



PARLIAMENT OF TASMANIA

LEGISLATIVE COUNCIL

REPORT OF DEBATES

Thursday 27 August 2020

REVISED EDITION

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The President, **Mr Farrell**, took the Chair at 11.00 a.m., acknowledged the Traditional People and read Prayers.

LAND USE PLANNING AND APPROVALS AMENDMENT (MAJOR PROJECTS) BILL 2020 (No. 26)

First Reading

Bill received from the House of Assembly and read the first time.

MOTION

Commissioner for Voluntary Assisted Dying - Establishment

[11.05 a.m.]

Mr GAFFNEY (Mersey) - Mr President, I move -

That the Legislative Council - for the introduction of a Bill for an Act to provide for, and regulate access to, voluntary assisted dying - establish the Commissioner for Voluntary Assisted Dying, and for related purposes.

Motion agreed to.

END-OF-LIFE CHOICES (VOLUNTARY ASSISTED DYING) BILL 2020 (No. 30)

First Reading

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

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) AMENDMENT (QUARANTINE DEBT RECOVERY) BILL 2020 (No. 29)

Third Reading

Bill read the third time.

SUSPENSION OF SITTING

[11.06 a.m.]

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

That the sitting be suspended until the ringing of the division bells.

This is for the purpose of a further briefing.

Sitting suspended from 11.07 a.m. to 12.18 p.m.

MOTION

Major Infrastructure Development Approvals (North West Transmission Upgrades Project) Order 2020

[12.18 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - Motion) - Mr President, I move -

That the Council notes:

- (1) The Major Infrastructure Development Approvals (North West Transmission Upgrades Project) Order 2020 which has been made pursuant to section 7 of the Major Infrastructure Development Approvals Act 1999; and
- (2) Approves the Order.

Mr President, on 24 June the Major Infrastructure Development Approvals (North West Transmission Upgrades Project) Order 2020, as made under the Major Infrastructure Development Approvals Act 1999 (the MIDA act), was tabled in the House of Assembly and a positive motion passed on 25 June.

Today, I ask the Council to approval the order and declare the North West Transmission Upgrades Project to be a major infrastructure project. Why is a positive motion required? Under the MIDA act, an order must be laid before both Houses of parliament. Parliament can either approve the order or the order is taken to be approved if the order sits in parliament for 15 sitting days and a motion is not put to disallow the order. The 15 sitting days required to have the order then approved by parliament will take approximately three months to pass. Like many projects, COVID-19 has impacted on the order being processed, and this has led to compressed time frames. As a result, TasNetworks has a tight time frame in order to be able to conduct botanical surveys in spring 2020. Failure to commence these surveys as scheduled will have significant impacts in terms of time and cost. Parliament's approval of the order will also provide impacted landowners along the route with confidence as to the assessment process when they are contacted by TasNetworks regarding property access this spring.

Tasmania's renewable energy projects will play an important part in Tasmania's economic recovery coming out of COVID-19, positioning Tasmania strategically for investment attraction and job creation. The works on the north-west upgrade will mean people on the ground completing one of the most significant corridor studies in recent times, and will aid a local consulting sector that will benefit from an injection of expenditure.

A positive motion in accordance with section 7(6)(a) of the MIDA act is both prudent and appropriate. In deciding whether to support this motion, it is important to stress this decision is not about approving the MIDA process for an assessment of the merits of the project, it is simply about whether members consider the project satisfies the criteria to declare as a major infrastructure project.

The North West Transmission Upgrades Project - I will call it the project - consists of a high voltage 220 kilovolt powerline from Palmerston to Sheffield and Sheffield to Burnie via a spur line to Heybridge, Burnie to East Cam, East Cam to Hampshire and Hampshire to Staverton. The project will also include four substations at East Cam, Heybridge, Hampshire and Staverton, and will include three sites at Hampshire, Nietta and South Nietta that will provide concrete batching plants, site offices and storage areas during construction.

The project also includes any necessary ancillary development such as access tracks, concrete batching, communication systems, conductor winching and breaking sites, construction camps, site offices and storage areas. The project is intended to have a broader function within Tasmania's power distribution grid, which is to support the implementation of the North West Tasmania Strategic Transmission Plan. In facilitating connections to wind farms and pumped hydro schemes, and in conjunction with the proposed Marinus Link, the project has potential to provide cheaper energy prices to Tasmanians through the export of clean energy to mainland Australia.

Once all these components are in place, the project will support the exporting of clean energy to mainland Australia, which will have the dual benefit of raising additional revenue for Tasmania and reducing dependency on coal-fired power stations on mainland Australia.

This project is large scale and complex and crosses six local government areas, and it stands to benefit Tasmania as a whole. A key issue to consider in relation to this motion is whether the proposal warrants the combined assessment process that MIDA provides as opposed to requiring TasNetworks to lodge six separate development applications for different parts of, what is, in effect, the one project.

The view of the Minister for Planning and that of the proponent, TasNetworks, is that the project should be considered through a consolidated assessment process that allows the assessing authority to consider the project in its entirety and removes the potential for duplication or inconsistencies that may result from multiple council assessments being conducted in parallel. The MIDA act provides for such an assessment process.

An order issued under the MIDA act declaring a project to be a major infrastructure project enables an assessing authority, established in accordance with the order, to consider the project as a whole. It also provides for other statutory regulators, such as the Environment Protection Authority, to consider the project in its entirety, generating additional efficiencies, rigour and consistency. Similarly, public consultation processes will also consider the project as a whole. Finally, should the project be approved, a single permit will be issued which will provide additional certainty to the proponent, TasNetworks.

I also note in passing that previous major linear infrastructure network projects, such as the Waddamana to Risdon Vale electricity transmission line and the southern pipeline extension natural gas project, were declared major infrastructure developments and assessed and ultimately approved in accordance with the requirements of the MIDA act. The order

enables any relevant planning scheme to be amended to remove a prohibition in the scheme that may relate to the project. This is done before the development application can be assessed. While this seems premature before any assessment has taken place, if it is not done, the application cannot technically be considered at all. The powers for land acquisition under MIDA will not be needed as TasNetworks already has the necessary ability to acquire land.

The MIDA act provides for the assessment of a declared major infrastructure project to be undertaken by a combined planning authority consisting of representatives from the six relevant local councils or by the Tasmanian Planning Commission. Given the size and complex nature of the project and as requested by at least one of the relevant councils, the Minister for Planning determined that the assessment will be referred to the Tasmanian Planning Commission, a trusted delegated panel of independent experts which will act as the planning authority.

Instead of assessing the proposal against each individual planning scheme, specific assessment criteria will be developed for the project so it can be assessed as a single project. It is likely that the criteria will contain most relevant planning scheme provisions and environmental assessment criteria but the Tasmanian Planning Commission will ultimately accept these. Production of the assessment criteria includes public exhibition of the draft criteria, inviting submissions from the public.

The MIDA act requires that draft planning and assessment criteria for the project must be publicly exhibited and that the commission, having regard to public comments, will then finalise the planning assessment criteria against which the project will then be considered. In assessing a project under the MIDA act, the commission is acting in the role of planning authority, not in its statutory role as the commission. This is an important distinction because just like a standard discretionary application, the decision in regard to a MIDA assessment is subject to third party appeal to the Resource Management and Planning Appeal Tribunal - RMPAT. This is the only circumstance where there is a merit appeal following from a commission determination.

This exciting project stands to benefit Tasmania and its people. Making use of the MIDA process is both sensible and prudent, and is demonstrably in the public interest. I urge all members to support the motion.

[12.28 p.m.]

Ms FORREST (Murchison) - Mr President, I thank to the Leader initially for arranging briefings on this process, which has not been used since the Waddamana-Lindisfarne project was declared a major infrastructure project, which was a long time ago now. I think I was here at the time, but only just. I do not remember it happening. Maybe it did while I was here, maybe it was before I was here. For most of you, it is something you have not seen in this place before.

It is something we do not often do because of the major nature of the project. It crosses a number of council boundaries, which in this case is six. Does this project, as we look at it, meet the criteria that would fit under MIDA? It is pretty clear that it does.

Whether you support the principles that sit behind the project, like increasing wind farms, particularly wind farms on Robbins Island and places like that, and the Marinus cable, they are

not part of this discussion and question. It is important we do not muddy the waters with those matters.

I appreciate the opportunity to hear from TasNetworks, which is the proponent in this process. I have had some regular communication and consultation - I do not know how long, it has been a while since this has been on the table. Even though the part we are dealing with here, Hampshire to Staverton, is not in my electorate - it is predominantly in the electorate of the member for Montgomery - it all links, and in time to come a big corridor will go right through the heart of my electorate. I have had a number of representations from concerned residents of that region regarding this.

I put on the record the cooperative approach that TasNetworks has taken to deal with those concerns. In particular, a few people have been very concerned about the impact on their properties. I can understand why. People love where they live, where their special places are. Some of the path that this corridor will go through involves pretty special places, like the Leven Canyon.

