencing laws must, as far as they can, serve to denounce violence and provide protection for frontline workers who are routinely placed in dangerous and potentially violent situations. It is against this background that the Government has tabled the Sentencing Amendment (Assault of Certain Frontline Workers) Bill 2019.

Mandatory minimum sentences of six months imprisonment already apply, because of section 16A of the Sentencing Act 1997, to offenders convicted of an offence that results in serious bodily harm to a police officer while the police officer is on duty, unless there are exceptional circumstances. Section 16A has been in force since 2014 and it has been considered and applied in the Supreme Court of Tasmania.

This bill extends the existing provisions of section 16A to cover the following further categories of frontline workers:

- ambulance officers;
- correctional services officers; and
- medical or social services officers.

Clause 4 of the bill inserts new definitions into section 16A of the act and I will now detail several of those definitions.

The definition of 'ambulance officer' covers both professional and volunteer ambulance officers within the meaning of the Ambulance Service Act 1982.

Correctional officers, probation officers, and State Service officers and employees who administer community correction programs and monitor home detention orders are included in the definition of 'correctional services officer'. The definition of 'correctional services officer' in the bill is broad and encompasses a wide range of people employed and involved in corrections in Tasmania.

The definition of 'medical or social services officer' covers nurses, midwives, medical orderlies, hospital attendants and child safety officers. 'Hospital' has been defined and the definition covers both private and public hospitals.

New subsections 16A(10) and (11) define the circumstances in which certain frontline workers are taken to be on duty. These new subsections have been inserted to ensure that frontline workers are taken to be on duty for the purposes of section 16A in a wide range of circumstances.

Existing provisions of section 16A will continue to apply, meaning that mandatory minimum sentencing provisions will continue to apply for offences that result in serious bodily harm to police officers.

The existing provisions of section 16A will also continue to mean that mandatory minimum sentences will only apply when an offence has resulted in serious bodily harm to a frontline worker. Section 16A will not apply when harm caused to a frontline worker by an offence is relatively minor.

Section 16A will also continue to have no application if there are exceptional circumstances. The phrase 'exceptional circumstances' has been interpreted to mean circumstances that are out of the ordinary course, unusual, special or uncommon. Where such circumstances are found to exist, there will be no requirement to impose the mandatory minimum sentence of six months imprisonment.

This bill is part of ongoing efforts by the Government to ensure the safety of frontline workers in Tasmania. The community expects frontline workers to be able to carry out their duties safely. It is in the interests of the entire community that the important functions carried out by frontline workers continue.

The Government will continue to review and monitor these provisions if passed into law, with a view to possibly extending them to further categories of frontline workers in future.

The amendments contained in this bill are important steps in ensuring that frontline workers can carry out their duties with every protection that the law can offer.

I commend the bill to the House.

[5.35 p.m.]

Ms HADDAD (Clark) - Madam Deputy Speaker, this is similar to legislation attempted in 2016 and, as we heard from the Minister for Police, Fire and Emergency Services explained in the second reading speech, will extend the current mandatory minimum six-month sentence for assaults on on-duty police officers to certain other frontline workers, namely ambulance officers, including volunteers, child safety officers, correctional officers and others employed under the Corrections Act, nurses enrolled and registered, midwives, hospital attendants and medical orderlies. The second reading speech contribution also makes it clear this could be extended to other frontline workers or other workers in the State Service.

It is important to note this is not a new charge offence. It is a new sentencing offence available to a judge or a magistrate only for use after three elements have been satisfied: that the offender has been found guilty and convicted; that the victim had suffered serious bodily harm as a result of the offending behaviour that the person has been convicted of; and that the person was on duty at the time of the injury that constituted serious bodily harm. Then and only then would the mandatory sentencing provisions be open to the judge or magistrate to use. Even then there is also, as we heard, the safeguard of exceptional circumstances. If exceptional circumstances do apply to the offender or to the conditions of offending in the judges view, they are not required to apply the mandatory minimum. The reason I repeated these words is to explain to the Chamber that it is clear in the drafting of the bill that there are very narrow circumstances in which this would come into effect to be used.

