



TASMANIA

LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 50

WEDNESDAY, 18 MARCH 2020

(At 11.00 o'clock am)

NOTICES OF QUESTION

22 Ms Webb to ask the Honourable Leader of the Government — Research indicates a connection in Australia between gambling harm and homelessness; a link that doesn't exist in other jurisdictions where poker machines are located only in destination gambling venues.

With the Government intending to keep poker machines in Tasmanian local communities for a further 20 years beyond 2023:—

- (1) Has the Government assessed and quantified the extent to which gambling harm has contributed to date to the level of homelessness and cost of homelessness services in Tasmania?
- (2) Has the Government modelled the likely contribution of gambling harm to our state's future level of homelessness and cost of homelessness services under the proposed new licencing model?
- (3)
 - (a) Do Government-funded homelessness services collect data about the presence of gambling harm for people seeking assistance for homelessness; and
 - (b) if not, why not?
- (4) Does the Government have other data sources that quantify or indicate the co-occurrence of homelessness and gambling harm in this state?

(asked 31.10.19)

23 Ms Webb to ask the Honourable Leader of the Government — Australian research has found a statistically significant correlation between poker machine density and police-recorded domestic violence rates among postcodes. Further, research in Victoria, South Australia and Tasmania has shown that more than half the people receiving problem gambling treatment have recent experience of domestic violence, either as survivors or perpetrators.

With the Government intending to keep poker machines in Tasmanian local communities for a further 20 years beyond 2023:—

- (1) Has the Government assessed and quantified the extent to which gambling harm has contributed to date to the level of family violence and cost of family violence services in Tasmania?
- (2) Has the Government modelled the likely contribution of gambling harm to our state's future level of family violence and cost of family violence services under the proposed new licencing model?
- (3)
 - (a) Do Government-funded family violence services collect data about the presence of gambling harm for people seeking assistance for family violence; and
 - (b) if not, why not?

- (4) Does the Government have other data sources that quantify or indicate the co-occurrence of family violence and gambling harm in this state?

(asked 31.10.19)

24 *Ms Webb* to ask the Honourable Leader of the Government — Australian research has indicated that the rate of problem gamblers within prison populations appears to be substantially higher than prevalence rates observed among the general population. For example, in a Victorian study the rate of problem gambling among prisoners was one in three compared to a general population proportion of 0.7 per cent. Further, 37 per cent prisoners surveyed reported having committed a gambling-related offence at some point in their lifetime—

With the Government intending to keep poker machines in Tasmanian local communities for a further 20 years beyond 2023:

- (1) Has the Government assessed and quantified the extent to which gambling harm has contributed to date to the level of crime and cost of incarceration in Tasmania?
- (2) Has the Government modelled the likely contribution of gambling harm to our state's future level of crime and cost of incarceration under the proposed new licencing model?
- (3) (a) Does the Government collect data about the presence of gambling harm for people convicted of crime in Tasmania, especially fraud, stealing or other financial-related crimes; and
(b) if not, why not?
- (4) Does the Government have other data sources that quantify or indicate the co-occurrence of crime and gambling harm in this state?

(asked 31.10.19)

28 *Ms Armitage* to ask the Honourable Leader of the Government —

With regard hospital services —

- (1) Despite the Government's claims of record funding growth resulting in "the second highest rate of any state in Australia", why has there been a reduction of 17 per cent in surgical services in Tasmania during 2019?
- (2) Given the reduction in surgical services has caused a commensurate rise in waiting lists, what is the Government's plan to address the elective surgery waiting list?
- (3) The Launceston General Hospital has lost training accreditation in Medicine and Emergency Medicine in recent years. With the reduction of surgical activity and only complex cases being performed (as opposed to the more "typical" cases from which trainees can best learn) there is concern over ongoing training accreditation in the very near future. What is the Government's plan to ensure that no additional training is lost in Tasmania?
- (4) What specific plans does the Government have in place to leverage the opportunities being presented to the health sector in northern Tasmania, given the significant health and training projects that are under way, such as the University of Tasmania redevelopment and the hospital co-location project?
- (5) What are the Government's plans to attract and retain talented and able health professionals to Tasmania in the years ahead?