I remember one briefing when some of the TasNetworks staff were using incorrect terminology for placenames in our area. It does not go down well with the locals. I took someone aside and said, 'When you say Leven, it is Leven not Leven.' There was a whole range of other poorly pronounced place names. As soon as you say it, you can see the people in the room going, 'They do not even know how to say the name of our place.' A bit of local intelligence before you head out, team, is a really good idea. We are very fussy about those things. It matters to the people who live in the place. We really are attached to our places. Just a little bit of caution for those who may be engaged in this really important work of community consultation - talk to the locals, find out how to pronounce the name of their places and the names of the people who are there. If you do not know, just ask. It is pretty simple in many respects. I could see the hackles go up. When people are feeling really anxious, it just compounds it.

Back to the fact that TasNetworks and the team there have been really proactive in that. Whilst there have been some odd hiccups here and there, it seems to me that the process they have gone through and the engagement they have had, whilst not every person will agree that this is the most desired route - everyone always has an idea about where else it could be and it is usually not where I can see it, but at the end of the day there has to be a pathway for a transmission line that can be built that is feasible, practical, affordable and has the least impact visually, environmentally and socially. I know they have some pretty topography round through the Leven Canyon and other places. I think it is important to acknowledge the work done on that.

I also appreciated the briefing from the planning officials who talked us through the actual planning aspects of this project. The chart they gave us shows the differences between a constitution of a planning authority - that is, the Tasmanian Planning Commission as the planning authority - as opposed to a combined planning authority, as opposed to individual councils assessing it each as their planning authority. It was really helpful to go through the differences with this. It is important to touch on a few of those things.

In terms of the administration of the process, the Tasmanian Planning Commission encounters an already established organisation with administration procedures in place to manage and assess, and does not need to be set up to assess such a project. One of the problems,

I understand, with a CPA is that once you have finished that, you have to wind it up and it is quite a complicated process. Either the TPC or six councils doing it, you do not actually have to go through that; it is just part of their work, effectively, their process.

With regard to consistent planning rules, the Tasmanian Planning Commission and the combined planning authority will establish consistent planning rules, not six different sets of planning rules. It would be really good if we had one true statewide planning rule.

Ms Rattray - How long have we been waiting, honourable member?

Ms FORREST - I cannot remember; it is probably as long as I have been here.

Ms Rattray - Before my time.

Ms FORREST - Before your time even. You have been here longer than me.

One day maybe, in a world we all dream about, there will be statewide consistency. Maybe that would have changed the rating on that one for councils, but we are not there yet.

Ms Rattray - It is still a work in progress.

Ms FORREST - Yes. The holistic approach to viewing the project - taking a whole overview approach - the comment regarding that was the TPC and CPA will look at the project as a whole instead of as individual components. You could not argue this was six different projects. It is one - the same as the Waddamana to Lindisfarne line - it was one line. I do not know who would argue or even try to argue that it is actually six different lines. They would not be convincing.

The other important one from my perspective was the opportunity to canvass local issues in the process. The comment here was that 'Local councils will be able to make submissions to the TPC.'. Any of the six local councils - or any other council, but any of those six particularly - can make submissions to the TPC as the planning authority, whereas other decision-makers could be conflicted if it were the CPA because they are in the CPA from the councils in those six areas. That would be an awkward thing to manage.

If an individual council wants to have input by way of submission into the planning process on behalf of their constituents/ratepayers, they have this opportunity that they really would not have so much under a CPA because of that potential conflict. That was a really helpful process.

The assessment criteria under the MIDA act is developed by the authority - that is, the planning authority, which in this case will be the TPC - and has to have a 14-day period for public comment. I noted in the Leader's second reading contribution to the motion that the CPA is required to take that comment into consideration when it is finalising the assessment guidelines.

In the briefing I also asked: what aspects of the planning schemes would normally be applied in developing the assessment criteria - if six separate processes would be brought into the assessment criteria?

We were informed at the briefing that while we do not have a single planning scheme, six councils' planning schemes have many similarities that would be basically carried forward.

It should not be a huge body of work, except there may be some matters that need not be included that could prohibit the project being assessed. This obviously needs to be considered if there are specific things in those individual planning schemes that may be a barrier - not a barrier to the project, but a barrier to the assessment of it.

I also raised whether full and proper environmental assessment would be ensured under the EPBC act. We know in that area there are wedge-tailed eagles, burrowing crayfish and all sorts of threatened species, devils - probably healthy devils in our area, I might add - and we do not want to threaten any of those. We probably have some wombats too.

Mrs Hiscutt - Keep the foxes down.

Ms FORREST - There are no foxes there or we hope there are not.

It is important those assessments are thoroughly assessed, and also other heritage - particularly local Aboriginal heritage. Aboriginal people used these areas. Because some of these areas are not frequently visited, we do not really know what heritage is there. It is really important we are very careful with this; when I said in the briefing that we do not want to be a Rio Tinto, that was not a flippant comment - what a disgrace that is.

There could well be significant Aboriginal heritage found along this route. If there is, as I asked in the briefing, is there capacity for the route to be rerouted to ensure no harm is done to it? I was informed that perhaps an alteration could be made in the spans between the towers and things like that. It is important we are very particular about ensuring no harm is done to what is our state heritage, whether it be Aboriginal or European.

Also, another really important aspect to us all, but particularly to the people who live in that area, is the visual amenity this will impact. You cannot put something up in the air like that without having some visual impact. I would say to people who do not seem to want powerlines anywhere, 'There was a time when there was no power in this state - no power poles and powerlines at all - and you had to light your candle and light a fire to cook. When you drive along highways or down the road, how many poles do you see?'. Thankfully some towns have powerlines underground - not enough, quite frankly - but you do not notice them.

There was a time when there were many old windmills - I think they are still called windmills - that brought the water up from below. There used to be many of them but now there are hardly any. The landscape does change, but most of the time I do not notice the power poles, except when I am trying to take a photograph and the power pole and the powerlines are right in the middle. It is a bit of a pain. I am trying to photograph Mount Murchison and it always has powerlines in front of it. If TasNetworks could do something about that, it would be fabulous.

Ms Rattray - They can do something; it is just that you will not be able to have any modern appliances.

Ms FORREST - No, underground; I mean put them underground. I understand the cost of that is prohibitive in many respects.

The visual amenity is important. I know that TasNetworks has worked hard to try to deal with some of those matters. You have the Leven Canyon, which is a particularly picturesque area, and Nietta and some of the views you get from up on top of the hills there are just spectacular. If you have not been up there, now is the time for Tasmanians to enjoy their state and look at it.

It is important that is taken into consideration. I understand it will continue to be part of the process and under the MIDA process, there are a number of opportunities for public input into it.

I appreciate the work that has been done already prior to this process. I understand the compressed time frame, with COVID-19 pushing everything out a bit, and needing to have a positive motion, as the Leader said, to get on with it. Fourteen sitting days is a long time when we do not sit that often and we have not sat for some time until now.

In order for TasNetworks to undertake the necessary work in the spring, which I think we are almost in, if we are not there - the trees think we are there - we need to give them the all clear to get going and give some certainty to the people who live in that region as well.

Ms Rattray - That is the field-based survey?

Ms FORREST - Yes, the botanical surveys and things like that. The people up there need some certainty. It has been going on for a long time and when people have their input - thankfully, I think people predominantly feel their voices have been heard - some certainty now will help them. Some will still think the line should go down the Vale of Belvoir. I know people who still tell me that. The Vale of Belvoir has its own environmental and visual challenges as well. It is just that not quite so many people live there.

I support the motion and I look forward to the ongoing community participation and engagement in this process. I know there will be more of that when the Burnie upgrade line goes through; there is more work to be done there.

Mrs Hiscutt - Community engagement - I just alert all members that there is plenty of paraphernalia there from TasNetworks and the department. Please feel free to pick up what you would like to take home today.

Ms FORREST - Some of that information is available on TasNetworks website, too.

TasNetworks is also doing webinars and things like, which members can hook into when they are not sitting in parliament or doing committee work; members of the community can do the same. I think TasNetworks is doing a good job of trying to be proactive in this.

This is an appropriate project to be referred under the MIDA act and for the Planning Commission to be planning authority for this. I note, as the Leader said, the appeal process to RMPAT is the only time it is possible to appeal a decision of the Planning Commission because the Planning Commission is not doing the work, the planning authority is. That does not remove that right of appeal. It is an important aspect for people to be aware of. I support the motion.

[12.45 p.m.]

Ms RATTRAY (McIntyre) - Mr President, I support the motion. I have a couple of comments rather than questions before the Leader picks up her pen.

This will be a huge project for TasNetworks. Through my office, I continually receive concerns from landowners about timeliness of projects when it comes to TasNetworks. What sort of additional workforce might it be looking for to undertake such a large project into the future and still attend to its day-to-day operations?

When it comes to upgrading power supplies into irrigation areas and that type of thing, some time frames have blown out considerably. I do not mean by weeks; I mean by months. I know we are in the midst of a pandemic but some of these matters existed a long time before we headed into the pandemic. I do not know whether the Leader will be able to answer that. It is something that TasNetworks would probably be aware of. It hears from me a good deal. It is a concern, but I support this project.

