



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

REPORT OF DEBATES

Thursday 17 September 2020

REVISED EDITION

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

QUESTIONS

Launceston General Hospital - Bed Block and Understaffing

Ms WHITE to PREMIER, Mr GUTWEIN

[10.03 a.m.]

Health professionals have reacted angrily, and with justifiable anger, at your outrageous slur against doctors at the Launceston General Hospital. Your allegations that doctors did not write the letter detailing the serious failures at the LGH including avoidable patient deaths is not only baseless, it is deeply offensive. It goes to your character that when faced with criticism your first instinct is to resort to political attacks.

In expressing disappointment about your attack on health workers yesterday, the ANMF's Emily Shepherd said concerns about problems at the LGH have been raised since 2018. The content of the letter should not have come as a surprise to you or anyone else. The Auditor-General and the Australian College of Emergency Medicine have highlighted the unacceptable conditions at the LGH for many years including the worst bed-block in the country.

Will you apologise for your attack on doctors at the LGH whose only motivation is to improve patient care and prevent more people from dying unnecessary deaths?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for that question and her interest in this matter.

I begin by recognising all the staff at the LGH, which is an outstanding hospital. As I said yesterday, one that has stood up and has been tested but has demonstrated its capacity during this COVID-19 circumstance and I thank them for that.

We are taking the content of that letter seriously. I indicated that yesterday. If the registrars have taken offence to my comments that were directed at the Labor Party then of course I will apologise to them. I thank them for sharing their concerns.

However, I would like to put on the record my concern over the process of the delivery of that letter. As I said yesterday regarding the letter, we will take those matters seriously and we will work with them, but the point that I was making is that if there was genuine intent by the Labor Party to see outcomes rather than seeking a 'gotcha' moment -

Ms O'Byrne - Rather than using question time which is the appropriate place where we ask questions of ministers.

Madam SPEAKER - Order, Ms O'Byrne.

Mr GUTWEIN - they would have provided that letter through the normal course of business, but that was not what they set out to do.

Opposition members interjecting.

Madam SPEAKER - Order, Mr O'Byrne.

Mr GUTWEIN - The LGH is an outstanding hospital and the minister has spent a lot of time on-site, speaking with the hard-working staff and listening to their views and ideas on how best we can build a better health system for all Tasmanians.

The chief executive of our hospitals in the north and north-west, Mr Eric Daniels, together with clinical directors and the executive director of medical services met with the registrars yesterday afternoon to listen to their concerns and to consider what more we can be doing as a health system as well as detailing a number of strategies that are being implemented at the moment to support addressing patient-flow and access.

On this side of the House, we want to get on with the job of providing Tasmanians with the best health service that we can. We understand the challenges all of our health professionals have faced through this pandemic and we thank them for that. It has been a difficult and challenging time and this side of the House stands ready to continue to work with them.

Launceston General Hospital - Understaffing and Budget Cuts

Ms WHITE to PREMIER, Mr GUTWEIN

[10.06 a.m.]

You have repeatedly said the thing that keeps you up at night is worrying about keeping Tasmanians safe. While you are at home tucked-up in bed, these doctors at the Launceston General Hospital are up every night, keeping patients safe. These are the same doctors you attacked yesterday for daring to speak out about the unacceptable and dangerous conditions at the Launceston General Hospital. If the best you can do is to attack doctors who put themselves forward to protect and care for vulnerable patients under the most challenging circumstances, is it time for you to reflect on your attitude towards our health care workers?

Mr Ferguson - What are your policies?

Madam SPEAKER - Order, Leader of the House.

Ms WHITE - Is it time for you to reflect on why you have failed to attract doctors to work in our health care system in the first place? When will you take responsibility for the consequences of your budget cuts, rather than dishing out blame?

Mr Ferguson - We reversed your cuts. You shut 4D.

Members interjecting.

Madam SPEAKER - Order, the Premier is on his feet. Leader of the House, that was not very nice.

ANSWER

Madam Speaker, I thank the Leader of the Opposition for that question. Again, the Leader of the Opposition demonstrates that all she wants to do is play politics with this. It is a statement of fact that since 2014, we have recruited more than 85 full-time-equivalent doctors to the LGH, that is a 40 per cent increase in medical cover, including nearly 40 full-time-equivalents in the last year alone. The points that the Leader of the Opposition makes once again are incorrect, they are not fact-based and, quite frankly, demonstrate her wishing to use this Chamber for simple political gain.

In that hospital, there are now more than 250 full-time-equivalent nurses with an overall boost of more than 400 full-time-equivalent staff since we came to government. Rather than the spurious and incorrect claim that the Leader of the Opposition makes regarding funding, it is this government, across the health service, that has recruited nearly 1500 full-time-equivalent health professionals since we came to government.

In the mid-year report, handed down only six months ago, we demonstrated our commitment to health with \$150 million-worth of additional funding over the course of the forward Estimates.

On this side of the House, we have recruited nearly 1500 health professionals. On that side of the House, the former health minister who is the Deputy Leader, sacked a nurse a day for nine months. It is quite extraordinary when you look at the record of the two major parties in this place. On this side of the House we will continue to get on with the job of providing the health services Tasmanians need.

Once again, to the health professionals who have helped through the most challenging period we have faced with COVID-19, I say thank you. Together we will continue to work with them.

Bushfire Season - Replacement of Parks and Wildlife Service Vehicles

Dr WOODRUFF to MINISTER for ENVIROMENT and PARKS, Mr JAENSCH

[10.11 a.m.]

The bushfire season is almost upon us and all Tasmanians will want to know our firefighters are well equipped and prepared. We are concerned about the preparedness of the Parks and Wildlife Service to tackle fires in wilderness and remote regions. We have an email from management to Parks staff warning against the use of the current vehicle fleet in the event of a fire. It is our understanding that Parks management and you as minister have known for at least a year that the majority of vehicles in the Parks fleet used to carry slip-on fire tankers during the fire season exceed the vehicles' gross vehicular mass, or GVM, after they have been loaded with a tanker full of water, pump and other essential equipment. That is very concerning. Parks has had a full year to address this issue yet we are heading into this year's fire season unprepared.

Can you confirm Treasury prevented Parks from replacing the vehicles in March this year because the auction market was experiencing a downturn? Further, can you confirm Parks staff have been told by management that the interim measure to deal with the unsuitability of these vehicles in the event of a fire is to arrive at a fire with only a half-filled water tank? Are

you as concerned about this apparent lack of preparedness as we are as Tasmania heads into the bushfire season?

ANSWER

Madam Speaker, I thank the member for her question. I am advised that the Parks and Wildlife Service fire fleet primarily consists of light attack vehicles supported by heavier tankers. The light attack four-wheel drive vehicles enable small crews of firefighters to access remote areas and perform direct attack firefighting or back-burning operations. The vehicles are designed and equipped to carry a specified water tank, typically up to 400 litres, and the gear necessary to respond to a deployment on a fire line for a period of time.

As part of its routine annual fire season preparations, the Parks and Wildlife Service weighs a sample of its vehicles to determine the amount of water and equipment that can be carried. The gross vehicle mass of a vehicle is the maximum weight the vehicle manufacturer allows when fully loaded. This varies from vehicle to vehicle and is an ongoing issue for all firefighting agencies across Australia given the continued variations in vehicle types and models, and modification options such as the suspension kits that might be available for different vehicles.

The Parks and Wildlife Service has identified that some vehicles in its current fleet may exceed the acceptable tolerances of the vehicles' GVM when fully loaded with people, water and equipment. The equipment load and weight distribution can vary from vehicle to vehicle and standardisation of equipment and compliance with the checklists for each vehicle is an important requirement of the fire crew operators to ensure that vehicle GVM is not exceeded.

The replacement of vehicles was put on hold during COVID-19 in response to a potential oversupply of leased vehicles on the auction market. With the lifting of this directive, the core fleet of firefighting vehicle orders has now been placed ahead of the 2021 fire season. The Parks and Wildlife Service is preparing a longer-term strategy to replace other vehicles over time as its leases expire. This strategy balances the need of the vehicle for firefighting versus the routine operational demands of the vehicle.

The safety of Parks and Wildlife staff and its ability to carry out its firefighting function is the priority consideration in the ordering of new vehicles ahead of this fire season and the Parks and Wildlife Service advises me that its capacity and its capability is not compromised as minor adjustments to each vehicle can be accommodated safely.

Tourism Industry - Support

MR ELLIS to PREMIER, MR GUTWEIN

[10.15 a.m.]

Can you update the House about the measures the Liberal Government is taking to ensure that Tasmanians can experience more of our beautiful state, support our tourism industry and connect some of our more remote communities as we recover from the coronavirus pandemic, including in my electorate for Braddon?

ANSWER

Madam Speaker, I thank Mr Ellis for his question and his interest in this matter. We have taken action to protect the lives and livelihoods of Tasmanians throughout this COVID-19 pandemic and we are cautiously optimistic that the Government's plan to rebuild and recover is working, and that has been demonstrated through the economic statistics we have seen. We put in place the largest support package in the country, more than 3 per cent of our broader gross state product. We led the nation in our response and on many indicators we are now leading the nation on recovery.

We immediately recognised the impact of the pandemic on our tourism and hospitality sectors and stepped in with a range of grants and subsidies and other support mechanisms. We recently introduced the highly successful Make Yourself at Home travel voucher initiative to further support the industry whilst our border restrictions remain in place. The vouchers were rapidly taken up. I must admit I personally did not think they would be snapped up in 38 minutes, Madam Speaker, but Tasmanians are keen to get out and about in the state and support our tourism industry and regional economies.

This has been great and it has been appreciated by many tourism businesses. The feedback I have been receiving regarding bookings has been very positive and, importantly, we have seen a couple of businesses pivot as well. Pennicott Tours - the options he is providing are fantastic - and the RACT have also put in place a voucher system together with many small operators as well. Through the voucher scheme we wanted to encourage people, who are able, to travel throughout the state not just for the weekend but to spread their custom throughout the week. Additionally, we wanted to make sure that the benefit from this initiative plus the obvious interest being shown by Tasmanians to explore the state was shared by as many communities as possible. Some parts of our state are not that easy to access and this usually lends to the attraction they hold for what in normal times are our interstate and international visitors.

The pandemic has diminished the number of people who have been travelling. Already we are underwriting flights between Hobart and Strahan and whilst for obvious reasons during the pandemic, the program was paused, I understand that Par Avion will be resuming these flights soon which were operating at the time at around a 70 per cent load factor.

However, two places in our state that are often referred to as jewels of Tasmania's tourism have been impacted severely by the impacts of the COVID pandemic. I am speaking about King Island and Flinders Island, both of which have shown that level of resilience that so typifies Tasmanians. Both have the added challenge of difficulty of access which has exposed their respective economies and communities to enormous pressures. Their councils and tourism associations have continually advocated for their communities in a very proactive and constructive manner, for which I thank them. I would like to mention Annie Revie and Julie Arnold as mayors of those two island locations. They have been fantastic throughout all of this.

Today I am very pleased to announce that we have reached agreement with Sharp Airlines to begin flights between Hobart and King Island and Hobart and Flinders Island.

Members - Hear, hear.

Mr GUTWEIN - My understanding is that this will be the first regular passenger transport service from Hobart to both islands. Not only will both islands become much more accessible for Hobartians but these services will make a significant difference enabling those who live on these islands to travel to Hobart for all the reasons many of us would take for granted. There will be three flights per week to each island, operating on Fridays, Wednesdays - mid-week - and Sundays by an 18-seat Metroliner aircraft and they will commence on 30 September.

The Government will underwrite the services for a period of four months until the end of January and this trial period will give Tasmanians the opportunity to support the service and will determine its future viability and the commitment of the airline to sustain the service. Both councils will contribute to this arrangement by waiving all charges and landing fees for the services at the airports and the Government will underwrite the service to get it started. At a 50 per cent passenger load the cost will be around \$225 000 for the trial.

There will be no underwriting required should passenger loads exceed 70 per cent. From the end of September, Hobartians and islanders will be easily able to travel to King Island or to Hobart. If they travel to King Island they will be able to enjoy the island environment that grows some of the nation's finest produce and possibly play on two of the world's leading golf courses, Cape Wickham or Ocean Dunes.

If they travel to Flinders Island, they will enjoy one of the most idyllic island experiences in the world. It has pristine surroundings, excellent bushwalking and beautiful secluded beaches. Like King Island it has some of the finest produce in this country. All of this now will be in within reach of Hobart and the state's south. Tasmanians are able to use their travel vouchers to enjoy these two jewels of Tasmania.

Tourism Tasmania has been working with the industry on the islands to ensure that the products on both islands will be highlighted to intending visitors. There will be some media activity to present that information in the coming days. I hope the House will support this initiative. It is a fantastic outcome for Flinders Island and King Island.

Repatriation of Tasmanians from Overseas - Quarantine Arrangements

Ms OGILVIE to PREMIER, Mr GUTWEIN

[10.21 a.m.]

Tasmanians are still in serious trouble overseas and we need to mount a rescue. With 25 000 Australians registered to come home, it is an evacuation exercise the likes which we have not seen outside wartime - shades of our own mini Dunkirk. We have aircraft and ships at our national disposal. We have a national airline. We could charter private ships with a 14-day quarantine period served on the journey. We do not lack transport capacity. Our hotel quarantine system has filled the gap in the short term but it is limited and causing a backlog with capped numbers.

Tasmanians are at a disadvantage because unless they implement direct transfers and safe transit they have to do a double stint. We must look to the future of travel and build or consider building a fit-for-purpose quarantine facility to give everybody security, peace of mind and adapt to the new travel mode.

Will you please use your power at National Cabinet to secure safe transit arrangements for Tasmanians and the funding needed to investigate an on-island quarantine facility to bring our people home and secure our safety in the long term?

ANSWER

Madam Speaker, I thank the member for Clark for her question and for her interest in this matter, and for the discussions we have had in regards to it. Currently there are around 4000 Australians returning home each week. This is made possible by the significant steps taken in the quarantining arrangements in other jurisdictions, especially since Tullamarine was taken out of the mix.

In Sydney, about 2450 people have come back per week. Brisbane allows 500, Perth allows 525 and Adelaide allows 500. The circumstance with Tullamarine is being discussed as Melbourne starts to work its way through the challenges it is facing at the moment.

Regarding national discussions, the Prime Minister has indicated this week he would like to see states take on more quarantine capacity. The first step would be Tullamarine coming back into the mix and there being quarantining facilities in Victoria. This discussion will be ongoing and will be discussed at National Cabinet tomorrow. I will be advocating for as many Tasmanians as possible to be a part of those flights as they return.

A purpose-built quarantine facility in the state is something that the state does not have on its radar. Quarantining arrangements and the way they have been conducted at our hotels around the country, apart from the challenges we are aware of in the Victorian circumstance, have stood the country in good stead. Likewise, they have stood this state in good stead.

Around the world the virus is not abating. In some countries - look at what is occurring in India at the moment - it appears it is getting worse. The matter of Australians returning will continue to be on the National Cabinet agenda. I will continue to advocate for Tasmanians to take part in those flights. I would like to say to any Tasmanian who might be watching overseas, a single point of contact has been established. That contact point with the Tasmanian Government, if they are having challenges or difficulties, or just seeking information, is overseastraveller@dpac.tas.gov.au. I encourage Tasmanians to make contact so that the Government understands their circumstances.

Launceston General Hospital - Unnecessary Patient Deaths

Ms WHITE to MINISTER for HEALTH, Ms COURTNEY

[10.25 a.m.]

For two days now you have dodged questions about how many patients have died avoidable deaths at the Launceston General Hospital. Your stonewalling is typical of your Government's secrecy and contempt for the public's right to know how bad the situation is at the LGH, and how bad it has become under your watch. For a third time, minister, how many unnecessary patient deaths have been recorded at the LGH in the past 12 months? How many cases have been referred to the Coroner? In the past 12 months have any patients died after either being turned away from the Mersey Community Hospital and redirected to either the Launceston General Hospital, or the North West Regional Hospital?

ANSWER

Madam Speaker, I thank the member for her question. I would like to be clear that the death of anybody in any circumstances, whether it is in a hospital or in the community, is a tragedy for their family and for their loved ones.

With regards to adverse incidents that we see at our hospitals, there are robust policies and practices for how these are investigated. These are always looked at very seriously, both to understand the matter, but also provide support to staff.

All our hospitals are accredited, including the LGH. They are independently accredited for safety and quality. I assure the House and assure those people in the community that adverse incidents are always looked into, investigated if necessary, and if the Coroner should require it to be investigated, those cases are looked into.

With regards to coronial inquests, and I do not have one to comment on today, these are always looked at very seriously by the Tasmanian Health Service to understand where practices and policies can be improved. I am very confident that we have robust policies around that to support their families and, importantly, support the staff.

With regards to the engagement this week and the letter that the Leader of the Opposition mentioned, I would like to update the House that the chief executive of the hospital met with a number of registrars yesterday afternoon. I have spoken to the chief executive and I understand that it was a very constructive conversation. The chief executive, together with other senior officials and senior -

Ms WHITE - Point of order, Madam Speaker. It goes to Standing Order 45 and relevance. The minister has now indicated that she is responding to a question from me about a letter. I did not ask a question about a letter. I asked how many avoidable deaths have been recorded at the LGH in the past 12 months? I ask if you could direct her to answer the question please?

Madam SPEAKER - Unfortunately that is not a point of order, and I do ask the minister to be relevant. Thank you.

Ms COURTNEY - Thank you, Madam Speaker. I believe I am being relevant because I am responding to the concerns that were raised in the letter that was read into *Hansard* by the Deputy Leader of the Opposition yesterday. That is a matter that is being looked into, as I have said on multiple occasions, by the secretary of the department. These matters are also being raised with the chief executive who has met with these registrars to be able to progress the concerns that they have raised and to ensure that we have clear communication across that hospital, and to ensure that our staff are supported.

We know that emergency departments -

Ms O'BYRNE - Point of order, Madam Speaker, and it goes to Standing Order 45. The minister has a number of forums in the House in which to update the House on the content and response to that letter. The Premier has already made comment about that today. This is question time. It is the only time in the parliament that we can direct questions directly to a

minister on a matter not before a bill. The question that has been asked is not secret information unless the minister chooses to keep it so.

Madam SPEAKER - I have allowed that on *Hansard*, but you do understand my restrictions. There are many limitations with Standing Order 45. I ask the minister to answer the question as best she can.

Ms COURTNEY - Thank you, Madam Speaker. With regard to all the concerns raised in the letter, having read it I understand there are a number of concerns. As I have outlined, the secretary of the department is looking into the concerns raised. The chief executive of the hospital has met with these registrars and has assured me that he will continue to engage with them in a positive and constructive way so that their concerns can be looked at and addressed and we can work together to make sure we are delivering continually better patient outcomes at the LGH.

Election Campaigns - Application of Section 196 of the Electoral Act

Ms O'CONNOR to ATTORNEY-GENERAL, Ms ARCHER

[10.30 a.m.]

The Director of Public Prosecutions confirmed yesterday he would not be pressing charges against the Greens over a Facebook post during the Huon election campaign which rightly pointed out Labor candidate Dr Bastian Seidel's compromised position on poker machines. Despite Labor's sensitivity on this issue and subsequent complaint to the Tasmanian Electoral Commission, we have been vindicated in refusing to remove the post on the basis of the constitutional freedom of political expression.

Section 196 of the Electoral Act has consistently been used to prevent legitimate political discourse during election campaigns and now it is found to have been misapplied. This has had a chilling effect on freedom of speech. We had the resources to take this case on but many individuals and community groups do not.

Given the DPP has not upheld Labor's complaint and the TEC referral, will you write to the commission highlighting the DPP's decision as guidance for all future interpretations of this arcane provision in an outdated act? Further, do you agree that section 196 must be amended or repealed to ensure legitimate debate during election campaigns?

ANSWER

Madam Speaker, I thank the Leader of the Greens for her question and confirmation that she does agree with free speech, which is a longstanding principle that our Government supports. It confirms that the Greens cannot have it both ways. You cannot extract certain things out of the Electoral Act that you think should apply to yourself but not to other people. It confirms the complete double standards of the Greens.

In addressing the question, I do not direct the Tasmanian Electoral Commissioner -

Ms O'Connor - I didn't suggest you do - guidance.

Ms ARCHER - I know you did not suggest that but I am confirming for the benefit of the House that the Tasmanian Electoral Commissioner is, as members know, an independent statutory holder. I do not direct, control or seek to influence him in any way or his decision-making capacity. I am sure the commissioner watches very closely all matters that are referred to the DPP, or any other body for that matter, that are the subject of matters he has had a role in. I am sure he will observe that decision.

Ms O'Connor - That section was used to shut down people in Glamorgan Spring Bay during a local government by-election. It is frightening.

Ms ARCHER - Well, it is frightening when you prevent free speech, isn't it?

Ms O'Connor - It's chilling that you have an act that stymies freedom of expression.

Madam SPEAKER - Ms O'Connor, could you do that through the Chair, please?

Ms ARCHER - We have it on the record from the Leader of the Greens that she does not want to stymie freedom of expression. We will remember that.

Dr Woodruff - Then you should repeal the anti-protest legislation, if that is your view.

Madam SPEAKER - Order, Dr Woodruff.

Ms ARCHER - We will remember that throughout the debate on many an issue in this House and outside the House. It is good to have the Greens on record on that particular issue.

I do not seek to reflect on yesterday's debate other than the general principles and the general statement in confirmation from the Premier on numerous occasions in question time this week that once we have formed a view on the final report in relation to the Electoral Act we will release the report at that stage. It confirms that this is not a simple matter. It confirms that this is a more complex matter.

Ms O'Connor - Section 196 is a straightforward matter.

Ms ARCHER - Madam Speaker, the Leader of the Greens is referring to one particular section that is contained in an act that the review looks at holistically. If the Greens want to cherry-pick issues that is a matter for them. That is not going to be the Government's approach. We will take a well-considered approach and a very close look at what is a complex matter which the Greens have referred to today.

COVID-19 - No Interest Loan Scheme

Mrs PETRUSMA to MINISTER for HUMAN SERVICES, Mr JAENSCH

[10.35 a.m.]

Can you update the House on how this Government has supported Tasmanians through the COVID-19 period by further investing in the No Interest Loan Scheme?

ANSWER

Madam Speaker, I thank Mrs Petrusma for her question and her longstanding interest and commitment to supporting our most vulnerable through programs like NILS. The health, safety and wellbeing of Tasmanians has always been this Government's number one priority as we face the challenge of the coronavirus pandemic. Our Government understood the need to get in early and support organisations and individuals that were under stress and suffering as a result of the pandemic.

During a time of economic uncertainty for many in our community, this Government invested an additional \$1 million into the No Interest Loan Scheme, or NILS. In response, the number of NILS loans has increased, the application process has been streamlined and the timeframe for loan approvals has been reduced.

For the 2019-20 year, NILS Tasmania issued 2795 loans valued at over \$2.8 million, 11 per cent more than the previous year. NILS Tasmania, interestingly, has delivered 10.3 per cent of NILS loans nationally. So 10.3 per cent of NILS loans in Australia have been through NILS Tasmania, even though Tasmania only has 3.3 per cent of the national population eligible for those loans, which is a fantastic track record for NILS.

In the April to June quarter, which was the height of the pandemic response in Tasmania, NILS issued 753 loans, an increase of 19.5 per cent compared with the quarter average for 2018-19. A key contributing factor to the increase was in computer education loans, which increased from 5 per cent of the activity to 15 per cent that quarter. When schools were closed down as part of our initial hard response, NILS worked with the Minister for Education and Training, my colleague Jeremy Rockliff, and his department to fast-track loans to enable learning at home. During this time, the April-June quarter, over 155 laptops were purchased with NILS loans.

The NILS Tasmania annual report snapshot shows that NILS saved low-income households over \$2.4 million in interest and charges in 2019-20 and that 79 per cent of clients who had used rent-to-buy companies no longer used them after accessing a NILS loan and 68 per cent of clients stopped using payday loans after accessing a NILS loan.

The extra government funding is also supporting NILS to increase awareness of its services. This includes a promotional video to outline what NILS is and how people can apply and that is due for release later this month. NILS will also be launching a new website in late October which will further streamline the NILS application process, allowing more loans to be processed more quickly.

Improvements already made have seen the time taken to process loans decrease to 12 days at the end of June 2020, down from 23 days last year, and more streamlining is expected when the website goes live in October.

NILS' responsiveness to these conditions offering many Tasmanians a financial lifeline during a period of economic pressure and uncertainty is very welcome and very well done. This is a great example of the Government and the community sector working together to support families to adapt to COVID-19 changes.

NILS is supported by a network of 73 community delivery partners and 400 volunteer loans officers who provide access to NILS loans in over 100 sites across the state. I thank them for their outstanding service and in particular the big hearted and irrepressible John Hooper and his team and all their delivery partners for their magnificent hard work and dedication and innovation supporting Tasmanians in need through COVID-19 and every day. We will continue to support Tasmanians through initiatives like NILS through COVID-19 and beyond, and will continue to work with organisations and individuals who are ready to step up and be part of the solutions that Tasmania needs as we rebuild and recover from the pandemic shutdown.

We have no time for those who want to snap-back to playing politics on anything and everything as if our difficult times were behind us and everything was back to normal. Tasmanians have no time for that either. They know we are not out of this yet and we have a long way to go, and they want all of us to stay focused on the real priorities: the safety of Tasmanians; looking after our most vulnerable; and rebuilding our economy and jobs.

Peter John O'Neill - Sentencing

Ms HADDAD to ATTORNEY-GENERAL, Ms ARCHER

[10.41 a.m.]

The victims of convicted paedophile Peter John O'Neill and their families are outraged that he is not in jail for his heinous crimes. In the 1980s he abused children and young people at the school where he taught. His offending destroyed the lives of his victims, many of whom have never recovered. At least one has taken his own life. O'Neill has been convicted and sentenced to five years in prison but because he is so overweight, your Government has said it is too expensive to extradite him from Canberra to Tasmania to serve his sentence.

There is justifiable anger in the community that O'Neill has effectively been allowed to walk free. What do you say to O'Neill's victims and families who are furious that a cost has been put on their suffering? Will you intervene to make arrangements for Mr O'Neill to be brought back to Tasmania to serve his sentence?

ANSWER

Madam Speaker, I am not going to thank the shadow attorney-general for that appalling question.

First, I acknowledge the immense courage required for survivors of child sexual abuse to come forward and seek justice. That is what I will say to an otherwise disgusting question questioning the independence of the courts. The shadow attorney-general should know better than to reflect on the decisions of a court that the government has nothing to do with because of the separation of powers, because of the independence of the court, and I will not reflect of the sentencing by a judge. I will not reflect on a decision made by the independent Director of Public Prosecutions.

Mr Ferguson interjecting.

Madam SPEAKER - Order, Leader of the House.

Ms ARCHER - They must be separate from sectional or political influence. That is an appalling reflection on the shadow attorney-general for asking a question that goes directly to a decision of the court. It is not the role of the Attorney-General or any other member of this parliament for that matter, to -

Members interjecting.

Madam SPEAKER - Order, order.

Ms ARCHER - intervene in the decisions relating to the conduct of criminal matters which are conducted independently from government. Quite frankly the shadow attorney-general should apologise.

TT-Line - Ship Replacement

Dr BROAD to PREMIER, Mr GUTWEIN

[10.43 a.m.]

We learned in the Public Accounts Committee last week that the TT-Line had finished negotiation and was within days of signing a contract for replacement vessels. The decision was endorsed by the sub-committee of Cabinet of which you are a member. Your decision to reject the expert advice of the TT-Line at the eleventh hour was a clear vote of no-confidence of the TT line board. Can you confirm that this decision was a result of a conversation with the Prime Minister, Scott Morrison, who put pressure on you to scuttle the ship replacement contract?

ANSWER

Madam Speaker, I thank the member for Braddon for his question, but I honestly cannot thank him for his continued support of a Finnish shipbuilder, which is where he is going.

Regarding the process that went through, this was a very difficult decision for Government but what we had to take into account was the simple fact that we have been through a pandemic and around the world there will be a recession. This country will go into a recession, and in making the most significant investment that this state will make in built tourism infrastructure, the government decided to pause to see what level of investment we could attract back here into Tasmania.

I have full confidence in the board. The board makes decisions as any board should, under the corporations law, that are in the best interest of the corporation. My role and this Government's role, is to make decisions that are in the best interest of the state. I make no apology to anyone, especially to those on the other side, for the decisions we have made. With nearly a billion dollars of investment to be spent on vessels, it was appropriate that the Government explores every opportunity to see whether or not -

Dr BROAD - Point of order, Madam Speaker. I ask you to direct the Premier to answer the question which is, 'can you confirm that this decision was the result of conversations with the Prime Minister, Scott Morrison, to put pressure on you to scuttle the ship replacement contract?'

Madam SPEAKER - That is not a point of order.

Mr GUTWEIN - I will answer. No. The Prime Minister put no pressure on me in terms of scuttling this process as you have suggested. The Prime Minister was though, I can assure you, very supportive of the view that we wanted to see every dollar possible invested either in this state or in this country.

As the member for Clark has mentioned, as much as we can get into this state is what the Government set out to do. I know, Dr Broad, you are conflicted on this because you have many excellent manufacturing businesses that operate in the north-west. They cannot understand why the Labor Party would want to argue against Tasmanian jobs. At least the Government is having a look to see what investment we can get in this state. I find it extraordinary, Madam Speaker, that the shadow treasurer engaging -

Members interjecting.

Madam SPEAKER - Mr O'Byrne, order.

Mr GUTWEIN - What seems to be lost on that side of the House, Madam Speaker -

Madam SPEAKER - Tell me what has been lost, because I cannot hear.

Mr GUTWEIN - What appears to have been lost is that we have had a worldwide pandemic. We have had the extraordinary circumstance in Tasmania where at its peak, in fact in May, 20 000 jobs were lost. We have had the extraordinary circumstance in this country where as a result of the strong measures that have been taken to arrest and to control the virus, the country will go into a recession. We know that around the world, the world will go into a recession and yet the Labor Party seems fixated on arguing that what we should be doing with taxpayers' funds right now is supporting Finnish workers in a Finnish shipyard. That is the position that the Labor Party has taken.

In finishing, I have full confidence in the board of TT-Line. Their decisions are based on what is best for the corporation. My decisions and the decisions of my Cabinet and this Government have to be based on what is best for the state. Right now, what is best for the state is to see how much of nearly \$1 billion-worth of investments that was going to flow out of the state to support a Finnish shipyard in Finland, can occur here? The reason why, and I will dumb it right down, is because we want as many Tasmanian jobs as we possibly can have from this.

I make no apologies for the steps we have taken. Right now, when the world is in recession, when the country is going into recession, when this state has been hit by this world-wide pandemic to the extent that it has, it is only right, only proper, that this Government does everything it possibly can to invest here in Tasmania and to support Tasmanian jobs. We are going to look at this properly.

Austal - Discussions regarding TT-Line's Replacement Ships

**Dr BROAD to MINISTER for INFRASTRUCTURE AND TRANSPORT,
Mr FERGUSON**

[10.50 a.m.]

Shortly after you pulled the plug on TT-Line's ship replacement plans, Western Australian shipbuilder Austal went public with its alternative proposal to build the vessels in the Philippines. Have any Government members or ministerial staff been briefed by Austal or their registered lobbyist, Font PR, to discuss their proposal?

ANSWER

Madam Speaker, I thank the member for the question. I am surprised he has come back for another serve because this is not working for the Labor Party and the Labor Party is not working for Tasmanians.

I will answer the question very directly: I am not in contact with Austal nor Font PR in relation to the matter that the member has raised in his question. That is the answer to the question. He is welcome to ask other members of the front bench if that is the case for them also.

I am not aware of any direct contact but I am aware that Austal has again been misrepresented by you today, Dr Broad. You again persist with this Filipino language that these Austal ships would only be built in the Philippines. That is a lie, not true. Although I am not in direct contact, I am aware of the public statements made by Austal. I read the newspaper.

Members interjecting.