(asked 27.11.19)

31 *Ms Webb* to ask the Honourable Leader of the Government — the Housing Land Supply (Huntingfield) Order 2019 was passed on 17 September 2019 for the purpose of fast-tracking the rezoning of the Huntingfield site, despite significant community distress and opposition to that fast-tracked process.

- (1) Briefings provided to MLCs at the time indicated that a Master Plan would be released in October 2019. Given that it is now March 2020, what progress has been made on the Master Plan for the Huntingfield site since the Huntingfield Land Supply Order was made in September 2019?
- (2) When will the draft Master Plan be made available for public consultation?
- (3) How will the community and other stakeholders be made aware of the consultation on the draft Master Plan and what avenues will be available to provide comment?
- (4) What opportunity will there be for community and stakeholder feedback to influence or make change to the Master Plan?
- (5) When does the Government expect an application for subdivision plan for the Huntingfield site will be lodged with Kingborough Council?
- (6) When does the Government expect the first houses on the Huntingfield site will be available for residents to move in?
- (7) Since September 2019, what work or research has been undertaken or commissioned by the Government on the impact of the proposed density of new houses at the Huntingfield site on existing:
 - (a) Roads and traffic;
 - (b) public transport services;
 - (c) health services; and
 - (d) education facilities?

(asked 17.03.20)

ORDERS OF THE DAY

- 1** Place Names Bill 2019 (No.38): Third reading.
- 2** Disposal of Uncollected Goods Bill 2019 (No.16): Third reading.
- 3** Consideration of the following Message from the House of Assembly —

MR PRESIDENT,

The House of Assembly having agreed to the following Resolution begs now to transmit the same and requests its concurrence therein: -

Resolved, That whereas Standing Order 50 of the House of Assembly provides as follows:-

“When Members of the Legislative Council are commissioned as Ministers of the Crown:-

- (1) The House may seek the attendance of Members of the Legislative Council who are Ministers of the Crown by separate message requesting that leave be given to those Ministers to attend the Assembly so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly.
- (2) The Standing Orders and practices of the House of Assembly have application, with qualification in relation to the requirement for any punishment for offences which constitute a contempt of the Assembly, committed by a Member of the Legislative Council, be not enforced until concurred with by the Legislative Council.
- (3) The Speaker shall have sufficient authority over a Member of the Legislative Council participating in Question Time so as to retain control of proceedings and maintain the decorum of the House.
- (4) A Member of the Legislative Council attending in the Assembly be not eligible to vote, be counted for the purpose of a quorum, attempt to make any motion or act in a way to initiate any business whatsoever.

- (5) A Member of the Legislative Council attending the Assembly be not subject to Questions beyond the time of 10.50 a.m. on any sitting day on which sittings of the Legislative Council are to commence.”,

the House of Assembly accordingly, requests that the Legislative Council give leave for any Member of the Legislative Council who is a Minister of the Crown to attend the Assembly so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly.

House of Assembly, 3 March 2020

S. HICKEY, *Speaker*

- 4** Duties Amendment Bill 2019 (No. 56): Second reading.
- 5** Marine-Related Incidents (MARPOL Implementation) Bill 2019 (No.37): Second reading.
- 6** Neighbourhood Disputes About Plants Amendment Bill 2019 (No.35): Second reading.
- 7** Justice Legislation Miscellaneous Amendments Bill 2019 (No.39): Second reading.
- 8** Police Legislation Miscellaneous Amendments Bill 2019 (No. 44): Second reading.
- 9** Consideration of the following Message from the House of Assembly —

“MR PRESIDENT,

The House of Assembly having agreed to the following Resolution, begs now to transmit the same to the Legislative Council, and to request its concurrence therein —

Resolved, —

The the the House of Assembly refers to the House Committee the matter of non-Government Members’ access to ‘Parliamentary Counsel’ and that the matters pertaining to the location within Parliament House and access arrangements to the Parliamentary Counsel be a matter to be determined by the Committee and reported to both Houses

House of Assembly, 31 July 2019

SUE HICKEY, *Speaker*”.