I took a copy of the information because the corridor will pass through three of my local government areas - Kentish, Meander and Northern Midlands - so will have an impact on the people who I represent. Again, I found the information provided by the department and TasNetworks very useful and, as always, our briefings bring a lot of information. The member for Murchison has imparted that into the public record through *Hansard* so I thank her for that and I support the motion.

[12.48 p.m.]

Mr VALENTINE (Hobart) - Mr President, I appreciate the complexity of a project like this. It is not a small undertaking. It involves a number of councils - six councils, I believe, altogether - and clearly many people may possibly be affected by it. Yes, I know there have been similar linear projects in the past, with the gas pipeline and other electricity corridors for the conveyance of electricity.

The problem I see is that I do not think the councils had a great many options. I will read a letter sent to me with regard to what each council individually received so that it is on the record. It is from the honourable Roger Jaensch, the Minister for Planning. He said -

Dear [Mayor]

I refer to my correspondence of 20 December 2019, where I advised you that I had received a request from TasNetworks for the North-West Tasmania Transmission Upgrades Project to be declared as a 'major infrastructure project' and assessed under the *Major Infrastructure Development Approvals Act 1999* (MIDAA).

As the responsible Minister, and having reviewed the supporting report provided by TasNetworks, I am satisfied that the Project meets the conditions precedent, as outlined in s.8 of MIDAA, and intend to recommend to the Governor the making of an Order declaring the Project to be a major infrastructure project.

As noted in my previous correspondence, an assessment under MIDAA would be undertaken by a combined planning authority, made up of representatives from each of the relevant councils, or the Tasmanian Planning Commission.

In accordance with s.9 of MIDAA, could you advise whether your Council supports the making of the Order, and if not, please provide your reasons. Also, could you please provide advice as to your Council's view on whether the project should be assessed by a combined planning authority or the Tasmanian Planning Commission.

For your information, I have attached the supporting report provided by TasNetworks, a copy of the draft Order, and my reasons for recommending the making of the Order.

Please provide your response within 21 days of the date of this notice to the Department of Justice's Planning Policy Unit ...

I will not read the final component of that, but they offer further clarification of the MIDA process and that the Planning Policy Unit - PPU - will be happy to provide a briefing and provide a contact number.

Quite clearly, there is opportunity for a briefing there. I thank the department for making that letter available to me.

I am concerned that councils receiving that letter have only 21 days to get back and say which process they would like. They need an opportunity to consult with their community, especially given that, yes, there is an appeals process under the MIDA act that allows anyone who has made a submission to appeal. However, if the council wants to make a submission on behalf of its own community and to decide whether it wants to make a submission in the first instance, it needs time to consult. I am a bit concerned about that.

I understand that dealing with six councils separately and going through all that is quite a complex exercise that may well string the process out, but our problem is that the person in the street - or the person who might be affected by this - is effectively being disadvantaged. When it comes to the appeals process it is almost a David and Goliath circumstance. The person who really feels there are some concerns and issues will go to their council first to discuss it. The council might assess whether there are issues for the whole community to get on board and do a submission. The person in the street then feels supported by their council. The council might not - we understand that - but at least the council will have an opportunity to make that decision in the first instance rather than just guessing there might not be any issues in the community, and saying, 'Yes, we prefer to go through the Planning Commission' or 'We prefer it to be a combined process.'

As we see in the letters in the package we received on this particular order, clearly a number of councils want to see a combined process. Why do they want to see that combined process? They feel that they are representing their community properly by going down that track, but of his own volition, the minister has decided that it would be the Planning Commission. I understand that; it was explained during briefings, and I thank the officers for providing the briefings. It is important we have those briefings.

When it comes to a combined planning authority, it is considered that there could be conflict because a member of council - whether an elected member or an officer from the council - has the opportunity to go on that particular combined planning committee. They could be conflicted because they have to sit in judgment on the whole matter, and if the council

makes a submission through that process, that means they are conflicted. I can understand that. It is not unlike this place in a sense. We do not sign petitions and other things that come before this House because we would be conflicted, so it is not unlike that.

I am concerned that the way this process is worked out effectively could marginalise people in terms of concerns or issues they might have, and that it cuts off certain options for them.

Apart from that, I can see the benefit of the project in large part. As the member for Murchison said, it is not about what the purpose is for; I appreciate we cannot go into that. It says in the preamble to the order -

Essentially, this project stands to benefit Tasmania as a whole and the consideration of the project is best carried out through the assessment process that provides a singular broader view of the proposal and remove any unnecessary duplication of multiple approvals being conducted in parallel.

I can see all of that. Will it going deliver lower power prices? That could be interesting.

Ms Forrest - They claim it will; I can never figure out or get an answer from the minister about how.

Mr VALENTINE - No, well, this is the point.

Ms Webb - Ask him to explain it.

Mr VALENTINE - This is the point. But, as you pointed out earlier, we are not here to debate that in particular. I can appreciate that.

Ms Webb - It is material to a demonstration of public interest in this project, which is actually the criterion for putting it into the MIDA project. It is material to that.

Mr VALENTINE - It is material to it, but we are dealing with it as an application for major infrastructure. It is an interesting line.

Ms Forrest - I do not know why they put this stuff in the speech.

Ms Webb - It requires us to have a demonstration of public interest; that would be a clear thing, material to the demonstration of that. It could be good to get an explanation.

Mr VALENTINE - Anyway, I have great queries about this. At the end of the day it is transmitting private enterprise power. I do not see how the transmission of private enterprise power will bring a benefit to lower power prices in Tasmania. That is my concern.

Ms Forrest - You can ask the minister at Estimates again this year and see whether you can get an answer.

Mr VALENTINE - Yes, I know.

Ms Forrest - It is in Government Administration Committee B now, someone in that committee will have to take it up.

Mr VALENTINE - The Government might end up pulling a dividend from TasNetworks, and it will be some private enterprise money in there. That might go to the broader good. But what does the Government do with it? Does it go to lowering power prices?

Ms Rattray - Higher dividends for government.

Mr VALENTINE - Yes, but does it go to lowering power prices? Other questions such as: How much is private enterprise going to pay to use this service? Is that going to be something we get to find out about? I do not know. I am encouraged to see the councils at least did receive the TasNetworks submission, or at least the information, so they have had more than just a letter sent to them asking for their opinion on how they thought it should be managed or dealt with. Clearly that was important to me.

How is this equitable to the person in the street? I have dealt with that in terms of the opportunities for appeal. What is the concern about private landowners not having to give permission for this structure to pass over their land? Clearly, there are many private landowners and it would be well-nigh impossible to deal with. Probably a lot of landowners would not care. However, a landowner with a house close to the corridor might feel the powerlines might expose their family to radiation of some sort. Many people in the community are concerned about these sorts of things and whether they actually will get an opportunity to have a real say on the issue.

Councils have to give approval and the Crown has to give approval, but private individuals do not. Private individuals might care about consulting with their council on how to deal with this, if there are many landowners in the council area who will have this line pass over their property. Rather than individuals putting in a submission, local people and the council may put in a council submission and having only 21 days to decide is not sufficient. My main concern is that people are being marginalised in this regard. I will be interested in some information about that aspect.

There are appeal rights. Once a submission is made -

Sitting suspended from 1.00 p.m. to 2.30 p.m.

QUESTIONS

Northern Regional Prison - Modelling - Projected Demand

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

[2.30 p.m.]

Mr President, the SGS Economics and Planning - SGS - report on the northern regional prison or correction facility, as some would like to refer to it, prepared for the Department of Justice, states -

The need for additional prison capacity in Tasmania is assumed to be equivalent in both the business as usual and project scenarios. Modelling conducted by the Department of Justice indicates that expected demand for prison capacity will be between 830 and 1,200 by 2030 while existing infrastructure can support 743 inmates.

My question is: what is the Department of Justice modelling based on to arrive at the projected demand for prison capacity of between 830 and 1200 by 2030?

ANSWER

Mr President, I thank the member for McIntyre for her question.

Forecasts are the best estimate for future prison populations, but are subject to significant uncertainty due to changes in legislation, police resourcing and priorities, prosecutions and judicial resources, and the independent remand and sentencing decisions of the judiciary. In particular, future changes in policy or legislation can have a significant impact on forecasts.

The forecast used by SGS comes from the Department of Justice's 2016-17 Strategic Infrastructure Framework for Custodial Corrections in Tasmania. The forecast was framed considering infrastructure and training in 2016-17, with a number of changes around remissions and suspended sentences. The data indicates an applied 3 per cent annual growth.

The department's forecasts are now based on a Tasmanian criminal justice demand forecasting model. The model has been under development since 2018 and was initially completed in June 2019. The model builds from population and police offence reporting through courts and sentencing to forecast prison and community corrections populations. Lodgement forecasts were workshopped in October 2019 with input from Tasmania Police and other Justice business units. Officers from Treasury and the Department of Premier and Cabinet were invited to participate in the workshop.

Lodgement forecasts were then used to forecast Magistrates and Supreme Court finalisations, sentences and, from those, prison populations. This work was not available for use by SGS when it was engaged to draft the Social and Economic Impact Study but as at May 2020, prisoner numbers between the two forecasts were similar.