Mr FERGUSON - I do not think they are interested, Madam Speaker. They are only interested in European trade. What Austal has said, and I have stood in this place previously -

Dr Broad - Where will they be built then?

Madam SPEAKER - Order, Dr Broad.

Mr FERGUSON - The member and his Leader have created a terrible mess for themselves. I am aware that Austal has said it proposes to build hulls in the Philippines and have them fitted out in Perth and in Tasmania. Is that a fair representation of what Austal has said? Dr Broad comes into the House of Assembly and says that Austal wants to build ships in the Philippines. He says it again, he doubles down. His Leader says it, they double down. The Leader of the Opposition and the member who asked the question continue to persist with Austal as a Filipino build.

I am not here today to represent any individual company but I am aware of Austal's public statements that indicate it would like to propose building hulls in the Philippines and for a fit-out in Australia. I and the Government welcome that. Does this side of the House welcome that? We welcome the interest. That interest is a direct result of the Government's decision to pause the process, to have a task force and to investigate options. We are also excited that Incat

wants to be considered as part of the task force consideration. I am excited that Tasmanian advanced manufacturing wants to be involved. We are pleased about it.

Dr Broad, it is a matter for you and for the Leader of the Opposition to explain why you, on your own, oppose these measures to try to find opportunities for Tasmanians. The Premier has given a very fulsome answer -

Members interjecting.

Madam SPEAKER - Order. Excuse me. Could we stop all these across-the-Chamber conversations?

Mr FERGUSON - The Premier has given a very detailed answer explaining the merits of this position. The Australian Manufacturing Workers' Union supports what the Government is doing.

Dr Broad - They do not know about the Filipino boat yards.

Mr FERGUSON - Federal Labor supports what the Government is doing. It seems to me -

Dr Broad - What are you talking about? Filipino boat yards is what you are actually talking about.

Madam SPEAKER - Dr Broad, you are not having a conversation with the minister. You do it through the chair.

Mr FERGUSON - Senator Helen Polley, Labor Senator for Tasmania, is talking up Tasmanian shipbuilding and what this Government is doing, to the continued opposition by state Labor. We want to do what is best for Tasmania.

Dr Broad - You have confirmed your support of a Filipino boat yard.

Ms White - You just do not get what fitout means, do you?

Mr FERGUSON - Dr Broad, Ms White, what we are trying to do is look for the best opportunity for Tasmania. We want Tasmanians to get jobs. I do not understand why the Labor Party is so determined - I do not understand -

Opposition members interjecting.

Mr FERGUSON - I will just wait, Madam Speaker.

Madam SPEAKER - Minister, you have just hit five minutes and -

Mr FERGUSON - I would just like to finish, Madam Speaker.

Madam SPEAKER - You would like to finish? Okay.

Mr FERGUSON - I will finish on the central point. We do not understand why state Labor is opposed to the Tasmanian job creation policy that is implicit in the work of the task force. I invite you -

Members interjecting.

Madam SPEAKER - Dr Broad, one more peep and I am afraid you will be out for coffee.

Mr FERGUSON - I invite members of the Opposition to be patient, allow the task force to do its work, allow them to inform policy going forward and let us see what good outcomes we can achieve for our state, for our people, in whose responsibility all of us are elected to care for.

Irrigation Infrastructure - Government Investment

Mr ELLIS to MINISTER for PRIMARY INDUSTRIES and WATER, Mr BARNETT

[10.57 a.m.]

Can you update the House on how the Government is delivering a long-term plan to invest in irrigation infrastructure to create jobs and opportunities for Tasmanian farmers? Is the minister aware of any alternative approaches?

ANSWER

Madam Speaker, I thank the member for his question and his interest in this matter. I know how keen he is to support regional communities, particularly on the north-west coast. Water is liquid gold. It is transforming for Tasmania. Agriculture is creating jobs in those regional communities, expanding farm production, Tasmanian premium agricultural products. We are proud of that.

We are on track to reach our \$10 billion farmgate value by 2050 - \$1.64 billion in the last financial year. This is consistent with our agri-food plan. This is our long-term plan and it is working. Prior to the coronavirus pandemic when I was in Canberra I was listening to the federal Minister for Agriculture commending Tasmania on our irrigation water infrastructure projects.

We have the nation's leading water infrastructure projects. We have 16 of the last 20 major water irrigation projects here in Tasmania. We are proud of that fact. We have tranche 2 and the Meander Valley Irrigation Scheme. In the past 10 years we have doubled agricultural production to almost \$1 billion as a result of that irrigation production. The high surety irrigation water is delivering through expanded agriculture, diversified agriculture, value-adding, creating jobs in those regional communities.

Thank you to the farmers, to those landowners who are investing on farm as a result of this public-private partnership. I pay great credit to the Deputy Premier, the former minister for primary industries and water, for laying the foundation, particularly tranche 2. The Government has delivered the Southern Highlands, North Esk, Swan Valley, The Duck, with the Scottsdale scheme coming on this summer.

In recent months, as a result of the coronavirus pandemic, we have invested further, thanks to the support of this Government to the Premier for the \$15 million as part of that Rebuilding Tasmania plan. It is happening on our watch and we are delivering now with a \$185 million investment.

I am pleased to announce that tomorrow I will be joining farmers and the community at Fingal for the announcement to launch the Fingal irrigation scheme preferred design option. This will deliver 12 500 megalitres of high-security water through the South Esk River from Fingal through to Powranna. This is very good news. A total of 28 500 hectares will be covered by this \$49 million investment thanks to working with those farmers and growing agriculture. In terms of livestock it will improve their opportunities, in terms of the crops whether it be potatoes, peas, carrots, poppies, cereal crops, there will be other opportunities - we do not know exactly because this is the future. Water is liquid gold. It will transform that agriculture and create jobs.

What sort of jobs? During construction of that irrigation scheme there will be 60 full-time jobs and 78 full-time jobs once operational. This is all on the back of the Northern Midlands \$65 million irrigation scheme preferred design option which was launched with 60 jobs during construction and 139 full-time equivalents during operation. This is good news. We are getting on with the job and there is strong demand for water. We are pleased and proud.

I compare our plan for agriculture with those on the other side. I was asked about alternative approaches. On that side, there is no plan, there is no vision. Labor is all hat, no cattle. We have the shadow minister, David O'Byrne, who said as Labor's new finance spokesman, 'I will do the hard work needed to put before Tasmania a vision and a plan'. Well, where is it? There is still no vision and no plan from the wannabe leader or from the Leader of the Opposition. Where is it? It is an embarrassing admission. The leader in waiting does not have the guts to come forward and deliver that plan. It is just not happening.

Ms O'CONNOR - Madam Speaker, point of order under Standing Order 48. The minister has just clocked five minutes.

Madam SPEAKER - I would agree. Thank you very much, minister.

Social Housing - Construction

Ms STANDEN to MINISTER for HOUSING, Mr JAENSCH

[11.02 a.m.]

The Premier has promised to build Tasmania out of recession but the Liberal Government has demonstrated an inability to build anything. It is over a year since the agreement was reached to waive Tasmania's historic Commonwealth-state housing agreement debt. At the time you promised 80 more homes would be delivered each year for people on the social housing waiting list across Tasmania. The number of people on the waiting list for public housing has blown out to nearly 3600 households under your watch. This is an astounding 64 per cent increase in the wait list since you came to government, yet the most recent quarterly Housing report showed just five new social housing homes have been funded through the debt waiver - not 80, just five.

Your record of delivery simply does not match your record of announcements. How can Tasmanians have any confidence in your promise to build more homes when you have repeatedly failed to deliver?

ANSWER

Ms O'Byrne - That's your legacy - a 64 per cent increase in the Housing wait list.

Mr JAENSCH - Your legacy is about 20 per cent at the moment. That is not a flash one either.

Mr O'Byrne - That shows a lot of heart to the people on that waiting list. Sensible start. You clown.

Ms O'Byrne - What, 3600 waiting and that's what you say? Shame on you.

Madam SPEAKER - Order please, Mr O'Byrne and Ms O'Byrne.

Mr JAENSCH - Madam Speaker, I thank the member for her question and her interest in our housing program and the investment we are making. As I understand it, we have around 300 homes at the moment either in construction or contracted using the Commonwealth housing debt waiver funds right now, in addition to around 150 other homes under construction right now, a track record of building around 400 new social housing dwellings each year.

Last Saturday we opened an expressions of interest process for the delivery of another 1000 social housing properties over the next three years. There is \$100 million for 1000 new social housing properties over the next three years and that process is now open. By the end of November we will have proposals in from community housing providers and their partners in local government, property owners and builders around Tasmania. We aim to be contracting those in the early part of next year, in so doing building the pipeline into the future and over the next three years for our building and construction sector and for our community housing providers. They are flat out right now building homes everywhere across Tasmania, in part for the building sector in response to the home builder grants program supported by the state and Commonwealth governments which has our building and construction sector busy and working at full capacity right now.

The big challenge now - they tell us this and the community housing providers tell us this - is to smooth that pipeline of work so it extends beyond next year. Over the next three years our work will help to provide baseload in that industry and keep that pipeline full, keep those builders busy and keep those apprenticeships ticking over so that we are continuing to invest in that sector and support our economy right across Tasmania. We are building jobs and supporting our economy at a time when our Premier and Treasurer tells us again today we are going to need it most because we are not out of this yet. We have a mountain to climb. We are going to have to build our way back to where we were before the coronavirus pandemic struck.

I have been listening to Ms Standen's mopey complaints in the media over the last few weeks about how long it is taking us to get things built and why has it taken us three months to get to market with our 1000 new builds and our \$100 million investment program. I have some answers ready for her because over the last three months since we announced our \$100 million

investment and bringing it to market we have been finalising those contracts for the remainder of the 300 homes funded under our last community housing grant program and with the Commonwealth housing debt waiver. We have been building new long-term agreements with our community housing providers to transfer the management of a further 2000 homes to those community housing providers.

Ms White - And titles?

Mr JAENSCH - Not titles, homes. You are the ones who were going to be paying them to build houses that they would own. You were going to build half as many as we are with twice as much money for half the time - completely bewildering.

We have been overseeing our existing building programs which remain on track, delivering around 400 new homes per year. We have been overseeing the finalisation of the delivery of 18 new homes, for example, being built by local builders Beardwood up at Somerset where Mr Ellis, Mr Rockliff and I live in Braddon - and Dr Broad and Ms Dow - for Housing Choices Tasmania, where slabs were poured in June and just last week 18 homes were at lock-up. In three months that company brought 18 houses out of the ground.

This is the pace of development. These are the companies we are working with to solve Tasmania's housing shortage. That is why we are investing another \$100 million to build another 1000 homes for Tasmanians who need them. This story is playing out right around the state. Do not forget also we have expanded the Safe Night Spaces to a 24/7, round the clock full wraparound service in Hobart and Launceston and Burnie.

Ms WHITE - Point of order, Madam Speaker, going to Standing Order 45, relevance. The minister was asked to confirm whether in the last 12 months he has only built five houses with the money that came from the federal government waiving our historic housing debt. Can he please update the House on whether that figure has changed?

Madam SPEAKER - I am afraid he has only 30 seconds to do that.

Mr JAENSCH - In the first year of the community housing debt waivers savings program we have delivered five new rapid rehousing homes in the quarter you are referring to and contracted 300 new builds that are under way right now. In the last three months, apart from complaining and wondering over there, the shadow minister for housing has not done much herself. The real action over there from Labor has come from the shadow minister for building and construction who is becoming the shadow minister for housing as well but is also becoming the toilet seat detective. Ms Butler has been going around and actually found some social housing, which Ms White could not do -

Opposition members interjecting.

Ms O'Byrne - Madam Speaker, you said he had 30 seconds. He has completely lost the plot. Save us from him now.

Ms O'CONNOR - Point of order, Madam Speaker, under Standing Order 48. This is devolving into farce. The minister needs to sit down and spare us all.

Madam SPEAKER - Minister, I gave you 30 seconds and I think you are wandering.

Mr JAENSCH - Madam Speaker, I am wrapping up right now. Ms Butler has been going around knocking on the doors of houses she did not build to find something wrong with them. This is exactly what Labor does. They demand you build more houses and when you do they go and knock on the door and try to find something wrong with it. All they know how to do is not to come up with a plan of their own but to try to take some paint off us on the way through.

Health System - Staffing Levels

Mrs PETRUSMA to MINISTER for HEALTH, Ms COURTNEY

[11.11 a.m.]

Can you provide an update on the Government's efforts to boost staffing levels in our health system?

ANSWER

Madam Speaker, I thank the member for her question. I take the opportunity to again thank the amazing staff we have across our health system. Each and every one of them, whether they are employed through the THS or are in the private system, support their communities with love, compassion and dedication.

Tasmania's hospitals are delivering care for hundreds of Tasmanians every single day and to all of those who work in our system, we say thank you. The Government is committed to supporting our staff and providing more care for our patients and we are continuing to focus on key recruitment challenges, especially at the Mersey Community Hospital.

As outlined to the House on Tuesday, we have a plan to reopen the Mersey ED with more resources for our ED with an increase in permanent staffing, delivering immediate staffing solutions with a new allowance for THS staff who take up short-term positions in the north west, as well as bolstering our recruitment campaign with more nationwide advertising and partnering with Brand Tasmania. We are committed to that ED and the north-west community.

In spite of the recruitment challenges thrown up by COVID-19, particularly for rural and regional areas, I can confirm that we have continued to grow hospital staffing. Today we have a prime example of the opportunities our health services have, with applications closing to the transition to practice graduate nurse program. I am sure there are many Tasmanian nursing graduates finalising their applications for this fantastic program of which we have been a strong supporter. The Government has boosted the number of placements by nearly double over the last six years, providing the vital first step on the career ladder for many nurses. These graduate nurses will be joining a growing team of dedicated, hardworking health professionals.

As the Premier confirmed yesterday, there are now around 1500 more FTE people in our health system than six years ago, including 750 nurses and 230 more doctors. We have continued to increase staffing within our system to better meet health demand, with over 400 more staff alone in the 12 months to June 2020. In that year, this includes 173 nurses, 67 doctors and 62 allied health professionals.

I particularly highlight what this means for the LGH, which has been the subject of a lot of attention in recent days and we know has seen a lot of pressure. Staffing at that hospital has been bolstered by more than 100 additional FTE in the last 12 months alone, including 13 new allied health staff, 26 more nurses and nearly 40 new doctors. These are new roles that have been created and filled.

Every single staff member in our health system makes a contribution and is a crucial part of delivering health care service to our patients. They are a key part of our plan to build a better health system and we are boosting services, investing in infrastructure and looking at how we can put in place a system to support our staff and boost patient flow. By working together with health professionals, both within the THS and in the broader health system across Tasmania, I have confidence that we can tackle the challenges now as well as into the future.

Time expired.

ANSWER TO QUESTION

Austal - Discussions regarding TT-Line's Replacement Ships

[11.15 a.m.]

Mr FERGUSON (Bass - Minister for Infrastructure and Transport) - Madam Speaker, I would like to add to an earlier answer. I will certainly confirm my earlier answer but I have asked my office to check in terms of correspondence. I confirmed that I had not met with Austal or Font PR in relation to the matter but knowing how suspicious members on the other side of the House can be I have asked for a check of correspondence.

From a quick check of my records I can see only two instances of incoming correspondence with or on behalf of Austal. Font PR, on behalf of its client Austal, provided a copy of its media opinion piece from Austal CEO Mr Singleton shortly after the media coverage of their proposal, I believe in late August, and earlier this week the Austal CEO copied me into correspondence to the chair of the task force, Mr Tony Ferrall.

I again confirm I have no direct contact or discussion with Austal or Font PR about this proposal. However, if I had it would have been entirely appropriate and I reserve the right to do so in future. I have also met with Incat, although I was not asked about that, and further reserve the right to speak with Incat in the future, or any other firm that has an interest in Tasmanian jobs.

TABLED PAPER

Public Works Committee - Tasmanian Government Radio Network Project

Mrs PETRUSMA (Franklin) - Madam Speaker, I have the honour to bring up the report of the Public Works Committee on the following reference: Tasmanian Government Radio Network Project, together with the evidence received and the transcript of evidence.

Report received.

**JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS
AMENDMENTS) BILL 2020 (No. 36)**

First Reading

Bill presented by **Ms Archer** and read the first time.

STATEMENT BY SPEAKER

**Subordinate Legislation Committee -
Resignation of Mr Tucker**

[11.19 a.m.]

Madam SPEAKER - Honourable members, I advise that I have received the following correspondence from Her Excellency the Governor -

Dear Madam Speaker,

I have the honour to inform you that on 15 September 2020, Mr John Tucker MP tendered his resignation as a member of the Parliamentary Standing Committee on Subordinate Legislation.

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

Yours sincerely
C. WARNER
Governor

COMMITTEE MEMBERSHIP

**Subordinate Legislation Committee -
Appointment of Mr Ellis**

[11.20 a.m.]

Mr FERGUSON (Bass - Leader of Government Business)(by leave) - Madam Speaker, I move -

That Mr Ellis, the member for Braddon, be appointed to serve on the Parliamentary Standing Committee on Subordinate Legislation in accordance with the provisions of Section 4 of the Subordinate Legislation Committee Act 1969, No.44.

I have discussed this with Mr Ellis. I appreciate as the newest member of our House, his willingness to learn the ropes on that committee and to serve this House and our parliament on a committee that does a lot of work. To any of the members of that committee we appreciate what they do because they do it on behalf of those of us who are not on that committee.

I thank Mr Tucker, who is stepping out of that committee. I am aware of how much work members of that committee from both Houses do, particularly during the pandemic. They have had a massive workload and they have done it quietly and extremely well behind the scenes.

I thank Mr Tucker and other members of the committee, and in particular Mr Ellis who will serve on the committee.

Motion agreed to.

CONDOLENCE MOTION

John Edward Green

Mr GUTWEIN (Bass -Premier)(by leave) - Madam Speaker, I move -

That this House expresses its deep regret at the death on 22 August 2020 of John Edward Green, former member for the Electorate of Denison from 17 August 1974 until 16 February 1980, and further, that this House respectfully tenders to his family its sincere sympathy in their bereavement.

John Edward Green was born on 10 September 1945 in Hobart. He was educated at St Virgil's College in Hobart, a school that has produced a number of Tasmanian parliamentarians, including former Premier, Paul Lennon. He studied law at the University of Tasmania and graduated in 1969. He did his articles with one of Hobart's oldest law firms, Piggott Wood & Baker. He was admitted to the bar and started working as a lawyer in Devonport in 1970. Mr Green then spent a number of years working first with Crown Law and then the Public Trustee Office from 1971 to 1974.

Still only a young and relatively inexperienced lawyer in his late 20s, John Green contested the 1972 state elections as a Labor candidate for the House of Assembly seat of Denison, but fell short on that occasion. As is often the case in our House he was subsequently elected to the House of Assembly on 17 August 1974 as a Labor member for Denison on a recount following the resignation of a sitting member.

Mr Green contested and retained his seat at state elections held on 11 December 1976 and 28 July 1979. He then left the parliament after losing his seat on 16 February 1980, following somewhat unusual circumstances of a by-election that was held post the poll in the seat of Denison when a by-election was held for the previous 1979 state election.

Mr Green served as a member of the Public Accounts Committee and the Subordinate Legislation Committee. Members know the amount of hard work that goes into these standing committees. Mr Ellis is about to find that out.

After parliament, John Green established his own law firm in Moonah maintaining his strong connections with the local communities he had served as the member for Denison, now Clark. Mr Green built a successful and highly respected legal career practising law until 2015. Community service and advocacy were also a significant part of Mr Green's life. It certainly appeared that John took his mission, his vocation, in life to be one of representation and service,

which started with his work as a representative for the communities of Denison, now the electorate of Clark.

He managed to serve in an extraordinary number of roles, including leadership and board positions in the Australian Lawyers Alliance, at the Hobart Community Legal Service, the Rotary Club of Moonah, Sustainable Living Tasmania, the Tasmanian Building Group Apprenticeship Scheme, and the Tasmanian Conservation Trust. He also served as a member of numerous community groups, including the Tasmanian Council of Civil Liberties, the Tasmanian Pensioners Association, the Hobart Film Society, the Hobart Football Club, and the Australian Italian Club. The Tasmanian community was made stronger and many groups and individuals had their voices heard and represented, thanks to John Green's work.

I also understand he gave great service to his political party's organisational wing. I will leave others to detail that service today, but I wanted to acknowledge that service in the few moments that I had.

I extend my condolences to the family and friends of Mr John Edward Green on his passing on 22 August this year, and recognise his service to the Tasmanian parliament as a former member in this place.

[11.26 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, I rise to support the motion and to convey our deep sadness at the passing of John Green, and thank the Premier for his kind words.

John was a very kind man. He was always willing to share his knowledge and his wisdom with us. I certainly took great pleasure in catching up with him and hearing about his stories and involvement with the Labor Party and the labour movement.

He was very passionate about the law and passionate about social justice. He provided great service to this state, both in his capacity as a member of parliament, as a lawyer, and also as a volunteer on a number of different community organisations that he gave his time to because he believed in them and he wanted them to be able to do as well as they could.

He was a member of this House from 1974 to 1980, and he was a very active member of the ALP right up until he passed away. That was reflected in some of the obituaries that were placed in the *Mercury*, including one from the New Town branch of which he was a member. I would like to read that. It was placed on 27 August 2020 -

John Green, cherished member and president of the Labor Party's New Town branch. A stalwart of the labour movement and fighter for justice. Sorely missed by all New Town branch members. Rest in Peace, John.

The Moonah Rotary Club with which he was involved, and a past president, listed an obituary and tribute to him that said -

[He was the] highly regarded past president of Moonah Rotary. John was a hard worker; he loved a joke, whether good or average.

John was very passionate about the law and very passionate about social justice, and had very firm views about Australia becoming a republic. Looking back through earlier articles, I want to share one with the House that was printed in the *Mercury* on Thursday, 5 September 1974. It has to do with the role of the Governor in this state. I will read it for the House. It is titled 'Reece Backs Governor 'rebel' in clash'.

The Premier, Mr Reece, last night spoke against his own party's platform - and had his first clash in parliament with Labor rebel, Mr Green - in supporting the office of governor.

Mr Green (Denison), who is still sitting on the cross benches in the House of Assembly as a result of his suspension from the party last year, opposed the office of governor during debate on the budget.

Speaking in accordance with the Labor Party's policy platform on governors, Mr Green suggested that Government House be turned into a cultural sector.

This led to an immediate clash with the premier who, as the treasurer, is handling the budget.

Mr Reece went against his own party's rule and called for retention of the position of state governor. 'It is a good thing to be old fashioned sometimes', he told the House. 'I have thought about it a lot over the years.

I once thought that it would be a good idea to dispense with the office of governor, but I have changed my mind'.

Mr Reece said he believed there was no better alternative to the present system, particularly now that Queen Elizabeth had formally been adopted as Queen of Australia, requiring an official representative in each state.

The opposition leader, Mr Bingham, said the opposition agreed with the premier - but his party was not troubled by a policy which called for the removal of the office of the governor.

The matter was sparked off when Mr Green referred to the governor as 'an unnecessary expenditure item'.

The Treasury has set aside \$306 185 this year for the maintenance of Government House and the salaries of the Governor and staff.

I thought that was worth highlighting to illustrate the colourful character that John Green was and particularly in this parliament in his short time that he was in this place. To further highlight that, I would like to reflect on a pamphlet he used in his re-election campaign. I will read in that a statement from Eric Reece - they obviously patched up their differences. In this Eric Reece says -

John Green is a valuable member of parliament. His legal skills and debating ability are an asset to the Parliamentary Labor Party. The Labor Party needs a lawyer in parliament and I recommend John Green to the voters of Denison.

John is the only Labor member of parliament who is a lawyer and he is the only endorsed Labor candidate who is a lawyer.

The Labor Government needs his legal training and skills to refute in parliament the arguments of the Liberal Party's lawyers, Bingham and Baker.

To give an indication of the sorts of policies and the values that John had as a member of parliament, I will refer to some of the items he contained in his re-election brochure. He describes himself as the Labor member for the House of Assembly elected in 1974 for Denison, aged 31, married for more than three years, educated at St Virgil's College and the University of Tasmania. He was admitted by the Supreme Court in 1970 as a barrister and solicitor and practised in Devonport and Hobart. He was a public administrator employed as a legal officer in the Solicitor-General's Department and the Public Trustee Office 1971-74 and acted in community affairs as the officer-bearer of honorary legal adviser and member of more than 30 charitable, sporting and civic organisations. He was the only lawyer on the government benches. In this, he even refers to the fact that the *Mercury's* political columnist had acknowledged his ability. Wayne Crawford says:

The new ALP member of the House of Assembly, solicitor Mr John Green, delivered such an impressive, clear, concise, and well-reasoned maiden speech in the House the other day that he was embarrassed by the congratulatory handshakes from both the government and opposition sides.

Later, he went on to say:

... the disadvantage under which the government labours without a lawyer Attorney-General, and without even a lawyer in cabinet ... the government consistently had to fall back on back-bencher, Mr John Green, the only Labor lawyer in parliament.

In this piece he goes on to talk about his very firm view that education is fundamental for a strong society and how critical it is to maintain access to public education; that industrially he has very close ties with the trade union movement and will always keep a close watch on industrial legislation. He was a firm advocate for strong social services and particularly supporting pensioners. He was a big supporter of our environment and he supported the recommendations of the South-West Advisory Committee for the enlargement of the South-West National Park. He was also very keen to point out that he was a member of the Hobart Consumer Group because he believed consumers - and that is anybody, every time they buy goods or services - had rights and that government must protect these rights.

All of this goes to demonstrate that he was a staunch believer in social justice. Not only did he believe in it but he fought for it, and he stood up for it every single day whether in this place or as a lawyer or in his role supporting community organisations.

I pass on my condolences to his family. I will miss him. I will miss seeing him at different Labor Party events. He was a very lovely man, a warm man. He always had time to speak with anybody who wanted to learn about what was happening in his life, but his keen interest was sharing in the history of the Labor Party and he will be missed by many in the Labor movement.

On behalf of the Parliamentary Labor Party, I pass on our condolences to his family but also to the broader Labor movement who lost a good one.

[11.34 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, John Green was a good man and, on behalf of Dr Woodruff and me, I pass on our very sincere condolences to his family, friends, and his Labor colleagues.

John Green was a proper Labor leftie. His whole political and legal career was about looking after people, standing up for social justice, but in that big heart there was a lot of green.

I remember going to see John Green at his humble legal HQ in Moonah when we were confronting the then Labor government's attempts to massively shrink the Ralphs Bay conservation area and put a 500-home canal estate on an internationally significant bird habitat. He listened very thoughtfully and provided some helpful advice and I believe he demonstrated that it is possible for a Labor person to be motivated by a desire to part of good public service and looking after people, but also to look after the planet and our natural environment. That is something Labor members today could learn from.

John Green had a distinguished legal and political career. His manner could sometimes be concise and he could also be a little bit brusque, but he really had a very good heart. His heart was there for the battlers. You only had to look at the shingle outside his humble legal practice in Moonah to know that. It was the fact that he took the law out to Moonah and improved access to justice in the northern suburbs, that we need to mark.

I understand that when he left state politics after losing his seat in February 1980 - this is a historical footnote - that by-election came about as a result of campaign funding irregularities. It was thought that the only way to resolve this was through a by-election and it is one reason that spending caps on lower House elections were scrapped. Forty years later we are still dealing with that decision to scrap lower House spending limits, which was clearly a mistake because there are spending limits on upper House members and on Local Government candidates, but not on House of Assembly members. The House needs to address that.

When you have a look at the many organisations John Green was a member of, or contributed towards, a few certainly stand out to the Greens. He was a member of Sustainable Living Tasmania since the late 1970s, serving on the board since the early 1980s and as treasurer. He was a member of the Tasmanian Council of Civil Liberties, the Tasmanian Pensioners Union, the Tenants' Union, and the Tasmanian Conservation Trust, of which he was a former board member.

I thought, as Ms White did, I would put a few words of John Green's on the *Hansard* record. This is a letter to the editor of the *Mercury* that he wrote in June 2014 after the most savage budget that has come out of a federal government in many years, the Abbott government's 2014 budget, which Tasmania's health and education system is still dealing with the consequences of today. John Green says:

Dear Sir,

RE: FREEDOM OF SPEECH

I have now discovered another nasty little trick in Abbott's budget.

All community legal centres have been forbidden from taking part in any law reform activities or any kind of policy activities on threat of their funding being cut.

They have been explicitly banned from criticism of the Commonwealth Government or any of its agencies.

One of the major purposes of community legal centres is to develop policy to improve the law and make proposals for law reform.

It is clear the Abbott Government opposes freedom of speech and is determined to stop all voluntary bodies from criticising it if at all possible. No doubt they will try to do the same to the Australian Council of Social Services, particularly since they exhibit a dislike of pensioners as shown by the fact they expect persons under 30 who become unemployed to live on fresh air for six months.

That is definitely a cruel and unjustified proposal especially since the NewStart Allowance is only \$250.75 a week.

It is impossible to rent any decent accommodation even in Hobart for much less than \$200 a week, making it almost impossible to live on NewStart unless you can find a lot of people in a similar situation who rent a house and you get a room, or find a room in a cheap boarding house.

Even that pittance would be taken away from you if you are under 30. The Government proposes that the unemployed work for the dole or study, but it is not making any money available to assist unemployed persons to get jobs.

People with no income cannot afford to have their resumes photocopied and they cannot afford to pay the bus fare to attend job interviews, so how can they possibly get jobs?

There is no money for courses which would help people get jobs.

There is no attempt at community development in areas with high employment.

The Government refuses to acknowledge that people are unemployed because of government policy.

I am old enough to remember in the 1970s when governments implemented a policy of full employment and the unemployment rate was 2 per cent and everybody had a job.

With the election of the Fraser Liberal government and the Howard Liberal government, we have now got relatively high unemployment, about 20-30 per cent in poor areas.

The attitude of this Government shows a punitive approach to poor people.

If you are a billionaire the Government says you can have an incentive to invest your money and they give you money. If you are unemployed and broke, they say you should starve to death.

The poor will only respond to punishment, the wealthy will only respond if given more wealth.

This is the peculiar, perverted sense of morality of the Abbott Government.

Your faithfully
John Green LLB

Madam Deputy Speaker, that letter to the editor said a huge amount about John Green's heart and his values. On behalf of the Tasmanian Greens, my deepest condolences to John Green's family, friends and colleagues. Vale John Green.

Madam DEPUTY SPEAKER - Thank you. I too give my condolences to the family, friends and colleagues of the late John Green.

Motion agreed to *nemine contradicente*.

Motion by **Mr Gutwein** agreed to –

That a copy of the foregoing resolution together with the transcript of the debate be forwarded to the family of the late John Edward Green.

POLICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019
(No. 44)

JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019
(No. 39)

Bills agreed to by the Legislative Council without amendment.

MATTER OF PUBLIC IMPORTANCE

Bushfire Preparedness

[11.43 a.m.]

Dr WOODRUFF (Franklin) - Madam Deputy Speaker, I move -

That the House take note of the following matter: bushfire preparedness.

The bushfire season is almost upon us and the experiences of the 2016 and 2018-19 bushfire seasons have been more than enough to strengthen the resolve of Tasmanians to never again enter a fire season without enormous amounts of preparation and the resourcing required to keep communities safe and to protect our incredible wilderness areas.

In 2018-19 there were 70 separate bushfires and 205 000 hectares of Tasmanian landscape was burnt. Over 40 per cent of that was in the Wilderness World Heritage Area. Incredibly, there was no loss of life at that time but it was nearly three months of on-ground firefighting. It was a very destructive fire season and very exhausting for everybody who was involved in firefighting and the communities who spent months with enormous levels of smoke and supporting the volunteer and paid firefighters who put their lives on the line to protect us. It was frightening and there are important lessons that we must have learned from that period.