In 2016, targeted and public consultation took place with a number of legal, health and other representative bodies who represent workers concerned in the drafting of this bill, many of whom were not supportive of implementing mandatory minimums. The reason I explained the narrow effect of the potential application of the provisions in the bill is by no means to imply that I am supporting the bill. I do not support this bill because we have a long, well-known and recently well-publicised history of opposing mandatory sentencing schemes, no matter what the class of offences they are attempted to be applied to. The reason I raise that it is very narrow in its scope is in an attempt to highlight that this cannot be bandied about by the Government as something that will inherently protect those frontline workers or reduce the likelihood of assault in their workplaces.

As I explained yesterday in my second reading contribution to the Sentencing Amendment (Assaults on Off-Duty Police) Bill, as an individual member of parliament and the Labor Party I recognise the inherent dangers in the work that our frontline workers do across the state and across a range of industries, many of which are mentioned in this bill. I have the utmost respect and care of and responsibility to the people who perform those frontline worker jobs. They are at a higher risk of suffering assault as a result of their work. All workplace injuries are extremely concerning to all members of Parliament and should remain so.

There are many things governments can do to alleviate the likelihood of assault in the workplace and to mitigate some of the potential risk of assaults, even when it comes to the kinds of professions we are talking about in this bill, those with an inevitably higher risk of assault by virtue of the work they perform. Coming into contact with people in a heightened emotional state in potentially tragic emergency situations have been experienced, all the people, and I am thinking of paramedics in these comments, are faced with some of the most horrific scenes any of our frontline workers often have to. Correctional officers too and police. Those workers should be protected and should have all the rights that everyone would expect in workplace safety and the protections that should come into force, such as the PTSD legislation Labor was very pleased to support. This extends the workplace presumption of PTSD legislation that the Government brought in recently.

I have been thinking about the PTSD legislation in respect to this bill and the off-duty police bill. I note that those protections, either a sentencing provision such as this or the availability of presumption of PTSD, are important factors in workplace rights and protecting those workers. They are not a catch-all, they are not an insurance policy because we want to reduce the potential that any worker in the Tasmanian State Service would reach the point of suffering PTSD in the first place. A presumption the workplace incident may have caused PTSD is important to have supported. It would not be enough to pass this legislation and say we have the sentencing provision and therefore we have made those workers safer. They are a different category of treatment in that workers do suffer injury, assault and PTSD in the workplace. The other category of treatment is to address some of the longstanding resourcing and structural issues in those workplaces that can increase the likelihood of assault.

I note some of the comments made by those who were consulted in the 2016 version of this bill, and there have been changes to the bill. The minister might correct me: there was not a similarly widespread community or targeted consultation as a result of this redrafted bill.

The Community Legal Centres of Tasmania group said they opposed the proposed amendments and their view is that mandatory sentences are not effective in preventing crime and often result in the imposition of unjust sentences. They fully support the need to ensure that frontline workers are properly protected. However the threat of a harsh mandatory sentence through the passing of the bill will not achieve the desired results. They spoke about current crime supplement statistics at that time, which demonstrated that since the introduction of the mandatory sentencing legislation - they were referring to the 2014 changes for on-duty police - the rate of assaults against police officers on-duty had increased. At that time, a recent report detailing Tasmanian crime statistics noted that there were 19 reportable incidents of assaults against police officers in that financial year and, in the 12-month period prior, assaults against police had increased by 12 per cent when compared to the previous year. That included the doubling of offenders charged under the more serious indictable offence contained in the Criminal Code.

This was despite the crime rate falling in the 2015-16 period and the rate of common assaults only increasing by 5 per cent, so it is recognised that these figures highlight the fact that frontline

workers, and in particular in this case police, are at an increased risk of assault and that needs to be addressed, but I will explain why introducing mandatory minimum sentences is not the best way to do that.

Before I do that I will explain some of the comments that were made by the Health and Community Services Union at the time of the 2016 bill. At that time they did not support mandatory sentencing and therefore did not support changing the current legislation. They objected to the previous definition of frontline workers but I know that definition has been broadened in this bill. They said that HACSU supports a zero-tolerance approach to violence of any description. However laws of this nature tend to only apply the deterrents to an individual engaged in rational thought. An individual without rational thought will most likely escape the intent of the bill, due to section 16A(1), that there were exceptional circumstances, and 16A(2), that the offender knew or ought to have reasonably known that bodily harm would be caused from the offence.