Hobart Northern Suburbs Rail Corridor - Transport Options Consultation Paper

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

[2.30 p.m.]

- (1) Has the Government received the transport options consultation paper regarding the Hobart Northern Suburbs Rail Corridor?
- (2) What is the time line for the Government to release the report and selected transport options for development?

ANSWER

Mr President, I thank the member for Elwick for his question. We have an answer which I am sure is coming up the corridor as we speak -

Ms Forrest - Ah, you jumped too early.

Mrs HISCUTT - Yes. I am just saying we should not have put them out.

Out-of-Home Care - Extended Care Payments

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

[2.35 p.m.]

In 2018 the Tasmanian Government committed \$3 million to extend care up to the age of 21 for young people in out-of-home care.

- (1) Since that commitment, how many young people have benefited from the extension of care?
- (2) Since that announcement, what quantum of funds have been contributed to the extension of care?
- (3) How many young people are currently being supported by the payments?
- (4) Is the Tasmanian Government collecting any longitudinal data regarding young people exiting extended care?

ANSWER

Mr President, I thank the member for Elwick for his question. This just goes to show, after the last experience, that we do everything we can to get the answers here on time, but there were three questions in that boat. Thank you very much, member for Elwick.

The answer to this particular question is -

- (1) A total of 77 young people have benefited from the extension of care.
- (2) Since the Government's announcement to commit \$3 million to extend care up to the age of 21 for young people in out-of-home care, \$1.2 million has contributed to the extension of care.
- (3) Currently 58 young people are being supported by the extended care payments.
- (4) The answer is no.

Wild Fallow Deer Census Project - Public Release of Report

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

[2.37 p.m.]

I understand that the survey of deer numbers in Tasmania has been completed and a report is currently with the minister.

When will this report be publicly released?

ANSWER

Mr President, I thank the member for Rumney for her question.

The results of the aerial survey component of the Wild Fallow Deer Census project are currently being considered by the Government and the report is expected to be publicly released soon.

Heritage Property Register

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

[2.37 p.m.]

I understand my supplementary question from yesterday is being answered. I do not know if that is one of the questions coming.

My questions relate to Heritage Tasmania -

- (1) At what stage is the updating of the listing of the Tasmanian Heritage Register at? It has been going on now for about 10 years I am aware of.
- (2) How long has the updating process of the Tasmanian Heritage Register been in place?
- (3) When is the process expected to be completed?
- (4) During the last financial year, how many consultants were used by Heritage Tasmania?
- (5) If applicable, what specific programs were the consultants used for?
- (6) What was the cost in each case?
- (7) What actioned changes, if any, were implemented as a result of the consultants' work in each case?

- (8) What is the number of employees in Heritage Tasmania and where are they located?
- (9) In the last financial year, how many employees have taken stress leave and what is their current status?
- (10) What amount of recorded sick leave was taken during the last financial year?
- (11) During the same period, have any complaints of bullying been made within Heritage Tasmania; if so, how many?
- (12) What is the current morale position within Heritage Tasmania?

ANSWER

Mr President, I thank the member for Windermere for his questions.

- (1) The Tasmanian Heritage Register contains 5030 entries of state significance. Since 2011, the Heritage Register has been the subject of a series of reviews and projects to enhance the quality and integrity of its entries.

In December 2019, the Tasmanian Heritage Council adopted a plan to evolve the Tasmanian Heritage Register. It outlines a vision, goals and actions for this work, including addressing longstanding legacy issues with its entries.

Ensuring all entries have clear boundary and location details is a current priority, along with work to review, amend or replace entries for the most significant places that warrant it and fill thematic gaps.

- (2) The Heritage Register has been subject to a series of reviews and projects to enhance the quality and integrity of its entries over the past decade. The review, amendment, replacement, removal and addition of new entries is ongoing. These processes aim to ensure its entries maintain their currency, given the information they contain can change over time.
- (3) The process to review, amend, replace, remove and add new entries to the Heritage Register is an ongoing process. The Heritage Council's plan to evolve the Tasmanian Heritage Register outlines how this work will be staged over the next five years. This work will enhance the quality, accuracy and accessibility of the Heritage Register's entries.
- (4) Heritage Tasmania engaged three external providers during 2019-20 - Ossa IT Pty Ltd, SCA Marketing and Louise Cooper Consulting.
- (5) In 2019-20, Heritage Tasmania engaged the services provided by Ossa IT Pty Ltd to assist it to maintain and develop the Heritage Management System, the business system that hosts the Tasmanian Heritage Register. SCA Marketing was engaged to assist the Heritage Council with a strategic plan for the 2019-24 period. Louise

Cooper Consulting was engaged to assist the department to implement the cultural change action plan.

- (6) In 2019-20, Heritage Tasmania and the Heritage Council spent \$11 500 on the services provided by Ossa IT Pty Ltd, and \$3800 on services provided by SCA Marketing. Louise Cooper Consulting was paid \$6664.79 in 2019-20 for advice and group facilitation services.
- (7) Ossa IT Pty Ltd assists Heritage Tasmania with the ongoing maintenance and development of the Heritage Management System, the business system that hosts the Tasmanian Heritage Register. SCA Marketing assisted the Heritage Council to facilitate its annual strategic planning workshop and refresh its strategic plan 2019-24. Louise Cooper Consulting facilitated several sessions with staff and managers as part of the cultural change action plan.
- (8) Heritage Tasmania currently employs 17 individuals, which, at the time of writing, equates to 14.61 full-time employees. Twelve of these employees are based in Hobart and five are based in Launceston.
- (9) Personal or sick leave is confidential. The underlying reasons for personal leave may or may not be disclosed to the department. Given the very small size of Heritage Tasmania, specific information relating to the nature of sick leave taken cannot be released for privacy reasons.

Mr Dean - I am not asking for identification of people.

- (10) Heritage Tasmania staff took a total of 890 hours of personal leave hours during the last financial year.
- (11) During the same period no complaints of bullying in respect of Heritage Tasmania have been lodged with the department.
- (12) While staff have identified some issues of concern, those concerns have been systematically addressed on advice and with support from suitably qualified professionals through a suite of actions to enhance Heritage Tasmania's workplace culture.

Heritage Tasmania - CPSU Staff Satisfaction Survey

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

[2.43 p.m.]

With regard to public reports concerning workplace culture at Heritage Tasmania -

- (1) Is the minister aware that a staff satisfaction survey was recently conducted by CPSU?

- (2) Is the minister aware of the apparent high level of dissatisfaction among staff, as indicated by the survey?
- (3) Does the minister agree that cultural change is required at Heritage Tasmania? If so, what measures are being implemented to assist staff?

ANSWER

Mr President, I thank the member for Murchison for her question. I did note that perhaps you and the member for Windermere had been tagging

- (1) The minister is aware of the anonymous and confidential survey of Heritage Tasmania staff conducted by the CPSU in March this year, which appeared in the media.
- (2) The themes highlighted by the survey were known to the department and are being addressed through a suite of actions to improve communication between Heritage Tasmania staff and managers, and to enhance workplace culture generally.
- (3) In 2019, senior departmental officers consulted comprehensively with Heritage Tasmania staff to explore a number of issues relating to workplace communications, behaviours and some operational matters. In response, a cultural change action plan is being implemented to work through specific concerns and promote a more positive workplace culture.

An independent consultant is supporting this process. Senior executives within the department have been closely involved and are available to support staff and managers. Staff are regularly encouraged to seek any additional support they may need from the Corporate and Culture Division or the Employee Assistance Program.

Members, the member for Elwick's answer has arrived if he wants to ask his question.

Tamar River - Sewage Treatment Plants - Upgrade

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

[2.46 p.m.]

Regarding the health of the Tamar River, will the Leader please advise -

- (1) Following the \$86.4 million provided by the federal government and the state Government under the River Health Action Plan, what progress has been made towards upgrading of Launceston's sewage treatment plants to improve river health?

- (2) What portion of this funding is specifically going towards the upgrading of Launceston's sewage treatment plants?
- (3) What other sources of funding will be going towards upgrading Launceston's sewage treatment plants?
- (4) What is the anticipated cost of upgrading Launceston's sewage plants?
- (5) What progress towards the general objective of ameliorating Tamar River health has been made?
- (6) What specific milestones have been reached by the Launceston Flood Authority over the previous 12 months?

Ms Rattray - It would be a good inquiry, that one.

Ms ARMITAGE - It would be a never-ending inquiry.

ANSWER

Mr President, I thank the member for Launceston for her question.

- (1) The project agreement between the Australian Government and the Tasmanian Government to deliver the \$86 million in water infrastructure upgrades to reduce untreated overflows from the City of Launceston's combined sewerage and stormwater system was signed off at the end of May 2020. Work is now underway to develop the necessary grant deed to provide the funding under the project agreement to TasWater. TasWater and the City of Launceston are also contributing funds to bring this project to fruition.
- (2) Around 13 per cent of the funding is allocated to specific upgrades of the Ti Tree Bend Sewage Treatment Plant under the Tamar Estuary River Health Action Plan. However, the remaining funding is for pump station and network improvements to reduce discharges from the system to the Tamar.
- (3) TasWater is progressing the Launceston Sewerage Improvement plan, which is funded by TasWater and documented in the Price and Service Plan 3. This plan includes the potential rationalisation and upgrades of sewage treatment plants in greater Launceston and is anticipated for completion in the 2025-26 financial year.
- (4) The Launceston Sewerage Improvement plan is estimated to cost \$321 million.
- (5) Upgrades completed to the sewage treatment plant in recent years have provided some nutrient removal from effluent overflows. This has had a positive impact on the Tamar Estuary.