If that was not enough, last summer's horror fire season on the mainland of Australia is further evidence that we must change the way we prepare for bushfires in Australia. The conditions in eastern Australia last year were unprecedented but they were not unforeseen or unexpected. They were fuelled by climate change. It was the hottest and driest year ever recorded in Australia and fires burnt through two and a half times the size of the land area of Tasmania. More than a billion animals were killed. It affected nearly 80 per cent of Australians and there was the tragic loss of life of 450 people and 3000 homes destroyed. Communities were miraculously saved at the last minute by the intervention of the army and navy at Mallacoota, Batemans Bay and Malua Bay and were airlifted to safety. It was truly horrific.

The Emergency Leaders for Climate Action have been calling out since early last year. They comprise 33 of the most experienced ex-fire chiefs from state and territory jurisdictions across the country. They sought a meeting early last year to warn the Prime Minister of the conditions and to prepare the country for what was coming but they were speaking to a Prime Minister who refuses to accept the reality of climate change and he refused to listen and heed their call for preparation.

Those climate leaders held a bushfire and climate summit this year after last year's bushfires and they have told us what we need to do. We need to learn and act and be properly resourced. The Tony Press review in 2016 after the Tasmanian bushfire season and the AFAC review, which was released mid last year after the 2018-19 bushfire summer in Tasmania, both recommended that we have to increase our firefighting capacity. We have to expand it urgently and it has to be resourced appropriately.

We are deeply concerned that there is no evidence the Government has listened to the calls of both those expert reviews into the Tasmanian bushfires and has not been listening to the Emergency Leaders for Climate Action and ex-fire chief Mike Brown from Tasmania, a man with enormous decades of expertise in firefighting. It was only in October last year when the Minister for Police, Fire and Emergency Management's underfunding resulted in 80 TFS remote area firefighters being grounded, leaving a gaping hole in our state's firefighting capacity. We want to know if there is a full contingent of RAFs who are ready to go and become operational now on the ground in Tasmania.

In November last year, insiders from Tasmania Fire Service raised the alarm about the lack of resources and staff that they said would leave the state exposed during the busy summer fire season last year. The southern region in Tasmanian was struggling for volunteers last November and people were having to be called in from the state's north-west to backfill strike teams when there were total fire bans and fires in that area.

A northern career firefighter said last November that he had to be called in to cover a shift in the south and according to staff in the north and south there were double shifts being worked simply to keep stations open. The inside source from the Tasmania Fire Service said,

and these words were deeply chilling at the time, 'It's just luck that is getting us by, we just fill holes with warm bodies'. They moved people around the state because there were simply not enough resources to support the volunteer firefighting service in Tasmania.

Madam Deputy Speaker, here we are this year and we find ourselves asking a question of the Minister for Environment and Parks in this morning's question time in parliament about the email that we have from management to Parks staff warning that the current vehicle fleet in the event of fire could not be used to its full capacity. For at least a year, the majority of vehicles in the Parks fleet used to carry those slip-on fire tankers are totally under capacity and the resourcing has to be put into place.

Time expired.

[11.50 a.m.]

Mr SHELTON (Lyons - Minister for Police, Fire and Emergency Management) - Madam Deputy Speaker, it is obvious to me that the Greens have not been listening to some of the information that has been put across the Chamber when I have answered questions about where we are in the preparation for this summer's fire season.

I am delighted to add my bit to this MPI today and to speak about the issue of bushfire preparedness. As anyone who understands fire knows, you need three things for a fire to occur. You need fuel, you need ignition, and you need oxygen.

The Government is already a world leader in climate change policy and performance. Tasmania is punching above its weight in our contribution to what is a global challenge. We are doing our bit to put downward pressure on climate-driven risks and conditions. The Government has a strong community communication approach and permit framework that helps to reduce the incidence of ignition caused by people. We have a strategic fuel reduction program to reduce the fuel loads and increase the protection to our communities and our firefighters.

Our three fire agencies are preparing for the 2021 fire season by developing a public information campaign, undertaking fuel reduction burning, using predictive modelling to plan responses, exercising emergency management plans, ensuring appropriate asset contracts are in place, such as aircraft, plant and machinery, developing new bushfire risk management across all Tasmanian fire management areas, developing additional community protection plans and undertaking the Bushfire-Ready Neighbourhoods program.

As has already been noted in this place, all recommendations arising from the 2013 Tasmanian bushfire inquiry, the 2016 AFAC review and the AFAC review into the 2018-19 bushfire seasons have been completed. The autumn 2020 burn season was very successful with a total of 146 strategic fuel reduction burns over 27 000 hectares of Tasmania; that is both public and private.

Aerial firefighting is also a critical tool in the bushfire management toolbox. This year, Tasmania will have access to 11 prepositioned aircraft in strategic locations across the state, consisting of seven helicopters and four fixed-wing bomber and scooping aircraft. This is a 50 per cent increase to our state's aerial firefighting capability and a critical tool for Tasmania Fire Service's rapid rate of response strategy when it comes to bushfire.

We will also have volunteers joining the ranks of our remote area firefighting capacity, a welcome addition to the strong capability we already have from the Parks and Wildlife Service, Sustainable Timber Tasmania and from the Tasmania Fire Service. The first expression of interest process resulted in more than 190 applications for these remote area firefighters, which is fantastic for the volunteers to be putting their hands up to help protect Tasmanian communities.

We will soon have two new burn crews with 12 staff to support the fuel reduction program. We have already established an additional four staff to work with our landowners on managing the risk on their land through the Red Hot Tips program.

As the Premier has announced, the draft bushfire mitigation bill, is now out for consultation, which will introduce a new legislation framework for bushfire mitigation in Tasmania. The legislation will make it easier to reduce fuel loads and to mechanically clear vegetation for fuel breaks while balancing environmental and community concerns.

In finishing, we must not forget that we are operating in a COVID-19 world. The TFS has been terrific in the way that it has responded so far in adjusting to day-to-day challenges of COVID-19 while getting on with business. There is excellent planning under way to ensure that our bushfire response accounts for the challenges of COVID-19.

At a national level the Commissioners and Chief Officers Strategic Committee and Emergency Management Australia is planning for the processes around interstate resource deployment for this fire season to account for any COVID-19 border restrictions. The TFS is working on Tasmania's COVID-safe planning for operations. This will ensure that we are well prepared with a scaleable and agile set of operational arrangements to respond to any scenarios.

I thank all staff in our fire agencies and across government who are working hard to plan for the bushfire season. I can assure Tasmanians that this Government will never stop acting to make them safer. On the weekend I visited the Tea Tree Rural Fire Brigade where they had over 20 members doing a familiarisation and orientation of the new truck they had just taken possession of. It is a state-of-the-art truck that has all the safety features required for a modern-day asset. Their old truck was being kept in the fleet in order to improve the fleet in another area and another brigade.

[11.56 a.m.]

Ms BUTLER (Lyons) - Madam Deputy Speaker, I thank the member for Franklin, Dr Woodruff, for bringing forward this notice of motion today. Lack of equipment and property acquisition and roll-out of equipment is an issue which has been consistently raised in operational reviews into Tasmanian bushfires. I have visited dozens of volunteer fire stations across the state and all stations I have visited have tremendous pride in their stations, equipment, appliances and the stations.

The continuous rhetoric and advice provided internally is that there can be a barrier between decision-makers and the experts on the ground when it comes to fighting bushfires. Roll-out is an issue with equipment. Some sections of agencies are provided with state-of-the-art equipment and appliances. For other brigades, their stations are sometimes not compliant with building regulations and the consistency of equipment roll-out is a major issue, and will be an issue going into this fire season. There is inconsistency across brigades and agencies in

the resourcing provided to fight fires and keep our community safe. This is a major issue the Government still needs to address.

Regarding private firefighting resources, the Australasian Emergency Services Authority Council in its review into the Tasmanian fires of December 2018 to March 2019 stated -

We received feedback in the course of public submissions to the Review about the utilisation, or lack of, private firefighting units in suppression activities. This term may refer to an individual trailer pump or slip-on unit owned by a farmer, to more extensive trained and equipped resources owned, for example, by a private forestry company.

Then it goes on at 4.7.19:

We recognise that private firefighting units may be a very important resource in rural areas and this is recognised in other jurisdictions by the formation of primary producer brigades, industry brigades, or by the issuing of public guidance such as the Victorian Country Fire Authority's *Guidelines for Operating Private Equipment at Fires*. We note that the TFS does not have similar published guidance and we think that some could usefully be developed.

It is my understanding that come October this year there are going to be quite a few significant changes announced by the Government in relation to the TFS and how we operate our volunteer firefighters. Some models which may be being looked at include the Country Fire Authority model, so we look forward to hearing about that in the future.

It is our understanding that limited attention has been applied to the deficiency of consistency for bushfire preparedness. The 2018-19 summer bushfires were the second-largest bushfire event in Tasmania's history, only behind the catastrophic events of 1967. The three main fires were started by lightning strikes at the Gell River on 27 December and the Great Pine Tier in the Central Plateau and Riveaux Road in the Huon Valley on 15 January. The fires burned through 210 000 hectares and put communities such as those south of Huonville and the Central Highlands at risk for weeks.

The AFAC review of the management of bushfires during the 2018-19 fire season commended Tasmanian fire agencies for protecting human life and property but highlighted the significant damage done to Wilderness World Heritage Areas. The report raised the lack of a smartphone app in Tasmania like the emergency app in Victoria and New South Wales that allowed community members to easily access information on their mobile devices. This is something we need to make sure we nail before we go into this fire season.

We know that Scott Morrison has for the first time acknowledged that climate change has had an influence on the devastating fires that took 34 Australian lives and burnt 18 million hectares of land. To put this into perspective, South Korea has an area of 10 million hectares so that gives you an idea of the scope. It also destroyed 3000 homes and left a staggering price tag of \$100 billion.

The Prime Minister has been forced to defend his Government on its record on climate change and Australia's fire preparedness. This definitely needs to be addressed. Listening to

experts such as Mike Brown is not only sensible but will also provide more assurances to the community that we are listening about the impacts of climate change.

Tasmania's bushfire readiness is not certain at the moment and that lack of resourcing, staff and preparedness for our volunteer brigades could definitely cause major problems as we go into this season. We need to make sure our fire brigades are all equipped with stations that are up to regulation, that the buildings in which they are training and working out of do not flood, that they do not have to move fire trucks to be able to conduct normal training operations, and that the rollout of equipment they require such as masks, jackets and appliance upgrades is done consistently across the state for all brigades.

At the moment we have a situation where there is inconsistency. One fire brigade will have every new piece of equipment available and then other fire brigades are just making do on the understanding that they will be provided certain equipment in due course. We need to make sure that consistency is applied right across. I had a conversation this morning about the building of those tanks which the motion refers to -

Time expired.

[12.04 p.m.]

Mr STREET (Franklin) - Madam Deputy Speaker, this is indeed a matter of intense public importance. The minister in his contribution talked about increasing capability for our firefighters. I will talk more about what is causing these increased bushfire risks. Last summer's mainland bushfires were devastating and thankfully here in Tasmania our own bushfire season was not as destructive, but we only have to go back 12 months previous to that to see how destructive the bushfire season in Tasmania can be.

Under a change in climate, reports identify that Tasmania can expect longer fire seasons with more frequently intense bushfires and increased lightning ignition. The Tasmanian Government recognises climate change is an important issue that requires action by all levels of government. The Government is adapting to climate change and its risks. This includes fuel reduction burns where it is safe to do so and new bushfire legislation to improve preparation for bushfire and risk reduction.

The Government's comprehensive forest management system has adaptive management and continuous improvement processes built in which allows the regulatory system to adapt and evolve -

Ms O'Connor - It denies the science.

Mr STREET - to deal with issues such as major bushfires and a change in climate - and I will come to science, Ms O'Connor. By actively managing our forests through the harvesting or thinning of trees followed by controlled low-intensity post-harvest burning, we can markedly reduce fuel loads and the consequent risk of wildfires.

Ms O'Connor - That is rubbish.

Mr STREET - It is not rubbish. You will get your chance to make a contribution, Ms O'Connor, but it is not rubbish.

Ms O'Connor - Read Dr Woodruff's contribution from last night.

Madam DEPUTY SPEAKER - Order, Ms O'Connor.

Mr STREET - The establishment of forestry roads can also aid access for wildfire suppression and biodiversity protection. It is interesting to note that in past fires, areas of young forest regenerating post-harvest have assisted fire protection of older adjacent forests and in some instances the only areas left unburnt during bushfires have been post-harvest forests.

The views expressed recently by the Greens and others that native forest logging exacerbates bushfires both in terms of intensity and severity do not accurately reflect contemporary scientific consensus on the matter. There are a number of comprehensive studies into Australian forests that have found this assertion to be incorrect.

Dr Woodruff - You should have listened last night.

Madam DEPUTY SPEAKER - Order.

Mr STREET - Again Dr Woodruff is failing to adhere to a standard of behaviour that she expects from the rest of us in this place when we are making a contribution.

The conclusion that forest harvesting exacerbates bushfire has been fundamentally debunked by a number of senior forest scientists and ecologists in published peer-reviewed journal articles, most notably Ferguson and Cheney 2011 and Attiwill, Ryan, Burrows, Cheney, McCaw, Neyland and Read 2013.

Dr Woodruff interjecting.

Mr STREET - Seven minutes is never long enough for her, Madam Deputy Speaker.

Madam DEPUTY SPEAKER - Dr Woodruff, I do not think you want to leave the Chamber on your own MPI. I ask that you keep your comments a lot quieter, please.

Mr STREET - Madam Deputy Speaker, what you see from the Greens is that they are continually accusing us of letting ideology get in the way of reality when in fact they are no better than those people who believe that coal-fired plants are the future for Australia. This was again reinforced by a recent op-ed piece by two respected Australian fire ecologists who concluded -

Closing down native forest timber harvesting is likely to have a much greater impact on increasing fire severity ...

A long-term and professional view of forest and fire management is needed rather than short term single issue perspectives like the Greens bring to this debate. The wet eucalypt forests of south-east Australia build up large amounts of fuel. Young and old natural forests contain fuel loads sufficient to support fires of high intensity that will cause widespread forest devastation. We also know that there is a significant number of scientific publications to back the Government's approach.

In the last four years we have experienced significant natural disasters, including two significant bushfire events, a record marine heat wave off the east coast, prolonged dry periods in 2015-16 and 2019-20, and the worst statewide floods seen in 40 years. In coming years we will face longer fire seasons, more variable rainfall and higher temperatures, but there are still gaps in our understanding of our future climate. A strong evidence base is important to support decisions about how to adapt to a changing climate, build resilience and support growth and

productivity. The Tasmanian Government's climate research grants provide \$750 000 in grant funding towards 16 research projects to improve our understanding of our future climate so we can better manage the risks and capture the opportunities.

The Government is delivering a number of programs to build climate resilience and adapt to the projected impacts of the changing climate as part of our Climate 21 action plan. These efforts build on existing Tasmanian government programs, including the ongoing delivery of the existing fuel reduction program which involves the Tasmania Fire Service, Tasmanian Parks and Wildlife Service, Sustainable Timber Tasmania, local government, private contractors, landowners and industry. We also have a program of community protection planning and the bushfire-ready neighbourhoods and bushfire-ready schools programs to assist communities at risk from bushfire. We also have the disaster planning and recovery for Tasmanian businesses project which supports Tasmanian businesses to undertake business continuity planning to prepare for, and respond to, extreme climatic events.

Just this week the Premier announced that he has put out for public consultation the Bushfire Mitigation Measures Bill and it will be very interesting to see the Greens' approach to this bill. We heard Dr Woodruff calling for more firefighters on the ground, and quite frankly if the Greens do not support the elements of this bushfire mitigation bill, what they are effectively asking is for this Government to put more firefighters on the ground to deal with these fires, without allowing us to do the work necessary to make sure those firefighters have the best chance of successfully containing these fires and also emerging from each bushfire season with their life.

The Bushfire Mitigation Measures Bill will have three key elements. The first is that we will impose a new duty for both public authorities and occupiers of private land to take steps to strategically reduce the risk and consequences of bushfires on land it occupies, controls or manages.

Time expired.

[12.11 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, if the legislation is based on science and evidence, we are likely to support it, but given the Government and Labor opposition's willingness to ignore science, and in fact denigrate scientists working in the public interest, we are somewhat sceptical at this early stage. For members who are prepared to stay ignorant, I simply refer them to Dr Woodruff's contribution in the adjournment last night.

The clear and overwhelming evidence is that there is a strong link between logging native forest and increased bushfire risk. In fact, UTAS distinguished professor Jamie Kirkpatrick has pointed to four peer-reviewed papers from four separate institutions in the past six years, that establish this clear and overwhelming link. The ongoing wilful denial of this science brings shame on everyone in this Chamber who is elected to work in the public interest.

We are in here talking about bushfire preparedness after obtaining an email from Parks and Wildlife that makes it clear the Parks service is going to this year's bushfire season with vehicles that are not equipped for the job. They have been advised that they need to arrive at fires, if there is a fire, with a lower weight and that means less water to fight the fire in their water tank.

When Parks and Wildlife tried to tender for new vehicles so they could be ready in time for this year's bushfire season, they were directed by Treasury to put that vehicle order into abeyance until further notice as the auction market was experiencing a downturn. Our understanding is, according to this email, that the Treasury directive was reversed in July. Those vehicles are being procured now but they will not be procured in time for this year's bushfire season. It is tiring to hear the Government congratulating itself over bushfire preparedness when it is prepared to send Parks and Wildlife staff into a bushfire with a half-full water tank.

The kids and I drove down the Lyell Highway, through the south-west and in fact past the burn scars of the Gell River fire from the devastating fires that raged through the Tasmanian Wilderness World Heritage Area last year. Those burn scars will be there for a very long time given the nature of the landscape. We know, from the climate science and from the evidence gathered by the Parks and Wildlife Service itself, that dry-lightning strikes are increasing in their frequency and intensity, and many of those fires will begin in the Tasmanian Wilderness World Heritage Area or on the west coast. We drove past Zeehan where there are massive burn scars on the outskirts of town - that fire threatened life and community.

Our level of preparedness is critical to protect human life communities, wilderness and property. It is even more concerning that we are only just seeing the Parks and Wildlife Service begin to develop a fire and management plan for the Tasmanian Wilderness World Heritage Area. We have here an alert from the Parks service inviting people to have their say on a fire management plan for the TWWHA and it says -

The Parks and Wildlife Service is working to develop a fire management plan for the Tasmanian Wilderness World Heritage area as required by the 2016 Tasmanian Wilderness World Heritage Area Management Plan.

Let us just say that again, Mr Deputy Speaker: the 2016 TWWHA Management Plan requires that there be a fire management plan for the Tasmanian Wilderness World Heritage area, and four years later Parks is apparently getting on top of it. What has happened in the past four years when Parks and Wildlife should have been working on a fire management plan is that the resources have been diverted into a commercialisation and privatisation of Tasmania's protected areas through the expressions of interest process.

Talk about warped priorities. The Lord Mayor of Hobart has quite legitimately asked the question this morning: what is happening with the ongoing planning for mitigating and adapting to fires in the World Heritage area? The evidence tells us, from people like Professor David Bowman, that if a big fire starts up in the TWWHA or up the Derwent Valley, Hobart is in danger. Now we know from the science that this fire behaviour is changing and we are dealing with pyrocumulus fires - massive fireheads that have the same energy in many ways as a huge storm or a cyclone.

It is critical that the Parks and Wildlife Service is properly equipped to deal with fires and that there is a fire management plan in place which should have been in place three or four years ago. It is simply not good enough. What has Government and the Parks minister been doing for that time when they should have been developing a fire management plan for the Tasmanian Wilderness World Heritage Area which still bears the burn scars of that devastating summer before last?

Dr Woodruff and I are sick to our guts of hearing excuses from this minister and this Government in relation to preparedness for fire in the Tasmanian Wilderness World Heritage Area because, as I have just said, it is not just about the TWWHA. It is about the people, the communities and the capital city, that are on the edges of these protected areas and the forests along the Wellington Range into the Tasmanian Wilderness World Heritage Area.

Now we know, for at least a year, the majority of Parks and Wildlife Service vehicles have not been fit-for-purpose for fighting fires and that is shameful.

Time expired.

Matter noted.

CONDOLENCE MOTION

Anthony William (Tony) Fletcher

[12.18 p.m.]

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

That this House expresses its deep regret at the death on 27 August 2020 of Tony Fletcher, a former independent member of Tasmania's Legislative Council from 23 May 1981 until 7 May 2005 and, further, that this House respectfully tenders to his family its sincere sympathies in their bereavement.

It is a privilege to have the opportunity to say a few words to celebrate the life of one of nature's true gentlemen, Tony Fletcher.

Tony Fletcher led a wonderfully full and rich life, of which his parliamentary career was just a part of that tapestry. He was born in Hobart in 1934 and was educated at Huonville and St Virgil's before marrying, moving to the north-west in 1958 as the playing coach of the Circular Head Football Club, and working as a PE teacher and insurance representative before his election to parliament.

It was in the north-west where he began his life-long love of the coast and his community, and they with him. His mates from the footy club say he became a mentor and life-coach to many, and he could communicate with anybody and everybody. While he ended up coaching the team to nine premierships - I will say that again, nine premierships - his friends say he was much more than a coach. He was a leader and an icon at Circular Head. He had a huge effect on many people's personal lives, not just sport, and he helped a lot of people out.

Tony's younger years was spent at the opposite end of the state in Huonville in the 1930s. His family had very little money and, as his son says, he was prepared to work hard and sometimes had four jobs on the go. He met his wife Margaret at a dance hall in Hobart and over their 65 years of marriage they had eight children.

I personally knew Tony only briefly, just a few years when we crossed paths as parliamentary members before his retirement in 2005. However, I must say I have had over the years some very pleasant interactions with him. He was one of nature's gentlemen.

Tony retired in 2005 following a long and successful career as the member for Russell first and then for the electorate of Murchison. Tony was very well regarded by his parliamentary colleagues and certainly by his community. That is evidenced by the fact that he spent 24 years in parliament and only had to go to the polls twice. That demonstrates significant support from his community. One of those times he did go to the polls he was elected by just 51 votes. It speaks much about the calibre of the man and even more about the regard with which his community held him for such a long period of time that he was able to represent them.

On his retirement Tony was asked what it was like being in such an exclusive club as the Legislative Council. He dismissed the comment with great style, saying -

Members of parliament are not elected for their intelligence. They are elected because they represent the community, and as the community has the hardworking, lazy, rich, poor, strong and weak in its members, to some degree that mix is also represented in the parliament. It is a democratic representation.

Tony never forgot the people who put him into the parliament, his community, and he also said -

I am responsible to my constituency, they know that. If they want to bite my backside they have the opportunity to do so.

They did not. With apologies to Ruth Forrest, who is now in the seat of Murchison, I honestly believe if Tony had not voluntarily retired in 2005 he would have been there for a lot longer.

Tony's success as a parliamentarian had a lot to do with his attitude, his wisdom, his big heart and his wit. He once asked a former treasurer in question time in the other place - and when I read this first I had to go back and check it just to make certain - if he was able to spell the word 'cat'. When asked why, Tony said he simply wanted to establish some parameters around what the leader knew and did not know.

In the main, Tony believed in striking the middle ground, supporting a balance between development and conservation on issues like forestry and the rights for Tasmanians to enjoy their traditional way of life, and for Tasmanian workers to work in the resources and primary industry sectors.

He was definitely up for the fight when it came to his local community, with many saying that he was a very fierce advocate. Former President of the Legislative Council, Jim Wilkinson, said Tony was an old-school conservative Independent who fought for his constituents and never lost sight of the struggles his communities faced. Equally, he tackled the serious issues head on, taking controversial matters through the upper House as Leader for the Government in the Legislative Council such as the Aboriginal land handbacks and the longstanding issue of decriminalisation of homosexuality.

The latter reform, which had been held up in the upper House for a decade was, according to Rodney Croome, testament to Tony's ability as a legislator and negotiator, yet even with his position as Leader for the Government in the upper House, Tony's electorate came first. He said when he first took on that role -

The Government has every right to have its legislation argued with conviction in the Council. If that does not happen the whole system breaks down. If government legislation is in conflict with the wishes of the majority of my electorate I will put my electorate foremost.

He did just that.

On his retirement Tony said it had been an enormously enriching experience, from sherry with the Governor to helping a bloke at Smithton with the backside out of his pants, and the range of extremes between them. Tony Fletcher was certainly a man of the people and especially for his people. Even in his retirement, for many years he regularly wrote for *The Advocate* in a column he called 'With Fletch'. He wrote about issues like men's health, the scourge of suicide in rural areas, regional health care, and Tassie's shackies. In other words, he continued to speak for his community with the same inimitable community spirit he brought to the parliament for the previous 24 years.

It is with great sadness that we mourn the passing of Tony Fletcher. I extend my deep condolences and that of all Tasmanians to Tony's wife Margaret and to all his children, especially Denise, who I worked with for a period of time, his many grandchildren and wider family. It was with sadness that I could not attend his funeral because of a National Cabinet sitting but I understand, as one would expect, that it was well attended, with many people there who had either worked with him or had received the benefit of his wisdom and support over the years.

Rest easy, Tony. Our gratitude and prayers go with you.

[12.26 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I support the motion moved by the Premier and to convey on behalf of the Parliamentary Labor Party our deep condolences to the family of Tony Fletcher on the sad passing of a man who was clearly a giant in his community.

Tony was born in 1934 in Hobart and grew up in Huonville where I understand his parents owned the local bike shop. He was elected to the Legislative Council for the seat of Russell, as it was then called, in 1981 and, as the Premier said, he served 24 years with distinction and chose the time of his retirement in 2005.

During his time in the parliament he was the Leader for the Government in the Legislative Council from 1986-89 during Robin Gray's premiership and then again from 1996-98 under Tony Rundle's premiership. No doubt, as an Independent tasked with the responsibility of progressing government legislation in the upper House, that would have come with a few challenges. However, he strikes me as a man of determination and great skill to take those challenging and complex pieces of legislation through the House the Premier described but also generally negotiating with his colleagues in the upper House to progress the government of the day's agenda. There is no doubt there would have been times when he had to reconcile the challenges of representing his electorate as well as progressing government legislation, but it sounds like he had great skill to be able to navigate that challenge.

I convey our sincere condolences to his eight children and wider family. I understand he was married to his wife Margaret for 65 years, an extraordinary achievement.

I did not get to know Tony Fletcher but he sounds like a proud Tasmanian, a very loving father and family man, and the stalwart of the north-west community. I understand there were many people who attended his funeral to pay respects and to celebrate his life. The President of the upper House, Craig Farrell, was present on behalf of the Legislative Council but also representing the Labor Party, as were some of my other colleagues in Braddon.

Tony Fletcher earned respect from people because of the way he conducted himself and represented his community and we could all learn a lot from that. I pass on our condolences once again.

[12.28 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I rise on behalf of both Dr Woodruff and myself to express our very sincere condolences to Tony Fletcher's large and grieving family.

Tony Fletcher was a Tasmanian political legend - it is as simple as that. Although he and the Greens did not often veer across the same path, I recognised his heart for people and his commitment to his community. He was a larger-than-life character who left a lasting legacy. When you read the comments of people on Tony's passing you recognise that he was much respected and loved. He is remembered as a true gentleman, a man of great wisdom and, in a beautiful obituary written by Meg Powell, he is described as 'a fearsome political opponent who never failed to stand and fight for his region but beneath his outer crust lay a gentle loving heart'.

As the Premier said Mr Fletcher grew up in the 1930s in Huonville where his parents owned the local bike shop. He was a seventh generation Tasmanian with very little money and an extraordinary amount of determination. His oldest child, Chris, remembers -

He came from a very poor family but it drove him to strive for his best. I think at one stage he had four different jobs on the go. He was prepared to work very hard and it was all for his family.

Chris Fletcher said Tony had met his wife, Margaret, at a dance hall in Hobart in 1954. Mr Fletcher was busy playing football at the time as well as completing his National Service. Chris says,

There is a long story here but needless to say instead of doing his National Service out at Brighton he went AWOL for just a bit so he could see Mum. He wasn't court marshalled but he was severely disciplined.

Tony and Margaret Fletcher had eight children over their 65 years of marriage and managed to pay for them all to go to school in Launceston and Burnie. His daughter, Leanne Poole, remembers her father as an achiever who had done everything he could to make sure his children could achieve. She said at family movie nights he would always be the first to have tears rolling down his cheeks -

He just had a great love for people. He does have this outer crust but with that he has just got this big, beautiful heart.

He will clearly be very sorely missed.

As a political activist, a community activist, I came into contact with Tony Fletcher by abstraction in a way when he was undertaking work on behalf of Gunns Limited to progress the Tamar Valley Pulp Mill. At the time it was well understood that Tony Fletcher, given his long experience in parliament and as a legislator, had more than a hand in drafting the Pulp Mill Assessment Act, which was Labor government legislation at the time. I have no doubt that he did that because he genuinely believed a pulp mill in the Tamar Valley would be good for employment and for people he cared about. We can vehemently disagree on whether or not it would have been a good thing. Of course the Greens are very happy that the Tamar Valley does not have a pulp mill.

This is a big chapter closing in politas with the passing of Tony Fletcher. I acknowledge his life of service to Tasmanians, but particularly to his Circular Head community and again to pass on our love and condolences to the large, grieving Fletcher family.

Vale Tony Fletcher.

[12.33 p.m.]

Mr ROCKLIFF (Braddon - Deputy Premier) - Mr Deputy Speaker, I also extend my support for this motion and remember the great contribution of Tony Fletcher over many years within this parliament from 1981 to 2005. Having attended his farewell on Friday 11 September I got a very clear appreciation of the breadth of Tony Fletcher and his broader family's contribution outside parliament.

I was elected with our Premier, Peter Gutwein, in 2002. We were in this parliament with Tony for three years. All that has been said of Tony and his contributions, his quick wit, his razor-sharp mind, his diligence and his oratory skills in the parliament are all true. As a young MP I was a little in awe of those who could perform really credibly in the parliament. I recall the first time I had seen Tony Fletcher speak in parliament and I was in awe as a young MP of the way that he conveyed his argument with clear thinking, and great oratory skills. I do not think he used a single note as he was conveying a really compelling argument. I cannot remember what the subject was at that particular time, but it was inspirational and a little daunting when I had the pleasure of listening to Tony in the Chamber, all those many years ago.

If I reflect on the people from all walks of life who have passed comment on Tony Fletcher, he touched the lives of many people, and made a great contribution to his community of Murchison, his electorate, but far more broadly. The Premier has touched on the breadth of people who have been enormously complimentary of Tony's contribution in public life, on all sides of politics, which is a testament to the individual.

If I recall his farewell just a week ago, they are often solemn occasions and there is emotion felt by the speakers and by those listening to the service, but you could not help but be inspired at the same time by those contributions from his family members, his footy mates, and even, I thought, a great contribution from Ian Sampson.

Ian recalled a time when there was a very vigorous public meeting in Circular Head. He had to present a coastal management plan, which was causing a fierce debate within that local community at the time. The Circular Head community is very passionate about those issues and access to recreational areas. Ian was presenting the coastal management plan and not getting a great reception from what were then very agitated members of the public meeting. At the service, he conveyed that he was probably a little scared or apprehensive of being shouted

down. He made the point that it would have been very easy for a member of parliament to get up, convey the sentiment that was heard at that public meeting to ingratiate themselves with what people wanted to hear. Tony Fletcher did not do that. I am remembering this from Ian's contribution at the service; I hope I am not misquoting him. He got up and said, 'You know what? There are some good aspects to this plan and I think there is a lot of good in this. There are a few issues we need to work through but, largely, we need to give this a go. I think we can work through this'. That took all the heat out of the meeting.

The respect that he had in that public meeting, as it was conveyed by Ian, meant that he was a leader. First he said he read the entire report and then conveyed that sentiment. He was a true leader in his community and was able to bring people with him because of the respect that he had from the local constituency. Ian said that he did not know Tony that well, but he has never forgotten that moment. That story was, if you were a brand-new MP or even an MP that has been around for 18 years, not only was that an inspiration but what a great role model for any member of parliament Tony Fletcher was.