That union is the one that represents paramedics working in the Tasmanian health system and prison officers. HACSU also represents many workers in the hospital - nurses, midwives and other medical officers who are in the scope of this bill - and they explain that because they know that at times of medical emergency, in their words, they are talking about people who were engaged in rational thought and they understood that often in times of emergency and extreme panic people are not engaged in rational thought. The reasons for them opposing mandatory sentencing were actually nuanced because they recognised through consultation with their members including nurses, midwives, medical orderlies, paramedics and so on that the exceptional circumstances provisions would most likely pertain to many of the potential assaults that happen and are suffered by their members.

As you would be aware, unions such as HACSU work every day to protect the rights of their workers and would work every day to make sure that their workers work in safe environments and would be at reduced risk of assault and harm coming to them at work, but they recognised what I came to at the start of my comments, which is the narrowness of the application of this potential sentencing provision. The reason for raising that again is to explain that this is not something to be trumpeted in the headlines to say this will protect frontline workers. That is not the case in terms of it most likely, in HACSU's view, not being available to the sentencing judge.

Just today the Australian Medical Association was quoted in the *Examiner* newspaper online explaining that they do not support mandatory minimum sentencing for assaults on doctors. They explained that they strongly condemn assaults on any worker but, in their view, there was little evidence that mandatory sentencing acts as a deterrent for violent behaviour and therefore offers no protection to those frontline workers. Professor John Burgess was quoted as saying:

To the contrary, there is in fact evidence to show that mandatory sentencing can lead to perverse outcomes such as a person being found not guilty as a mandatory sentence would have been grossly unfair on them once the particulars of the case was understood.

That comes back to those exceptional circumstances that we heard the minister speak about and that I mentioned in the bill.

In some other states where mandatory sentencing provisions have been attempted, particularly for medical frontline workers, there is an almost perverse result - an unintended consequence if you like - that those workers often find themselves in a situation where there is a disincentive for them

to report, because they understand the conditions of the offending and they understand the patients and the individuals they are working with. In fact, it can lead to a reduction in reports of workplace injury which I am sure no-one in this Chamber would like to see occur. It is my view that every workplace injury should be reported and taken seriously by employers and if introducing a legislative sentencing scheme such as this could, as it has in other places, lead to a reduction in reporting workplace injuries I think that is something to be very concerned about.

Correctional officers are represented by a number of unions including United Voice and the CPSU, who also said they find them an ineffective way of protecting workers. One person I spoke to said his view is that inmates who commit assaults on anyone in prison should face the same kinds of sentences as anyone in the community who commits a similar assault. They have been speaking to governments of all colours for a number of years explaining that they want it made clear that assaults on correctional officers in the prison are to be taken extremely seriously and should be sentenced accordingly. It is not their view that that is always the case.

They acknowledge that officers are assaulted regularly in the prison and every assault deserves serious follow-up by police, the DPP and the courts, but they feel that mandatory sentencing is not the way to achieve that. They said that if governments were serious about reducing the likelihood of assaults or dealing effectively with assaults or making it clear to the community and courts that assaults on correctional officers are to be taken extremely seriously, they would prefer to see a new offence introduced into Tasmania's laws, which I will come to in a minute.

They also spoke to me, as the health services and the doctors at the AMA have outlined as well, about the conditions that mitigate the risk of assault and make workplaces safer. In the case of prisons there are obviously huge risks to correctional officers and inmates by the very nature of the workplace. The prison is by its very nature a place of heightened tension and possible aggression. One of the things that leads to assaults on correctional officers is crowding in the prison - the prison in most of its units is close to or at capacity at Risdon - and also rolling lockdowns. Lockdowns happen daily and often that does not get reported or understood in the community very well, but lockdowns can be anything from a couple of hours to all day, and they happen every single day.

In fact, under international law obligations, no prisoner or inmate is supposed to be kept in their cells for any more than 23 hours a day, so even if there is a full-day lockdown there are human rights obligations at international law that require at least one hour out of the cell. Weekly and sometimes on a daily basis there are times that we unfortunately breach that in Tasmania at Risdon Prison. There are times that particular units are on full-day lockdown and I was surprised when I had a tour of the prison last year with my colleague Josh Willie to find that on lockdown you are inside your cell, not the cell unit which includes a bit of a living area and a kitchen but in fact inside the cell. With the overcrowding in the prison those cells that are already quite small for two inmates and now have three beds in them, to be locked into a small room like that would be fairly stressful for any individual. The fact that that happens regularly is not only extremely concerning for those inmates who are being forced to live in those conditions but also inevitably it leads to an increase in the likelihood of assaults on prison officers once those lockdowns come to a close. I cannot imagine the frustration you would feel being locked in a small room with two other individuals, one other individual or indeed on your own for 23 to 24 hours at a time.