The implementation of the Tamar Estuary River Health Action Plan is expected to see significant improvements in the coming years. The latest Tamar Estuary 2020 report card, released on 20 July, confirms we are delivering on this commitment.

The report monitors the long-term health of the Tamar and guides the scientific and evidence-based management of the waterways, with today marking the seventh report card to be released.

The report card shows improvement in water quality across all zones, indicating an overall improvement in the health of the Tamar Estuary with the greatest improvement seen in the Zone 5 marine zones where the grade increased from C+ to A+. The report can be found on the NRM website, www.nrmnorth.org.au.

Progress to June 2020 - 175 kilometres of waterway fenced to exclude stock from waterways; 698 hectares of native vegetation managed for regeneration outcomes; and 400 hectares of improved effluent management across dairy farms.

- (6) The Launceston Flood Authority was established by the City of Launceston, which is also responsible for its operations. As a result, the minister does not have up-to-date information on specific milestones reached by the Launceston Flood Authority over the previous 12 months. The member would need to contact the City of Launceston for that.

Northern Correctional Facility Proposed Site - Conditions of Sale to Government

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

[2.51 p.m.]

In regard to the new revised site for the northern correctional facility, it has been suggested that the previous owner, Mr Harry Laker, sold the property to the government of the day at a negotiated lower price to ensure the area retained its conservation values.

- (1) Could the Government respond to this suggested condition of sale?
- (2) Could the Government provide the address of the proposed site and provide a copy of the title held by the Crown?

ANSWER

Mr President, I thank the member for McIntyre for her question.

- (1) A valuation undertaken by the Valuer-General dated 15 April 1999 for the 70.16 hectares on Birralea Road, Westbury had regard to the fair market value of the site, unencumbered by any conditions or restrictions on the use of the land.

The land value was assessed at \$50 000, based on open market sales of comparable land. In addition, the standing timber on the site was assessed at \$15 000, and a figure of \$10 000 was included for the value of the ironstone gravel deposits.

Therefore, the total valuation of the site was assessed at \$75 000. The valuation was conditional on the basis that a caveat lodged by North Forest Products was

removed at the owner's cost. The owner considered the property was worth \$85 000 but accepted the Crown's offer of \$75 000, plus the cost of his legal expenses to purchase the site. The sale agreement was also conditional upon the vendor removing the caveat by North Forest Products Ltd from the title.

There are no conditions of sale recorded on the title or in the dealings dated on 30 July 1999 lodged with the Land Titles Office.

- (2) The property in question does not have an address allocated by the council. Its current title reference is 148624/1. As the member has access to LIST, she can get the title from that reference number.

Hobart Northern Suburbs Rail Corridor - Transport Options Consultation Paper

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

[2.53 p.m.]

- (1) Has the Government received the transport options consultation paper regarding the Hobart Northern Suburbs Rail Corridor?
- (2) What is the time line for the Government to release the report and selected transport options for development?

ANSWER

Mr President, I thank the member for Elwick for his question.

- (1) The consultant's report was provided to the intergovernmental Northern Suburbs Transit Corridor working group, which operates as part of the Hobart City Deal governance, at its most recent meeting. The report is currently being considered by that group.
- (2) The Northern Suburbs Transit Corridor working group will now consider the content of the report. Hobart City Deal partners, including the Australian Government, the Tasmanian Government and the Hobart and Glenorchy city councils, will then consider the contents and findings of a report by the Standing Committee on Public Works as part of determining the next steps to activate the corridor.

The opportunities to release the report publicly will be considered as part of the above described process.

Macquarie Point Redevelopment - Reset Vision

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

[2.54 p.m.]

It was confirmed via a government media release on 11 December 2016, that the premier of the day, Will Hodgman, together with then minister for State Growth, Matthew Groom, had reset the vision for the development of Macquarie Point. Mr Hodgman said -

Resetting the vision will ensure the project's full potential can be realised. Macquarie Point presents a once in a generation opportunity for Hobart and Tasmania and we are determined to get it right

He went on to say -

Last year -

I presume that is 2015 -

... the Macquarie Point Development Corporation engaged MONA to consider how open public space could best be incorporated into the redevelopment. In true MONA style they have delivered a stunning vision for the site with vibrant public space at its core.

The new vision addresses the feedback we have received and offers a roadmap for realising Macquarie Point's potential as a truly iconic national landmark.

The Government has directed the Macquarie Point Development Corporation to prepare a new plan for development at Macquarie Point based on the vision released today.

However, I want to be very clear. While the Government has endorsed the vision as a new starting point for Macquarie Point, it is starting point, not the end product. The Corporation will be expected to consult extensively as it develops the final plan, and I have no doubt it will undergo many changes through that process.

- (1) Can the Government give a firm assurance to the public that it will do its best to ensure ongoing developments at the site under the Government's reset vision of 2016 will remain true to the vision and development plan, delivering a truly iconic national landmark, and not result in a patchwork of developments disconnected or unrelated to the intrinsic nature of the reset vision, which would ultimately deliver economic benefit only to engaged developers, and little, if any, lasting value to the community of Tasmania?
- (2) Further, does the Government intend on becoming a tenant at the site in any way, shape or form?

ANSWER

Mr President, I thank the member for Hobart for his question.

- (1) The Government is committed to ensuring that the full potential of the reset vision is realised at Macquarie Point. In underpinning this potential, the Government, through the Macquarie Point Development Corporation, successfully implemented a cohesive legislative framework to ensure that the site moved ahead in line with the reset. This framework set the site master plan and the process for approval of the statutory planning rules for use and development, to ensure consistency and adherence to the reset adopted in 2016.

Additionally, the corporation has adopted a master development plan, which provides a clear direction for the stages of development to be undertaken onsite, ensuring alignment with the statutory planning framework and the Government reset. The reset vision, master plan and master development plan are publicly available on the corporation's webpage.

As part of the Government's reset, a dedicated 13 000 square metre open public space will provide a new premier parkland. The truth and reconciliation art park - the park - will be a centre of community activity, which will cater for large events while providing the city with a connection between the waterfront, the Queen's Domain and the CBD. This public open space will facilitate connectedness through play, interactive installations, public art, and green and cultural spaces.

- (2) As part of the Hobart City Deal, the state Government is working closely with the Australian Government to solidify Hobart's world-class standing as a gateway to the Antarctic and Southern Ocean. The state Government, through the city deal framework, is progressing the establishment of an Antarctic and science precinct at Macquarie Point, which has the potential to create a prominent gateway that celebrates Hobart's history and current status as an Antarctic and Southern Ocean research powerhouse.

As part of establishing a dedicated precinct, the Australian Government and the Tasmanian Government are developing a business case for the creation of a state-of-the-art Antarctic and science precinct, with the objective of attracting national and private Antarctic, Southern Ocean and science institutions to Macquarie Point. Potentially these will have the capacity to include both Australian Government and the Tasmanian Government tenancies.

The precinct will build on our scientific investments in Antarctic infrastructure, including the Australian Government's \$1.9 billion icebreaker, due to arrive in 2021, and more than \$450 million in additional capital expenditure on our Antarctic research stations over the life of the City Deal.

Mr Valentine - Mr President, I do not believe the last part of my question was answered - are you going to be a tenant? Did you say that?

Mrs HISCUTT - I did say that and I will read that little paragraph again -

This is in the end of answer (2)

As part of establishing a dedicated precinct, the Australian Government and the Tasmanian Government are developing a business case for the creation of a state-of-the-art Antarctic and science precinct, with the objective of attracting national and private Antarctic, Southern Ocean and science institutions to Macquarie Point. Potentially these will have the capacity to include both Australian Government and the Tasmanian Government tenancies.

COVID-19 - Family Violence Services - Approaches for Help

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

[3.01 p.m.]

Does the Leader have that answer on the Tasmania Prison Service supplementary question?

Mrs Hiscutt - No, not yet, I am sorry.

Mr DEAN - My other questions then are -

- (1) During the period from 1 March to 31 July 2020, what number of approaches were made to family violence services for assistance and/or support?
- (2) What did the approaches entail? That is, were they new or previous cases involving family violence? These questions are raised from the questions yesterday, which went across two portfolio areas.

ANSWER

Mr President, I thank the member for Windermere for his questions.

- (1) Monitoring demand outside Tasmania's criminal justice response to family violence during COVID-19 has proven challenging due to the complexity of correlating datasets across Tasmanian government-funded specialist family violence support services. We have seen steady demand for services during and post the pandemic, and regularly consult with stakeholders to monitor demand. Ideally, demand-driven datasets are the preferred informant for evidencing and objectively monitoring demand in services. However, the complexities of the dataset and current reporting across departments and the non-government sector does not permit this.