- 10** Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018 (No. 6): Second reading.
- 11** Justice Legislation (Mandatory Sentencing) Bill 2019 (No. 57): Second reading.
- 12** Workplaces (Protection from Protesters) Amendment Bill 2019 (No. 54): Second reading.
- 13** Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons) Bill 2018 (No. 45): Adjourned Debate (Mr Dean) on the Question proposed on 6 August 2019 – That the Bill be now read the Second time. (*Private Member’s Bill*)
- 14** Adjourned Debate (Ms Forrest) on the Question proposed on 17 March 2020 -

(1) That the Legislative Council notes:

- (a) Australia (with the exception of Western Australia), has an approach to poker machine policy and regulation that is significantly different to virtually all similar countries globally, resulting in Australia having:
- (i) a disproportionately high number of poker machines per capita;
 - (ii) a typical style of poker machine that is regarded as ‘high intensity’; and
 - (iii) a comparatively high level of harm due to the use of poker machines.
- (b) Poker machines typically in use in Australia are designed and programmed to include features that increase the likelihood of addiction, with evidence suggesting that normal use of Australian poker machines is likely to cause addiction in one in six users, these features relate to:
- (i) spin speed;
 - (ii) bet limits;

- (iii) maximum jackpot;
 - (iv) near misses;
 - (v) losses disguised as wins; and
 - (vi) return to player.
- (c) It is possible to modify the design and programming features of poker machines to decrease the likelihood of addiction, and such modifications would have little impact on the recreational use of poker machines by Tasmanians.
- (d) The impact of harm caused by poker machine use on Tasmanian health and mental health services, family support services, welfare services, criminal justice system, domestic violence services, housing and homelessness services, productivity and level of unemployment, is not currently measured and monitored by the Tasmanian Government so as to effectively inform policy development and regulation relating to poker machines.
- (e) Data available on poker machine use indicates:
- (i) at least 23,000 Tasmanians are in at-risk groups (low, moderate and problem gambling);
 - (ii) one in three Tasmanians personally know someone with a serious problem with gambling on poker machines;
 - (iii) 79 per cent of Tasmanian Gamblers Help clients have poker machines as their primary form of gambling; and
 - (iv) 40 – 60 per cent of the money taken by poker machines comes from people addicted to the machines or are classified as at-risk.
- (f) The Social and Economic Impact Study (SEIS) 2017 notes limitations to the collection of accurate and reliable data in Tasmania on:
- (i) the use of poker machines, including accurate frequency and expenditure; and
 - (ii) employment figures related to poker machines in hotels and clubs.
- (g) To date, the Tasmanian Government has not released and made available for public scrutiny and discussion, modelling on the social and economic impact of the proposed new poker machine licensing arrangements to be introduced in Tasmania in 2023.
- (2) The Legislative Council calls on the Tasmanian Government to undertake and publicly release modelling on the social and economic impact of the proposed new poker machine licensing arrangements to be introduced in Tasmania in 2023.

15 Partition Bill 2019 (No. 2): Second reading.

NOTICES OF MOTION

- 1** Mr *Dean* to move — That the Report of the Integrity Commission No. 4 of 2017: An investigation into allegations of misconduct in the Fox Free Taskforce and Fox Eradication Program, be considered and noted.
- 2** Mrs *Hiscutt* to move — That the Council approve, in accordance with subsections 11(7) and 12(4) of the *Public Account Act 1986*, additional Recurrent Services and Works and Services expenditure in 2018-19 for the purposes detailed in the Section 19 Return for the June Quarter 2019.
- 3** Ms *Rattray* to move — That the Tasmanian Irrigation Annual Report 2018-2019 be considered and noted.
- 4** Mr *Dean* to move — That the Department of Police, Fire and Emergency Management Annual Report 2018-2019 be considered and noted.
- 5** Ms *Forrest* to move — That the Legislative Council notes:
- (1) Family violence is evidenced by any of the following types of conduct committed by a person, directly or indirectly against that person's spouse or partner:

- (a) economic abuse;
 - (b) emotional abuse;
 - (c) intimidation;
 - (d) breaching any existing orders relating to Family Violence;
 - (e) assault (including sexual assault);
 - (f) threats;
 - (g) coercion;
 - (h) verbal abuse;
 - (i) abduction;
 - (j) stalking; or
 - (k) an attempt to do any of those things.
- (2) The Government's ongoing commitment to the prevention of family violence with Premier Gutwein holding the portfolio of Minister for the Prevention of Family Violence;
- (3) The need for a whole of Parliament, non-partisan, whole of government approach to:
- (a) raising awareness of family violence and violence against women in all settings and challenge attitudes that promote the status quo;
 - (b) the consideration of further law reform to promote and support the safety of victims, predominantly women and children;
 - (c) provide whole of community, evidence based, appropriate and targeted education programs in all areas of the Tasmanian community that;
 - (i) support gender equality;
 - (ii) increase awareness and understanding of the need for cultural change;
 - (iii) improve accountability mechanisms; and
 - (iv) reduce the stigma and silencing of those who have experienced family violence;
 - (d) promote gender equality awareness and training in workplaces;
 - (e) provide adequate resourcing to support the victims of family violence, predominantly women and children, to access;
 - (i) safe shelter,
 - (ii) financial support;
 - (iii) social support;
 - (iv) access to justice and legal aid; and
 - (v) psychological and therapeutic support;
 - (f) provide support for and access to evidence based programs for perpetrators to modify behaviour; and
 - (g) role-modelling of respectful relationships.
- (4) The important role of police and emergency services as first responders to incidents of family violence and domestic abuse.

6 Ms *Forrest* to move —

- (1) That the Legislative Council notes:
- (a) The World Health Organisation has declared 2020 as the International Year of the Nurse and Midwife;
 - (b) Nurses and midwives make a significant contribution to all areas of health care, wellness promotion and illness prevention, often working in challenging circumstances;
 - (c) Nursing and midwifery care is predominantly provided by women;
 - (d) Nurses and midwives constitute more than 50% of the health workforce in many countries;
 - (e) The world needs 9 million more nurses and midwives if it is to achieve universal health coverage by 2030;
 - (f) In remote areas, nurses and midwives are often the first and only point of care in their communities;
 - (g) Strengthening nursing and midwifery will assist in promoting and achieving the United Nations Sustainable Development Goals (SDG's) 5 (Achieve gender equality and empower all women

and girls) and 8, (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all), and support other SDG's; and

- (2) That the Legislative Council recognises, highly values and thanks all Tasmanian nurses and midwives for their hard work, dedication and commitment in all areas of practice.

7 Ms Rattray to move — That the Government Businesses Scrutiny Committee 'B' 2019 Report be considered and noted.

D.T. PEARCE, *Clerk of the Council.*

PAPERS ISSUED

LEGISLATIVE COUNCIL

Notice Paper No. 49
Bills Nos. 6 & 8
Papers Nos. 30 & 31 of 2019

SUMMARY OF BILLS

Read First Time

Bill No. 6 of 2018	Sentencing Amendment (Assaults on Off-Duty Police).
Bill No. 2	Partition (<i>pro forma</i>).
Bill No. 35	Neighbourhood Disputes About Plants Amendment.
Bill No. 37	Marine-Related Incidents (MARPOL Implementation)
Bill No. 39	Justice Legislation Miscellaneous Amendments.
Bill No. 44	Police Legislation Miscellaneous Amendments.
Bill No. 54	Workplaces (Protection from Protesters) Amendment.
Bill No. 56	Duties Amendment.
Bill No. 57	Justice Legislation (Mandatory Sentencing).