He was extremely well respected, a fierce advocate for his community, articulate and much loved. To hear ex-footy team mates of his and business people he had helped express emotion for the impact that Tony had on their lives, you could not do anything else but feel that emotion yourself. It was a great privilege to be part of the large gathering at the Burnie Civic Centre to farewell Tony.

I know a number of members of the family well and they are going to really miss their dad and grand-dad enormously. I pay tribute to Tony, his family and extend my condolences to Tony's wife Margaret and all his children - I know Chris, Scott and Denise personally - and all his many grandchildren and wider family. I say thank you, Tony. Thanks for being such a great role model to all members of parliament and rest in peace.

[12.42 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I support this motion and to give a quick thanks to Tony not only for his community but also to express my deepest condolences to his family, especially Chris and Nicki Fletcher, who I know quite well.

The first time I met Tony Fletcher was during the 2010 election campaign. As a first-time candidate somewhat naive of the process, and wondering what the hell I was doing, pretty much it was pretty heavy going. I was at a community meeting and afterwards Tony came up to me. I knew who he was but I had never met him. He took me aside and said, 'Look, whatever happens in this election make sure you run again. I think that would be a good idea; no matter what happens run again'. That really sat with me and I thought maybe I am on the right path; if someone like Tony thinks I should run again then maybe things are not going too badly.

Obviously, it has been a bumpy road from then on but I always remember that comment from Tony. I will always thank him because it stuck in my mind and it certainly helped me get through that election and subsequent elections too.

After 2010 I thought a lot about what I would do because, obviously, I did not get elected but I decided I was committed to running in 2014 which I did, despite the relative position Labor was in at that time. I would really like to thank Tony for his comments and I mentioned it to him when I met him subsequently to thank him for that. I am sure he was reasonably pleased.

From what I have heard of Tony, his influence is a bit like a rock being thrown into the pond and then the ripples going on and on. I am sure in many instances in his life as a coach or a parliamentarian he had conversations like that; maybe he had so many conversations like that he would not even remember them all, but that is the influence of someone like Tony that he could make people think in a different way and set them on the right path.

I did not have the opportunity to go to his funeral but my fellow member for Braddon Anita Dow did. A poem was read at his funeral which describes his attitude. It is *Invictus* by William Ernest Henley, which I will read into *Hansard* -

Out of the night that covers me,
Black is the pit from pole to pole,
I thank whatever gods may be
For my incomparable soul.

In the clutch of circumstance
I have not winced nor cried aloud.
Under the bludgeoning of chance
My head is bloodied but unbowed.

Beyond this place of wrath and tears
Looms but the horror of the shade,
And yet the menace of the years
Finds and shall find me unafraid.

It matters not how straight the gate,
How charged with punishments the scroll,
I am the master of my fate,
I am the captain of my soul.

Rest in peace, Tony Fletcher.

[12.45 p.m.]

Mr JAENSCH (Braddon - Minister for Housing) - Mr Deputy Speaker, much has been said recounting Tony Fletcher's life, career, achievements and contributions to the parliament in particular, and I will not repeat those. I just want to add a little texture from the perspective of someone who shared some territory with him and knew him a little for around 20 years.

I met Tony Fletcher soon after my wife and I moved to Tasmania and to Wynyard in 2000 when my work involved me with communities and issues that were also his on his patch. We both lived in Wynyard at the time.

For those of you who did not meet him, he was an imposing person. He was a big man, not especially tall but somehow square. He was massive, like an old tree or a stone pillar. He was crusty, stoic, big hands, solid, and an impressive person to meet with calm, clear, light eyes. When you were with him and were speaking - and particularly when he was focused on his work, which is the context in which I saw him mostly - he was calm, albeit a bit gruff. He chose his words carefully and laid them out deliberately. He had gravitas and a presence that made people listen and made them feel listened to. When you were with him you felt you had his complete attention.

This goes to the character that my colleague, Mr Rockcliff, just referred to and that situation he found himself in at the Rocky Cape Tavern, I think it was, with the young planner and the difficult crowd. The point of that was Tony was their member of parliament and he did not have to prove anything. He did not have to impress anybody to get their attention. When he chose his moment to speak people were ready to listen because of his reputation and their experience that he would not be wasting their time. He was not there to sell them anything, not trying to win their favour, but calling it as he saw it with judgment that they respected. That was how I consistently found him in the time I knew him, mainly when we were meeting in our roles in our community when he was in work mode.

Joining his family, many of whom I know, at his funeral last week, I got to hear about some of the other parts of that man and that personality that I maybe had not experienced directly. On top of his reputation in the parliament and as a member of parliament I had heard about his role as a footballer, a teacher, a coach, a mentor, a soldier for a time, a crooner, a poet, a father, a grandfather, and a businessman. It was wonderful to fill in those pieces of the picture and come to see the regard that people had for him in our community was as much because of those things as what he did here. Their confidence came from their knowledge and trust in some part of him that they related to directly in his life which he lived very thoroughly in his community, as a family man and as a part of that community, not just as someone in a role serving them.

In her contribution Ms O'Connor referred to an anecdote about when Tony slipped away from his barracks to steal a date with his sweetheart, Margaret. A little bit more about that was shared with us at the funeral. Apparently in his National Service time, Tony was not known for being particularly punctual or well turned-out when it came to being on parade and having uniforms and things like that. He got himself into a situation where for a misdemeanour that I cannot recall, he was confined to barracks. I think he had slipped out. He had gone AWOL for the weekend and as a result he was confined to barracks and was not going to be able to go out the next weekend when he had organised to see Margaret. This was vexing him terribly. His commanding officer was appealed to for help in this situation, and said, 'When we have our parade on Saturday the best turned-out soldier will be given a leave pass'. Apparently Tony spent the week polishing and preparing his outfit and his commanding officer lent him his boots and his shiny belt and braid. He was the best turned-out soldier and he did get to go on his date.

There were other people who spoke about Tony doing that for them. Giving people a fair go or a second chance, or breaking the rules a bit, so they could get up, get ahead, achieve something and be proud. People spoke about that from footy teams to school teachers and students. Business people spoke about how Tony had somehow cut them some slack, had faith in them that gave them faith in themselves, and they found in themselves something that they had thought may have been impossible. They succeeded because of him and at the end of his life, or after it, they came to say thank you and to share their stories with us. It was a privilege to be part of that.

I went to see Tony when I first considered standing for parliament and I thank him for his counsel then. Maybe like these other people, and like Dr Broad, he was sort of taking pity or giving us a second chance, or giving some encouragement to someone who was having a go. I was the beneficiary of that, as you were, as obviously were so many other people.

For the 20 years I knew him Tony never really changed but I learned more about my region as I made it my home and I raised my family there and I was elected to represent it. I have often reflected since then, as I have come to know my region and its communities better, how well suited he was to that community and the role of representing it.

We often find that people represent one group of people or set of interests in their community very well and that is their thing. I had the impression Tony could walk into any room in our region and people from every walk of life would know who he was and they developed a trust that he would represent them well. I hope that that is something I will achieve one day in my role as a member of parliament representing my region. I have had a wonderful role model in Tony Fletcher to show me how it works.

I thank Tony Fletcher, I thank his family for sharing him with us, and I say vale Tony Fletcher, we will miss you, and thank you.

[12.55 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water) - Mr Deputy Speaker, I strongly support the motion moved by the Premier and associate myself with the remarks that have been shared in this Chamber by all those who have spoken in support of, and to pay tribute to, Tony Fletcher - seventh-generation Tasmanian, 24 years' service in the Legislative Council, member for Murchison, and a man of incredible length of contribution and service to the people he represented and to the state of Tasmania, and so well regarded.

I have known Tony over many years but I first got to know him in 1988 when I was a junior - as in young - senior adviser to the then premier, Robin Gray. I was there in 1988 and 1989 and they are my first recollections and relationship with Tony. I remember being in a ministerial car with Robin Gray and sitting in the back seat with Tony Fletcher, moving in and around the agricultural and regional communities of Circular Head and listening to the wise advice and reflections amongst Robin Gray and Tony. He was very well appreciated by Robin Gray in his role as Leader of the Government in the Legislative Council, member for Murchison and as a hands-on member of parliament. He knew his community.

He was a strong advocate for the agriculture, forestry, mining and fishing communities he represented. It was a great honour for me to listen and learn in those days, not only assisting the premier but also to be there with Tony and to learn of his hands-on grassroots approach. There were many issues working through for the government of the time, including the Wesley Vale pulp mill, an important project for Tasmania but controversial at the time. There was a lot of feedback and advice from Tony that went through to Robin Gray and that was well appreciated.

He was well-respected and well-regarded. He continued in that role as Leader of the Government in the Legislative Council, under premier Tony Rundle. In other respects, he was loyal and true, and provided excellent advice and feedback. He was always a no-nonsense person, very forthright. You knew what he stood for and that is why he was respected and so well-regarded in the community. It is fair to say he was very tough and determined but he actually had a big heart behind all of that. He really cared for his community and was totally committed and he had wisdom which he was willing to share.

We have heard from members for Braddon, Roger Jaensch and Dr Broad, in their reflections and the encouragement that he gave them in their political and future careers. It is

lovely to think that could be shared across the political divide in that way. He cared for his community and wanted the best for them.

I pay a tribute and say thank you for your service, Tony Fletcher. I pass on my condolences to Margaret and the family. To Denise Fletcher, who I have known for many years and who has also been a hard-working loyal servant for the state of Tasmania at both the federal and state level, to Denise and your family I particularly remember you at this time.

Thank you for your service. It was much appreciated. Rest in peace.

Mr DEPUTY SPEAKER - I pass on my condolences to the family, friends and community of Tony Fletcher and also say that I am sure I am joined by every member of the Old Virgilians Association, mourning the passing of another great Old Virgilian who made a massive contribution to Tasmania.

Motion agreed to *nemine contradicente*.

Motion by **Mr Gutwein** agreed to -

That a copy of the foregoing resolution be forwarded to the family of the late Tony Fletcher.

Motion agreed to.

TEACHERS REGISTRATION AMENDMENT BILL 2019 (No. 50)

Second Reading

Resumed from 15 September 2020 (page 92)

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

TEACHERS REGISTRATION AMENDMENT BILL 2019 (No. 50)

Second Reading

Resumed from above.

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Madam Speaker, I started before lunch summing up the Teachers Registration Amendment Bill 2019. I went to some of Ms O'Connor's contribution first yesterday. Now I have other areas that were raised in the debate that I want to cover. I hope they satisfy members' questions.

Regarding the suspension of a teacher - I think Ms O'Byrne raised this issue - the Teachers Registration Board may suspend a teacher's registration if the board believes on reasonable grounds that the teacher may pose a risk of harm to a student. This, however, requires the board to give notice and then to hold an inquiry into the matter.

The bill allows us to suspend a teacher's registration in a more timely way so that the teacher no longer holds a Working with Vulnerable People card -

Ms O'Byrne - So they cannot be suspended until the end of the inquiry, or do you temporarily suspend them during the inquiry?

Mr ROCKLIFF - I will get through it - I am covering these processes. The bill allows us to suspend a teacher's registration in a more timely way so that the teacher no longer holds a Working with Vulnerable People card for any reason, including if they have not renewed it.

Why does there have to be two processes, the working with vulnerable people system and the national police check as part of the teacher registration process? Having the most robust system in place is important to ensure the safety of our young people. Two separate processes work together to ensure this. The teacher's registration process works in this way: a person applies to the board for registration; they must demonstrate they are qualified, of good character and fit to teach, holding the current working with vulnerable people requirement, and be proficient in the English language. The TRB conducts a national record of conviction check as part of this process.

The working with vulnerable people process is conducted by the Department of Justice. Relevant offences that may be taken into account as part of the background check process defined in the Registration to Work with Vulnerable People Act 2013 include offences under the Poisons Act 1971, or the Misuse of Drugs Act 2001, sexual offences, an offence against a person, an offence involving violence, dishonesty or fraud, an offence relating to property, a driving offence, or an offence against an animal. These are the safeguards that we need.

Is there a process to quickly reinstate a person's -

Ms O'Byrne - Before you go on, the question was more about the previous commitment that we talked about years ago when the first process was in place so that they would not have to do both. You gave a commitment then you were looking at a way to either streamline it or have one process that they could do. If it has become too complex and it is not possible, then that is fine. I just wondered where it was up to.

Mr ROCKLIFF - I vaguely recall a conversation about that. Was that through the Education Act discussion?

Ms O'Byrne - It might have been the Education Act. If it is unnecessarily complex, then I understand. I just wanted to rule a line under it if it is not on the table anymore.

Mr ROCKLIFF - Yes. How about I write to you on that matter.

Ms O'Byrne - Yes. That is fine.

Mr ROCKLIFF - We are not in Committee but I understand -

Ms O'Byrne - Well, we are hoping to avoid Committee, if we can.

Mr ROCKLIFF - I have taken that on record, a question on notice, if you like, and we will work through that.

Ms O'Byrne - Thanks, I appreciate that, minister.

Mr ROCKLIFF - Is there a process to quickly reinstate a person's teacher registration once they provide evidence of a registration for working with vulnerable people? The TRB has a policy under development to put in place a simple administrative process to amend the register of teachers and reinstate the teacher's registration quickly on provision of their registration to work with vulnerable people, as long as they are of good character, fit to teach and within their payment cycle.

Ms O'Byrne - Thank you. You would imagine that would be done pretty soon?

Mr ROCKLIFF - Yes. That is my understanding. Is it a fact that in Tasmania you can only be a principal if you are a fully registered teacher? Ms O'Connor and Ms O'Byrne both raised this. It is correct that in Tasmania, school principals are required to be fully registered teachers. I am aware of the issue that you have raised and the further correspondence, I believe, is where it was addressed - well, one of the areas that was raised with me. There is no need to amend the Education Act or the Teachers Registration Act to resolve it.

I am advised there is a pathway to register principals who have trained overseas if they have contributed to educational practice and have the education experience and in the opinion of the Teachers Registration Board are sufficient to warrant registration. In addition, they must meet the other requirements for teacher registration, including being of good character and fit to teach. The matter is currently being resolved with the chair of the Teachers Registration Board. I believe I had some correspondence regarding this matter from a number of sources.

Ms O'Byrne - If you were in a school department and about to employ someone, would that be a significant barrier to them getting employment, or is the process reasonably okay?

Mr ROCKLIFF - There would be a process.

Ms O'Byrne - So you are going through that. It is under work.

Mr ROCKLIFF - We will make it as streamlined as possible but it would have to cover those areas. I have described the pathway.

How many inquiries or disciplinary processes have there been? I assume that question relates to since the act has been in in 2013. The registration of working with vulnerable people is for employees and volunteers who work in child-related activities. Since commencing on 1 July 2014, the Department of Justice has registered more than 134 000 employees or volunteers to work in child-related activities. It has refused 58 applicants, cancelled 20 registered persons and, through ongoing monitoring, suspended 36 persons while a risk assessment is undertaken to re-assess their suitability to work with children, noting that a suspension may or may not lead to cancellation of registration to work with vulnerable people.

Ms O'Byrne - Does that take us back to that first point of whether you would temporarily stand someone down while you are investigating them? The 36 who have been stood down while they are investigated, were they stood down from the point of allegation and then reinstated, or not at the end of the investigation?

Mr ROCKLIFF - That is the purpose of the -

A member - That paragraph that you have just read, minister, is about everybody and the next stanza is about teachers.

Mr ROCKLIFF - What I have just outlined to the House covers everyone - volunteers, people working with children, employees - everyone.

Ms O'Byrne - Are you able to get the figures broken up between employees and volunteers?

Mr ROCKLIFF - I do not have them here but I have some other areas that cover this answer. We can find that. So the 134 000, you would like broken down between volunteers and employees?

Ms O'Byrne - Yes. Thank you.

Ms O'Connor - Minister, just checking - are you going to address the question about procedural fairness? How the Teachers Registration Act intersects with the Working with Vulnerable People Registration Act in terms of procedural fairness for someone who has had their registration suspended? How they work together is not entirely clear to me.

Mr ROCKLIFF - Since the application of the Registration to Work with Vulnerable People Act to teachers and other educators in January 2017, nine have had their registration to work with vulnerable people refused, suspended or cancelled by the Department of Justice. These were for charges or convictions related to: sexual relationships with young people under the ages of 17 years of age; a physical incident with a student; the sexual offence of indecent assault; matters relating to investigations by Tasmania Police; and as a result of an investigation by an employer.

There are two current matters under investigation by Tasmania Police and the Teachers Registration Board. Separate to this, a teacher's registration to work with vulnerable people status can expire for a range of reasons. Some examples can include: the teacher may hold a registration for working with vulnerable people but not have provided the details to the Teachers Registration Board; an unintentional expiry of the RWBP; or the teacher may have moved interstate, overseas, or is no longer teaching.

In terms of procedural fairness, Ms O'Connor, where a registered teacher no longer holds current registration to work with vulnerable people, it is critical that the Teachers Registration Board is able to act quickly to remove that teacher from the register. Procedural fairness, the right to a hearing, is still afforded to individuals by the Department of Justice in the administration of the registration to work with vulnerable people process.

If the registrar, under the Registration to Work with Vulnerable People Act, has grounds for suspending or cancelling a person's registration, they provide written notice of the intention to suspend or cancel under section 50 of the act. That person then has 10 days to respond with the reasons as to why their registration should not be suspended or cancelled, before a decision is made. Suspension or cancellation of registration to work with vulnerable people only occurs in very serious cases under the Registration to Work with Vulnerable People Act, including:

- if a person has breached a condition of their registration and the registrar reasonably believes suspension or cancellation is appropriate;
- if the registrar determines there is a need to conduct an additional risk assessment;
- a risk assessment has been conducted and the registrar is satisfied the person poses an unacceptable risk of harm to children and vulnerable people.

Regardless, the fact remains that having a current registration to work with vulnerable people is an essential pre-condition for teacher registration. Streamlining the process to minimise delays in removing those persons from the registrar of teachers is necessary to manage risks to children and ensure those who do not hold a registration to work with vulnerable people cannot be employed to teach.

Ms O'Byrne - If person *x* lost their working with vulnerable children approval and they appealed, because they think there has been an error -

Mr ROCKLIFF - Which is 10 days.

Ms O'Byrne - Is the 10 days in working with vulnerable children, or is it 10 days for the TRB? For example, say I am a teacher, I have lost my little card and I have gone, 'that is outrageous that must be a mistake', and I am trying to get that resolved. At what point does the TRB kick in? Do they wait until I have had the time to resolve that before they kick in, or does it happen immediately because I no longer have it?

Mr ROCKLIFF - My understanding is you are talking about the working with vulnerable people registration process of 10 days.

Ms O'Byrne - That is the bit that is confusing about how the two intersect.

Mr ROCKLIFF - The process is that the 10 days would happen and then it is referred to the Teachers Registration Board.

Ms O'Byrne - And they immediately knock you off, or is there a process of you saying, 'I am sorry, I am trying to fix this and I have not resolved it yet'?

Mr ROCKLIFF - There is a process.

Ms O'Byrne - So it is consecutive processes, but no more than 10 days before you have to act in some way? So, I have lost my working with vulnerable children, if I have not resolved it in 10 days, the department must immediately be advised of that and they would then talk to you and say 'we are letting you know you don't have it, you obviously don't qualify', but you might then say 'we are waiting for the last bit to be resolved to get it back', would you hold for that period or would they immediately cancel on day one of you being advised? I am just trying to work out the transition through.

Mr ROCKLIFF - I am happy to provide a process - and there might have been a visual in some of the information that we sent through about how that process works - but if you like we can clarify that, and at the end of my contribution I will just duck over here and sort that out.

I know a concern of members was the data-sharing aspect. It was asked with whom can this data be shared and for what purposes? The bill specifies that data held by the TRB may be shared with a relevant authority or a member of a class of relevant authorities as set out in regulations. A relevant authority is defined in the bill and includes: other state, territory and Commonwealth government agencies; corresponding teacher registration authorities; a statutory authority; and a person or body specified in regulations. We talked through that previously.

Data may be shared for educational, research or other purposes to be prescribed in regulations, and I will come to your point in a second Ms O'Byrne. Data-sharing will align with the Department of Premier and Cabinet data-exchange protocol. Most other states and territories have already made the necessary legislative or policy amendments to ensure they are able to share the data they hold on teachers, and participate in national initiatives.

Regarding the safeguards, as a government we are highly aware of the need to ensure that any data that we share is only shared in the interest of the Tasmanian community and child safety. Further to this we are acutely aware as data custodians that there must be adequate protections in place to ensure that our data cannot be misused.

The bill therefore contains several safeguards to ensure that any data that is shared is protected and these include: the reasons for which data may be shared such as educational, research or other purposes will need to be prescribed in regulations. Likewise, the bodies with whom data might be shared will also need to be prescribed in regulations. Requirement to prescribe these protections and regulation gives the parliament the opportunity to further scrutinise the process in advance of any data being shared. Additionally, the bill requires the Teachers Registration Board before sharing any data to be satisfied with the body with whom it is sharing the data has procedures in place to protect information from misuse, theft, loss, unauthorised access, modification, or disclosure.

In addition, the National Data Strategy will ensure that only de-identified data is included in the data. Personal information is not included and is stored securely off-line. Only highly aggregated statistics and conclusions will be reported on, and individual teachers and organisations cannot be identified.

In relation to your question Ms O'Byrne about disallowance -

Ms O'Byrne - If you approve a regulation it is law until such time it is disallowed, and in theory that could mean a period of some five months with the way our parliamentary sittings work.

Mr ROCKLIFF - From the date of gazettal. So, in terms of when regulations commenced, I am advised that in accordance with the Acts Interpretation Act, regulations will commence from the date that they are gazetted.

Ms O'Byrne - Yes, that is my point.

Mr ROCKLIFF - Either House may disallow the regulations you are talking about, in between times, in which case when they are disallowed they cease to have an effect from the date of disallowance. What you are talking about is the period in between.

Ms O'Byrne - If in theory, for some reason the regulation was signed the day after the last day of parliament for the year, and parliament does not come back until March, if we were all really unhappy with the way that regulation works we could knock it off in parliament if we disallowed the motion. But from mid-November, for instance, to mid-March, it is law and anything that occurred in that time is law. It is really that concern about ensuring commitments that you would not be seeking to do that -

Mr ROCKLIFF - You are correct and that may well be a concern. That is the process and if I go back, either House may disallow the regulations, in which case they cease to have an effect from the date of disallowance. This does not invalidate anything done during the period prior to disallowance. I recognise your point.

Ms O'Byrne - So when are you anticipating these regulations, that would identify how that information is shared, would come into play?

Mr ROCKLIFF - As soon as possible. I am getting nods.

Ms O'Byrne - So we will see them reasonably soon?

Mr ROCKLIFF - I will find more clarification for you.

Ms O'Byrne - I appreciate it is a perennial issue around regs not being finalised until the bill has gone through, but if bills are dependent on the nature of the regs - we have all struggled with this.

Mr ROCKLIFF - I am getting nods from the team and department to say as soon as possible. I imagine this legislation will go through in another place in the not-too-distant future and we will be working on those regs. We understand your time frame issue there.

Ms O'Byrne, you asked me about workforce data and to provide an update on the work the department is undertaking on workforce specialisation.

Ms O'Byrne - It was the skills audit and that other workforce work you are doing.

Mr ROCKLIFF - That is right. A number of projects have been delayed due to the impacts of COVID-19 and prioritising our work to support students, teachers and our schools. Most members would appreciate that in terms 1 and 2 there was a lot of engagement to work through for our schools and our department and everything else but they did a fantastic job.

To be able to deliver on a system, the department has undertaken a significant body of work. This has included consultancy work on current data sources and the data on which any solution will be based. The Department of Education has recently been through a procurement process for a system and a solution has been identified. This solution will commence implementation in term 4 this year and we will be in a position to analyse this data throughout 2021.

Ms O'Byrne - Is this data about the current skills people have? Are we are talking about that or are we talking about the more broader workforce strategy?

Mr ROCKLIFF - The broader workforce strategy is the pipeline of teachers coming on board over the course of the next three or four years. There is a six-year program outlined. The workforce development team, the Department of Education, the University of Tasmania, particularly the Faculty of Education, the Teachers Registration Board, Australian Education Union, Tasmanian Principals Association and the Peter Underwood Centre for Educational Attainment are all working on that and it has been a very collaborative discussion.

Ms O'Byrne - But that's different from this piece of work.

Mr ROCKLIFF - If you are talking about the skills work -

Ms O'Byrne - Yes, the procurement process. The procurement process is for the skills audit.

Mr ROCKLIFF - The procurement process is ongoing because we have been advertising the last number of years and got a very good response.

Ms O'Byrne - Maybe I am not being clear, I am sorry. You gave a commitment at the last election to do an analysis of which skills teachers had, whether they were teaching in area or out of area, and at the last couple of Estimates you have said that would be available by next Estimates. They were supposed to be available by last Estimates which was supposed to be in June. Has that work happened?

Mr ROCKLIFF - It is not completed.

Ms O'Byrne - So that's the bit you're talking about with the procurement process that we will have next year?

Mr ROCKLIFF - Yes, that is the bit I am talking about here. It will be ready for next year - commencing implementation in term 4.

Ms O'Byrne - Yes, you said term 4 and then it will be rolled out next year, so that piece of work around the 4354 teachers roughly that we have, knowing what their skills are, you will know by next year?

Mr ROCKLIFF - The skills mix - during 2021.

Ms O'Byrne - Over the year, so maybe by the end of 2021 we will be able to say what the skills base is of our 4500 teachers that you have been working on all that time. We are talking about that one project.

Mr ROCKLIFF - My expectation is they would not start at the end but it would be during the year and by the end of the year we will have a good sight of our skills mix within our Department of Education teaching workforce.

Ms O'Byrne - You do understand that it sounds very difficult to say that you can't tell us what teachers can do?

Madam DEPUTY SPEAKER - Order. Does the member want to go into Committee? This is turning into a bit of a debate. I am conscious the minister only has another three minutes left.

Mr ROCKLIFF - I am happy to take questions on notice and other forms of the House. Mr Willie, the shadow minister for education in the other place is very active in that space. Anyway, I get your point.

I thank members for their support of the bill. I appreciate that and hope I have satisfied most of the answers and if not I am happy to provide briefings and engage in other ways.

Bill read the second time.

Bill read the third time.

MINES WORK HEALTH AND SAFETY (SUPPLEMENTARY REQUIREMENTS) AMENDMENT BILL 2019 (No. 48)

Second Reading

[2.57 p.m.]

Ms ARCHER (Clark - Minister for Building and Construction) - Madam Deputy Speaker, I move -

That the bill be now read the second time.

This bill makes a number of clarifications, corrections and improvements to the Mines Work Health and Safety (Supplementary Requirements) Act 2012.

It is important to note that the principal act and its regulations, which I will refer to collectively as the mine safety laws, supplement Tasmania's strong work health and safety laws. The mine safety laws are intended to be incorporated into and read together with the Work Health and Safety Act 2012 as a single act. The mine safety laws address the hazards and risks that are not adequately covered by the work health and safety laws. Maintaining consistency between Tasmania's mine safety laws and the work health and safety laws is therefore fundamentally important because the two related statutes need to operate at mines as one.

Tasmania's work health and safety laws are based on national model laws, which include a model Work Health and Safety Act, model Work Health and Safety Regulations, and model codes of practice. These elements are supported by a national compliance and enforcement policy which sets out how our work health and safety regulators monitor and enforce compliance.

By way of background, the mine safety laws are necessary in Tasmania because although the work health and safety laws cover mines, they do not adequately address the hazards and risks of mining operations.

A tripartite Mine Safety Steering Committee has recently completed a comprehensive review of Tasmania's mine safety laws. The steering committee included representatives from

relevant industry groups and unions, the Chief Inspector of Mines and an independent person with mining-related expertise.

Overall, the steering committee concluded that the principal act is basically sound and requires only a small number of amendments for improvement. The review concluded that the act provides a suitable platform on which to build improvements to the specific requirements applying to the mining industry in Tasmania.

With respect to the regulations, the steering committee concluded that the regulations lack both the depth and breadth necessary for the dynamic and potentially high-hazard and high-risk working environments in mining. Accordingly, the changes contemplated by the bill are a small part of a much broader package of potential reforms that are being developed.

The proposed amendments to the principal act are largely minor and relatively straightforward, whereas proposals pertaining to the regulations are extensive and require consultation and further work.

I will now highlight a few key features of the bill.

The bill makes a number of minor amendments and improvements to the principal act to ensure that it is fit for purpose. The bill proposes clarifying, correcting or improving key definitions, removing redundant transitional provisions, and ensuring the principal act operates seamlessly with the Work Health and Safety Act. A number of preliminary provisions of the principal act, including definitions, determine the scope and application of the laws. There is a minor amendment proposed to the object of the act to ensure it remains consistent with the content of the act once amended.

Section 4 of the principal act, which specifies that the act is to be incorporated in and read together with the Work Health and Safety Act as a single act, is to be amended. The proposed new provisions provide more detail on how the mine safety laws, especially the regulations, operate in conjunction with the work health and safety laws.

The bill amends the definition of a 'mine' to clarify that fixtures, fittings, plant or structures at the place of mining operations are part of the mine. This is not intended to result in any significant change but will clarify the status of these items to avoid any doubt arising.

The definition of 'mining operations' under the principal act is particularly important. The act is intended to apply to the entire life of the mine from the initial site development and construction phase through to decommissioning and rehabilitation.

It is important that coverage commences as soon as work begins on site, because a mine is an evolving workplace, where the early work affects the later work and the hazards and risks that may arise. Initial work needs to start out in compliance with the mine safety laws to avoid the need for remedial work later in the development of the mine.

As it currently stands, the principal act is not clear about at what point during the development of a mine the work becomes mining operations. The proposed amendments clarify that site development and construction of infrastructure for use in mining are mining operations. This will remove ambiguity about when, in the life of a mine, mining operations start and the act therefore applies.

The existing provisions recognise that there is a need to allow some flexibility with the definition of 'mining operations'. New techniques and processes arise over time and may not necessarily be captured in the existing definition. The principal act provides the regulator with the power to declare a particular activity or operation, either generally or at a particular place, to be a mining operation. The declaration is made administratively by notice in the *Gazette*.

The bill proposes introducing more rigour by inserting a regulation-making power to replace the administrative power to declare an activity generally to be a mining operation. This means that the 'scoping-in' of an activity generally will be subject to the rigor of making regulations and the scrutiny of parliament. The existing administrative power to scope-in an activity at a particular place will remain.

Just as there needs to be a mechanism to scope-in activities into the meaning of mining operations, circumstances could arise where an activity at a particular place, or generally, might technically meet the definition of 'mining operations' but be so different to usual mining processes that the application of the mine safety laws would be inappropriate. It is proposed in the bill that where an activity is to be excluded generally it may be 'scoped out' by way of regulations. Where it is a specific case in a particular place, it is proposed that the regulator have an administrative power to scope out the activity.

Clause 9 of the bill deals with the qualifications, knowledge skills and experience of the Chief Inspector of Mines, and clause 11 covers the knowledge, skills and experience of mines inspectors. In Tasmania, inspectors who go to mines are appointed under the general work health and safety laws and they exercise powers and functions under those laws as well as the mine safety laws. There is no additional appointment process applicable to mines. The legislation does not address the knowledge, skills, experience, competencies and/or qualifications for the appointment of inspectors assigned to mines.

In the case of the Chief Inspector of Mines, the principal act provides for the regulator to designate an inspector to be the Chief Inspector of Mines. Again, the legislation does not specify any knowledge, qualifications, skills and so on.

In his 2008 report on the deaths of three mine workers at Renison Bell mine, Coroner Jones made a recommendation relevant to inspector qualifications. In a recommendation pertaining to making adequate resources available to ensure that the mines inspectorate is competent and properly qualified, he added that his recommendation entailed that the legislation would specify minimum qualifications to be held by the Chief Inspector of Mines and mines inspectors under his or her control.