This issue is not unique to Tasmania, but is experienced across states and territories where methodology differences mean that data is often not comparable across the services.

Action 35 in the Safe Homes, Families, Communities: Tasmania's action plan for family and sexual violence 2019-22 will address this issue through centralising management of family and sexual violence services within the Department of Communities Tasmania -

Mr Dean - It is about time it was centralised.

Mrs HISCUTT - Yes.

It will include a move to standardised reporting and data collection.

While the available data demonstrates the steady demand for services during and post the COVID-19 pandemic, close monitoring will continue to occur in the medium and long term because the risk threshold for family violence will increase if unemployment rates rise, restrictions remain for longer periods and current state and Commonwealth Government stimulus and support measures cease. All three factors exacerbate household stress.

To date in Tasmania, website and social media traffic for specialist family and sexual violence services has increased. Specialist services have reported steady demand and increased complexity of cases. However, overall services have not reported a sustained increase in the number of new clients seeking support. Some services have reported a decrease in overall referrals, but an increase in self-referrals, likely due to the reduced presentations to victims and to other services during the lockdown period.

Anecdotal reports from mainstream services suggest an increase in presentations of family violence. There have been increased calls to the Men's Referral Service, indicating an increase in perpetrators seeking help for behavioural change.

In response to the COVID-19 pandemic, the Department of Communities Tasmania established the family and sexual violence COVID-19 sector forum to enable the Government to be made aware of emerging issues supporting our understanding of service demand and to promote information sharing between the Government and the community sector.

To further support analysis of the COVID-19 response, the sector forum has been invited to provide written responses on the Tasmanian experience of the COVID-19 pandemic and heightened restriction period, including lessons learned, gaps and opportunities for future action.

This is based on Monash University's 'Responding to the Shadow Pandemic' reports. Responses are due by 30 August 2020, following which the family safety secretary will collate submissions and provide a summary report back to the sector forum in October 2020.

- (2) As outlined above, different methodologies for data collection and the cost of specialist services means that a collective response on new clients cannot be provided. Data reporting on client presentations may capture clients entirely new to the services, current or ongoing clients and all previous clients who have been

exited, but are returning to the service. Some services have reported spikes in new clients. It is monthly increases that are not sustained over total March to July period.

It is important to understand specialist services have also reported that clients are engaging differently with services since the onset of COVID-19 - for example, contact is more opportunistic, shorter in duration, especially during lockdown periods, and results in low numbers of fail-to-shows, which has enabled more contact with clients. This may result in an increased number of average counselling sessions reported per month but does not account for the reduced time of sessions.

Clients are co-presenting with other concerns driven by COVID-19 such as home schooling and co-parenting; increased and/or prolonged anxiety related to COVID-19; second wave impacts on interstate friends and family; and increased anxiety about, and carer burden for, older relatives. This results in counselling providing more general mental health support to clients experiencing heightened anxieties.

The format and/or regularity of counselling sessions for some clients has changed due to heightened trauma symptoms and reduced mental wellbeing. For example, some clients are requiring more regular - as in weekly - catch-ups rather than fortnightly therapeutic sessions.

Some services have reported dramatically reduced waitlist times for new clients due to additional funding provided through the \$2.7 million family violence response funding under the Tasmanian Government's Social and Economic Support Package.

The family safety secretariat in Communities Tasmania will continue to work with agencies, services and stakeholders to monitor demand and outcomes from additional funding.

The last point is while face-to-face service delivery has resumed, some services have reported an increase in clients wanting to continue phone counselling to reduce the overall face-to-face contact, and that some new clients want phone counselling only for the same reason.

I delivered answers to questions (3) and (4) yesterday.

MOTION

Major Infrastructure Development Approvals (North West Transmission Upgrades Project) Order 2020

Resumed from above.

[3.09 p.m.]

Mr VALENTINE (Hobart) - Mr President, earlier I was talking about the appeal process and the resources of an individual as opposed to a council. These things can be appealed and

if the appeal does not go the way an individual might want, they can take it to the Supreme Court. I believe that avenue is open, but I will stand to be corrected.

Obviously, if it is a generic issue, the council might believe is worth fighting for, they may well take it to the Supreme Court on behalf of their community and they have more resources than any individual might have.

Nevertheless, once they have done that - this is the point I was making earlier - councils will need more time to consult with their communities about what they may want to do in those circumstances. Some might say that 21 days just to say what type of process is fair - it is only the councils giving an opinion - but they will not have much opportunity to consult with their communities.

Some of the responses that came back in the second response were, 'You have given us seven days; we can't possibly take that back through to our council because the cycle does not fit.'. Timing is an issue. I can appreciate why things are a little tighter at this time because of COVID-19 and all the rest of it - some explanation has been given in our papers with regard to that - but I think it is important to understand the general community can have concerns about projects like this.

Generally, a major project of significance would go through the Public Works Committee. We would have an opportunity to sit down and listen to members of the public give their opinions on different things or discuss their concerns. This does not go through the Public Works Committee. This is the only opportunity the department has to scrutinise a project like this. I handed out a paper titled 'Positive Motion, Major Infrastructure Development Approvals', which says -

in deciding whether to support this motion it is important to stress that this decision is not about approving the MIDAA process or an assessment of the merits of the Project; it is simply about whether Members consider that the Project satisfies the criteria to be declared as a Major Infrastructure Project.

We might have many questions about the project that we would ask through a Public Works Committee process about value for money and those sorts of things: How much private enterprise is likely to use this particular infrastructure? How much is private enterprise paying to use the infrastructure in an ongoing way? What percentage of the electricity flowing across this line is going to be utilised by private enterprise? That means we could assess whether it is good value for money. We were told today, 'No, that is not what we are here for. We are here to decide whether it is a major project or not.'. I do not think you have to be Einstein to understand it is a major project. That is for sure.

The process is interesting in the sense that I do not believe it gives sufficient opportunity for those who may be considerably affected to be heard properly in a real way. I know they will hear back that the submission processes are there and they will get so many days to put that together and so on. We are talking about communities here and as a result, councils need a little more consideration with some of the timings than they were given.

It is interesting when looking at the different instruments available to assess major projects. We have Projects of Regional Significance that we keep hearing has never been used. This is a classic because you say, 'Why hasn't it ever been used? Because the proponent hasn't

chosen to use it.'. You think, 'Why should it be up to the proponent to decide which process they are going to use?' If it is a project of a certain size, the Government ought to be dictating which process will be used, it is not for the proponent to choose. That is one thing of real concern.

Given what we are allowed to do with this, I will listen to other members' positions on this. It will be interesting to hear what they have to say and I will vote accordingly.

[3.14 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I thank members who contributed for their thoughtfulness. I have a couple of answers for the member for Hobart which might be helpful. The member for McIntyre asked a question about the workforce and how much TasNetworks would need. I am unable to answer that at this time, because this is not what this is about -

Ms Rattray - I should have asked Ben this morning.

Mrs HISCUTT - You should have asked Ben this morning. That is probably a question that you may need to refer to TasNetworks at some stage. The member for Hobart had a few concerns about the consultation period that I would like to cover. In the Major Infrastructure Development Approvals Act 1999, Part 2, section 9, Response of council to proposal to make Ministerial recommendation, reads -

- (1) Within 21 days of receiving notice of the Minister's intention to make a recommendation under section 7(1), a council must provide the Minister with a written response which states -
 - (a) whether the council supports the proposed recommendation; and
 - (b) if the council does not support the proposed recommendation, the council's reasons for not doing so.
- (2) In responding to the Minister under subsection (1), a council may request that the Commission administer the planning approval process in respect of the proposed major infrastructure project.

That is why the letter stated 21 days, because that is what the legislation says.

Mr Valentine - Fair enough. Maybe that needs revisiting.

Mrs HISCUTT - That could be. But further to that, the MIDA act provides for the 21 days without formal extension opportunity. Having said that, letters were sent from the minister on 21 January. Twenty-one days expired on 11 February. The Northern Midlands Council discussed the matter at its meeting on 17 February, which is six days after the closing of responses, and sent its letter on 24 February. The minister accepted the letter, despite its lateness, and it formed part of the considerations.

The second letter from the minister is not required, but it was considered a courtesy to seek views on his intentions to nominate the Tasmanian Planning Commission as the planning authority. No time period for this is in the act, but responses were requested within seven days.

The Northern Midlands Council asked that consideration be given to changing the time limits in the Major Infrastructure Development Approval Act to allow consideration at council meeting cycles. The Government has an agreed five-week consultation with local councils and consideration will be given to amending the MIDA act to reflect this. Even though the letter stated 21 days, more time than that was granted.

You talked about private landowner consent not being required. The MIDA act does not require private landowner consent for proponents to lodge an application. This is what we are doing. This is the same as all LUPAA development permit applications. Only council and Crown consent is needed if they are the landowners. The MIDA development application process does not allow the development to proceed on private land without agreement or land acquisition. TasNetworks has its own land acquisition powers. This is an application for planning approval only.

Thank you, Mr President. I thank members for their contributions. I hope we can see our way to vote for this motion.