Second Reading Debate Adjourned

Bill No. 45 of 2018	Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons).
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Awaiting Third Reading

Bill No. 38	Place Names.
Bill No. 16	Disposal of Uncollected Goods.

Agreed to by Both Houses

Bill No. 15 of 2018	Corrections Amendment (Prisoner Remission) (<i>Act No.32 of 2019</i>).
Bill No. 40 of 2018	Gas Industry (<i>Act No.1 of 2019</i>).
Bill No. 41 of 2018	Gas Safety (<i>Act No.2 of 2019</i>).
Bill No. 42 of 2018	Gas (Consequential Amendments) (<i>Act No.3 of 2019</i>).
Bill No. 43 of 2018	Mental Health Amendment (<i>Act No.8 of 2019</i>).
Bill No. 47 of 2018	Justice and Related Legislation (Marriage Amendments) (<i>Act No.7 of 2019</i>).
Bill No. 51 of 2018	Security and Investigations Agents Amendment (<i>Act No.9 of 2019</i>).
Bill No. 52 of 2018	Supreme Court Civil Procedure Amendment (<i>Act No.14 of 2019</i>).
Bill No. 57 of 2018	Energy Co-ordination and Planning Amendment (<i>Act No.4 of 2019</i>).
Bill No. 58 of 2018	Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) (<i>Act No.13 of 2019</i>).
Bill No. 59 of 2018	Land Acquisition Amendment (<i>Act No.31 of 2019</i>).
Bill No. 60 of 2018	Litter Amendment (<i>Act No.30 of 2019</i>).
Bill No. 61 of 2018	Forest Practices Amendment (<i>Act No.25 of 2019</i>).
Bill No. 63 of 2018	Criminal Code and Related Legislation Amendment (Child Abuse) (<i>Act No.29 of 2019</i>).
Bill No. 64 of 2018	Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment (<i>Act No.24 of 2019</i>).
Bill No. 65 of 2018	Registration to Work with Vulnerable People Amendment (<i>Act No.18 of 2019</i>).
Bill No. 66 of 2018	Short Stay Accommodation (<i>Act No.12 of 2019</i>).
Bill No. 3	Electoral Amendment (<i>Act No.5 of 2019</i>).
Bill No. 4	Motor Accidents (Liabilities and Compensation) Amendment (<i>Act No.6 of 2019</i>).
Bill No. 5	Criminal Code Amendment (Bullying) (<i>Act No.34 of 2019</i>).
Bill No. 6	Fruit and Nut Industry (Research, Development and Extension Trust Fund) Repeal (<i>Act No.35 of 2019</i>).
Bill No. 7	Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) (<i>Act No.11 of 2019</i>).
Bill No. 9	Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) (<i>Act No.10 of 2019</i>).