I said I would speak about some of the alternatives that have been put forward in the 2016 consultation and in other pieces of literature as well. The Sentencing Advisory Council, reported from extensively yesterday, in 2013 issued a report on assaults on emergency service workers generally.

The Sentencing Advisory Council Tasmania 2013 report on Assaults on Emergency Service Workers explained that there are provisions in other jurisdictions. There are no specific provisions in the offence structure and the sentencing structure for assaults on emergency services workers in Tasmania. That was at the time of writing. There have now been some changes in that area. They said that without any legislative provisions directing it to do so when sentencing a person for an assault, the Supreme Court considers it as an aggravating factor if the victim was at his or her workplace at the time of the offence. Available data from the Magistrates Court indicates that a person who assaults a police officer will be more likely to receive an immediate prison sentence but the length of imprisonment will be no longer than if a person had been charged with common assault.

What they were getting at there is that it is already considered an aggravating factor by courts if a victim was at his or her workplace at the time. It is often considered even more of an aggravating factor if the person was a frontline worker at that workplace.

That report was explaining that the courts were already considering the fact that a frontline worker who has been injured at work is an aggravating factor in their sentencing decisions. They consulted directly with Ambulance Tasmania at the time of writing that report. They reported that Ambulance Tasmania expressed concern over continuing and increasing verbal and physical aggression and threatening behaviour. They said that this rarely results in injury or lost time. What they were getting at is that many of the injuries experienced by Ambulance Tasmania workers were not injuries that would satisfy the bar of serious bodily harm and so would not be covered by the sentencing regime proposed in the bill.

They consulted more broadly with DPEM. DPEM said that their concerns included that further analysis indicated that while the sentencing practices for assault on a police officer are not strictly double the sentence for a common assault, the Magistrates Court in Tasmania does treat assaults on police more seriously than common assaults, notwithstanding that the other place has recommended legislative amendments to further emphasise the seriousness of assault on a police officer.

The parliament has since done that in their 2014 legislation of mandatory minimum sentences of six months for police officers injured in the line of duty, albeit that it has only led to one conviction since that time. I by no means trivialise that conviction. The law was applied in the right way then but it is a demonstration of the narrow reach of this type of legislation.

They went on to recommend an increase in penalty for assaults on police officers and other frontline workers, to increase the penalty for an assault on a public officer and to broaden the definition of a public officer to include emergency service workers. We were talking about mandatory sentencing for child sex offenders yesterday and this backs up the point I was making then about the message of parliament being able to send to courts of increasing maximum sentences rather than imposing minimum sentences.

Debate adjourned.

ADJOURNMENT

Housing Tasmania - Installation of Gas Heater

[6.00 p.m.]

Dr BROAD - Madam Speaker, I rise to talk about a young woman from Braddon who is truly struggling both financially and emotionally and one whom, I believe, is at serious risk of

homelessness. I have raised her particular case with the minister, Mr Jaensch, on several occasions. To be quite frank I am finding his lack of empathy and compassion on her issues extraordinary.

Amanda was born and bred in Devonport attending both primary and high schools locally. At 14 years old she moved out of the family home, moving from shelter, transitional and on to private rentals which she was in for approximately 16 years. In February 2018, only a year ago, as a single mum of a primary-school-aged child, Amanda was offered and accepted a property managed by Housing Tasmania. She looked past the rubbish in the yard and the deplorable condition of the carpet in the property, taking six loads of rubbish to the tip and reporting the mould growth on the carpet to the maintenance department.

Amanda was constantly concerned about the mould and how spores might affect the health of the household, including her primary-school-aged child. One night it became too much so she decided to take the matter into her own hands. She secured a no-interest loan from the NILS scheme to replace the carpet. She pulled up the carpets, treated the mould, sealed the timbers and had new carpet laid.

I first met Amanda after visiting her at her home in December last year after a call from her mother, Wendy, desperate for help for her daughter. Upon entering her home, you could see that there were no signs of extravagance, rather a sense of pride. Amanda is very house proud. I have door knocked a lot and I have been into a fair few houses. There are no extravagances in Amanda's house. She is definitely looking after the house as she wants to make a home for her primary-school-aged child for whom she has sole responsibility.