Motion agreed to.

MOTION

Intervening Business Deferred

[3.19 p.m.]

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

That intervening business be deferred until after consideration of Orders of the Day No. 3 and perhaps No. 4.

I confirm with members that Mr Barns has agreed to come in at 4 p.m. I think we will proceed for now, and we will probably adjourn at 4 p.m. to go to briefings.

Motion agreed to.

BIOSECURITY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2020 (No. 20)

Second Reading

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council - 2R) - Mr President, I move -

That the bill now be read a second time.

I think I can safely say there has never been a time in our recent history when the importance of biosecurity has been clearer and more apparent to all Tasmanians.

When the minister rose last year to begin the second reading of the Biosecurity Bill 2019, he noted we faced increasing challenges in managing biosecurity. The globalisation of trade, internet commerce, and the modern ease of travel had established new pathways for the introduction of pests and diseases to the state.

Of course, Mr President, when the minister said those words, he did not know that in less than a year's time Tasmania and the rest of the world would be grappling with a devastating global pandemic. He did not know that Tasmania's borders would be closed to all but essential travellers; that our tourism and hospitality industries would be forced into hibernation and that a large proportion of our workforce and schoolchildren would have to be working and learning from home.

None of us knew what was coming, and now it has come: COVID-19 has well and truly demonstrated the need for us to be prepared for biosecurity emergencies. Our world has changed in what seems like the blink of an eye. But COVID-19 is not the first global pandemic Tasmania has faced and, unfortunately, it is unlikely to be the last.

If there is a silver lining from the COVID-19 emergency, it is the way it has shown Tasmanians how blessed we are to be living on a beautiful island with an agricultural sector and environment that can feed us and sustain our community in a time of crisis. When this crisis passes - hopefully that day will come soon - I have no doubt that a healthy and resilient agricultural sector and natural environment will be the keys to our rapid and ongoing economic recovery.

Mr President, along with the Public Health Act 1997 and Emergency Management Act 2006, which are the state laws covering human biosecurity, it is critical we have effective legislation to protect our agricultural industries and natural environment from pests and disease. That is precisely what we now have in the Biosecurity Act 2019, which was passed by parliament in August last year and commenced operation on the first day of January this year.

The Department of Primary Industries, Parks, Water and Environment - DPIPWE - is now implementing the act through the progressive development of a suite of new regulations, administrative systems and resources.

The department is well advanced with the implementation project, with changes being rolled out in a staged manner to minimise impact to business and the community. The Biosecurity Advisory Committee has now been established as an independent advisory body under section 267 of the act.

The selection and formation of the committee followed a broad public expressions of interest process. The committee includes a mix of skills and representatives from a range of industry sectors across the state, including wild fisheries and aquaculture sectors, animal- and plant-based agricultural industries, tourism industries, environmental organisations, the science and education sectors, and public administration expertise at both the state and local government level.

Other key implementation tasks currently underway or soon to commence - though there have been delays arising from the COVID-19 emergency - include the development of regulations and a biosecurity program for the salmon industry; regulations for the beekeeping industry; and development of the Tasmanian Biosecurity Compendium.

The final stages of the implementation of the new act will involve the repeal of the seven acts being replaced by the new legislation.

The repealed acts are referenced in many other related acts and regulations that will continue to operate after the Biosecurity Act is fully implemented. These references will need to be corrected and updated to reflect the new legislation. That is the main purpose of the bill now before the Council. It is machinery legislation that is ancillary to the Biosecurity Act and does not introduce any new policy or legal requirements in itself.

Rather than include consequential and transitional provisions within the principal Biosecurity Act, it was decided to make provision for such measures in a later, separate bill. This was to enable any consequential or transitional matters not identified before the initial implementation of the new act to be addressed. However, the minister is pleased to say the department advises that there have been no such unexpected issues or problems with implementation to this point.

In conclusion, this bill represents another key step in the rollout of Tasmania's new biosecurity framework. I commend the bill to the Council.

[3.27 p.m.]

Mr DEAN (Windermere) - Mr President, the Biosecurity Bill was a huge bill and some members who were here then had quite a bit of input into that, as did many other members and it occupied a lot of our time. That bill is yet to receive royal assent.

Ms Forrest - It probably has royal assent but it has not been enacted.

Mrs Hiscutt - It has royal assent.

Ms Rattray - You would need a large car or truck to take it out to Government House.

Mr DEAN - You are right. I sent this bill out to two people who are very much involved in biosecurity issues and they came back with a good report, simply saying there is nothing there but I will read what was said to me -

As I can understand it the Biosecurity Act 2019 is yet to receive royal assent.

I think that has happened now.

Ms Forrest - It happened straight away; it is not proclaimed.

Mr DEAN - It continues -

It seems that this is subordinate legislation that supports changes that are already in the past Biosecurity Act. There appear to be no traps here, from my perspective, but it seems that they have now tightened up the definitions of a serious animal disease.

I have been asked simply to raise that point and I am raising that point here and it links to how the benign term 'prohibited matter' actually means 'a serious animal disease'.

That is an interesting point raised by me by a couple of my advisers. The comment goes on -

I can see nothing in this supporting legislation about any new emerging infectious disease such as SARS-COV2, the cause of COVID-19. Are zoonosis and pathogens transmissible to humans referred to any differently? Perhaps under separate Public Health emergency legislation or are we missing something?

I raise those issues and that is why I sent this out.

Biosecurity in this state is absolutely critical. We have to have it right. We have to ensure we are clear and clean and can act immediately on any strains that we get into this state that can impact on our biosecurity issues, and so on.

Ms Rattray - Look at the issues through the blueberry rust.

Mr Valentine - And myrtle rust.

Mr DEAN - The blueberry rust issue was with us for a time. I have not heard of any recently and I hope it stays away. I was disappointed when we were told it could not be eradicated, but there was change in that direction part way through that inquiry.

Ms Rattray - The committee asked in its recommendations that they look at eradication and not just containment.

Mr DEAN - It is critical. It is very important. These bills are extremely important to us. We have to get it right. We have to have it right to ensure we continue to maintain that clean green image which is our best weapon when it comes to trade and tourism.

Ms Rattray - We have got to clever, haven't we? Haven't we moved on from clean and green to clever?

Mr DEAN - Clean, green and clever and fresh. All those things sum us up pretty well. This department has a very important job in this area. Sometimes we underrate that and we should not as it is critical to us. I support the bill.

[3.31 p.m.]

Mr VALENTINE (Hobart) - Mr President, I support the bill, no question about that. The statement in the second reading speech -

If there is a silver lining from the COVID-19 emergency, it is the way it has shown Tasmanians how blessed we are to be living on a beautiful island with an agricultural sector and environment that can feed us and sustain our community in a time of crisis.

The tourism industry might have a slightly different opinion on being able to be sustained. We can all do our part to try to sustain the tourism industry. It is important for us to travel within our own borders. There is no question about that, but when you think of how less

stressful it is now compared to what it was like a few months ago, we have much to be thankful for when we see what some other places are going through.

I have a simple question about this bill that I will raise during the Committee stage. I support the bill.

[3.32 p.m.]

Ms RATTRAY (McIntyre) - Mr President, following the contributions already been made by the member for Windemere and the member for Hobart, as a Tasmanian I feel blessed we live here and have biosecurity arrangements in place that have protected us well.

We hear from time to time there are issues around biosecurity. We know New Zealand has very good biosecurity as you travel in and out of that country - I am still trying to get over that banana; I do not think I ever will, and could not even face a banana for months afterwards although I have had one more recently.

The second reading speech talks about our beautiful island and agricultural sector. During the two days sitting this week, I shared with members in this House that the agriculture sector is worth \$1.6 billion annually to this state. It is so significant. By interjection I talked about fruit fly, blueberry rust and the myrtle rust and the like, and the importance of Biosecurity doing its job.

As we know, with these things it is always about resourcing, but that is so important to ensuring we have security around our borders. This also give us confidence, not only as Tasmanians, but as people in business and people taking the initiative, putting in a lot of blueberries or whatever crop we choose to grow or produce in this state.

Has there been an increase in the staffing in Biosecurity? I expect there is more requirement to look at properties, particularly those ones who need to have their properties inspected by Biosecurity. I am interested in that and I certainly support the intent of this bill.

[3.35 p.m.]

Ms FORREST (Murchison) - Mr President, I would like to use this opportunity to commend our Biosecurity officers and staff. As the Leader said in her second reading speech, little did we know, when we dealt with the Biosecurity Bill, what we would be facing only a matter of months later. People forget and perhaps overlook the fact that Biosecurity officers are in the front line of our border control. They are the ones at the *Spirit of Tasmania* port and at the airport, and they are the ones who assist people from those ports of entry into hotel quarantine to make sure they ideally go straight home. In spite of our best efforts, sometimes those things fall down.

I know the number of calls I had about people expressing concern about people entering the state, particularly on the *Spirits*, and being very critical of Biosecurity staff, which in many respects is disrespectful. You can watch from the other side of the river, sure; you can look from the port vicinity. It was controlled and managed. The first day the changes happened, there was a glitch with the boat coming in a bit earlier than it should have done. You cannot always control all those things.