In practice, the Chief Inspector of Mines and inspectors assigned primarily to mines have an appropriate mix of qualifications, background and experience relevant to mines and mining operations. In a small jurisdiction with a small inspectorate, it is important to maintain some flexibility in recruitment practices to enable the filling of positions that meet the needs at the time. Nevertheless, a minimum skill set is essential for an inspectorate that operates within an industry that is highly technical, potentially high risk and is subject to constant change, both in terms of changing workplace conditions which can deteriorate rapidly, and technological change.

The position of the Chief Inspector of Mines in particular requires qualifications in the field of mining engineering or equivalent, and the bill references a means of identifying suitable

qualifications as well as providing the regulator with the flexibility to identify suitable equivalents.

With respect to mines inspectors, a mix of skills, knowledge and experience will be required across the inspectorate and specification of a single qualification may prove unnecessarily limiting. The approach adopted in the bill is that a mines inspector will have the knowledge, skills and experience that the regulator and the Chief Inspector of Mines have specified as relevant to mining operations to enable the person to effectively exercise the powers and perform the functions of a mines inspector under the act.

These provisions will not preclude WorkSafe Tasmania inspectors without such knowledge, skills and experience from exercising powers under the Work Health and Safety Act at mines. What it does is ensure that inspectors who exercise many of the powers and functions of the principal act that are highly specific to mines have the appropriate knowledge, skills and experience relevant to those powers and functions.

Much of the Bill relates to changes to the penalties under the principal act. The existing penalties in the act were adopted from the former Workplace Health and Safety Act. The penalties were not reviewed at that time and therefore do not align well with those under the Work Health and Safety Act. This is inconsistent with the principle that the two acts should operate as one.

The proposed maximum penalties set out in the bill have been aligned with similar offences under the Work Health and Safety Act. Under the proposed changes the maximum potential penalty for an offence under the principal act will be \$500 000 for a body corporate and \$100 000 for an individual. The Work Health and Safety Act has higher penalties but such offences are not mirrored in the mine safety laws.

On the face of it, it may appear that new penalties would result in considerable increases in the potential penalties that a duty holder may incur for an offence. In practice, duty holders under the mine safety laws also have responsibilities under the work health and safety laws, and the potential for higher penalties for offences already exists under those laws. Nevertheless, the proposed changes send an important message. The mine safety laws are equally as important as the work health and safety laws, as will be reflected in consistent penalties for similar types of offences.

The final amendment I will highlight is found in clause 34 of the bill and relates to the consultation process for codes of practice that are intended to apply specifically to mines and mining operations.

The Work Health and Safety Act allows the minister to approve codes of practice for the purposes of the act. Such codes of practice apply to a mine or mining operations, as in the case of other workplaces or work processes if the subject matter is relevant. However, there are currently no codes of practice specific to mining.

When the national model laws were being developed a number of codes of practice specific to mining were under development in anticipation that they would support chapter 10 of the regulations on mines.

The Work Health and Safety Act requires codes of practice to be developed by a process involving national consultation in order to maintain national harmonisation of work health and safety laws. Now that mining is not part of the national model laws there is no longer a mechanism for the national consideration of mine safety codes of practice. Given that mine safety laws are different in each jurisdiction there is also no purpose to consulting nationally. The bill therefore provides a mechanism to replace national consultation with a local consultative process for codes of practice specific to mines.

When mine safety fails the results can be catastrophic. A worst-case mining disaster has the potential to take many lives, cause injury and distress, disrupt communities, damage infrastructure, incur high costs and contribute to future economic loss. Sometimes it leads to permanent or long-term closure of a mine and loss of employment.

The complex, dynamic and potentially hazardous activities of mining need to be actively managed to ensure that risks which may potentially lead to fatalities or catastrophic events are identified and addressed. Similarly, mine safety laws need to be actively managed, reviewed and updated to ensure that they remain effective and fit for purpose.

Although the changes proposed by the bill are not major, their implementation is important maintenance work on the principal act so that it will continue to serve as a suitable base for mine safety laws in Tasmania and remain consistent with Tasmania's work health and safety laws.

I commend the bill to the House.

[3.12 p.m.]

Ms O'BYRNE (Bass) - Madam Deputy Speaker, I thank the minister for a comprehensive second reading speech, which is important given the legal nature of the bill. I also thank the department for an excellent briefing. I felt far more knowledgeable at the end and appreciate the time they made available to do that.

The minister ended her second reading speech with a commentary on the inherent riskiness of mining and the obligation to ensure we have a safe environment. Some 40 Australians lost their lives in mining between 2014 and 2018. Each one of those deaths is a family; it is a community. It is easy to say it is a very dangerous job and therefore these things happen. The reality is that no day that a worker does not come home safely is a good day. Every action we can take to keep workers safe is important.

From a snapshot from 2019 covering coal, oil and gas, metal ore construction, non-metallic mineral mining and quarrying exploration and support services we know that mining picks up 1 per cent of the total Tasmanian workforce. We know that most of those jobs are in full-time jobs, so they are jobs that support communities. We know that 48 per cent of our workers are aged over 45. We also know that workers aged over 55 are more highly represented in the injury frequency rates. It is an area that has significant risks. There were 74 injuries in the industry in 2019. Twenty five per cent of those in the past 10 years resulted in at least a week off work, so they were serious injuries of some form. Four serious injuries per million hours worked is lower here than the state average of 9.1, or 56 per cent lower with our four serious injuries. We have a lower injury frequency rate in 2019 than we had some years ago. We are improving in our state average.

The occupational groups with the highest percentage of injuries are plant operators, construction and mining labourers and other labourers. The most common causes of injury across the industry are body stressing, they are falls, they are slips, they are trips, or they have been hit by a moving object. Priority conditions and clauses that have been identified in the WorkSafe Tasmania Strategic Plan for 2018-2023 that are relevant to this industry are the musculoskeletal disorders, hazardous manual tasks, slips, trips and falls and the safe movement of vehicles and plant. As the minister said, we did have, in January of this year, a death from Henty Mine that is, I think, still before the Coroner. Each community that goes through that goes through a long time of pain. I have friends who have worked in the industry and you do not get over any death, but when these deaths are so physical in their nature they are even more distressing.

Much of this work comes from the high level of deaths that we have had in mining and the work that was done around investigating that. In 2016-17, there was the audit of the Office of Chief Inspector of Mines that provided a number of recommendations. The recommendations in that report were framed around the intent of improving health and safety outcomes. They focused on -

- consolidating the progress that had been made towards repairing the inadequacies identified in previous reviews;
- enhancing and maintaining the sustainability capacity, capability and standing of the Office of the Chief Inspector of Mines;
- identifying specific work method control practices and processes to increase efficiencies and transparencies; and
- identifying the practical test and proven solutions for those members requiring redress that were identified during that audit and a number of previous audits that had matters outstanding.

Minister, we will be supporting the bill. We had discussions when the bill was first tabled, which was some time ago. At that point everyone was keen to get this work progressed because the initiatives in here are important.

I have a couple of things I wanted to get on the record that I was told in the briefing. The process is around ensuring that our Chief Inspector of Mines has appropriate knowledge, skills and expertise, and that our mine inspectors do as well. What we have seen, particularly in small jurisdictions, as the minister identified in her second reading speech, is a move towards more generalist work health and safety inspectorate skills. While there might be an argument for a percentage of generalist skills in order for us to be able to sustain the diversity of workload, most industries require a level of specialisation. I am pleased to see we are doing that in mines. In the future we will probably need to look at centralising some of those specialist skills back into work health and safety, because it is a complex piece of work. Often understanding the nuances of industries and the ways that work is interpreted or enacted makes a significant difference in your ability to identify whether a risk is in place, or whether or not there has been an absence of a response to an identified risk.

Clarifying the definition of the mine makes sense as does the preparatory work. When does a mine become a mine? When does the workplace change from a construction site to a

mining site? In what period do the mining safety obligations apply? Because these are a specific type of workplace it makes sense to clarify that. The industry and the unions are very pleased with that.

The administrative power for declaring an activity at a particular place as not a mining operation provides some clarity. In most cases that was managed, not on spec, but as a matter of custom or practice, so it does provide that support.

Many of the clauses clarify how this fits with work health and safety. For many years we were looking at that national agenda and that national plan. It is important, given that is not what we are seeing at the moment, we have an appropriate process to allow us to deal with mines. As we discussed in the briefing, it is dealt with differently in different jurisdictions. Jurisdictions either have this incorporated within their work health and safety or a standalone area. This makes sense.

We talked about the generalist skills. We currently have six mining inspectors, including the chief inspector of mines. I did not ask at the briefing but are there any unfilled positions? Is there recruitment for additional mining inspectors or are we looking to have more than six, or is six the level that is deemed appropriate to be able to manage the need in that area?

The other issues I wanted to raise were on the huge amount of work being done around regulations. Most of the work that is coming out of the safety recommendations and the audit are going to be dealt with in regulations. I do not know if anyone was listening to our previous debate but I support and understand why regulations are the best tool to deal with things you might want to amend more easily than you might be able to amend legislation. The parliament does not sit as regularly as regulations once expected us to. There can be some big lag times between a regulation coming into place and it being a disallowable motion. I put on the record that I have always had a level of discomfort with that. I did as a minister and I do more so not as a minister now that I look at it under that prism.

Minister, could you put on the record when we anticipate what I understand is a large amount of work being done around regulations and when we think that we might start to see them? Do you think we will see them all as one package of regulations, or will we be staggering it through, as regulations are done within different sections of the recommendations?

Also could you step through the local consultation process? I understand the need for that; I am not saying that I believe there is any flaw to it but I would appreciate if you could put on the record how that local consultative process will work because that is important. There is, as I understand it, a rather healthy and strong relationship at the moment with that sector of workers so there is a desire to make that work well. Could you step out what that means?

The only other issue comes probably more from the fact that this has been flicking around for a little while. I am always confused about why act commencement dates are different. I do not know if every department does it separately just for the fun of it, or if some people come to it with a particular view about commencement so that it can be from date of proclamation to a date to be proclaimed or when the next job is done. This one says 30 days after the day on which the act receives royal assent. In the briefing it was indicated to me that it was to give everybody time to get their heads around it. I argue that it has been over a year now so people's heads are probably around it, so is that still necessary? It is something that might be tidied up

so we can get the efficacy of this act a little earlier given that for a number of circumstances it has taken a long time for us to deal with that.

Other than that, I do not have anything else that I wanted to raise. Unless something comes up in the debate that I have not thought about I do not anticipate we would need to go into Committee. We all want to ensure our workers are as safe as possible and particularly that our mining sites are safe. I appreciate the huge amount of work that has been done by the steering committee and the department in terms of regulation development. The earlier we can give clarity to aspects in this field the better for everyone involved.

[3.23 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, the Greens will be supporting the Mines Work Health and Safety (Supplementary Requirements) Amendment Bill. I will make a few comments on the way through. I cannot see a need to go into Committee.

As I said earlier this week, a couple of weekends ago I took the kids to Queenstown and we stayed in beautiful historic Penghana, which is the home of the original and subsequent 10 mine managers of the Mt Lyell mine. Robert Sticht was an American metallurgist who developed the first successful purely pyritic smelting in the world here in Tasmania. When I was talking to the managers of the Penghana accommodation, they made the point that out of Queenstown in those early days of Tasmania's post-European history, there was an economic powerhouse that did almost more than any other industry to lay the foundations for Tasmania's future economy.

When you look at the pictures of the Mt Lyell copper mine in the days when Penghana was first built around 1898, it was a magnificent homestead sitting on top of a pile of gravel. It certainly looks very different now; it is very green. I was thinking when I was looking at the pictures on the walls of the former mine manager's home how difficult and dangerous it must have been for those early mine workers who were laying the foundations for Tasmania's economy. There would have been no workplace health and safety laws in place back then. It would all have been down to the mine manager and the site managers to try to keep, particularly men in this instance, safe.

We have come a long way to where we are debating a stronger workplace health and safety framework for the operation of mines and people who work in mines, but working in a mine is very dangerous work and requires the strongest possible workplace health and safety laws, which is why we will be supporting this bill.

The amendment bill is the result of a Mine Safety Steering Committee review. The committee was comprised of representatives from the industry, unions and governments and was established in 2014 for the purposes of this review and followed tragic mine accidents at the Beaconsfield, Renison and Cornwall mines between 2000 and 2006.

The committee was established as part of a 2014 audit into mine safety. At that time it was recommended that there be ongoing audits to ensure that we keep miners safe and do not have repeats of the fatalities we have seen in Tasmanian mines, particularly in this century so far. In 2014 the then government made a media statement announcing the Mine Safety Steering Committee and claiming -

This week's Budget will include additional funding for the Office of the Chief Inspector of Mines, increasing inspectorate numbers from five to six, as recommended.

However, a 2016 audit of the Office of the Chief Inspectorate of Mines showed that their budget actually decreased in 2010 from a little over \$1 million in 2013-14 to \$952 000 in 2014-15, a \$50 000 cut. It did subsequently increase modestly to \$1.2 million in 2015-16. The current funding for this particular year is not in the audit report.

Staffing increased at the Office of the Chief Inspector of Mines post the 2014 statement from the then-treasurer. However, the report shows quite clearly that this was achieved by reducing non-salary costs such as training and professional development. The report also notes that 1.5 FTEs are assigned to Tasmania's major hazard facilities, noting that effectively there are only five inspectors working full time on regulating mining and quarrying industries. I ask the minister, what is the current budget allocation to the Office of the Chief Inspector of Mines and the number of staff currently assigned full time to regulating the mining and quarrying industries?

I also hope the minister will be able to go to some of the recommendations of the Quinlan audit and detail to the House what recommendations have been adopted. Have they all been adopted? Perhaps the minister could give an update to the House on the process of implementing those recommendations. I acknowledge many of the recommendations are captured within the legislation that we are debating today.

I recognise that this amendment bill ensures the person designated as the Chief Inspector of Mines has the right knowledge, experience and skills for the role, ensures mine inspectors have the knowledge, skills and experience to enable the effective exercise of the functions and the powers of mine inspectors, clarifies the definition of a mine - which as Ms O'Byrne said, is quiet handy - by specifying that it includes fixtures, fittings, plant or structures at the place that are used for or in connection with mining operations, and addresses potential ambiguity by clarifying that mining operations include activities from the beginning of the work on site, including preparatory work.

I will pause at this moment to raise the issue of the Venture Mine in the Tarkine and the evidence presented by the Bob Brown Foundation which sent a drone up over the mine site last week and, as we understand it, all the plant and equipment has been removed from the proposed Venture Mine site. I understand that the Minister for Resources plans to contribute towards this bill and perhaps he can explain to the House why Venture - having made so much noise about restarting mining - has removed all its plant and equipment from the Venture Mine site.

This amendment bill restricts the existing administrative power of the regulator to declare an activity, either at a particular place or generally, to be a mining operation, to only those activities that are specified. It allows an activity generally to be included in the definition of mining operations only by way of regulations. It provides an administrative power to the regulator to declare that an activity at a particular place is not a mining operation. It allows an activity generally to be excluded from the meaning of mining operations through the making of regulations.

It clarifies that Part 6 of the Workplace Health and Safety Act which makes it unlawful to discriminate against a worker or prospective worker for an unlawful reason, provides

protection against discrimination for senior site officers; it improves the provisions for health and safety management systems; it improves consultation on codes of practice; and it makes other miscellaneous improvements, most of which are clarifications, corrections or amendments for the purposes of ensuring consistency throughout the act.

We are concerned about the necessary extra inspectorate work that will be required as a result of these amendments and the strengthening of those workplace health and safety requirements at the same time, when there does seem to be issues with WorkSafe Tasmania's capacity to investigate alleged breaches of workplace health and safety laws and alleged workplace risks to staff.

The statistics that we have demonstrate that the regulator, as it stands, is not up to scratch. Almost half of Tasmania's workplace fatalities did not result in a workplace investigation. This data was confirmed with us by our Right to Information request lodged by Dr Rosalie Woodruff's office. The statistics show WorkSafe conducted formal investigations into 21 of 38 workplace fatalities, 64 investigations into 858 cases of serious injury, and 28 investigations into 1642 reports of dangerous incidents.

Ms Archer - They attend every fatality where they are the main regulator.

Ms O'CONNOR - Minister, I am simply detailing the information that was provided in the Right to Information request.

The numbers are damning. The government workplace safety body failed to investigate or even visit the workplace in the majority of reports of safety incidents or hazards. The figures provided in response to our request indicate there were 2568 notifiable incidents recorded between 2014 and May of this year. WorkSafe attended a workplace on only 807 occasions as a result, and conducted 115 formal investigations.

What we know from this Right to Information is that 64 per cent of all notifiable incidents recorded by WorkSafe since 2014 did not result in an investigation. We have a quote from a spokesperson for the minister, which does seem to be a handwashing exercise and that statement, in response to these numbers is that -

Workplace safety is first and foremost the responsibility of businesses and undertakings, and the people who work in them. They have the primary responsibility to investigate and remediate the causes of serious incidents.

Self-regulation has been demonstrated time and again not to work. We need to make sure that WorkSafe Tasmania is appropriately funded to conduct its statutory responsibilities and this is literally a matter of life and death. It is vital that we strengthen the workplace health and safety standards on mine sites or exploration sites in Tasmania, but it is equally vital that we make sure WorkSafe Tasmania is adequately funded to undertake its statutory responsibilities.

I do not have any more specific comments in relation to this amendment bill. It is worth placing on the record the objects of the Mines Work Health and Safety (Supplementary Requirements) Act of 2012 which states -

The object of this Act is to assist in securing the health and safety of mine workers and other people exposed to risks to their health or safety arising from mining operations, through the implementation of health and safety measures, specific to mines and mining operations, that are in addition to the measures imposed under the Work Health and Safety Act 2012.

There are many days when the families of people who work in our mines really worry about their loved ones going off to work. Everything that this parliament can do to ease that worry and to make sure that mine workers are safe in their workplace, must be done.

We live in a state which has at its foundation a mining industry which in significant part - despite some of the shrill language you will hear from the Minister for Resources - the Greens strongly support. We do not want to see mining operations in wilderness areas and we believe there must be areas that are off limits to mining, apart from those areas which are formally protected. I know that responsible mining companies can undertake their work and undertake remediation in such a way that restores the landscape to a very significant extent.

As a child, for a short time I was a miner's daughter. My father worked in the sand mines on Minjerribah (Stradbroke Island). I always remember him heading off to work, and this was a former journalist, in his yellow safety jacket with his little lunch box that Mum used to send him to work with. As a child I always thought he would come home but there are many families, too many families, in the history of this island who have said goodbye to someone they love who has not come home. That is why, as I said earlier, we must support the strengthening of workplace health and safety standards in our mines.

[3.38 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Deputy Speaker, it is a great pleasure and honour to stand here as Minister for Resources to support my colleague, the Minister for Building and Construction, and thank Elise Archer for her leadership in bringing this bill forward, and to say that health and safety in the workplace is a top priority. As the former minister for building and construction I know how important it is, and I thank the team at WorkSafe Tasmania who are represented here today, and thank them for their work and support.

I particularly acknowledge the steering committee. I know the important work they did in pulling all this together. The Mine Safety Steering Committee is a tripartite committee and I know there is a small number of amendments but it is a lot of work that is required to go into all of this. I put on the record my thanks to the relevant industry groups, the union, and the Chief Inspector of Mines, for the diligence and hard work they put in to undertake this important task ensuring that the workplace in our mines and mineral processing industry across the state is safe. I congratulate the minister, Ms Archer, and her team and her office.

Mining and the mineral processing sector is important to Tasmania and means 5500-plus jobs, not just on the west and north-west coast but across the state, more than 50 per cent of our exports and around \$2 billion. That is what it is worth and that is how important it is. The contributions in royalties and other payments helps invest in our schools, hospitals and roads across the state so it is incredibly important.

Last week I was with Felix Ellis, the new member for Braddon, at Savage River Mine, our largest iron ore mine. We had an excellent visit and tour including underground, looking

at the exploration activities and seeing the good work being done there. Well done to Ben Maynard and the team and thank you for your hospitality. We certainly learnt a lot and to see that operation professional operation in action was terrific. Likewise at Tasmanian Advanced Minerals. It was a wonderful opportunity to visit there with Felix Ellis and MRT and from my office, Matt Hopman. It was very much appreciated, so thanks for your hospitality. You are learning every day about the importance of this for jobs and families and there is across-the-board support in that regard.

I want to respond to the observation shared by the Leader of the Greens with respect to the Riley iron ore mine with Venture Minerals and indicate that I understand they have responded to the claims and allegations of the Bob Brown Foundation today. They are on the record and I believe they stand on the record. What I can say is that the political and legal opposition is consistent with the Bob Brown Foundation and the Greens not just to that particular operation but more generally to many of the productive industries, whether its mining or forestry, across the board.

Ms O'Connor - I just said that we support the vast majority of mines in Tasmania, so give it a break.

Mr BARNETT - The opposition you have showed has been very consistent.

Ms O'Connor - We will stand for the Tarkine every time. We will defend the wilderness every time, but they are not mutually exclusive.

Mr BARNETT - That is what I say. You have been consistent in your political opposition and your lobbying, and various members tying themselves to equipment to stop productive activities taking place. Likewise, your legal opposition through the Greens or the Bob Brown Foundation. I am making the point that it has been consistent and something that we do not support. We strongly say that a worker's right to work, earn a living and support their families is sacrosanct. We will back it every step of the way.

I wanted to put on the record a few remarks in terms of that support and commend the minister for her leadership in this regard. I thank those officers from WorkSafe Tasmania and the tripartite members involved in that steering committee. A lot of work was done there and I appreciate it and put my thanks on the record.

[3.43 p.m.]

Mrs PETRUSMA (Franklin) - Mr Deputy Speaker, it is with pleasure that speak on the Mines Work Health and Safety (Supplementary Requirements) Amendment Bill 2019. I commend the Minister for Building and Construction, her staff and her team at the Department of Justice for all their efforts, especially over the last seven months during COVID-19 and for all the hard work I know she and her team have been undertaking on all of her portfolios. I know that the safety, health and wellbeing of all Tasmanians, including those who work in our mines, has especially been at the centre and forefront of all the minister's decision-making processes.

Tasmania has a remarkable geological diversity and more than a century's history as a significant minerals producer. Tasmania exports ore and concentrates of iron, copper, lead, zinc, tin, high-grade silica and tungsten. Due to our long history it is very important that mine safety laws are updated over time in order to remain contemporary as well as relevant to

changing work practices and technologies and to keep pace with emerging challenges and knowledge in mine safety.

I worked in a mine as a first-aid security officer so I know from firsthand experience that rigorous attention to health and safety is required in mines to prevent work-related injuries, illnesses and fatalities. That is why, with any identified shortcomings in Tasmania's mine safety laws, it is important to address them proactively rather than to be prompted to do so by a mining disaster.

I note that the mining industry in Tasmania has a good safety record with respect to the rates of injuries and illnesses. In fact, in the 10 years to the end of 2019 the serious injury frequency rate was 52 per cent lower than 10 years ago. This is the biggest decrease in the serious injury frequency rate of all industry divisions. Nevertheless, sadly, failures in mine safety do occur leading to potentially tragic outcomes. That is why Tasmania's mine safety laws, namely the Mines Work Health and Safety (Supplementary Requirements) Act and the Mines Work Health and Safety (Supplementary Requirements) Regulations operate at mines in conjunction with Tasmania's general work health and safety laws, which I note mirror the national model WHS laws.

Tasmania's mine safety laws also cover a gap clause by the omission of the proposed mine safety chapter from the national model work health and safety laws. Like the national model work health laws on which they are based, Tasmania's work health and safety regulations have a blank chapter which is expected to be filled with detailed mining-specific requirements.

From the early days of the development of the national model work health and safety regulations, it was intended that there would be a comprehensive chapter dedicated to mine safety, just as there are chapters and parts on other hazardous work and industries such as construction, major hazard facilities, diving work and working with asbestos. While our draft safety chapter was developed nationally, it did not receive the requisite two-thirds majority of votes by work health and safety ministers to be included in the model laws. As the minister mentioned, this bill before us therefore implements improvements recommended by a review into Tasmania's mine safety laws.

Importantly, the bill makes a number of clarifications, corrections and improvements to better align with Tasmania's work health and safety laws. Most significantly, the bill ensures that the penalties under the mine safety laws are consistent with those under the work health and safety act so that similar penalties apply to similar offences under both acts.

I also note that the existing penalties were based on those applying under the now repealed Workplace Health and Safety Act 1995 and that the existing penalties are outdated and differ widely from those of the Work Health and Safety Act.

It is anomalous to retain different penalties for the same type of offences in the two acts, especially given that the acts need to operate seamlessly together as if there were a single act. One example is that the Work Health and Safety Act expresses penalties in dollar amounts; to ensure consistency with the Work Health and Safety Act the penalties in the bill in front of us follow suit.

The new provisions relating to the knowledge, skills and experience of mines inspectors provide a mechanism to ensure that inspectors assigned primarily to mines have some relevant background before exercising the functions of a mine inspector under the mine safety laws.

I note that clause 11 of the bill will not prevent the utilisation of generalist inspectors to supplement the mines team if and when necessary. It does, however, mean that certain inspection, investigation and enforcement activities of mines can be limited to inspectors with the appropriate background relevant to mining.

I note too that another initiative in improvement recommended by the review in the bill ensures that the person designated as the Chief Inspector of Mines has the appropriate knowledge, skills and experience for the role. As the minister touched on, this role in particular requires qualifications in the field of mining, engineering or the equivalent. However unfortunately not all engineering qualifications are equal and in setting a qualification requirement for the Chief Inspector of Mines, it is important to ensure that the requirement is set at the appropriate standard for the role.

Apart from the potential differences between universities and between countries, there are at least three levels of tertiary-educated engineering practitioners, being professional engineers, engineering technologists, and engineering technicians. The professional level is sought for the Chief Inspector of Mines and I note that the Washington Accord is the multilateral accord that deals specifically with that level. I note that the Washington Accord is an international agreement between the key professional bodies that have a role in their home jurisdictions setting the accreditation standards for tertiary educational programs that deliver the undergraduate education required for graduate professional engineers.

The accord provides for the recognition of substantial equivalents of such accredited programs across signatory jurisdictions and it is underpinned by further procedures and documents, including competency standards to enable this to occur. Currently, the signatory organisations cover 21 different countries. Reference to the Washington Accord in this bill provides a starting point for determining whether a particular qualification meets the standards sought. It is also important to note that the accord does not cover all countries and its signatories. It may not necessarily assess all courses within their country, so there does need to be an alternative.

It proposes new subsections of the principal act allow for an equivalent qualification. An equivalent qualification is one that the regulator is satisfied on reasonable grounds that the qualification is equal to or exceeds the standard of a course that is accredited by a signatory to the Washington Accord.

Other reasons why this bill is important is because Tasmania's mining and mineral processing sector is a key pillar of Tasmania's economy, supporting more than 5600 jobs and contributing over 55 per cent of the state's mercantile export value, or around \$2 billion annually. The mining industry also contributes millions in royalties and other payments - over \$31 million in 2019-20 - which goes to support the provision of essential services to Tasmanians. Importantly, much of the sector has continued operations during the pandemic, providing much needed economic activity and opportunity for Tasmanians.

Over the last two years there have been several pieces of good news for the industry. For example, the sale of TEMCO ensured ongoing employment in the Tamar Valley. NQ Minerals

is now producing commercial quantities of base metal and pyrite concentrates from their Hellyer Mine and tailings dam operation. Recent changes to the plant have increased production capacity by more than 20 per cent. NQ Minerals has also purchased and plans to reopen the Beaconsfield Gold Mine to access a resource of 480 000 ounces of gold underneath the existing workings. At Renison, upgrades to the processing plant are being commissioned and are leading to increased tin production. Exploration drilling is returning encouraging results from the deeper part of the mine, including the Bell 50 zone discovery.

Potential new projects in addition to those already mentioned include iron and tungsten tin mines in the Mt Lindsay area by Venture Minerals; tin and copper tailings recovery at Renison Bell by the Bluestone Mines Tasmania joint venture and at Luina by Elementos; high-grade silica at Maydena by Maydena Sands and resumption of tungsten mining on King Island by King Island Scheelite, a mine I know well. I worked at a mine and this mine was King Island Scheelite. Back in 1988, I moved to Grassy, King Island. I had recently completed my registered nurse training and shifted to King Island when I was 21. A couple of months before that my first placement as a registered nurse was in the paediatric ward at the Launceston General Hospital.

As soon as you landed at King Island airport, it seemed everyone knew you were coming because the phone started ringing straight away. Within days you signed up to every sporting team on the island, met everyone in the township of Grassy, were blessed with lots of home-made cooking and goodies and, out of the blue, I was rung up by the King Island Scheelite. They needed a first aid security officer but also a nurse to run the surgery two days a week, to drive their local ambulance above and below ground, as well as to work at the local hospital and somebody to do child health.

Because I was 21, this was a fantastic job opportunity, far more exciting than working in a hospital, which it was. Because I had two ambulances, one above and one below ground, one petrol and one diesel, you were never short of ambulances to be in. You also had lots of safety gear which you needed for going underground. I still have parts of it at home.

It is amazing when you go underground. You understand why you need occupational health and safety laws in place because when a blast goes off underground, the blast wave passes through you. You feel it in your ears, your lungs, your stomach. You know health and safety is vitally important.

My role, when I went underground, and it was kilometres of tunnels underground, was to restock the first aid boxes. I could understand if you go into a mine where it is totally dark how, if you do not know where you are going, you would be lost for the rest of your life. Another interesting thing about going in the mines was they had air locks underneath and so you could open up an airlock which would actually suck you through to the other side. It was like anti-gravity; it was like being in space. It was interesting.

For the first three weeks I was there, nobody came near me. There was only one other woman on the mine. She was the secretary of the mine. The blokes saw it as bad luck to have a woman working at the mine. When one of the miners basically chopped his finger off I handled the situation so well that after that things got a lot better. At the Grassy Club they had the men's bar and the ladies' lounge and never the two did mix except on Friday night the week before Christmas. By this stage the blokes had accepted me as one of them. I was called Jack. That is where the name Jack started from. I was allowed to go into the men's bar and started

to drink. After that all the other ladies were allowed to start mixing with the men in the mine. That got me going into women's equality because I managed at the age of 22 to start breaking down the barriers on King Island and getting the two sections to come together and mix. It was quite interesting.

I loved living on King Island. It is one of the best places I have ever lived. Snakes were a bit of an issue. You would be driving along and there would be snakes everywhere. After a while they just became part of life. At Christmas time you would stand outside your house and everyone would sing a Christmas carol outside your house. Everyone had an esky on wheels and then you would go to the next house where the owner or the renter would stand on the porch and then people would sing a Christmas carol to them. It went all night. On a Friday night the whole town of Grassy would go to Naracoopa and fish together. It was these things that you do not ever do anywhere else. Lightning storms were incredible. One time I was driving my old Land Cruiser and my foot went straight through the bottom because it was rusted out so much. The accelerator and my foot were stuck outside. Lucky I was on a flat at the time. It was an amazing place to be.

I pay credit to the people of King Island who are very passionate about the mine. If the mine did get going again it would certainly help that community. Ever since scheelite was discovered in 1911 the King Island scheelite mine has had its ups and downs. It would be good to see it going again to help a community that needs the mine. When I lived in Grassy we had a picture theatre, tennis courts, basketball, badminton courts, a nine-hole golf course, squash courts and an indoor heated swimming pool, which were all facilities provided by the mine. It really helped that town to keep going.

I congratulate Mr Barnett because he is very committed to ensuring that the mining and mineral sector is a key component of the growth engine of the Tasmanian economy, particularly as we enter the recovery phase of the current coronavirus situation.

In the portfolio the Government currently has three initiatives to support the industry and exploration in the state. These are the geo-science program which has provided new data and ideas to underpin and de-risk the next generation of mineral exploration activities. There is the mining sector innovation initiative with \$1 million over four years to address environmental geo-science and natural hazard issues in the state, and also the exploration, drilling grant initiative with \$2 million over four years to encourage the drilling of greenfields targets. This might lead to the discovery of the state's next new mine.