As mentioned, Amanda moved into the property in February 2018. Aurora Energy connected the gas to her property on 20 February of the same month. This property has both gas hot water and gas heating. Gas heating is the problem for this property, with three consecutive gas accounts now totalling over \$3399.33. This has been met with shock and dismay.

As mentioned, Amanda has lived out of home since she was 14. She is conscientious in budgeting and has in place many direct debits for outgoing payments. Amanda moved in during February, so the first bill was only hot water. Then the second bill was only as partial of winter and that bill was high. From memory that bill was about \$800. Being a diligent budgeter Amanda put in place a payment plan with Aurora. It was that next bill, the third bill, that absolutely floored her. It was over \$2000. This is putting her in serious risk and financial pressure.

Amanda was obviously beside herself. Think about this for a moment. Your income after rent is only \$360 a week. You have to cover general power, car insurance, fuel, food, the NILS loan, school costs and this extraordinary gas account. It is not hard to imagine dread leading to a state of fear that leads to anxiety and depression. Amanda has made several contacts to the maintenance department at Housing Tasmania, to rule out a gas leak, a faulty meter, aged or malfunction of the product. All that has been ruled out. Amanda has curtains at the windows and there is insulation in the ceiling.

Lynden Pennicott, Director of Tenancy Services, with the Department of Communities Tasmania in correspondence dated 19 December states:

The high gas bill is a result of high usage of the appliances.

However, the tenant is not using the heater flippantly. What then is the cause? The heater is the problem. The heater installed, signed off by the minister, is for industrial use not residential. This industrial gas heater has the higher gas input than that of a residential one. Instead of 23 megajoules per hour we are talking about 37 megajoules per hour, clearly illustrating that no matter how she used this heater it will not result in less gas usage.

Why did the minister approve a commercial gas heater to be installed in the home of a vulnerable Tasmanian? Amanda is on a set income with a debt that will be added to this winter, keeping her in a state of financial hardship. Amanda is at home today, terrified to turn her heater on. Imagine being Amanda, a single mother of a primary school child, heading into winter in a house that is already hard to heat because of the way the house is designed. It is on a southern slope and there is virtually no glazing on the northern side. She is petrified to turn on her heater.

There has been absolute inaction from Mr Jaensch and I find it disgraceful. I have raised this issue with him personally on a number of occasions. He said things like, well, she did let slip that her mother lived with her for a couple of weeks and her mother, I add, is gravely sick. It would be so outrageous for somebody to want to turn on a heater in the winter time and end up with a \$2000 bill for that period. It is extraordinary.

It is not a suitable heat source for the property. I contend that any tenant entering that house, especially on a fixed income, will be financially bankrupt simply to keep warm over winter. The cost is ongoing. Every time she or her son turns on the heater, it costs her financially, socially and emotionally. I plead with the minister, please, immediately replace this heater to prevent this family from becoming bankrupt and homeless. If you do not and Amanda becomes homeless, the next tenant you put in there will also face the same thing. You cannot have an industrial gas heater in a Housing Tasmania house with somebody on fixed income. Shame, minister. You need to fix this now.

Attacks on Religious Properties in Sri Lanka and California

[6.07 p.m.]

Mrs PETRUSMA (Franklin - Minister for Disability Services and Community Development) - Madam Speaker, like all members of this House, I was shocked and horrified by the events that unfolded in Sri Lanka on Easter Sunday and in an American Synagogue last week. I place on record my deepest condolences, thoughts and prayers to those in Sri Lanka and in California who have lost loved ones, family, friends, colleagues and fellow worshippers in these senseless attacks on worshippers who were in church on one of Christianity's holiest of days, in a synagogue, peacefully participating in religious observance or simply tourists in a hotel going about their daily lives.

To think there are now over 250 innocent people no longer with us and more than 450 people horrifically injured because of such horrible atrocities is so very hard for us all to understand. I give my support, prayers, thoughts and condolences to the Tasmanian, Australian, Sri Lankan and American Christian and Jewish communities as well as the wider Tasmanian community as we all come to terms with this tragedy, this profound loss of life, injury and suffering.

Tasmanians all too well understand how difficult it is for the people of Sri Lanka and California at this time. We know and have learned there is absolutely no place in our community for the hatred and intolerance that has bred these barbaric acts of terrorism and mass murder. We must never

accept violence as normal or allow people with extremist ideals to make us feel hatred toward one another. In the wake of these senseless deliberate attacks as well as the recent terror attack in Christchurch, we condemn these atrocities in the strongest possible terms and we are united in our respect for religious diversity and the right to live our lives free from hatred and fear.

