



# LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 79

TUESDAY, 10 NOVEMBER 2020

- 1 **COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon.
- 2 **ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past, present and emerging. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 **PRAYERS.**— The President read Prayers.
- 4 **LEAVE TO TABLE ANSWER TO QUESTION.**—*Ordered*, That Mrs *Hiscutt* have leave to Table answer to Question No. 46.
- 5 **COVID 19 QUARANTINE RESTRICTIONS AND RESIDENCY REQUIREMENTS.**— Ms *Webb* asked the Honourable Leader of the Government — With regard to COVID-19 hotel quarantine restrictions for Tasmanian students studying at interstate universities —
  - (1) (a) Are Tasmanians, who under normal circumstances return to Tasmania between semesters, considered Tasmanian residents under current Emergency Management Act COVID-19 emergency powers; and
  - (b) if not, when did this non-residency classification come into effect and how were those affected advised?
  - (2) Under what circumstances would permission to return to Tasmania be denied?
  - (3) What types of evidence of residency, other than those on the Evidence of Residency list as referred to in the *Applying to the Deputy State Controller for recognition as a Tasmanian resident* section of the Government’s coronavirus website, can returning Tasmanian students provide?
  - (4) How many times have applications been made where returning Tasmanian students were unable to provide evidence of residency to the satisfaction of the Deputy State Controller and were refused entry to Tasmania?
  - (5) (a) How many times have applications been made where returning Tasmanian students were able to provide evidence of residency, other than those on the Evidence of Residency list, to the satisfaction of the Deputy State Controller and were granted entry to Tasmania; and
  - (b) what types of evidence did these successful applications include?

The Leader answered as follows:

1. In relation to the Questions, the Answers reflects the situation on 13 October 2020 which is the timeframe that the Question was asked.
  - (a) Yes, Tasmanian residents who are studying at interstate universities can return to Tasmania between semesters.

Quarantine requirements, either Government Hotel or home isolation, will depend on which State or Territory the student has spent time in for the 14 days prior to their arrival in Tasmania.

Students who had arrived from an Affected Region (Victoria) would be required to complete 14 days in Government Hotel Quarantine, noting unaccompanied persons under the age of 18 must quarantine at their home residence.

- (b) On 8 July 2020, the State Controller issued Directions in relation to persons arriving in Tasmania and subsequent Directions in relation to persons arriving from affected premises or regions.

Under those Directions persons must not enter Tasmania unless they receive pre-approval, the State Controller (previously), and the Deputy State Controller (currently), take into consideration factors such as mental health, financial impediments and family responsibilities when completing 'pre-approval'.

The State Control Centre Public Information Unit provided updates through the [coronavirus.tas.gov.au](http://coronavirus.tas.gov.au) website and media outlets. Where known, persons with imminent travel updates were notified directly.

2. As of 11.59pm on 19 August 2020, Persons travelling from Affected Regions or Premises who did not seek prior approval for travel to Tasmania and were not recognised as an authorised person under the Direction were denied entry to Tasmania. This included persons travelling to Tasmania for a holiday, wedding or other non-essential travel.

University students returning home to complete their study online, who would be financially disadvantaged by remaining in Victoria were approved to enter the State on a case by case basis.

3. Evidence is considered on a case by case basis.

The Deputy State Controller has previously accepted letters from the parents of the students, medical / psychological letters, or letters from the University where the student is undertaking study.

4. The State Control Centre is unable to advise the number of applications approved or rejected due to students not being recognised as a separate category of traveller.
5. The State Control Centre is unable to advise due to students not being recognised as a separate category of traveller.

**6 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—

- (1) Treasurer's Annual Financial Report 2019-20.
- (2) Integrity Commission: Annual Report 2019-20.
- (3) State Grants Commission: 2019-20 Annual Report including 2020-21 Financial Assistance Grant Recommendations.
- (4) Asbestos Compensation Commissioner: Annual Report 2019-20.
- (5) WorkCover Tasmania: Annual Report 2019-20.
- (6) Commissioner for Children and Young People: Annual Report 2019-20.
- (7) Veterinary Board of Tasmania: Annual Report 2019-20.
- (8) Independent Review of Expungement of Historical Offences Act 2017. Report of the Independent Reviewers.
- (9) Ombudsman Tasmania: Investigation into a public interest disclosure about the Department of Health and Tasmanian Health Service's management of workers compensation claims.

- (10) Final Report of the Royal Commission into National Natural Disaster Arrangements.
- (11) Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016: Statutory Rules 2020, containing Strategic Infrastructure Corridors (Strategic and Recreational Use) (South Corridor from Elwick Road to Mentmore Street) Notice 2020.