In conclusion, I acknowledge the great work of the Government, Mr Barnett as the Minister for Resources, Ms Archer as Minister for Building and Construction, and all their staff and the department because all of their efforts in their portfolios especially during COVID-19. I know that at the heart of their efforts is that they are 100 per cent committed to support the work health and safety of Tasmanians and I am delighted to support this bill.

[4.00 p.m.]

Ms ARCHER (Clark - Minister for Building and Construction) - Mr Deputy Speaker, there are a couple of things that my department is checking on. If I have not got something I may need to come back in and provide it.

I thank members for their contributions and recognition of this being such an important area for workplace health and safety laws, and for the assurance, as best we can, to ensure that

our workers go home at the end of the day or at the end of their shift. These specific changes will sit alongside our existing workplace health and safety laws and specifically deal with issues in relation to mines which everybody accepts is a high-risk area and occupation for most. At times we have some challenges as a smaller jurisdiction, but it is no less important for those who work in the industry - indeed a growing industry and a vital component of our economy and our economic recovery.

There was a question from Ms O'Byrne on how many mines inspectors the government employs. I have also to confirm that for Ms O'Connor. The current establishment for the mines inspectorate is for six full-time-equivalent inspectors including the Chief Inspector of Mines, covering mines and mineral processing facilities. A seventh member of the team focuses full-time on major hazard facilities (MHF). One of the six mines inspectors also undertakes MHF audits for up to 30 per cent to 50 per cent of the time. There is a capacity to work on mines 100 per cent of the time if workload requires.

Ms O'Byrne - Sorry, minister, that is a full complement? You are not seeking anyone else? There is no identified need for anyone else?

Ms ARCHER - That is a full complement at the moment. As the member would be aware, we are constantly looking at and reviewing these things. If there is a future need of a growing sector of course we will look at it. There are no positions that are currently unfilled, which was another question.

In relation to the general process to bring in new regulations, and the consultation that will occur, a public consultation document discussing the steering committee's proposals for regulations will be developed and released for public comment in the first half of 2021. Other more active forms of consultation will likely be undertaken including participation at industry forums. Key industry and union stakeholders have been and will continue to be consulted. Public consultation will allow individual mine operators and workers to have direct input so that their views may also be taken into account. Feedback from public comment will be considered and this may lead to some revisional tweaking for proposals. The Government will consider the proposals including any revisions in the context of feedback from consultation before proceeding to the drafting of regulations. The draft regulations will be released for a further period before being finalised and tabled in the parliament.

It may be possible to make and table the revised regulations by the end of 2021. That will depend on how that consultation goes. The regulations are going to be quite detailed and there will need to be significant industry consultation feedback and input.

Ms O'Byrne - Do you anticipate that there might be some that you can do earlier than later, or do they really need to be tabled at that time?

Ms ARCHER - I imagine so. I think there are some that we can deal with earlier than later; some I expect will be more complex. Sorry, you were thinking in tranches? No, I do not think we are thinking of doing it in tranches. I remember what you are getting at now. You were almost talking about phases, weren't you?

Ms O'Byrne - Yes.

Ms ARCHER - No, preferably in the one package because, holistically, for the whole industry, there was some concern at the start that when we introduced this bill that it was dealing with the whole package and they felt like they had not had a say. It is going to be really important to present the package of regulations as one.

In the first half of 2021 we will seek public comment on the steering committee's proposals and the timing thereafter will be largely determined by the feedback from that consultation. If there are major issues to be resolved, the regulations may take a little longer to progress. I know you asked a question about royal assent for 30 days and you are right, with different legislation it does vary. For example, I could give you an example of the magistrate's court package I did last year. It is a 12-month period because of needing to do a lot of preparatory work before those laws can come into play.

Ms O'Byrne - That is not necessarily applied for this now though is it, because a lot of that preparation would be ready by then?

Ms ARCHER - I know there has been consultation on this but it is felt by us and certainly by the department that we need to give the opportunity to mine operators to ensure they know what the changes entail and they do not think that it covers matters that will be more appropriately dealt with in the regulations.

Ms O'Byrne - That was generally the concern at the beginning. I felt by now we have moved on a little bit in terms of people's comprehension.

Ms ARCHER - I think we have, but we just want to be a 100 per cent sure. A month is a reasonable period of time.

Ms O'Byrne - You are anticipating this will go upstairs quite quickly then?

Ms ARCHER - I hope so but I do not control the other place. Last night they had a bill that I had dealt with in this House quite some time ago, a miscellaneous bill, so I will not even attempt to -

Ms O'Byrne - It will be ready to go.

Ms ARCHER - It will be ready to go, yes.

Ms O'Connor, you asked about the positions as well and I am just getting that figure because we have not got any figures with us and I want to make sure we get you that figure. By the time I am finished speaking hopefully I will have it. If not, I will have to either give it to you or come in and add two.

Ms O'Connor - That is the question about the current budget allocation to the Office of the Mines Inspectorate and the number of staff currently assigned full time to regulating mining and quarrying industries.

Ms ARCHER - Can you repeat the second part of question?

Ms O'Connor - The number of staff currently assigned full time to regulating mining and quarrying industries.

Ms ARCHER - What I confirmed before in response to the number of staff regarding Ms O'Byrne's question is the same as yours, Ms O'Connor, in relation to the six full-time equivalent inspectors, which includes the Chief Inspector of Mines. One of the mines inspectors also undertakes MHF audits for 30 per cent to 50 per cent of the time. The seventh member of the team focuses full time on major hazardous facilities so that includes quarries.

Ms O'Connor - Thank you. I asked about the reviews, recommendations and how many of them -

Ms ARCHER - You did, and that is one of things I am attempting to get a hold of, as well as the figure. Bear with me.

In relation to the Quinlan audit there were 17 recommendations arising from that review. One was for the review of legislation, which is the subject of today. As for anything further and specific about that, I do not have anything at hand because it appears that the one for review of legislation is what we are doing. If you can shed some specific light on that I can certainly undertake to get that -

Ms O'Connor - A set of recommendations was made as a result of the steering committee's review process. The question was simply, how many of those recommendations have been adopted and implemented or are being implemented?

Ms ARCHER - I am not sure we have the details of that audit here. Sorry, we are getting confused here. Do you mean the steering committee's audit?

Ms O'Connor - Yes, the Mine Safety Steering Committee review.

Ms ARCHER - Sorry, we are on a different -

Ms O'Byrne - There is a list of the recommendations of the previous audits in the 2016-17 audit.

Ms O'Connor - The latest audit I have is 2014.

Ms ARCHER - Yes, I think we are confused about which audit you are referring to.

Ms O'Connor - That is WorkSafe.

Ms O'Byrne - But at the back it has a list of all the previous audits, I think, that includes the mines ones.

Ms O'Connor - Yes, it is the number of recommendations that have been adopted. It details the recommendations of the previous audits but not whether they have been implemented.

Mr DEPUTY SPEAKER - Members, we have given a fair bit of latitude but if -

Ms ARCHER - Yes. There was a discrepancy there as to what we were referring to and I am not sure my department is still clear on what you are referring to, which makes it difficult to be able to answer the question.

Ms O'Connor - How many recommendations out of the last audit have been accepted and implemented?

Ms ARCHER - Under the last audit?

Ms O'Connor - Yes. The Office of the Chief Inspector of Mines - there is a table of recommendations at the back.

Ms ARCHER - It would help us if you identified the title of the audit you are reading from because there is deep confusion as to what you are referring to.

Ms O'Connor - The latest audit I have is the 2016-17 audit of the Office of the Chief Inspector of Mines Tasmania, report to the Chief Executive Officer of WorkSafe Tasmania.

Ms ARCHER - Right, we have located it. Thank you.

Ms O'Byrne - In terms of the recommendations at the back of this one, which ones have been dealt with? That bit at the back of that 2016-17 report - of those, which ones have been done?

Ms O'Connor - That is the table of the various recommendations over the journey, so previous audits. There just seems to be a lot of recommending and you wonder how much -

Ms O'Byrne - Some of them talk about the recommendations and how a future audit would be too.

Ms O'Connor - Minister, if it would help the functions of the House maybe -

Ms ARCHER - Sorry, I cannot address this because I am trying to get an answer to your specific question but to no avail, so my apologies. I will try to answer that question on the adjournment. If I cannot do it today I will do it next Tuesday. Would that satisfy?

Ms O'Connor - Yes. That would be great.

Ms ARCHER - Thank you. It may even give us an opportunity to have a chat and then we can all be clear. My apologies. It will also ensure that I can be satisfied that the figure I am providing to the House is correct in relation to that budget allocation you asked about.

That should address things. Can I thank members for their contributions, the department and on this occasion the industry, unions and other stakeholders that have provided feedback for the bill and will continue to be involved in this consultation process for the development of the regulations.

I commend the bill to the House.

Bill read the second time.

Bill read the third time.

RAIL SAFETY NATIONAL LAW (TASMANIA) AMENDMENT BILL 2020
(No. 7)

Second Reading

[4.21 p.m.]

Mr FERGUSON (Bass - Minister for Infrastructure and Transport) - Madam Deputy Speaker, I move -

That the bill now be read a second time.

I present to the house today the Rail Safety National Law (Tasmania) Amendment Bill 2020.

The purpose of this bill is to remove a reference to an overlapping provision from Tasmanian state law following the recent introduction of a national offence with the same intent. The Rail Safety National Law applies in Tasmania through the Rail Safety National Law (Tasmania) Act 2012. In 2018, Transport and Infrastructure Council ministers agreed to make it an offence for a rail safety worker to obstruct or hinder drug or alcohol testing. This offence commenced nationally in 2019. The same offence already exists in Tasmanian rail safety law through reference to a provision in the Road Safety (Alcohol and Drugs) Act 1970.

This amendment addresses the conflict of the overlapping provisions by removing the reference to local state law from the principal act. The national offence is retained. This amendment will help to clarify local enforcement and will ensure national consistency in the application of the Rail Safety National Law.

I commend this bill to the House.

[4.23 p.m.]

Dr BROAD (Braddon) - Madam Deputy Speaker, this is a very simple amendment to remove duplication. Labor will be supporting this bill. It simply removes one provision from the existing legislation to take into account national legislation which has been enacted that covers the issue in question.

It is a simple bill and probably one of the shortest bills I have dealt with in my time in this place. It is really only one section that has anything of action in it. The rest is the title, commencement, the principal act and the repeal of the act. It is very simple and we will be supporting it.

There is not much to discuss about this bill, but while I have the opportunity I will talk about a couple of issues with rail safety in Tasmania and TasRail. It would be remiss of me not to.

Councils on the north-west coast are having issues with TasRail, in particular with the shared pathway program. We have a long-standing project to construct a shared pathway all the way from Latrobe to Wynyard. The Tasmanian rail network passes along some amazing coastline in Tasmania which we are very proud to see as we drive past on the highway. The train drivers, no doubt, enjoy it too. There is a project for shared pathways. The rail corridor, because of where it is located, comes into conflict with proposals for the shared pathway

network. The shared pathway has come close to the rail corridor at a number of places already. For example, through Burnie towards Coee it is right next to the rail corridor that is disused at the moment. Through the Turners Beach to Ulverstone corridor the shared pathway is right next door to the rail line. Fences have been constructed and the pathway was constructed. There are proposals for plans and funding to build the shared pathway from Turners Beach over the Old Forth Railway Bridge through to Leith, which is a significant link in this shared pathway. There are also plans for a project along the Lilloo straight to connect Leith to Devonport. These are key areas.

From what I am hearing from councils in their discussions with TasRail there are issues in progressing the pathway. I am sure there is a way to make it happen. The shared pathway project has been talked about for many years. The plans have been in place for a long time. It would be an amazing project. The little sections of the pathway are amazing and they are used all the time. I used the Turners Beach to Ulverstone shared pathway a couple of times a week right alongside the rail corridor.

The real benefit of the shared pathway would be if the link is made all the way from Latrobe through to Wynyard. It would become a fantastic way to connect communities and encourage people to commute to work in a safe way. Now people have access to e-bikes, that sort of commuting between towns becomes readily available. The existing shared pathways constantly have people on them pushing prams, running, walking the dog, and even going to school. The shared pathway from Turners Beach to Ulverstone means suddenly kids from Turners Beach are riding their bikes to primary schools in Ulverstone. Because there is a safe way to get to school, parents do not need to worry.

Unfortunately, there is conflict between the requirements of TasRail and barriers to progressing sections of the link from Turners Beach through to Leith. I am sure there is a way for this to be addressed. I am not sure of all the issues TasRail has with the shared pathways. This is a project that is of regional significance as identified by the Cradle Coast Authority. The Liberal Government has promised to co-fund that link between Turners Beach and Leith. The money is sitting there, the council is co-funding it but there are problems with TasRail in terms of where the pathway can go.

I hope these issues can be resolved, and that negotiations can happen in good faith so that the needs of TasRail can be met while establishing the shared pathways. Rather than say why it cannot happen, how about we talk about a way that we can make it happen? The shared pathway project would be amazing for the health of the people on the north-west coast. A greater link would be a great tourist attraction too. I understand there are issues with various sections of the shared pathway which are really impeding progress. I hope the Government can work with local government and TasRail to solve these problems because the local community wants to see these pathways built.

It has to be done in a way that maintains safety and safe operation of the rail network, but let us find a way through this, let us not be frustrated, work together, sit down, resolve all the problems and get these shared pathways built.

The other thing that would be remiss of me not to mention is the rail revitalisation program. We are supporting the rail revitalisation program which upgrades safety in Tasmania. It is a very good idea. The reliability of our rail network means we are getting trucks off the

road. Using things like the intermodal at Brighton gets many trucks off the road but we need to have a reliable network.

There are ongoing safety upgrades that need to be put in place but we are very disappointed that tranche 3 of the rail revitalisation program has lost \$40 million because that has been allocated to the ship loader in Burnie. We are very happy to see the ship loader in Burnie being upgraded. It is a fantastic project, but it should not come at the expense of rail safety. It was promised to be separate money through the election campaign. We have RTI'd and we have received the series of correspondence between TasRail and the federal government and the minister at the time, Jeremy Rockliff. We can see that that money was supposed to be new money but now has been allocated from the rail revitalisation program. We would really like to see that money reinstated because the ship loader should not come at the cost of tranche 3 and rail safety.

With those few words I offer Labor's support for this bill. It is non-controversial and very simple; it aligns us with federal legislation so Labor will be supporting it.

[4.31 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Deputy Speaker, the Greens will also be supporting the Rail Safety National Law (Tasmania) Amendment Bill. We recognise that it is simple in its intent and effect but the details are a little more complicated.

In a nutshell, national laws now make it an offence for a rail safety worker to obstruct or hinder drug or alcohol testing. As such, a similar Tasmanian offence is being expunged. This bill amends the Rail Safety National Law (Tasmania) Act 2012 by preventing section 10 from applying to section 1(b) of the Road Safety Alcohol and Drugs Act 1970.

Section 10 of the Rail Safety National Law (Tasmania) Act adapts drug and alcohol provisions in the Road Safety (Alcohol and Drugs) Act 1970 in their applications to railways. This amendment bill excludes section 10(1)(b) of the Road Safety (Alcohol and Drugs) Act 1970 from being included in this adaptation. Section 10(1)(b) currently provides that any person who is liable to submit to a breath test, oral fluid test, breath analysis, oral fluid analysis or medical examination or to provide a blood sample under this act and, who having been taken into custody, obstructs or hinders his or her conveyance to a place where the test, analysis or examination is to take place, is guilty of an offence.

Although the supporting material for the bill refers to this being replaced by a national offence, it appears that a number of relevant offences are replacing this one, including the new sections 127A, 128A and 128B of the Rail Safety National Law, and it is worth reading this in because these will be the new provisions and offences in Tasmanian law. It says -

127A - Facilitation of Testing

- (1) The person with control or management of railway premises must do all that is reasonably necessary to facilitate an authorised person to exercise powers under this Division in relation to requiring a rail safety worker to undertake a test for the presence of a drug or alcohol, including (for example) -

- (a) allowing the authorised person entry to the railway premises;
 - (b) making the rail safety worker available for such testing; and
 - (c) making any other person at the premises available for the purpose of giving the authorised person reasonable help to exercise the authorised person's power under this Division.
- (2) A person required to facilitate or give reasonable help under this section must not without reasonable excuse, fail to comply with the requirement.

Maximum penalty: \$10 000.

- (3) Subsection (2) places an evidential burden on the accused to show a reasonable excuse.
- (4) An authorised person may be accompanied by a rail safety officer to assist the authorised person under this Division if the authorised person considers the assistance necessary.

128A - Offence to hinder or obstruct authorised person

A person must not intentionally hinder or obstruct an authorised person in exercising powers under this Division, or induce or attempt to induce any other person to do so.

Maximum penalty: \$10 000.

128B - Offence to assault, threaten or intimidate authorised person

A person must not directly or indirectly assault, threaten or intimidate, or attempt to assault, threaten or intimidate, an authorised person or a person assisting an authorised person.

Maximum penalty: \$50 000 or imprisonment for 2 years or both.

I am sure this amendment bill will pass the Tasmanian Parliament and will be the law in Tasmania.

As I am on my feet, I want to say a few words about rail transport in Tasmania and how as a state we really need to ramp this up and make sure that we do not talk about getting freight off the roads but that in fact it is the primary driver for the movement of freight around this island and to ports to the greatest extent possible. It is surely cheaper and lower in emissions and it also make our roads safer. If you can get large freight trucks off the road you are making those roads safer for people who drive in Tasmania.

We need more freight to go on rail but we also need to be looking at a future where passenger rail becomes much more the norm than it is now. We should be planning to have

rail services out to Sorell one day. People from all over the world are going to increasingly look to a place like Tasmania and want to live here. As the climate starts heating up you will see mass migration of people to places like Tasmania so we are not going to have population decline going forward and it compels us to start thinking ahead about the kinds of transport systems we want to have in place and particularly how we move large numbers of people around efficiently.

I share some of the concerns local communities have where rail lines are being pulled up, because we should be able to have existing rail lines, which are excellent infrastructure, as well as allow for activities like bike tourism.

I received, and I am sure there are other members of parliament who received, correspondence from this person. I have not asked this constituent if I can say their name into *Hansard* so I will just read out the question from a Beaconsfield resident. They say -

Dear Ms O'Connor

I just read that funding for the removal of the existing rail line from Lillydale to Scottsdale was reinstated. I think this proposal is shortsighted and should not be the decision for local council, but rather a state decision as it affects all Tasmanians.

The destruction of this asset would be a terrible waste of money and a loss for the people of Tasmania. The railroad line is part of our historic heritage and can become a viable resource in our future vision or our state. I ask you please to consider the following:

A bike trail will not be used! Just look at the existing Scottsdale rail trail, it is rarely used by bicyclists. I ride mountain bikes and I have done bike camping/trekking. Two totally different experiences. Only fit people would be able to use the bike trail.

Heritage rail is a viable alternative to a bike trail. Most tourists are older and train travel can accommodate people with different physical abilities.

A tourist train would create jobs in the hospitality industry: restaurants and hotels. Provide jobs for the maintenance of the line and jobs for the restoration of existing infrastructure. Puffing Billy, The Ghan, and Strahn railroads, as well as the Canadian Rocky Mountain and California Napa Wine train are all examples of successful heritage railroads.

The Scottsdale to Lillydale rail line is intact! This line is an asset, it costs nothing to leave it in place. The only people to make money are the removalists and salvagers. We will be left with nothing but an overgrown pathway to nowhere.

Thank you for your time and consideration -

Perhaps the minister in his response could address that concern and talk a little about what the Government's plan is for preserving the rail infrastructure that is in place to the greatest extent possible as part of future planning.

What future planning is in place to make sure that we are moving towards a future where we are not so heavily dependent on cars and trucks, and that we have efficient rail networks, and light rail to the northern suburbs? In recent times the minister has expressed that he is agnostic about what the mode of transport is. It could be trackless trams, could be light rail, but whatever it is - and I am still more persuaded by light rail than I am trackless trams - that is a vital transit corridor and it needs to be utilised.

We have had perpetual conversations in the community and in this place about the northern suburbs rail corridor. It is well past time that we saw some meaningful action and investment in activating that corridor, not only for passenger transit, but also for development along that rail corridor so you have that transit-oriented development and it will enable people to have real choices about how they get to and from town and to other places.

We would love to see more of a focus on modern rail systems for Tasmania and I hope the minister turns his mind to some of those issues in his response.

[4.41 p.m.]

Mr ELLIS (Braddon) - Mr Deputy Speaker, I support the Rail Safety National Law (Tasmania) Amendment Bill 2020. The purpose of this bill is to remove a reference to an overlapping provision from Tasmanian state law following the recent introduction of a national offence with the same intent into the Rail Safety National Law.

Rail Safety National Law applies in Tasmania through the Rail Safety National Law (Tasmania) Act 2012. In 2018, Transport and Infrastructure Council ministers agreed to make it an offence for a rail safety worker to obstruct or hinder drug or alcohol testing. This offence commenced nationally in 2019. This offence already exists in Tasmania Rail Safety Law through reference to a like provision in the Road Safety Alcohol and Drugs Act 1970. This amendment addresses the conflict of overlapping provisions by removing the reference to local state law from the act. The national offence is retained. It is a fairly simple change. The amendment will help to clarify local enforcement of offences and will ensure national consistency in the application of Rail Safety National Law.

Rail is extremely important in my electorate of Braddon, particularly for the production of bulk commodities, and for ensuring the container transport for manufacturers and consumers can be efficiently carried right across the electorate, particularly places like the West Coast and around Railton. Cement manufacturing, our miners who get minerals from many places all over the electorate and bring them to the ports of Devonport and Burnie, rely on our rail to work efficiently, safely and to make sure that our supply chains are as strong as they can be.

Our supply chain is only as strong as its weakest link and we need to make sure that our rail is working at an efficient and competitive manner so that our guys and girls working in the mines on the West Coast, working in manufacturing facilities in the towns of Burnie, Devonport, Wynyard and Ulverstone, are able to do so and compete with the world.

TasRail is currently delivering Tranche 2 to the Tasmanian Freight Rail Revitalisation Program which is investing \$119.6 million over four years. The program is funded in equal

measure by the Tasmanian and Australian governments. As has been noted many times in this place, the close working relationships formed between those two governments are delivering for Tasmanians, particularly regarding jobs on the north-west coast.

Tranche 2 is being delivered on time and on budget, upgrading the rail network which results in improved services and reliability for Tasmanian industry. The Tasmanian and Australian governments have each committed a further \$68 million to Tranche 3 of the Tasmanian Freight Rail Revitalisation Program, up to \$136 million. TasRail is preparing plans for the rail component of Tranche 3 which will start in 2020-21 and, like Tranche 2, it is anticipated to be delivered over four years.

Tranche 1 - \$119.6 million of the Tasmanian Freight Rail Revitalisation Program - was delivered on time and on budget. It drove down what is known as 'single points of failure', reducing derailments and temporary speed restrictions, which is increasing on-time running. The result was record demand for rail logistics services by heavy industry and you can see it right across the north-west coast and the west coast. Those industries which have been getting on their feet over the last six years, have been able to utilise those services and, by those logistics working better for them, they are able to find new markets, create jobs and grow our state.

The Australian and Tasmanian governments' forward commitment to rail network upgrades - Tranches 2 and 3 - is without precedent and will ensure that the state's heavy industry and freight-forwarders have access to safe and efficient export supply chains into the future. The decision to prioritise the shiploader project in Burnie to this year is strongly supported by industry and provides an immediate pathway for the project to commence.

As many people in my electorate know, the shiploader is a critical part of rail infrastructure because it is one of the most important bottlenecks that happens in our current supply chain. By upgrading the shiploader it will mean that the Burnie port will be able to work better to serve its customers and better serve industry because we can get the raw bulk products off the rail and onto ships in a manner that is efficient, in a manner that works, and in a manner that is competitive.

If we do not have this shiploader upgraded it basically means that all the work that is done on the rail will be constrained because we will not be able to get it through that final point. That is the bottleneck that is currently holding back our miners, foresters and many other heavy industries, so that is why it is so important that we bring it forward and make those investments with the federal government to ensure that the Port of Burnie works for the people of Burnie, the north-west coast, the west coast and the whole of Tasmania.

It is a very exciting project and it is wonderful to see rail projects and our rail infrastructure in general being upgraded - some would say after years of neglect - but let us look to the future and make sure that we continue to invest in that kind of infrastructure. It creates jobs in construction for locals and it creates jobs for locals in the long term and that is a fantastic thing for young people in my electorate of Braddon.

In closing, Tasmania Police, as authorised officers under the Rail Safety National law and Road Safety Alcohol and Drugs Act 1970, have been consulted in the preparation of this bill. I commend the bill to the House.

[4.48 p.m.]

Mr FERGUSON (Bass - Minister for Infrastructure and Transport) - Madam Deputy Speaker, I thank Dr Broad, Ms O'Connor, and Mr Ellis. I will address the comments raised in the discussion. I would like to say on behalf of the Government how much our industry and the Government appreciates the general support that has been expressed not just to this particular bill because, as I acknowledge myself, it is a very minor bill in respect of its length and detail.

It is very technical in nature but important, I am sure we agree - and I know we do - but it invokes a whole range of things around rail safety and the importance of encouraging product to be moved safely across our beautiful state wherever possible, taking pressure off our roads. That is a great economic enabler. Our TasRail business is going from strength to strength under this Government and with this strong investment that is occurring to support infrastructure going forward, and business in Tasmania is responding. I hope to have to hand during my comments some data that might illustrate to members how the business is travelling, even during some of the challenges the industry has been facing here in Tasmania during the pandemic. It has to be said that some of our industries have definitely had reduced volumes but in general my regular meetings with TasRail indicate there is some real vitality there and some strong volumes and it is certainly reflected through our exports and our port business.

Before I come to the questions that were raised, I was interested that I was not asked the more obvious question which I came fully prepared for around how we are travelling in relation to alcohol and drug testing, which is what this bill is about. I am going to tell the House about this because I want to put it on the record. I feel it is important and no doubt members will agree that it is worth having on the record.

The Office of the National Rail Safety Regulator can undertake drug and alcohol testing of any of TasRail's work sites. ONRSR also make a determination to undertake testing and post a serious notifiable occurrence. I am advised that TasRail has a routine testing regime that is independent of ONRSR. TasRail has a drug and alcohol management specification which requires that all workers performing work for or on behalf of TasRail - and that includes contractors - or visiting TasRail sites, shall have a zero level for illegal drugs and a zero blood alcohol level.

I am further advised that TasRail's drug and alcohol policy is consistent with the national law. Regular random testing, post-incident testing and reasonable cause testing are all undertaken by TasRail. TasRail undertakes a risk-based random drug and alcohol testing regime across its entire operation and in the 2019-20 year 279 tests were undertaken. TasRail engages with a NATA-accredited third party to undertake all drug and alcohol testing on its behalf and prompt, statewide coverage is provided where necessary.

Only last month we had National Rail Safety Week and it was an important initiative for us to be out there supporting. There are issues with rail safety, particularly as Dr Broad reflected on, in relation to potential conflicts. Many of our intersections or crossings for rail are designed to allow for conflict risk to be managed down, but it relies nearly always on human decision-making, sensible behaviour and following the basic rules. We have all seen the footage - and it is quite disturbing when you do see it - where people try to beat the train. They think that those flashing stop lights at the level crossing apply to everybody else except for themselves and they selfishly think they will beat the train. They do not always beat the train.

It is probably a live case so I might not talk about the example, but it is daft. It is hard to contemplate. Not only is it dangerous even if they do miss the train but it actually sparks great fear and alarm in the driver of the train. There is a lot of stress and trauma that people have to live with because they have seen near-misses or been involved in crashes which are no fault of their own. Trains having such a large mass at any speed, their momentum is so great and the sense of inertia so strong that it is extremely hard for them to slow down quickly, and that is stressful for the person. It is not asking too much for people to stop at a red light and yet it continues to be a major theme nationally of Rail Safety Week.

That said, we are making progress. In 2019-20 TasRail achieved a 60 per cent reduction in level crossing failures to stop-give way signs from 85 in 2018-19 down to 33. There was also only one level crossing collision in 2019-20, down from two the year before. In the financial year to date TasRail has had zero mainline derailments. What an amazing turnaround that has been from 10 years ago and it is committed to achieving its full year target of zero.

There are never guarantees here. There was a time when it seemed like every month you had a derailment in Tasmania. It might not be exactly that but they were very disturbingly frequent for a time there and that reflected the business had run off the rails - forgive the pun - but also that under-investment underneath the business had not been travelling so strong. Those days are largely behind us and with the continuation of investment in rail infrastructure we are making progress and I know that is supported right across the Chamber.

TasRail operates services across the state 24/7, hauling around 3 million tonnes of freight and providing in excess of 100 services per week for industry, and that is to be applauded. We will be watching very closely to see TasRail not only succeeding as a business in its own right but helping Tasmanian business success more generally.

I am involved in conversations with the business for which I am the portfolio minister, together with the Treasurer as shareholder ministers. We get quite exciting updates at times from the business about its future potential dealing with some major interests that exist already in Tasmania and those looking to provide industry in Tasmania who need haulage services which TasRail is equipped to provide and deliver.

Regarding investment, Mr Ellis and Dr Broad have raised this and I will dwell briefly on this. TasRail is currently delivering tranche 2 of the revitalisation program which is currently investing \$119.6 million over four years. It is equally funded by both state and federal governments and is being delivered on time and on budget, upgrading the rail network and resulting in improved services and reliability for our industry, which is a great way to attract customers if you can tell them that you will deliver on time reliably.

There are also further commitments of \$68 million each to tranche 3 of the Tasmanian Freight Rail Revitalisation Program, worth in total \$136 million, and that project is currently being designed. The combination of tranches 2 and 3 has resulted in a record commitment to network upgrades and we could not do it without the Australian Government which has been a great partner in this.

This continues to reduce risk in the network and improve the quality of services for industry. I am pleased about that. I can say more but will not, given the limit on time. The shiploader is an essential part of the future, as that program is being delivered for our state and we are very grateful for the support of the Morrison Government in relation to that.

Mr Ellis has already summed it up perfectly, adequately and very strongly. The minerals and energy sector in Tasmania is worshipfully in love with that project. It is vital. The existing shiploader has had its best days and those best days are behind it. While it continues to provide a service it is at the end of its economic life, it needs to be replaced and have greater capacity and reliability and it is going to illustrate the great confidence that today exists in the minerals sector, particular in our west coast community. That is fantastic and that project is currently to tender.

I am thrilled by that and ask that the negativity around some of the politics of that be left behind us right now and let the people of Burnie, the north-west coast and the west coast only hear good things from us about what is a game-changer not only for rail but for the Burnie port and also for the mining industry here in Tasmania. I am excited about that and look forward, when I am able, to tell the parliament and the community more about it. When tranche 3 is further developed there will be a lot more to say about how those funds are going to be invested in such a way as to continue to provide network capability, safety and reliability.

My thanks to everybody for their comments around the importance of safety, which I endorse. On the coastal pathway, which Dr Broad and Mr Ellis may have mentioned, that is a really exciting project. I am grateful we have those corridors in place that we can have innovation and use of but, by and large, the corridors themselves are the major artery for our major fruit freight route right around the state but effectively from Brighton through to Burnie. We have to protect the corridor. It is a really strong point I have to make. It is a really strong point that TasRail makes. It is a really essential point that the Office of National Rail Safety Regulator makes. That is inconvenient at times. While there are legacy issues around things that would never be agreed to today that do occasionally sit within the corridor, those are legal matters being slowly dealt with, or those leases that are legal which are not appropriate are slowly being dealt with.

There are some things that TasRail is being asked to accept within the corridor that are not acceptable and cannot be allowed in the current time, not just because TasRail wants to be anything less than helpful but because there are national rules around this. I totally endorse Dr Broad's comment. I was wondering where he was going with it, but I do endorse where you settled, which is that there has to be a way and the way needs to be finding a sympathetic or parallel corridor beside the existing state rail corridor.

That is where we are trying to support the Cradle Coast Authority and the local councils, particularly Devonport. There is some real vision in this. Mr Jaensch, Mr Rockliff, former member Mrs Rylah and Mr Ellis have thrown a lot of support behind the coastal pathway west of Burnie.