Bill No. 10	Disability Services Amendment (<i>Act No.17 of 2019</i>).
Bill No. 11	Greater Hobart (<i>Act No.21 of 2019</i>).
Bill No. 12	Health Miscellaneous Amendments (<i>Act No.15 of 2019</i>).
Bill No. 14	Right to Information Amendment (Applications for Review) (<i>Act No.26 of 2019</i>).
Bill No. 15	Biosecurity (<i>Act No.22 of 2019</i>).
Bill No. 17	Local Government (Highways) Amendment (<i>Act No.28 of 2019</i>).
Bill No. 19	Vehicle and Traffic Amendment (<i>Act No.37 of 2019</i>).
Bill No. 20	Workers Rehabilitation and Compensation Amendment (<i>Act No.23 of 2019</i>).
Bill No. 21	Appropriation Bill (No. 1) (<i>Act No.19 of 2019</i>).
Bill No. 22	Appropriation Bill (No. 2) (<i>Act No.20 of 2019</i>).
Bill No. 23	Government Procurement Review (International Free Trade Agreements) (<i>Act No.27 of 2019</i>).
Bill No. 24	First Home Owner Grant Amendment (<i>Act No.16 of 2019</i>).
Bill No. 25	Roads and Jetties Amendment (Validation) (<i>Act No.39 of 2019</i>).
Bill No. 26	Roads and Jetties Amendment (Works in Highways) (<i>Act No.38 of 2019</i>).
Bill No. 27	Magistrates Court (Criminal and General Division) (<i>Act No.43 of 2019</i>).
Bill No. 28	Magistrates Court (Criminal and General Division) (Consequential Amendments) (<i>Act No.44 of 2019</i>).
Bill No. 29	Restraint Orders (<i>Act No.47 of 2019</i>).
Bill No. 30	Civil Liability Amendment (<i>Act No.33 of 2019</i>).
Bill No. 31	Historic Cultural Heritage Amendment (<i>Act No.36 of 2019</i>).
Bill No. 32	Public Works Committee Amendment (<i>Act No.42 of 2019</i>).
Bill No. 33	Genetically Modified Organisms Control Amendment (<i>Act No.40 of 2019</i>).
Bill No. 34	Legal Profession Amendment (Validation) (<i>Act No.41 of 2019</i>).
Bill No. 36	Justice Legislation Amendment (Organisational Liability for Child Abuse) (<i>Act No.48 of 2019</i>).
Bill No. 41	Public Sector Superannuation Reform Amendment (<i>Act No.52 of 2019</i>).
Bill No. 42	Burial and Cremation (<i>Act No.50 of 2019</i>).
Bill No. 43	Dog Control Amendment (<i>Act No.53 of 2019</i>).
Bill No. 45	Poisons Amendment (<i>Act No.51 of 2019</i>).
Bill No. 46	Inland Fisheries Amendment (Royalties) (<i>Act No.46 of 2019</i>).
Bill No. 47	Long Service Leave (State Employees) Amendment (<i>Act No.49 of 2019</i>).
Bill No. 51	Gaming Control Amendment (Wagering) (<i>Act No.45 of 2019</i>).

STANDING COMMITTEES AND MEMBERS

Committee of Privileges: Mr *Dean*, Mr *Farrell* (The President), Mr *Finch*, Ms *Forrest* (Chair of Committees) and Mrs *Hiscutt*.
 Standing Orders Committee: The President (Mr *Farrell*), The Chair of Committees (Ms *Forrest*), Mrs *Hiscutt*, Ms *Ratray* and Mr *Valentine*.

Parliamentary Standing Committee on Public Works (Joint): Ms *Ratray* and Mr *Valentine*.

Parliamentary Standing Committee on Subordinate Legislation (Joint): Ms *Forrest*, Ms *Ratray* and Ms *Webb*.

Parliamentary Standing Committee of Public Accounts (Joint): Mr *Dean*, Ms *Forrest* and Mr *Willie*.

Parliamentary Standing Committee on Integrity (Joint): Ms *Armitage*, Mr *Dean* and Mr *Valentine*.

SESSIONAL COMMITTEES AND MEMBERS

House Committee (Joint): The President (Mr *Farrell*), Ms *Forrest*, Mrs *Hiscutt*

Library Committee (Joint): Ms *Armitage*, Mr *Farrell*, Mr *Finch*, Ms *Forrest*, Ms *Ratray* and Mr *Valentine*.

Government Administration A: Mr *Finch*, Ms *Forrest*, Mr *Gaffney*, Ms *Lovell*, Mr *Valentine* and Ms *Webb*.

- Horizontal Fiscal Equalisation System
- Finfish Farming in Tasmania

Government Administration B: Ms *Armitage*, Mr *Armstrong*, Mr *Dean*, Ms *Ratray*, Ms *Siejka* and Mr *Willie*.

SELECT COMMITTEES AND MEMBERS

AFL in Tasmania: Mr *Armstrong*, Mr *Dean*, Mr *Finch* and Ms *Siejka*.

Production of Documents: Mr *Dean*, Ms *Forrest*, Ms *Webb* and Mr *Willie*.

Greater Hobart Traffic: Mr *Armstrong*, Ms *Siejka*, Mr *Valentine* and Ms *Webb*.