**7 ROYAL ASSENT TO BILLS.**— The President read a Message from Her Excellency the Governor as follows:

MESSAGE

Kate Warner, Governor

A Bill for an Act to protect State waters from pollution by oil and other substances, to give effect to certain parts of the MARPOL Convention, and for related purposes  
*Marine-Related Incidents (MARPOL Implementation) Act 2020*  
(Bill No 37 of 2019; Act No. 22 of 2020)

A Bill for an Act to amend the *Corrections Act 1997* to enable electronic monitoring of offenders to be a condition of parole  
*Corrections Amendment (Electronic Monitoring) Act 2020*  
(Bill No 27 of 2020; Act No. 23 of 2020)

A Bill for an Act to establish the Tasmanian Civil and Administrative Tribunal, to enable the appointment of members and staff of the Tribunal, to provide for certain transitional matters related to the establishment of the Tribunal, and for related purposes  
*Tasmanian Civil and Administrative Tribunal Act 2020*  
(Bill No 25 of 2020; Act No. 24 of 2020)

A Bill for an Act to amend the *Cat Management Act 2009*  
*Cat Management Amendment Act 2020*  
(Bill No 55 of 2019; Act No. 25 of 2020)

having been presented to the Governor for the Royal Assent, she has, in the name of Her Majesty the Queen, assented to the said Bills.

*Government House, Hobart, 4 November 2020*

**8 STATEMENT BY THE PRESIDENT – NEW STAFF MEMBER.**— The President said —

“Honourable Members, before proceeding to the business of the day it is with pleasure that I formally and very warmly welcome to the staff of the Legislative Council, Laura Moore.

Laura has been appointed Electorate Officer to the Honourable Member for Rosevears. Laura holds a number of business administration qualifications and has broad Executive Administration support experience gained over many years in a fast-paced media environment. Her previous employment provided her with strong administration, social media and secretarial support skills and enabled her to build strong relationships with the local business community, service organisations and community groups. Laura’s ability to adapt quickly and to connect with a broad spectrum of the community will provide great support to the Member for Rosevears in the Member’s role. Laura is pleased to join the Legislative Council team and looks forward to supporting the Member in her new role representing Rosevears.

Laura will be observing proceedings in the Legislative Council today and on behalf of all Members I extend to her a very warm welcome”.

**9 SPECIAL INTEREST MATTERS.**— The President advised the Chamber of six Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Ms *Armitage* – George Willows - Student at Scotch Oakburn College Primary School Campus;
- (2) Ms *Howlett* – Reclink;

- (3) Dr *Seidel* – Movember and Mental Health;
- (4) Ms *Palmer* – Riverside High School Redevelopment; and
- (5) Ms *Forrest* – Advancing Women in Industry Program.

At the conclusion of Special Interest Matters the Council proceeded to Orders of the Day.

**10 BILL NO. 30.** — The Order of the Day was read for taking into consideration the End of Life Choices (Voluntary Assisted Dying) Bill 2020 as amended in the Committee of the Whole Council.

*Ordered*, That the Bill, as amended in the Committee, be now taken into consideration. (Mr *Gaffney*)

The Council, accordingly, proceeded to take the same into consideration.

*Ordered*, That so much of standing order no. 284 be suspended in respect of this Bill so as to allow the amended clauses, new clauses and Long Title references only to be called without a need for the amendments to be read again in full. (Mr *Gaffney*)

The amended clauses, new clauses and Long Title references were read.

The said amendments were agreed to.

A Motion was made (Mr *Gaffney*) and the Question was proposed, That the Bill as amended in the Committee, be now read the Third time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

The Bill was read the Third time and passed.

**11 BILL NO. 30.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council having passed a Bill, intituled — ‘A Bill for an Act to provide for, and regulate access to, voluntary assisted dying, to establish the Voluntary Assisted Dying Commission, and for related purposes’,

presents the same to the House of Assembly, and requests its concurrence therein.

*Legislative Council, 10 November 2020*

C.M. FARRELL, *President*

**12 RECOGNITION OF THE WORK OF NURSES AND MIDWIVES.**— A Motion was made (Ms *Forrest*) and the Question was proposed,

(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.

A Debate arose thereupon.

**13 SITTING SUSPENDED.**— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

**14 QUESTION TIME.**—The President called for Questions without Notice. There were seven Questions asked.

**15 RECOGNITION OF THE WORK OF NURSES AND MIDWIVES .**— The Council resumed the Debate on the Question,

(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.

And the Question being put,

It was resolved in the Affirmative.

**16 LEGALISATION OF MEDICINAL CANNABIS.**— A Motion was made (Mr Dean) and the Question was proposed, That the Legislative Council calls upon the Government to further consider the legalisation of medicinal cannabis having regard to laws which apply in other Australian jurisdictions, with a view to allowing the prescribing of medicinal cannabis under proper process to those patients whom it would benefit, and also prevent these patients from having to act unlawfully for treatment.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

**17 BILL NO. 40.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — 'A Bill for an Act to amend the *Electricity Supply Industry Act 1995*, the *Water and Sewerage Industry Act 2008* and modify certain determinations made under those Acts',

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 10 November 2020*

S. HICKEY, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**18 ADJOURNMENT.**— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 12.00 o'clock noon on Wednesday, 11 November 2020.

It was resolved in the Affirmative.

A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council do now adjourn.

It was resolved in the Affirmative.

The Council adjourned at 5.42 o'clock p.m.

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