The number of cases that have come into our state since our borders closed has been very low. Biosecurity officers and a whole range of other people behind them have been responsible

for that. We talk about frontline workers - the police who go out and do the checks, the nurses and doctors - teachers too are at the front line, people providing child care and early education. Biosecurity staff are also in that frame. Talking about increasing staffing levels, people have been redeployed everywhere. They have been redeployed to Biosecurity; they have redeployed from Biosecurity at times, maybe checking on whether people are at home when they are supposed to be and that sort of thing.

While this bill is not about that, it speaks to our biosecurity and the importance of our Biosecurity Act, and is a consequential and transitional amendment bill to give effect to some of the changes brought in by the bill we dealt with some time ago. It seems like forever ago because of what has happened since.

I wanted to use this opportunity to make the point that biosecurity is so important to this state for all the reasons that have been mentioned. We are lucky to be on an island because we can more easily close our borders. Everyone probably remembers the front page of the *Mercury* when we initiated the moat and pulled the drawbridge up.

It takes courage to make those decisions. There are people who are not happy that occurred; others are very happy. I get constant questions, 'What do you think the Premier is going to do about our borders?'. I say, 'Well, I do not know, I am not the Premier. But in discussions I have had with him, he is strong on this. He is not going to be bullied or harassed by lobbyists or even the Prime Minister as he said in one of his press conferences.' It does take courage to stand up to some of these other players. You have some pretty strong industry lobbyists who sometimes need to pull their heads in because it is all of us in this together.

Biosecurity officers and the team who run that are at the forefront. Hopefully, you will pass on these comments to them - we do recognise the work they have done. They have been in the front line. They do not know whether the people coming in are COVID-19 positive. The ones who have come into the state did not know they were positive at the time. That is where the real risk is coming from.

Mr Valentine - Police have to handle them, too.

Ms FORREST - Yes, that is right; I mentioned them earlier. Biosecurity is such a vital part of our state's infectious disease control in our agricultural sector, aquaculture sector, in so many areas that are so important to this state. I support the bill. I just want that noted.

[3.40 p.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, a little bit of clarity for the member for Windermere: royal assent was on 26 August, and a large number of, but not all, sections were proclaimed on 1 January.

The member for Hobart spoke about the hospitality industry. I do not have all the details, and the member can look it up, but today at 1.30 p.m. the Premier made an announcement about Make Yourself At Home, encouraging people to holiday at home by providing \$100 and \$50 vouchers.

Ms Forrest - Is that retrospective for the little break I had a weekend ago?

Mrs HISCUTT - If you would like to google the details of that, you will be fully across it, I am sure.

Ms Rattray - I have already posted it on my Facebook.

Mrs HISCUTT - Good on you.

The member for McIntyre talked about increased staffing. I have a little information for you. If it is not all of what you are looking for, we can put it on notice.

Since 2014, the Government has consistently delivered additional funding for Biosecurity, doubling the number of detector dog teams protecting our airports, ports and mail centres; investing in new border signage, laboratories and vital equipment; and employing new Biosecurity staff. We have delivered vital biosecurity infrastructure, including the Powranna truck wash, and we are investing more to tackle pests and weeds.

We will not go into the Powranna truck wash -

Ms Rattray - I was going to say let us not go there because you might start me.

Mrs HISCUTT - With the coronavirus pandemic impacting every Tasmanian, it is more important than ever that our vital industries are supported and that we maintain our ongoing business of managing issues that impact our agricultural and environmental assets.

Biosecurity Tasmania has had to take on positions to assist with the COVID-19 pandemic. That is all that I can give you at the moment. You may wish to ask questions without notice if you like.

Ms Rattray - That is fine. I am going to a Northern Midlands business meeting next week. I will get an update on the truck wash, but I do not think it is working properly.

Bill read the second time.

BIOSECURITY (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2020 (No. 20)

In Committee

Clauses 1 to 3 agreed to.

Clause 4 -
Savings and transitional regulations

Mr DEAN - Madam Chair, this clause deals with savings and transitional regulations. I would like an explanation of what clause 4(3)(e) means -

Regulations made under subsection (1) may –

...

- (e) specify that, if there is a conflict between the regulations and the old legislative scheme, the regulations prevail over an in force, or former, inconsistent provision of the old legislative scheme.

Is that still in place? The old scheme they are talking about here? I seek some explanation about what it is all about. If it is, why is it?

Mrs HISCUTT - It may be the case that some parts of the old act are still in place. This comes through the Acts Interpretation Act to give clarity as to what is what. If there is anything in the old act or regulations still in place, until the act is fully proclaimed, this will cover that to say what overrides.

Mr DEAN - With the greatest respect, why was that not looked at to see whether that was the case? We seem to be including this clause in this bill simply in case something might be there.

I wonder whether that is a good way to do things. I suppose we might need that in every bill we pass through here - to stick in a clause just in case there is something somewhere else it might impact. I fail to understand why we would not have closely investigated and checked on this before we took this course of action. Perhaps the Leader could explain why.

Mrs HISCUTT - I will seek some advice on this, but it was seven acts rolled into one and it has been in place for an awfully long time. I will check if there is any more information, but it is to make sure there is an overriding act.

Mr DEAN - I understand the explanation, but I do not understand why.

Mrs HISCUTT - It comes from the complexity of so many acts being rolled into one and because it was in place for such a long time. Where there is a regulation and the old act is there, this will prevail over the new subordinate regulations. This is to clarify that the new regulations will operate and will be the ones they go to. It is for clarity.

Mr DEAN - It must be difficult for people working within these regulations to work out what regulations really apply to a certain position, matter or incident they might be attending to. If they look at this, they then have to go back to the old regulations that were in place to see whether it is covered there or not covered here.

How are they to operate in that circumstance? How are they to ensure they are going to get it right in future? That is what it is about. This is about an act; this is about regulations under that act which have to be complied with. If there is no compliance, there can be repercussions - a number of them, different repercussions. How can they be assured when we have this vague piece of legislation here to cover something that might be in place but might not be?

Mrs HISCUTT - It is for those old regulations that were there. This is a gradual build-up to what that is. I am sure that Biosecurity Tasmania people are not out to catch people but to help and educate.

Are you happy with that? As I say, it is seven acts rolled into one. It has been in place for many years and it will take a while for people to catch up with the regulations. Biosecurity

Tasmania is not there to catch people out, but to help and educate and bring them up to speed on what the regulations are now. This part in this particular clause covers it if someone says, 'That is the way we have always done it'. It has changed now and they have to be educated on the new regulations.

Mr Dean - How can we be assured that the right regulation is being used or referred to in a botanical matter?

Mrs HISCUTT - It is a gradual changeover. Biosecurity Tasmania is aware of what the regulations would be and it is a matter of education and a gradual move to what the regulations are for those in the workplace who are trying to keep up with it.

That pretty well sums it up. Biosecurity Tasmania is out to help and educate, not to convict. This will cover it by saying that the regulations as they are today is what it is and the industry needs to move towards that.

Clause 4 agreed to.

Clauses 5 to 11 agreed to.

Schedule 1 -

Consequential amendments - Biosecurity Act 2019

Mr VALENTINE - My question is about the Inland Fisheries Act 1995. All the bills that follow after that are basically inserting the Biosecurity Act into a list of acts.

Section 132 is repealed in the Inland Fisheries Act. That particular section deals with the importation of fish. Why is that change being made? If the Leader could explain what that is about, I would really appreciate that.

Mrs HISCUTT - It appears that is already existing under the Animal Welfare Act and this is removing duplication.

Mr VALENTINE - Thank you.

Schedule 1 agreed to.

Schedules 2 to 4 agreed to.

Schedule 5 -

Consequential Amendments - Weed Management Act 1999

Ms RATTRAY - Madam Chair, Schedule 5 is about weed management. This schedule is amending the act -

by omitting 'declared weed, within the meaning of the *Weed Management Act 1999*', and substituting 'weed within the meaning of the *Biosecurity Act 2019*'.

It takes some educating of the community to move from 'declared weed' to 'weed'.

Can I have some clarification of that? How will the community know what are weeds now when they do not just google 'declared weed'? Is everything that is not a flower or whatever a weed? Will the Government know what is a weed because it is the worst offender at weed management?

Mrs HISCUTT - Yes, as a farmer you talk about how do you define 'weed'? The new act defines what a weed is, and it will be named in the regulations so there will be a list.

Ms Rattray - My second question was a serious one. The Government is the worst offender for not managing weeds on road verges.

Mrs HISCUTT - I will take that comment and, yes, improvement does need to be made.

Schedule 5 agreed to and bill taken through the remainder of the Committee stage.

ADJOURNMENT

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

That the Council at its rising adjourn to 11 a.m. on Tuesday, 15 September 2020.

Honourable members, please remember that Mr Greg Barns will be down in the briefing room waiting for us at 4 p.m., and the last two briefings on the VAD bill will be held immediately after.

Members, I urge you to move as quickly as you can to Committee Room 2.

Motion agreed to.

The Council adjourned at 3.59 p.m.