As the Multicultural Council of Tasmania stated on Monday -

The failure to recognise that violence against another human being is an attack on life itself represents our failure to identify with each living human being on the planet, irrespective of religion or race.

These are not just attacks on religion. They are attacks against you, me and every person who shares planet Earth. We are in this together. We all have a role to play and cannot extricate ourselves from these tragic events. A failure to do so is a failure to engage and empower every living person against the mantra of hate and violence.

As minister responsible for multicultural affairs and as a proud Tasmanian, I passionately support the principles of religious diversity and multiculturalism for the tremendous good it brings to the world and to Tasmania. This wonderful diversity contributes to Tasmania's success as a multicultural community and enhances every aspect of Tasmanians' day-to-day lives. Every day, Tasmanians benefit from the skills, knowledge, experiences, innovation, job creation and personal contributions of our culturally, linguistically and religiously diverse Tasmanians.

I also acknowledge recent gatherings for peace where community members and religious leaders around Tasmania and Australia have gathered to promote love, compassion, harmony and unity. These messages show us all how valuable, sacred and precious life is and empowers us to believe that we can and will overcome even the most difficult of circumstances.

It is in all of our interests to build a Tasmania that is harmonious, inclusive and a respectful place to live, where people from every corner of the world and every religion can belong, contribute, achieve, worship in peace and succeed together. Tasmania is a much richer place to live, work, study and raise children because of the diversity of its people today. The Tasmanian Government therefore passionately wants to support, strengthen and continue our island's multicultural success and to enable a Tasmania that is a very welcoming, inclusive, respectful and harmonious place to live for people of all religious faiths.

My condolences once again to the family and friends of those who have lost their lives or are injured.

The House adjourned at 6.11 p.m.

QUESTION UPON NOTICE

The following answer was given to a question upon notice:

19. CONTROLLED BURNS - ISSUES

Dr WOODRUFF asked the Minister for Police, Fire and Emergency Management -

Have any controlled burns become out of control since 2008 and if so, how many each year?

Mr FERGUSON replied -

The aim of the Fuel Reduction Program is to strategically reduce bushfire risk in areas that provide the most protection to Tasmanian communities.

The Tasmanian Government has committed \$45 million over five years (2017-18 - 2021-22) to the whole-of-government program to significantly decrease bushfire risk across the state.

Favourable weather conditions enabled a very successful spring 2018 burn season. During spring 2018, a total of 34 fuel reduction burns were conducted by all agencies in the program across 13 785 hectares. These included strategic burns to protect communities, assets and World Heritage natural values.

At a local scale, many Tasmanian communities now have reduced bushfire risk as a result of the Fuel Reduction Program. These include communities in Hobart, Launceston, Devonport, the East Coast, Flinders Island, North West, North East and West Coast.

In the Hobart area, strategic burns have resulted in large risk reductions of 50-75 per cent in suburbs in the north, west and south. Other significant risk reductions include 50-75 per cent risk reduction in the Orford and Spring Bay area; 47 per cent on Flinders Island; and 65 per cent at Conara.

Since the program commenced in 2014-15, over 500 burns have been completed. These burns have been strategically located to reduce the risk of bushfire to communities, and burning has been undertaken across all tenures (not just on public land.)

Since the Fuel Reduction Program began in 2014, there have been two burns undertaken by Tasmania Fire Service which have escaped planned boundaries:

December 2016 - Limekiln Gully, Wellington Park

- 0.7 hectare affected by the escaped burn, along with a section of fencing. The fencing was replaced by TFS.

November 2018 - Bell Bay

- unforecast gusts of high winds at +40km/hr, caused sparks to ignite some adjacent vegetation and a sawdust pile at a timber mill site.

- crews were already strategically located in this area and put out a resultant 1.25 ha vegetation burn within an hour.
- extra TFS resources were immediately called in to assist with the smouldering sawdust pile and worked into the night to ensure the site was safe.
- at no stage was there any risk to communities.

Just as we know summer as 'Bushfire Season', we want people to know autumn as Fuel Reduction Season. We are using this autumn to make next summer safer.

By fighting fire with fire during fuel reduction season, we can help protect people, property and the environment in bushfire season.