Ms O'Connor - Do you know who first started talking about it? Paul 'Basil' O'Halloran was the first one. He started advocating for the coastal pathway, 10 years ahead of our time, as always.

Mr FERGUSON - Maybe so. I do not have that history. All I know is the former minister for infrastructure delivered a very substantial commitment at the 2018 election.

Ms O'Connor - That is right. Basil was talking about this in 2010-11. I want my history to be correct because you always say we are anti-jobs and do not have any good ideas.

Mr FERGUSON - I am bringing us back together. The Tasmanian Government, with the support of many around the Chamber, has now committed from the Tasmanian taxpayer a total of \$19.11 million in funding to support the delivery of the coastal pathway project. Project costs have only gone in one direction -up. That is regrettable. It is due to the greater knowledge that has occurred since the consultants have had a good look at the risk of the use of the disused corridor. Also about a year-and-a-half ago there was some terrible coastal erosion and you have iron in the air.

As a COVID-19 pandemic jobs response we were able to move in a more generous fashion than we had previously been negotiating with Waratah-Wynyard and Burnie councils. We were looking more at sharing the cost overruns. The Premier agreed to a proposal from me to fund the lot, provide certainty to it and get on with it. If you include the federal government's commitments to the broader coastal pathway, particularly east of Burnie, we are looking at \$30.5 million. This is an exciting project. It is not just about recreation and fitness and exercise. It is that, but it is also about linking our communities.

With that very funky new university campus at West Park with the rail corridor travelling right through it, you are talking about enabling people to get from their community to the university. For some people that is actually much more than emblematic that is real access to a better future and more opportunity in life.

In relation to the more detailed challenge that is being faced, the project people at Cradle Coast Authority have a challenge on their hands. There has been some new knowledge that they might not have been in possession of at the beginning. We are trying to support them through that. We have given them some ideas. I agree that there will be a way through it. We are doing our thing to help them.

I was also asked about the Lilydale to Scottsdale rail track, which I will come to. As members would be aware the Government developed three or four years ago the Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016 to facilitate the alternative use of non-operational rail lines and provide a framework for their ongoing management. This is something that has been extensively looked upon by this House and in an upper House inquiry.

The process of declaring a strategic corridor has been termed as banking the corridor for the Crown should it be needed at some later stage for strategic purposes such as railway operations or utilities. The corridors will not ever be lost to the community. The Government recently approved two proposals for the use of the non-operational north east line, Dorset Council's rail trail and the Launceston and North East Railways proposed heritage and tourist rail operation.

The act which governs access to the corridor provides protection for existing railway infrastructure. In relation to the development of a rail trail, that is from Lilydale to Scottsdale, substantial fixed infrastructure such as tunnels, bridges and station buildings, will be owned by the Crown and must remain in place on the corridor. This reserves such structures in case there is a future need for rail or other strategic purposes.

Sections 99 and 101 of the act require approval by the minister prior to the removal of railway infrastructure. Section 100 sets out the process and considerations for the disposal of railway infrastructure by the minister, including priority disposal of railway infrastructure for

the operation of a railway in Tasmania. Therefore, if approval is given for the removal of railway infrastructure there is a process for the disposal which will give priority to tourist and heritage railway operators, that is other operations that would be appreciative of and more or less entitled to the opportunity to obtain it.

Ms O'Connor - Obtain use of it.

Mr FERGUSON - No, to have it. To recycle it for their line, for their operation in another location.

Ms O'Connor - I see, to recycle the tracks rather than have the corridor.

Mr FERGUSON - I can advise the House that as of today no approach has been made to me to remove infrastructure pursuant to the requirements of the act. However, it is a matter of public knowledge, particularly through the evidence taken at the upper House inquiry and statements by the Government and Dorset Council, that it can be expected that there would be an approach to me to remove infrastructure, or a future minister for transport, to remove infrastructure. I am not in possession of one today. I am not aware that one is on the way but I fully expect that there will be such a request and it will be handled according to the act that I have just outlined.

I am also advised that the department will continue to work with all parties granted access to strategic infrastructure corridors through the transition and project development stages in relation to their obligations.

In closing, I say it was a marvellous outcome by Bridget Archer, the federal member for Bass, to get the recommitment of those funds, given the delays that have occurred due to nobody's fault.

In relation to the northern corridor that Ms O'Connor raised, I do not have any briefing materials with me but I can say from my knowledge and dealing with the Hobart City Deal partnerships, not just the local councils but the federal government, there is a process we are working through. The federal government has provided \$25 million towards the activation of that corridor. As you have said, Ms O'Connor, the Government is, and I personally am, mode-agnostic. We are not committed to a particular method, whether it be light rail, trackless tram, or buses. We have to be agnostic and guided by the evidence.

All I can say is that it is terribly expensive to do anything on the corridor but we are committed to activating it. We do want to see, and we will see, public transport on that corridor. We will because that is a commitment in the Deal within the 10-year envelope, and as soon as possible. The \$25 million for activation can and should be for more than just the corridor itself. It needs to also be for unlocking economic potential, housing and opportunity for commerce along that rail corridor and allowing a greater utilisation of the land along there which has significant opportunities recognised by the Hobart City Council, Glenorchy City Council and the Tasmanian and Australian governments. That is a work in progress. I do not have anything further to add at this point. I do not want to get people excited or disappointed about any particular transport mode because none of those decisions have been made.

I will wrap it up there and thank Dr Broad, Ms O'Connor and Mr Ellis for their comments and the support around the Chamber. It is a simple bill but an important one and many other relevant and important issues have been addressed during the debate today.

Bill read the second time.

Bill read the third time.

**PROPERTY AGENTS AND LAND TRANSACTIONS AMENDMENT BILL 2019
(No. 53)**

Second Reading

[5.11 p.m.]

Ms ARCHER (Clark - Minister for Building and Construction) - Madam Deputy Speaker, I move -

That the bill now be read a second time.

The Property Agents and Land Transactions Act 2016 has now been in operation for three years. It is timely to review its operation and ensure it is as effective and efficient as possible. For this reason I bring before the House today a small number of improvements that have been identified by the Property Agents Board to streamline operations and reduce red tape.

The Property Agents Board is the regulator for the Property Agents and Land Transactions Act 2016 so is best placed to comment on what is working well and identify any opportunities to improve the way we regulate the industry. Amendments proposed by the Property Agents Board have been discussed with the major stakeholder, the Real Estate Institute of Tasmania, and confirmed as being of value to the industry.

The proposed amendments include the following changes which I will now outline. This bill clarifies that a person may not carry out the functions of a real estate agent or property manager unless they hold the appropriate licence. Section 34 of the Property Agents and Land Transactions Act states that a person must not carry on all or any part of real estate agency business unless he or she is a real estate agent. Similarly, section 35 prohibits a person from carrying out any part of a property management business unless he or she is a licensed property manager.

By omitting the words 'business that includes carrying out' and substituting 'the carrying out of', there can be no doubt if a person is performing any of these functions without holding the appropriate licence.

This bill also seeks to clarify that real estate agents and property managers are able to contract out their services to a real estate or property management business. This business model is preferred by some licensees, whereby they are not directly employed by a business but operate independently on a contract basis.

The legislation currently allows property representatives to do this, but the same opportunity is not afforded to real estate agents and property managers. This amendment addresses this inequity.

In Tasmania, we take the professionalism of the real estate industry seriously. By ensuring people who work in the industry are appropriately qualified, we are offering a high level of protection to both employees and the consumers who engage with them.

The Property Agents Board has identified a number of training courses that are part of the national training package that provide an appropriate level of qualifications to the industry. The board has therefore recommended that completion of the appropriate training course be a legislated requirement for holding a licence. Because such courses are subject to regular review, this bill proposes an amendment to the powers of the Property Agents Board, as regulator of this act, to allow the making of a legally binding determination with details of appropriate training and qualifications for each licence category in alignment with the national training framework. By using this legislative instrument, changes can be made, if required, without the need to amend the legislation when requirements or course offerings change.

A new provision is to be inserted to make the licensee directly responsible for notifying the board if the details on the licence change, including the name, address or contact details. It is important for the regulator to be able to contact all people licensed in the industry to ensure they are kept up to date with professional development opportunities and any changes to the act. This change will contribute to ensuring contact details are current.

The privacy of licence holders should be protected. Currently section 29 of the act requires the board to maintain a register of property agents, which is published on its website, including the name and address of each real estate agent, property manager, general auctioneer and property representative. This could be taken to mean that the personal residential address of these individuals must be included in the register, whereas the intention was always that this be the business address. This is clarified in the amended legislation.

The board considers that every real estate agency business should identify an individual who is responsible for the management of the business. This will ensure there is someone who can be held accountable if any concerns are raised about the way in which a business is being managed. To achieve this, it is proposed that sections 36(1)(b), 37(1)(b) and 60(1)(b) be amended to include the words 'a natural person who is' after 'managed by', for example 'managed by a natural person who is a real estate agent'.

The professionalism and trustworthiness of the real estate industry is important. The purchase of a home or business premises is one of the most significant expenditures many people will make in a lifetime, yet there have been occasions where the full facts were not made available to the prospective purchaser.

Currently it is an offence under the act if an agent or auctioneer knowingly provides false or misleading information to a client. The board considers that the requirement to 'know' information is false is too high a level of protection to the property agent and that the act should allow for a defence that an agent or auctioneer reasonably relied on information supplied by a third party in making the representation.

This amendment bill also streamlines some basic administrative processes, such as introducing email as an acceptable means of serving documents. Electronic communication as a means of service is acknowledged in the court jurisdictions. For example, rule 7.07 and rule 7.16 of the Family Court Rules 2004, and rule 79 and rule 144 of the Tasmanian Supreme Court Rules 2000 both allow for service via email.

The current act requires the code of conduct to be printed and issued to all licensees whenever a revision is made. It is proposed that other methods be allowed, such as distributing the revised code by email and by making it available on the board's website. A printed copy of the code of conduct will still be available to licensees and members of the public for perusal in the public office of the board.

The bill also removes an obsolete provision that was included to ensure no assistant property manager was disadvantaged during the transition to the new act in 2016. This provision has expired and is no longer required.

Madam Deputy Speaker, the Property Agents and Land Transactions Amendment Bill 2019 makes sensible and practical amendments to an act that is already delivering for the industry.

I commend the bill to the House.

[5.20 p.m.]

Ms BUTLER (Lyons) - Madam Deputy Speaker, I rise to speak to the Property Agents and Land Transactions Amendment Bill 2019, a bill which amends the Property Agents and Land Transactions Act 2016. Overall, it is an administrative amendment bill which irons out the changes in the Property Agents and Land Transactions Amendments 2016. Labor supports this bill; however, it does miss an opportunity.

I have discussed this bill within industry and also reviewed previous submissions, one in particular which the Local Government Association of Tasmania raised, and that was an opportunity during consultation which could be seen to provide protection to both consumers and also the real estate sector, and that is to navigate vendor disclosure.

The act could be an opportunity to add the requiring of a certificate 337 prior to the listing of a property and making it available as part of the sale process, and I will go back to that point later, as the issue of false and misleading advertising by property agents in section 56 and 65 raises concerns of procedural unfairness.

The changes are administrative and consist of the following: under the act, published registers are to be changed to protect the privacy of property agents listed on the register. This amendment will mean that a business address of the real estate agency business, or where the license-holder is employed, is on the register and not the license-holder's home address. We certainly support that measure.

The bill deals with improvements to the operations of the Property Agent's Board. Licensees are to notify the board of any change in the business address or contact details, as soon as practicable after a change. Also, that provisions for code of conduct notifications by the board are to be by electronic mail rather than paper mail. The previous bill stated that

documents are to be served personally or by registered mail and this amendment will allow for email and electronic delivery and also publication on the website.

The bill also clarifies educational qualifications which provide additional strength and that also strengthens the professionalism of the Tasmanian real estate sector. The Property Agents Board has identified a number of new training courses that should be prescribed under the Tasmanian educational qualifications. Its amendment will give the board, as regulators, the power to issue determinations which detail the required educational qualifications for license holders. According to the fact sheets, this streamlines the Property Agents and Land Transactions Amendment Bill 2019 with the Occupational Licensing Act 2005 and provides flexibility for the board to respond to changing national training packages.

Section 38 of the bill clarifies that in order to be able to identify responsibility for management of a real estate agency business, an individual needs to be named as the person responsible for the management of that business.

The bill gives greater definition to the terms 'property management business' and 'real estate agency business' to ensure anyone undertaking these functions must be appropriately licensed. The bill gives greater protection to consumers by identifying a responsibility for management of a real estate agency business. An individual needs to be identified and be a licensed person in order for the board to have jurisdiction and for that business to be recognised as a real estate business. This stops businesses potentially changing names and starting again, leaving consumers with little recourse for compensation for losses.

Section 56, false or misleading advertising, which I alluded to at the start of my address, provides for believing on reasonable grounds that information provided by a third party to be true, to be a defence against prosecution, and this section provides protection to the agent if they provide information or advertise false information given to them by a third party. This highlights the potential problems for agents in transactions where without vendor disclosure in relation to a property, the agent can unknowingly be misled.

The LGAT submission - which has been the subject of consultation with the minister's office - calls for revisions to the Property Agents and Land Transactions Act 2016 to consider (a), requiring a 337 certificate prior to listing of a property, and making it available as part of the sale process; and (b), seeking full disclosure for properties as part of the listing process rather than the current process.

In Tasmania the liability for illegal and non-compliant building works can transfer to the subsequent owner. This has been a contentious issue for many Tasmanians over the years. I am sure most of us in here as local members have heard the absolute horror stories.

A 337 certificate, also referred to as a land information certificate, provides information to ascertain if there are any outstanding matters relating to a property such as, for example, completion certificates for building and plumbing permits, is there an occupancy permit for the building, is there any outstanding enforcement on the property, what is the zoning of the site, et cetera. In the 2016 Property Agents and Land Transactions Amendment Bill, LGAT suggested that disclosure provisions should be addressed due to the failures of the 337 certificate process. Most other jurisdictions around the country have upfront vendor disclosure as part of a property purchase process. It is sensible and it provides consumer protection.

At the moment it is not compulsory to provide a 337 certificate prior to a property purchase. The disclosure is only done after a purchase has been made. It is our understanding that LGAT wrote to the minister in relation to introducing vendor disclosure through the 337 certificate process. There are improvements to the existing instrument, 337 certificates; however, vendor disclosure prior to purchase has been largely ignored. This could have been a professional addition to the process of property acquisition to provide consumers with additional safeguards when purchasing property.

It is our understanding that the Real Estate Institute of Tasmania lobbied against compulsory upfront vendor disclosure process. This was a missed opportunity to add protection for Tasmanians and we understand the minister has stated that it would not be looked at now but they will continue to monitor the situation. Could the minister run through why this suggestion was not placed in the bill and whether the 337 certificates and vendor disclosures could be added in a review at a later stage?

Other than that we commend the bill to the House.

[5.28 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Welcome to the Chair, Mr Ellis.

Mr Deputy Speaker, the Greens are not going to be voting against this legislation, but it is another failed and missed opportunity to provide consumer protections around the sale of residential houses and land. It is another amendment bill that prioritises real estate agents and the propertied class over consumers, everyday Tasmanians, who are buying a home.

Let us remember that when you buy your first home it is one of the most significant, important and life-changing decisions that you make. You should, in that process, be supported by strong legislation and regulations to make sure, for example, that you are not buying a home that is unliveable or condemned; you are not buying a home that has significant amounts of asbestos in it which you did not know about when you bought the property because caveat emptor - buyer beware - there is no requirement on the part of an agent to let you know that asbestos has been found in that home. It is a matter of public record, an historical record, that in 2013 the then minister for corrections and consumer protections, Nick McKim, introduced the residential property transactions bill that provided for vendor disclosure. It ensured that there was a five-day cooling-off period after a contract was entered into.

The current bill provides no consumer protections. It is one thing to say that you require an agent to undertake a registered training course in order to be an agent. That is no measure of protection for consumers. In that period, when you had a reformist minister who was prepared to put everyday Tasmanians first there was a provision for a standard form for the sale of residential real estate. Do we have a standard form for the sale of residential real estate in Tasmania? I do not believe so.

The 2013 legislation, which was not supported by the Liberal Party and did not pass the upper House, attempted to strike a balance between mandatory disclosure and giving consumers the opportunity to make further relevant inquiries. The bill required a vendor to attach some basic information to a contract for sale such as the relevant title documents and a 337 council certificate. I need to hear the Attorney-General's comment.

Ms Archer - I was wondering. You were in Government. It did get to the upper House. Now I know what you mean.

Ms O'CONNOR - It was the now Senator McKim's legislation. It went through this place, it was not supported by the opposition at the time and did not pass the upper House. There was very fierce lobbying by vested interests within the real estate and property industry not to have the bill take effect because it would have tipped the scale more towards everyday Tasmanians who were entering into these life-changing contracts to purchase a residential home.

Ms Butler - Other states have it; it is just part of a process. It's a vendor disclosure, it's that simple.

Ms O'CONNOR - Exactly. We are a standout again in the country for not having vendor disclosure provisions in place in our laws. All of the risk is carried by the purchaser, because of how little is required to be provided or disclosed by the agent.

The legislation that went through this place in 2013 required the vendor of a residential property or residential land to give certain documents to the purchaser together with the contract of sale. These documents were to have included a copy of the relevant folio, the register, or in the case of a general law system land, a copy of the last conveyance or mortgage, a copy of the title plan for the property, a local government 337 certificate, a copy of the last local government rates notice for the property, a copy of all easements and covenants, a copy of any agreement with the planning authority that would affect the future use of the property and a copy of the section 56ZQ certificate for water supply and sewerage.

The intent of the legislation was to address illegal building works and to identify issues with the structure and general state of a building, so that the buyer who was entering into this contract and committing themselves to many years of paying off a mortgage knew exactly what they were committing themselves to; they knew what they were buying.

Now we still have a framework which is written by and for the Real Estate Institute, where consumers are not adequately protected. It is shameful that this parliament, over seven years, has repeatedly prioritised the propertied class over everyday Tasmanians. If you go to buy a home this information should be very basic to you. I do not understand why there is such resistance in the Liberal Party to providing those consumer protections.

I do not understand why the Liberal Government thinks that a framework of buyer beware is adequate. It is not. The whole system is heavily weighted towards real estate agents and property owners and it is weighted against people who are buying a property, buying their first home, buying a block or a shack.

While we will not vote against this bill, let the record show it is another missed opportunity. It leaves everyday Tasmanians in the lurch and on their own in buying a home or a property that is not a commercial property. I hope one day there is a government that comes into this place that recognises the fairness of having a framework that balances those rights and does something about it instead of constantly being beholden to lobby groups and the big end of town.

It was David Llewellyn who, as the minister for - he had so many portfolios, none of them was he very good at - consumer protection, from memory, initially blocked the section 10

vendor disclosure provisions that would have required a vendor and an agent to disclose that their home was full of asbestos, for example.

This goes back a long way, where you have had the government of the day putting to one side consumer protections in favour of the big end of town. It is interesting, and sadly, ironic, that it is legislation that is being introduced by the minister for consumer protection. There is nothing in this legislation today that provides stronger protections for consumers; for property buyers in Tasmania.

Let us remember we are not a wealthy island. When people make that commitment, it is a deep and lasting commitment. It requires courage to commit yourself or your family to paying off a mortgage. The law should provide support and protection for you from unscrupulous sellers and real estate agents. We can pretend that they do not exist, but they do.

I may not be here in this place when a government sees the light and stops putting business, business and more business into legislation over consumer protections. How interesting, in just a few clauses, pages 8 and 9; the word 'business' appears in this section 14 times and there is not one mention of consumers. That tells you everything you need to know about what a woeful effort this piece of legislation is.

[5.39 p.m.]

Mr STREET (Franklin) - Mr Deputy Speaker, congratulations on your first visit to the big chair. Glad to have you onboard.

I do not want to make a long contribution but I do want to speak in support of the bill. This bill provides needed clarity through minor amendments that will assist in streamlining the operations of the act. The Property Agents Board is the independent statutory authority established under the Property Agents and Land Transactions Act 2016 to regulate the real estate industry. The board administers the act, the Property Agents and Land Transactions Regulations 2017, and the Code of Conduct which is developed in accordance with the act.

As the regulator for the act, the board has identified a number of improvements which have been incorporated into this bill. The bill enhances the definitions for the functions of real estate agents and property managers. The amendment to the functions of real estate agents and property managers clarifies that a person must not carry on all or any part of real estate agency business or property manager business unless they hold an appropriate license and are listed in the register of property agents maintained by the board.

In addition, clarification is provided for real estate agents and property managers who may contract their services to a real estate or property management business. For example, a person who holds a real estate agent license, may choose to contract their service to a real estate agency business and then invoice for their time.

The bill will also allow the board, as regulator, the power to issue determinations which detail the required educational qualifications for license holders. This is the approach used in respect to occupational licensing and allows for greater flexibility to respond to changing national training packages.

I will not pretend that these amendments address all of Ms O'Connor's concerns but I was surprised to hear her say that none of these amendments do anything to strengthen consumer

protections. My understanding is that the act currently requires an agent or general auctioneer to know that a representation is false or misleading. It has been noted that this provides too high a level of protection to the property agent. From a compliance perspective, there are difficulties in ascertaining definitively whether someone knows a representation is false or misleading, as opposed to applying a reasonableness test in the circumstances. As a result, the word 'knows' has been removed from the requirement that a property manager or general auctioneer must not make false or misleading representations which holds property managers and general auctioneers to a higher standard than is currently the case.

Although the current act has only been in force for about four years, it has required some modernisation. Specifically, a minor amendment is being made to section 84 which allows the Property Agent's Board to distribute the Code of Conduct in ways other than by printed copies, such as via the website or provided to the property agent electronically, rather than requiring the board to print and issue each property agent a printed copy. This will reduce administrative and cost burdens currently placed on the board.

In order to ensure the board has the most up-to-date registers of information, licensees are now required to notify the board of changes to their name and/or contact details. This will allow the board to ensure that the required registers reflect the most accurate and up-to-date information available to consumers.

Additionally, in assuming Tasmanian property agents are working within an act that is modern and up-to-date, an additional clause is being included in section 168 allowing the service of documents to be done by email and electronic delivery. This change brings the service of documents provision into line with similar requirements in other legislation.

I am pleased to support this bill which provides much needed clarity for the Property Agents Board, real estate agents and property managers in addition to furthering our government's commitment to reducing red tape where possible.

[5.43 p.m.]

Ms ARCHER (Clark - Minister for Building and Construction) - Mr Deputy Speaker, I thank members for their contributions on this bill. I will go straight into the first question from Ms Butler because it was similar to what Ms O'Connor asked. I thank Mr Street also, for clarifying that there is provision in relation to consumers included in this.

I confirm with the House that the purpose of this bill was to address the operation of the current act. It is not a major reform bill and it is not as a result of a complete review. It is similar in nature to the Justice miscellaneous bills that this House deals with once, twice or even three times a year, that I have been bringing, dealing with matters that the courts and other stakeholders have raised.

These are matters that have been raised in relation to the efficiency and operation of the act and also providing further clarity about an act that is now three years old, and they are as a direct consequence of some issues that have been raised by the Property Agents Board. They are largely operational in nature and they are intended to streamline the operation of the Property Agents Board.

In relation to the question of why the bill does not include changes to introduce mandatory vendor disclosure for property transactions, that is a policy reform issue. It would

require significant consultation with stakeholders including the Law Society, Real Institute of Tasmania, Local Government Association of Tasmania, and no doubt other consumer organisations - the complete listing of stakeholders and indeed public consultation.

This bill was finalised in October 2019 and introduced into this House in November 2019. It is a matter that we have not dealt with through the COVID-19 period - it not being urgent - but we have revisited it. LGAT did not raise these issues with me until the bill was finalised. The appropriate time to look at that again would be at a point where there is a more holistic review of the act undertaken.

There is also the question of why the requirement to 'know' has been changed to 'reasonably believe'. Being able to prove that an agent or general auctioneer knows a representation is false or misleading provided too high a level of protection to the property agent. As Mr Street said in his contribution, from a compliance perspective there are difficulties in ascertaining definitively whether someone knows a representation is false or misleading, as opposed to applying a reasonableness test in the circumstances. Therefore the word 'knows' has been removed from the requirement that a property manager or general auctioneer must not make false or misleading representations.

To address any concerns of procedural fairness, an agent can use as a defence, circumstances where he or she has reasonably relied on information supplied by third parties. This is indeed an improvement in the protection for consumers and is a very sensible component of these amendments.

There were not a lot of other questions, so that is very nice to finish. We are probably going to finish slightly earlier today.

As always I thank Peter Graham, who wears a number of different hats and titles, Director of Building Control being one of them and also Residential Tenancy Commissioner, who has been very busy this year as you would all know with COVID-19. Thank you to him for his work in that regard but also for taking on this bill. Work has still been progressing throughout the department and I thank them for that and, of course, my office as always for providing the support that they do.

With that, I commend the bill to the House.

Bill read the second time.

Bill read the third time.

ADJOURNMENT

[5.49 p.m.]

Mr ROCKLIFF (Braddon - Deputy Premier) - Mr Deputy Speaker, I move -

That the House do now adjourn.

Tasmanian Council of Churches Emergency Ministry

Mr Deputy Speaker, I rise tonight to acknowledge and thank the Tasmanian Council of Churches Emergency Ministry - the TCC Emergencies Ministry Spirit Team Volunteers.

Last Sunday afternoon in Devonport I had the opportunity and pleasure to meet some of these volunteers and joined them for a debriefing session. This group of volunteers provided a vital service at the height of the pandemic, providing pastoral support to passengers disembarking at the *Spirit of Tasmania* terminal in East Devonport from 3 April to 3 July 2020.

Following feedback from Tasmania Police about the need for onsite psychosocial support for people transitioning from the *Spirit of Tasmania*, the Government implemented this process to ensure that people arriving into our state were informed and supported. Not long after this request, this group of volunteers started providing pastoral support to passengers arriving on the *Spirit of Tasmania* from April to July, during arguably one of the most challenging times for people travelling to our state, or indeed travelling anywhere.

Almost all *Spirit of Tasmania* sailings were met by TCC emergency ministry volunteers, usually with two volunteers in place, working alongside Tasmania Police, Biosecurity Tasmania and the contracted bus drivers.

It was a pleasure to hear some of the unique perspectives, their experiences and the rewards this work provided them and the people arriving on the *Spirits*. Contacts at each arrival ranged from two passengers to 30 and the volunteers provided reassurance and advice to passengers and onsite logistics such as buses, passengers, cars, pets and quarantine, et cetera. They identified clients who may have needed additional support such as those travelling because of bereavement or family illness, sole travellers, students and sole parents with no apparent support network or anyone who appeared to be in distress.

Because the volunteers had built relationships with police and Biosecurity officers they were able to redirect passengers who had additional inquiries about the processes to the respective officers and provide a soft referral for real-time responses. A daily report was provided to the Department of Communities about the volunteers' contacts with passengers and other feedback on the quarantine process. This information was then used to make confidential referrals to other organisations assisting people upon arrival to Tasmania, including the Red Cross for psychosocial support, the Salvation Army for emergency relief and other assistance. Not only that, their feedback helped to improve logistics and the transfer experience for all passengers, including those entering quarantine.

The emergency ministry volunteers became valued members of the team at the *Spirit of Tasmania* East Devonport terminal and were integral to the smooth running of the arrivals, providing friendly faces and support. They supported the uniformed staff and had the capacity to spend a few minutes allaying concerns, answering questions and providing emotional support for distressed passengers.

Having these people step in to provide support and guidance was very valuable to many travellers and the Tasmanian government. There were 80 TCC emergency ministry shifts undertaken by a group of seven volunteers and over 920 contacts with passengers. In all, there were 121 hours of shifts allocated, with an average shift length of one and a half hours, 193 volunteer hours and multiple volunteers on some shifts. While these hours have been

quantified with a figure, what is more important is the quality of the support and care that has made a difference to the lives of passengers, helping to manage the many layers of challenges this pandemic has presented.

Thank you again to the Tasmanian Council of Churches emergency ministry and its volunteers for their compassion, care and assistance that they showed to so many passengers over recent months. It was a pleasure to meet a group of them for afternoon tea at the Paranaple Centre at Devonport with Department of Communities representative Kate Kent as well, who was also there to thank them very much for their contribution.

This work highlights what we have all been very impressed with so often throughout the pandemic - the strength and importance of the community working together, helping others and the vital role of our volunteers in responding to an emergency to help build stronger and more connected communities.

Chinese Communist Party - Political Influence in Tasmania

[5.54 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I thought after the unpleasantness of the last sitting the most useful thing the Greens can do on the issue of Chinese government interference is to assist our colleagues to understand the nature of the challenge. I rise on the adjournment tonight to address the issue of political influence undertaken by the Chinese Communist Party and its operatives in lutruwita/Tasmania.

In the news this week we have again seen more examples of the Chinese Communist Party's wide-reaching and multifaceted strategy to influence and interfere in Australia's democratic institutions, with around 35 000 Australians captured on a cache of data sourced in China. This is a critical issue for all Tasmanian politicians. It is not just a foreign relations matter to be handled by our federal peers. It connects directly to the state and its future and as leaders we must take seriously our responsibility to address it.

The first thing to understand is that the CCP has a deliberate strategy to exert and expand its influence and propaganda work globally. This is a well-established fact meticulously documented by experts from all around the world. One key element of this strategy is encouraging mainland China's companies to heavily invest in large-scale infrastructure, agricultural land and trade in target economies. This may seem relatively innocuous, but many Chinese companies have ties to the Chinese government and all are bound by article 7 of the national intelligence law that requires companies to assist in intelligence operations even if based overseas. Chinese companies operating in Tasmania are bound by this law.

Pouring money into various aspects of an economy creates a strong incentive for local governments, politicians and business leaders in that jurisdiction to increasingly follow the money. In other words, they modify their words and actions to make sure the cash keeps flowing in. This massive financial involvement can have a particularly significant impact on smaller economies like ours.

We have seen this play out right here in this parliament. Last year when the Greens raised the matter of a fake Chinese police vehicle being seen on Tasmanian streets, we put a motion to the House calling on the Attorney-General to address the matter and the chilling effect that

it had on people from Hong Kong, Tibet, Taiwan and Xinjiang. In their contributions to the debate, members of both the Liberal and the Labor parties cited our trade relationship with China as a reason not to support this motion. Let us be clear: that is the political influence of China working as intended.

This is just one example but it is a worrying demonstration of how this works. Given the evidence of this concerted strategy of influence around the world and having seen it occurring in Tasmania, the Government and all members of this parliament should be working cooperatively to tackle this issue. Instead, we see the Coordinator-General relentlessly soliciting investments from mainland China. We still send trade delegation after trade delegation to China and none to Taiwan. The minister, Guy Barnett, went to China last December in part to flog native forest woodchips. We have naïve MPs in this place unwittingly falling prey to United Front work in Tasmania.

Another way China looks to exert influence is through direct involvement in the political system, either through political donations, running candidates in local state or federal elections or staffing in political offices. A high-profile example was Labor's Sam Dastyari resigning over his connection to a billionaire political donor who also donated to the Tasmanian Liberals and has since been stripped of his permanent residency in Australia.

More recently, we have seen another Labor MP embroiled in a controversy, as one of his staff stands accused by ASIO and the Australian Federal Police of working with the leading Chinese spy agency, the Ministry of State Security. Again, this is an issue that is particularly relevant to Tasmania, as we have no political donations laws of our own and, instead, rely on extraordinarily lax federal laws.

Our system as it stands lays out the red carpet for influence via donations from a range of interests, but it is particularly concerning that it could be and already has been exploited by foreign actors who do not have Tasmania's best interests at heart. It makes the need to reform our Electoral Act even more urgent.

Once Chinese Government interests are embedded into a particular economy they can start to leverage players from that economy to further CCP interests in other areas. This is concerning. Not only are we putting our own interests second to here at home, we start to see Tasmanian companies actively working to further expand CCP influence elsewhere.

Hydro Tasmania and its consultancy wing, Entura, have been doing just this. They have worked very closely with Chinese state-owned companies like Power China on projects that are expanding Chinese soft power and influence into the developing world. The involvement of a publicly owned company from a western democracy helps to legitimise projects like this and the overall goals of the Chinese government's expansion into new areas. The attraction of money from China is again a big driving factor and we have seen it lead to Entura overlooking serious violations of human rights in relation to projects like the Karuma Dam in Uganda.

Another example of Tasmania facilitating China's expanding influence is the use of the Port of Hobart as their gateway to the Antarctic. This is despite the fact the Chinese government is accelerating its activity on the Antarctic continent with their bases built on Australian Antarctic territory. They have conducted undeclared military exercises and said they hold the right to make a sovereign claim on the continent after 2048.

The Australian Strategic Policy Institute and other observers believe China is laying the foundation for resource extraction from the currently frozen continent, but our governments turn a blind eye, instead signing an agreement for increased cooperation with the Chinese Government in Antarctica. We should remain committed to international cooperation for scientific work but should not allow ourselves to be co-opted into furthering strategic objectives of foreign powers particularly where they conflict with our own interests and sovereign democratic values.

Aside from our interests there is the serious moral question of supporting a brutally repressive regime that is perpetrating gross human rights violations against millions of its citizens on a daily basis. If members here have not yet come to terms with the reality of political influence at home they should at least be able to accept the fact of what is occurring in Tibet, Xinjiang, Hong Kong and Mongolia. I ask each member to seriously reflect on how history will view our state's engagement with this regime and whether they are comfortable with being silent in the face of this horror in echo of the relative silence in Germany before six million Jews were sent to the gas chamber.

Unfortunately, it seems right now that other members are more focused on condemning critics of the CCP than they are on the actions of the CCP itself. That pleases Beijing.

Support for Students - Relaxation of Restrictions

[6.01 p.m.]

Ms OGILVIE (Clark) - Mr Deputy Speaker, I want to speak in support of students, particularly year 10, 11 and 12 students. Probably like other MPs in this House I am getting a steading stream of emails from schools and also from the kids asking that further relaxation of restrictions around what they can and cannot do as part of their school years be considered.

Today I had the great benefit of having lunch with a young university student who also raised some fairly serious and real concerns about the ability to fully participate in university studies, given this has been such a difficult year and everything has gone on-line. The question was raised in relation to the payment of fees that are being made for university courses where the students do not feel they are receiving the same benefit as they have done before. For example, in classes and situations where field work or prac work is required to be done, that has been severely curtailed.

In relation to high school kids, the questions being raised are around school excursions, school camps, theatre productions, choirs, dancing lessons, music lessons, sports, thinking about things like those great clashes of schools that we have with great sporting events, specifically the ones that are intrastate where everybody gets together.

What I am want to ask and throw out there for everybody to consider is whether we ought not to be doing some planning now for next year? We had thought that the coronavirus might pass through and things might come to normal, whatever that normal we thought might look like. It is pretty clear it is going to be around for a while. It is pretty clear we are going to have to deal with these issues for quite some time.

I would like us all to give some thought to our kids, to the ones, particularly, who are at the tail end of high school and those very important years 11 and 12 and these end-of-year

events. It was great that we got the dancing happening again at the formals but there are all these other events and extracurricular activities. You are only that age once. Those rights of passage, the things that we remember, those great sporting events, the school trips and excursions, the fun times and the mixing with schools; that only happens once in your life.

I encourage everybody and the minister to think through what we can do for next year and the year after, perhaps even at the end of this year, that alleviates some of those restrictions, now that we have seen we can do it safely, and make sure that we have done all that we can do for our young people to enjoy these last two or three years of their school careers.

Huonville Primary School - Launching into Learning

[6.05 p.m.]

Mr O'BYRNE (Franklin) - Mr Deputy Speaker, last Friday, 11 September it was my pleasure to attend the Huonville Primary School's launch of their Launching into Learning program. It was wonderful that the Governor, Her Excellency the Honourable Professor Kate Warner and her husband, Dick, were able to attend as were members of parliament, the new elected newly minted member for Huonville, Bastian Seidel, and Mrs Petrusma, my fellow colleague from Franklin.

It was a wonderful event. Margaret and her team have a long history of engaging young families in the Huon Valley in that first step in their learning and educational career. Last year Margaret and her team pulled together many primary schools from across the Huon Valley, Cygnet and Glen Huon, up and down the length and breadth of the Huon Valley, at a wonderful event at Franklin where they engaged a range of schools and young families in the Launching into Learning program.

Given the year we have had this year, it was wonderful to see in such a wonderful learning environment young families coming into Huonville Primary School and having the best possible start. Margaret Cleaver, the education support specialist and her early years team the early years educator Ben Askey and the Aboriginal education worker Deb Eades along with the support of the principal Ian Thomas were all there looking at the amazing work that they doing.

The core values of the Launching into Learning program are having a focus on establishing a strong relationship with children, parents, carers and grandparents, ensuring the tenet of being, belonging and becoming sits at the forefront of their philosophy, supporting families to make a positive transition into the school community. They engage with families with children from birth to four years old. They work together to support their talking, reading, physical, social and emotional skills development.

They provide opportunities for children to learn through play and exploration based on children's interest. Safety and wellbeing are of prime importance. They create conditions in which learners both students and teachers will thrive. Margaret and her team do a fantastic job for young families in the Huon Valley. It wonderful to be there with other members of the community, sitting down and seeing some of the young students really start to engage and really be inspired by the environment they are in. They know that is the first step of their learning careers.

I acknowledge the team at the Huon Primary School. Margaret and her team do a fantastic job. Young students and young people in the Huon Valley will be better for their work. On behalf of the parliament we thank Margaret and her team.

***Wild Things* - Screen Tasmania Funding**

[6.08 p.m.]

Dr BROAD (Braddon) - Mr Deputy Speaker, I rise tonight to talk about something that Tasmanians may be shocked to know. That is that the next generation of eco-warriors in Tasmania may be brought to you by the Gutwein Liberal Government. The Liberals have a lot of explaining to do to the forestry industry tonight and why they funded what is in effect a how-to manual for forest protesting.

I can reveal that Screen Tasmania has funded the production of an eco-protester recruitment film called *Wild Things*. On the one hand, Liberals are talking about locking up forest protesters but on the other they are approving funding for a protester recruitment film that glorifies direct forest action and includes footage from tree sits in the Tarkine and lock-ons to equipment in the Tarkine.

This is a how-to manual for forest protest action including how to lock onto to machinery and to disrupt legitimate forest operations. While the Greens must be delighted with the production, the Government has clearly had second thoughts. They must be so embarrassed because what they have done is purged all traces of the film and funding details from Screen Tasmania's website. Why would they be so embarrassed?

Let me give you a synopsis from the *Wild Things* website. It says -

Wild Things is a feature-length documentary that follows a new generation of environmental activists that are mobilising against forces more powerful than themselves and saying, enough. Armed only with mobile phones, this growing army of eco-warriors will do whatever it takes to save their futures from the ravages of climate change. From chaining themselves to coal trains, sitting high in the canopy of threatened rainforests for days -

which is the Tarkine, I imagine -

and locking onto bulldozers. Their non-violent tactics are designed to generate mass action with one finger-tap. Messages go viral within seconds. It's a far cry from the heady days of the Franklin River Blockade when street marches were the only way to be heard.

Against the backdrop of unprecedented drought, fire and floods, we witness how today's environmentalists are making a difference and explore connections with the past through untold stories of previous campaigns.

This is brought to you by the Liberal Government through Screen Tasmania. How embarrassing. The hypocrisy of the Liberals, when it comes to this, is astonishing. They say they are tough on protesters but, look, they have bankrolled a production that will no doubt support more protests in our forests and mines. While there is always a place for political

dissent there is never a place for putting lives at risk and the forest industry and workers must be free to go about their work lawfully and safely.

Mr Deputy Speaker, this is very embarrassing for the Liberal Government, funding this through Screen Tasmania. How did this slip through the net? How did this get approved by the minister? What, indeed, must the Minister for Resources, Mr Barnett, think about Screen Tasmania funding what is a how-to-protest manual and a recruitment film to recruit the next group of eco-warriors to be protesting in our forests, proudly brought to this state by the Liberal Party and their funding.

Stop, Think, Drive - Driver Safety Campaign

[6.12 p.m.]

Mr FERGUSON (Bass - Minister for Infrastructure and Transport) - Mr Deputy Speaker, every single loss of life on our roads is absolutely heartbreaking, and every single death leaves behind a mourning family and community. We know that futures and hopes come to an end when there is road trauma and loss of life on our roads. It affects our community and it is a huge issue for our whole state.

While as a government we invest heavily in road safety measures, the simple reality is that it is up to every single one of us behind the wheel - every single driver - to behave on our roads, to do the right thing and look after everybody else on the roads.

Tonight I congratulate *The Examiner* for the campaign it has launched this week. It is called, 'Stop, Think, Drive' as *The Examiner* and the Government are working together to drive home the message that we all have a role to play in road safety. I really want to commend this campaign for highlighting the issue. *The Examiner* is putting in a significant effort under way with more to come. There are various road safety stakeholders involved, all pointing out the important point that road safety starts with you.

I could put it differently: road safety starts with me, and if we can get more people to adopt that belief that road safety starts with me - my personal decisions - we will have safer roads. We will see less loss of life and we will see less road trauma and serious casualties with all of the pain that goes with it.

I am sorry to inform the House that currently the number of fatalities and serious casualties is higher than at the same time last year, despite the fact that we have had fewer cars on the road, despite the fact that for quite a number of months we had fewer car and truck movements on our roads and highways, due to the pandemic. As I confront myself, as we confront ourselves as a state, we simply have to admit this is not good enough. We can do better.

What are we doing? In the Government community compact, I want to talk a bit about what the Government wants to do and what we are doing. The Tasmanian Government has increased road safety awareness advertising by 40 per cent this month. This is about boosting the reach and profile of the important road safety messages with more print, radio and social media advertising. It is estimated that the extra spend across radio and print will reach about 256 000 Tasmanian adults, each viewing an ad twice. That is in addition to the regular

billboard advertising, bus-backs, digital advertising on YouTube, Spotify and other mediums, and television cinema advertising.

A new anti-drink-drive campaign targeted at young drivers will be launched in October and the next stage of the anti-mobile phone use campaign will be released later this year as well.

Earlier this month I launched the 'your speed is our safety' advertising campaign, the next stage of that which is a reminder for drivers to keep the safety of road workers front-of-mind, particularly as they are moving through areas that are under construction.

Members interjecting.

Mr FERGUSON - I invite members to take this as seriously as I am. Under the Toward Zero action plan, the Tasmanian Liberal Government is investing more than \$75 million in road safety over five years. This complements both Australian and Tasmanian governments' investment of \$1.5 billion on major state road construction projects, to improve efficiency and safety on our roads over the life of the action plan.

The plan and the wider Towards Zero Tasmanian road safety strategy that we have developed, is based on the best practice, what is called the 'safe systems' approach. It prioritises 42 actions and targets our high-risk road safety areas, informed by extensive community and stakeholder engagement, and independent research and modelling.

At this point tonight, I acknowledge the work of the Road Safety Advisory Council. It is a team of great people, great Tasmanians, who have committed to working together and using their combined networks, experience and research and learnings from other jurisdictions. They have helped develop that action plan and the strategy, a key focus on making our roads safer, saving young lives, visitor safety and improving safety through vehicle and other technology.

The action plan outlines the initiatives and programs that we will prioritise and includes \$50 million for infrastructure improvements on rural roads, in busy urban areas and for vulnerable road users across the state, for example the lovely little project on Hobart Road, Norwich Street and Rose Lane to deal with a problematic intersection where vulnerable and older people are commonly trying to navigate that very unusual road design. By working with the council, we will fix that.

Sadly, our young drivers continue to be over-represented in our crash statistics. Road trauma is the second leading cause of death for young Tasmanians and in particular, those at the most risk are not our learner drivers, but it is our provisional licensed drivers - those who have gained their independence behind the wheel for the first time. As learners they always had an adult there, doing that supervision and mentoring. The crash statistics tell us that one of the major causes of these crashes, is inexperience. People can draw their own inferences from those first six months of driving solo.

That is why we are introducing a range of changes to the graduated licensing system, to come into effect this December, to ensure that our young drivers get more practice in more conditions before being allowed to drive solo. In short, this will allow young people to graduate to their provisional license and they are allowed to drive without supervision. New restrictions will prevent dangerous and distractions caused by technology and peer passengers.

The changes that we are making not only enforce the mandatory 80 hours that has been recommended for a long time, but it is also going to make it easier, believe it or not, cheaper and also easier for novice drivers. For provisional drivers that get through their P1 and P2 phase, they will get their adult license for free as a reward for not breaking the rules during that time. We are all working hard and I commend the strategy to the House.

Derwent River - Water Quality at Blackmans Bay Beach Social Housing Builds

[6.19 p.m.]

Ms STANDEN (Franklin) - Mr Deputy Speaker, I congratulate the Kingborough community and in particular the work of the Kingborough Council, the Derwent Estuary Program, TasWater and the Environmental Protection Authority for working together on what has been a long-standing issue around the water quality in the Derwent River affecting and leading to the closure of the Blackmans Bay Beach.

I first wrote to the then Minister for the Environment, Elise Archer, at that time, highlighting that this was an issue affecting the beach since April 2017 and urging her to task and resource the Environmental Protection Authority to actively participate in tackling that longstanding issue.

I then wrote to then minister for Environment, Peter Gutwein, in September 2019, saying after two-and-a-half years of ongoing investigations it is time this issue was fixed and calling on the Government to provide a public guarantee that the waterways would be safe for recreational use by the start of summer.

Here we are and it is more than three years later, and I instigated a petition that was not tabled in this House because in the end the issue has now been fixed. There were some 600 signatures and I thank the people of Blackmans Bay beach and surrounds for their support for this advocacy, and thank those agencies for working together to fix over 50 different faults, leaks, breaks and cross-connections to resolve the problem.

The fact that Blackmans Bay beach south gets the all-clear announced by Kingborough Council on 25 August and people can swim in that area this summer is a fantastic achievement and I thank all those parties involved.

I want to raise an important matter that was discussed in the House today. I asked the Minister for Housing an important question about progress on new housing builds as a result of the historic Commonwealth housing debt waiver, resulting in a windfall that at the time he promised would result in 80 new homes per annum. He said this morning that he had a track record of building around 400 new social housing dwellings each year and went on to say -

We have been overseeing our existing building programs which remain on track, delivering around 400 new homes per year.

The Housing minister knows that he has a poor track record and he has in fact misled the House in making those statements. I urge him at the first opportunity to come into this place to correct the record.

This is why this Government has delivered just 769 new social housing dwellings since coming to office, just 128 houses per year. In fact, as of the end of last year there had been a net stock decline of 598 homes over six years and if you do not believe me, you could look at the Housing Affordability Select Committee report where Dr Kathleen Flanagan, an AHURI researcher of repute, talks about the next stock decline and that it will continue for the foreseeable future.

She talks about the shortfall of public housing of some 11 100 new social affordable homes at this stage and that that is projected to increase to nearly 15 000. There are 3600 applications on the housing register. People, households and families are waiting for those new homes today and, on top of that, there are 1600 Tasmanians who are experiencing homelessness on any given night and recent data indicates that that figure has as much as doubled.

It may be an inconvenient truth for the Minister for Housing but in his strategy for 2015-25 he inherited this strategy and the former Premier is quoted in this document as saying that 900 new homes would be delivered in the first four years of this Government and that has not come to pass.

Ms White - Still haven't got there in six years.

Ms STANDEN - They have barely got to 50 per cent of that in the first four years. Then this minister released the second action plan for 2019-23 and, again, in an inconvenient truth the Premier at the time in his state of the state address on 19 March said -

Our second action plan will provide an additional 1500 new affordable homes, increasing the number of new affordable homes to 2400 over eight years.

I say again, 769 in six years is way behind target and this minister knows it. He inherited a situation at the end of March 2018 where under the former Housing minister there had been progress of just 37 new homes built in the first term of this Government, a long way behind the 900 that had been promised. In the June 2019 report he said that there had been 557 new housing dwellings delivered at that stage but that included 104 refurbishments. How was that a new home?

At the end of the first quarter 453 homes had been delivered, just 50 per cent of the target of 900 and now we have the latest quarterly report as at June 2020 and what do we have? He says it is 873 but if we take away those 104 refurbished homes we are back to that figure of 769 new social housing dwellings delivered, which is 128 per annum since this Government came to office. I dare him to come into this place and correct the record because he has clearly misled this parliament.

BirdLife Tasmania Media Release - Swift Parrot Habitats

[6.26 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the Greens have just noticed a disturbing media release that was released a few hours ago by BirdLife Tasmania. Dr Eric Woehler states that Department of State Growth contractors have unlawfully blocked the nesting hollows of critically endangered swift parrots in six old blue gums on the upper east

coast. Apparently, the Department of State Growth wants to construct an overtaking lane two kilometres south of St Helens that would involve removing these six large glorious blue gums if the project were approved.

A DA lodged with Break O'Day Council apparently has no approval and no permits have been issued to undertake work. It seems that DSG has pre-empted approval from council on road construction and has decided to take the law into their own hands. Dr Woehler says -

Rather than waiting for the swift parrot breeding season to pass and for the necessary permits to be issued to them, DSG has proactively interfered with a critically endangered species by reducing the availability of suitable nesting sites.

We have not seen a photo of the blocked nests and I do not know how it was done. Apparently a Department of State Growth consultant's report recommended that the nesting hollows be blocked. I struggle to believe that a person could recommend such a villainous act against a critically endangered species. If it is true, what would the purpose be? Presumably only so that DSG can justify the removal of the blue gums by faking an assessment that would show there were no swift parrots that had been nesting in them this year. If that is true it shows a breathtaking level of contempt by a state agency for a bird that is on the brink of extinction. It should be working to protect them, not blocking their hollows and at a minimum it should uphold the law.

The law in Tasmania protects critically endangered swift parrots under the Threatened Species Protection Act and the federal EPBC Act. Any development proposal such as road widening for construction that would impact on the habitat and nesting of a critically endangered species would have to seek EPBC approval.

BirdLife Tasmania has called for the immediate removal of the blocks to those hollows and for the six large blue gums to be protected. That should naturally be the case and should occur immediately, but we want to hear from the minister and for him to explain to Tasmanians whether this serious allegation is true and if it is, what he is going to do to fix this appalling act of destruction. It seems from Dr Woehler's evidence and the evidence of other people who live in the north-east coast that this is happening.

It is a crime against a critically endangered animal and it is shocking to hear that such a coarse and low-level petty act of vandalism could be undertaken by a person who is paid by a state agency for an attack against an animal.

We certainly hope that the minister will tell Tasmanians at the first opportunity what is happening here and he will act to protect the swift parrot.

Office of Chief Inspector of Mines - Budget and Audit Recommendations
Wild Things - Screen Tasmania Funding

[6.30 p.m.]

Ms ARCHER (Clark - Minister for Building and Construction) - Mr Deputy Speaker, I want to add to my contribution when summing up my second reading speech for the Mines Work Health and Safety (Supplementary Requirements) Amendment Bill this afternoon as I

undertook to get the answer to a couple of questions from Ms O'Connor. First of all I am proud that that successfully passed.

The Leader of the Greens sought information in relation to the budget for the Office of Chief Inspector of Mines. Information was also sought on the implementation of recommendations from audits that have been undertaken into the Office of Chief Inspector of Mines.

I am pleased to advise that the budget for the mines and major hazard facilities inspectorate has increased every financial year. The budget for 2015-16 was \$1.03 million. For the financial year ending 30 June 2019 the budget was \$1.18 million. For the financial year ending 30 June 2020 the budget was \$1.19 million. In both 2018-19 and 2019-20 an additional \$40 000 was allocated within the WorkSafe Tasmania budget for professional services to be delivered to the Office of Chief Inspector of Mines.

The increase in the budget each year demonstrates the Government's ongoing commitment to the funding of this important office.

In relation to audit reviews, there have been four audits conducted into the Office of Chief Inspector of Mines since 2010. The most recent audit report were the 2014 audit report of Professor Michael Quinlan and the 2017 audit report of Greg Rowan.

Implementation of recommendations for these reports has been occurring progressively, often with recommendations from earlier report being superseded by those in later reports.

The Quinlan report made 17 recommendations relating to inspectorate resourcing, numbers and qualifications, skill sets, organisational structure, budget and operational issues and a number of specific recommendations. Recommendation 16 from the Quinlan report was pivotal to the development of the bill. This recommendation stated that a review of mine safety regulation in Tasmania should be undertaken as soon as possible to ensure the regulatory framework accords with the best practice regimes found in Queensland, New South Wales and now New Zealand. Process should be facilitated by a tripartite steering committee. The Government established a tripartite steering committee, which we referred to today, which considered all relevant legislative recommendations from Professor Quinlan and Mr Rowan. The outcomes of the steering committee's considerations informed the development of the bill.

I have some further information on the Rowan report but I believe Ms O'Connor's query related to Quinlan.

I want to move the issue raised by Dr Broad. It is unfortunate that Labor has been politicking all day on the independence of some of our authorities. It now seems that they are criticising Screen Tasmania. The Government enacted the Cultural and Creative Industries Act 2017 to set up a system of independent peer assessment and expert decision making for funding decisions under Screen Tasmania and Arts Tasmania.

Dr Broad - Oh, good one. Arm's length. It is a great look.

Ms ARCHER - Would you like to hear the clarification, Dr Broad?

Dr Woodruff - No, they just want to intervene in the justice system. They want to intervene in the arts system. This is the second time today. How shameful.

Mr DEPUTY SPEAKER - Order, enough.

Ms ARCHER - We had Ms Haddad in question time trying to say that I should interfere in the decision of the courts and the DPP. I would have to resign if I did such an appalling thing because of the independence of the courts. Now we have a process under the Cultural and Creative Industries Act whereby we set up a system of independent peer assessments and expert decision-making for funding decisions under Screen Tasmania and also Arts Tasmania.

Dr Broad - Did you sign it?

Mr DEPUTY SPEAKER - Order, Dr Broad.

Ms ARCHER - If I do not sign the recommendations of these independent peer assessment bodies then that questions the integrity of the independence of that process, Dr Broad. The minister has to sign off on it.

Dr Broad needs to familiarise himself with the act. I suggest the shadow minister for the arts does the same thing because she is egging you on. Find out how these funding commitments are made at arm's length from the Government. It was an act that your party supported, Dr Broad. You can stop laughing.

Wild Things is a fly-on-the-wall documentary, meaning it is not narrated; it does not provide any commentary. What it does is track and show vision of 12 months of environmental protest rallies and activities following the Adani blockade, the school children organisers of the School Strike 4 Climate and the takayna/Tarkine protesters. The funding provided to projects through Screen Tasmania's production investment program, as recommended by the independent expert peer panel, is largely based on economic outcomes and stimulus. In other words, projects like this one -

Opposition members interjecting.

DEPUTY SPEAKER - Dr Broad, this is your last warning.

Ms ARCHER - are recommended for funding to leverage investment from outside Tasmania for the benefit of Tasmanian film makers, crews, creators and actors. They do not want to do that because that lot want to kill Tasmanian jobs. They are not interested in Tasmanian jobs.

The funding agreement between Screen Tasmania and the production company that made the *Wild Things*, 360-Degree films, does not include the ability for the Government to approve the documentary once it is complete. The funding is provided to assist with the making of the film. There are assessment criteria I referred to that relate to the economics and the economic stimulus.

To be clear about the independent expert peer process required under the act, the Screen Tasmania expert advisory group assesses each project on its technical merits against the

program's criteria and provides dispassionate, expert advice at arm's length from political decision-making which is appropriate, fair and impartial.

In relation to the Screen Tasmania website, it was complete -

Time expired.

Public Housing - Invitation to Minister

[6.37 p.m.]

Ms BUTLER (Lyons) - Mr Deputy Speaker, I rise on the adjournment this evening to –

Members interjecting.

Mr DEPUTY SPEAKER - Order, minister and Dr Broad. I have warned you both.

Ms BUTLER - offer Mr Roger Jaensch, the Minister for Housing, an invitation to come and spend a day with me in the Lyons community, door-knocking and introducing him to the people I have been liaising with for quite some time. I door-knock frequently. The minister, Mr Jaensch, did not seem to understand what that meant.

I would like to introduce him to the people who have provided me with information about faults in their properties. There was a large concentration of social housing and private properties in the group of people I surveyed. More than 87 per cent of the properties I door-knocked provided me with assurances and invited me into their homes and showed me what some of the faults were.

Some of the faults were minor and some of the faults were very major. I invite Mr Jaensch to spend a day with me. I can introduce him to the people who have provided me with that information. If he wants to diminish the information the community has provided to me by calling me demeaning names, that is up to him, but he could deal with the issue and the faults in some of these properties.

I would like him to spend a day with me and meet the people of that community and listen to what they have to say.

Forcett Cemetery - Sale by Anglican Church Healthcare in Regional Areas

[6.39 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, on 15 August, a public notice was placed in all three regional papers by the Trustees of the Diocese of Tasmania, advertising their intention to sell the Forcett Cemetery at 72 Quarry Road, Forcett. This came as a great shock to the members of the community who have loved ones buried at the cemetery, family ties at the site, or intend one day to be buried there themselves.

Sadly, we have seen time and again, the way the Anglican Church has distressed communities as it seeks to sell important and historical landmarks, either churches or cemeteries, that in the majority of cases were gifted to them by the community.

The proposed sale of the Forcett Cemetery is no different. Upon learning of the diocese's intention to sell the cemetery I wrote to Bishop Condie and offered to hold a public meeting to give the community an opportunity to hear why the church intended to sell the cemetery so the church could hear how the community felt about this. Because these matters evoke strong emotions it is completely understandable that family members of loved ones buried at the Forcett cemetery felt upset, betrayed and worried about what would happen next.

Unfortunately, the diocese declined to take part in any community event but referred any engagement to the local rector of the parish, the Reverend Joel Kempton. To his credit, Joel was more than willing to be involved in a public meeting. Through engagement with the community it came to light that local small business owner, Sandra Bamford of Mary Eleanor Funerals, was identified as the person expressing an interest through the diocese as wanting to take on the responsibility of cemetery manager at the Forcett cemetery.

Sandra named her business after her grandmother. She lives in the local community and has a strong desire to involve the community in her work. Sandra agreed to be involved with the public meeting because she did not want to do anything without the full support of the community. It is very disappointing that the diocese put a local small business in a position where they suddenly felt like a target. It is also very disappointing that they first put an ad in the paper advising their intention to sell the Forcett cemetery without telling their local parishioners or the local community that this was something they were considering.

Despite the diocese declining to take part in the public meeting, one was arranged because the community wanted to talk about the future of the Forcett cemetery. A public meeting was arranged on 12 September at the Forcett Community Hall for 2.30 p.m. The purpose of the meeting was to provide an update to the local community about the diocese advertisement and to hear about the history of the cemetery from Carol Dodge, who, with her husband, had taken care of the cemetery for many decades and to hear from Sandra Bamford and Joel Kempton.

The meeting was well attended and over the course of an hour and a half the community gained further information about the Forcett cemetery and the plans for its future. At the meeting the community members present decided that the priority must be to seek an extension of time from the diocese before any further decisions was made about the Forcett cemetery.

I wrote on behalf of the community asking for an extension of four weeks and the diocese promptly responded to grant the extended time. However, in their correspondence they also indicated that unless a suitable purchaser could be found for the cemetery it would eventually be permanently closed for future burials. I have committed to continue to work to support the community to find a resolution to this awful situation and will be holding another meeting tomorrow in my office with some key people who attended the public meeting and a representative from Sorell Council.

This situation could have been avoided had the diocese communicated honestly with the community about their plans for the Forcett cemetery and asked people to be involved in any decision about its future when they first started thinking about this many months ago. I remain hopeful of a good outcome for the community because I know how important this cemetery is to so many people, not just in the local community but right across the state, many of whom have been in touch to express their connection to the cemetery and offer their support to ensure it remains open for future burials and critically so it can be well cared for out of respect for all those resting there.

I would like to thank Carol Dodge, the Forcett Community Hall, local rector Joel Kempton, Sandra Bamford and all the community members who turned out to Forcett for the public meeting. There is no doubt this matter is not over yet, but with the collective will of so many people working together in the best interests of the community I am very hopeful of a good outcome for the future of the Forcett cemetery as an important community asset.

In the remaining time I have left I wanted to mention that I raised on Tuesday night's adjournment that there was a petition I tabled on 25 March on behalf of the New Norfolk community about health services in that community. The Government has 15 sitting days under the standing orders to provide a response. My understanding was that it expired today had that petition been presented to the Premier on the day it was tabled. If it was presented at a later date it is understandable that today may not have been the date the petition response was expected. However, I expect next week that the Government will respond to that petition, particularly given not only will they have had 15 sitting days since it was tabled but they will have had six months since it was tabled to provide a response to that community.

In speaking about regional healthcare services and health care in areas outside of the city I wanted to talk about the St Helens Hospital, the former site, not the Annie Street site but the former St Helens Hospital, which I understand is currently being used for a COVID-19 testing clinic which is entirely appropriate given the circumstances, but that too is an asset that was no longer used as a hospital because a new hospital has been built in St Helens. The asset has been transferred to the Department of Communities which is responsible for working with the local community to identify how it is used in the future.

I have raised this before in the parliament asking the minister, Roger Jaensch, to provide an update. There was a public meeting held with that community some time ago now. Now would be the perfect time to speak again to that local community about what to do with that important community asset and what the future might hold for that important part of St Helens to make sure the community can be engaged in the discussion.

I am very disappointed that the Government has not been able to progress that. It is not only an important piece of real estate, it is a really important public asset. The community was engaged and asked to provide their feedback about how that site might be used. They did that many months ago and I hope the Government take that seriously and progress that with urgency.

Wild Things - Screen Tasmania Funding

[6.46 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - Mr Deputy Speaker, I would like to make a contribution in response to Dr Broad and Screen Tasmania's -

A member - His woeful contribution.

Mr BARNETT - Yes, the woeful contribution of Dr Broad and Screen Tasmania's support for *Wild Things*. We have heard from the Minister for the Arts and her response to that. I have not seen the full production. I have seen the trailer and I have concerns with respect to that and have raised those concerns with the Minister for the Arts -

Members interjecting.

Mr DEPUTY SPEAKER - Order, Attorney-General and Dr Broad, silence, please.

Mr BARNETT - and am pleased to note that the minister and the Government will review Screen Tasmania's eligibility guidelines to make sure that dangerous and illegal activities cannot be promoted or endorsed.

Members interjecting.

Mr BARNETT - That gets laughter from the other side and the hypocrisy of Dr Broad for and on behalf of the Labor Party, because even the Leader for the Labor Party is laughing as well, because it gets to our workplace protection legislation and at a high level that legislation is important. It supports the right of people to work and the right of business to continue operating. This and similar legislation is supported by all our productive industries in Tasmania - the farmers, the fishers, the foresters, small and large businesses, all the productive industries, and yet Dr Broad and the Leader of the Opposition did not support it.

Why is that? At the federal level, of course, Labor is absolutely happy to support farm invasion and similar legislation -

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Mr BARNETT - Western Australian Labor, Queensland Labor and New South Wales Labor, by coalition across the country and yet the Tasmanian Labor refused to support it. You feign concern about these illegal activities, Dr Broad, for and on behalf of the Labor Party, but where is the substance? What are you doing to back up that feigned concern? You cannot vote so why will you not support our legislation?

Members interjecting.

Mr BARNETT - It is in the upper House. You now have a chance to do something about it. What is the Labor Party doing to support our workers? Out there you are doing nothing. Businesses have the right to operate free from intrusion, interference and protest wherever they are. We have legislation which is nation-leading together with other states around this country. Even at the federal level it was supported across the Chambers, but no, Labor is tied at the hip with the Greens and that is woe to you.

The House adjourned at 6.49 p.m.

