



LEGISLATIVE COUNCIL
SESSION OF 2018
(FIRST SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 34

TUESDAY, 20 NOVEMBER 2018

1 COUNCIL MEETS.— The Council met at 11.00 o'clock in the forenoon and the President read Prayers.

2 TASMANIAN BUILDING AND CONSTRUCTION INDUSTRY TRAINING BOARD HERITAGE SKILLS REPORT.— Mr *Dean* asked the Honourable the Leader of the Government —

The 2018 Tasmanian Building and Construction Industry Training Board Heritage Skills Report noted that the State must nurture well-trained heritage tradespeople to maintain its 5000 heritage buildings and structures that are so important to the State's social, cultural, environmental and economic future. Will the Leader advise:

- (1) Does the Government accept the findings of the report, in particular the need for well-trained heritage tradespeople and the economic value to the State of our heritage buildings and structures?
- (2) What is the current number of “well-trained” heritage tradespeople in the State?
- (3) Do we have sufficient tradespeople in this area?
- (4) If not, what is being done to increase the number of tradespeople in the State with the required skills to undertake heritage maintenance?
- (5) Has the Government considered the report?
- (6) If so, will the Government response/report be made public?
- (7) If not yet considered, when will the Government cover off on the report?

Mrs *Hiscutt* answered

- (1) The report has not yet been formally provided to Government. However, the Government recognises the important work the Tasmanian Building and Construction Training Industry Board (TBCITB) undertakes and the advice it provides on workforce development and training in the building and construction industry. Building and construction is a priority industry in the *Ministerial Priorities for Training and Workforce Development 2018-2021*.
- (2) There is no data classification for “well trained” heritage tradespeople. These skills are often shared informally on the job amongst tradespeople. From standard construction training data:
 - a. Since 2014, there have been 1,265 enrolments at TasTAFE in pre-apprenticeship program Certificate II in Building and Construction (Bricklaying, Carpentry, Painting and Decorating Wall and Ceiling Lining, Wall and Floor Tiling Solid Plastering and Stonemasonry).

Some students enrolled in this course may have gone on to work on heritage buildings and structures, others may have gone on to general construction work.

- b. In 2018, there were five enrolments in a Certificate III in Stonemasonry (monumental/installation) apprenticeship delivered by Holmesglen Institute.

- c. The report mentions the qualification CPC40611 Certificate IV in Building and Construction (Specialist Trades) which includes a heritage restoration stream. Skills Tasmania data shows no record of this qualification being delivered in Tasmania from 2009 onwards. However, two students were enrolled in the unit '*Undertake the Heritage Restoration Process*' in 2012 and 2013.
- (3) Tasmania is experiencing a boom in building and construction and all sections of the industry are working at capacity. There has always been a need for heritage trades people but not necessarily the demand.
- (4) Government works closely with the TBCITB to ensure adequate training of skilled tradespeople as needed. Government initiatives to encourage more apprentices and trainees include the *Targeted Apprentice and Trainee Grant for Small Business* and the *Payroll Tax Rebate Scheme* available to building and construction businesses.

Questions (5) to (7).

The Report has not yet been formally provided to Government. The TBCITB intends to provide the Report to Government at the next of its six-monthly meetings with the Minister.

3 FUTURE GAMING COMMITTEE REPORT FURTHER CONSIDERATION.—

Mr *Gaffney* asked the Honourable the Leader of the Government —

As detailed in correspondence from the Estimates process and Notices of Questions processes, the Government has stated that further consideration was given to all recommendations and findings outlined in the Future Gaming Markets (FGM) Committee Report, tabled in September 2017.

Recommendation 4 of the Future Gaming Markets Committee Report reads:

"The Government work actively with communities that are concerned with the density of Electronic Gaming Machines in their local area, to enable voluntary mechanisms to reduce the numbers of EGMs".

Since the tabling of the Future Gaming Markets (FGM) Committee Report can the Leader advise:

- (1) In its consideration of the recommendations, did the Government agree or disagree with Recommendation Four?
- (2) Since the tabling of the Inquiry Report, which communities (if any) has the Government had discussions with to reduce the EGMs in their local area?
- (3) When, where and who was present at these meetings, to consider Recommendation 4?
- (4) What were the outcomes of those deliberations?
- (5) What further processes need to be undertaken to address Recommendation 4?
- (6) What is the Government's strategy to decrease the number of EGMs in areas where there is a disproportionate proliferation?

Mrs *Hiscutt* answered

As you are aware, the Government has released a comprehensive policy which provides its position on issues considered by the Joint Select Committee on Future Gaming Markets. The Government's Future Gaming Market policy, released in January 2018, responds positively to the final report of the Joint Select Committee. While the policy may not respond to every recommendation individually, in developing its policy the Government took account of the findings of the Committee and input from the community.

In relation to your specific inquiry, I can advise that there have been no meetings to date in relation to the location of Electronic Gaming Machines (EGMs), however the Government's policy supports the Tasmanian Liquor and Gaming Commission continuing to be responsible for regulating the gaming industry, including the Mandatory Code of Practice and the Community Interest Test for the location of new EGMs.

A project team has been established within the Department of Treasury and Finance to manage the significant and complex restructure of the gambling industry, including the legislative amendments. The Parliament will have a role in considering any legislative changes required to implement the Government's Future Gaming Market policy.

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

- (1) Commissioner for Children and Young People Tasmania: Annual Report 2017–2018.
- (2) Forest Practices Authority: Annual Report 2017-2018.
- (3) Office of the Governor of Tasmania: Annual Report 2017-2018.
- (4) House of Assembly: Annual Report 2017–2018.
- (5) WorkCover Tasmania Board: Annual Report 2017–2018.
- (6) Asbestos Compensation Commissioner: Annual Report 2017-2018.
- (7) Asbestos Compensation Tribunal: Annual Report 2017-2018.
- (8) The Workers Rehabilitation & Compensation Tribunal: Annual Report 2017-2018.
- (9) Property Agents Board: Annual Report 2017-2018.
- (10) Tasmanian Heritage Council: Annual Report 2017-2018.
- (11) Wellington Park Management Trust: Annual Report 2017-2018.
- (12) Legislature-General: Annual Report 2017-2018.
- (13) Report to the Minister for Health on the Activities of Official Visitors: Annual Report 2017-2018.
- (14) Australian Crime Commission: Assumed Identities Annual Report 2017-2018.
- (15) Housing Land Supply Order (West Moonah) 2018. Ministerial Report pursuant to Section 9 of the Housing Land Supply Act 2018.
- (16) Housing Land Supply Order (Devonport) 2018. Ministerial Report pursuant to Section 9 of the Housing Land Supply Act 2018.
- (17) Housing Land Supply Order (Rokeby) 2018. Ministerial Report pursuant to Section 9 of the Housing Land Supply Act 2018.

5 JOINT STANDING COMMITTEE ON INTEGRITY A CODE OF CONDUCT FOR MEMBERS OF THE PARLIAMENT OF TASMANIA REPORT NO. 3.—

Mr *Valentine* presented the Joint Standing Committee on Integrity: A Code of Conduct for Members of the Parliament of Tasmania Report No. 3.

Ordered, That the Report be received. (Mr *Valentine*)

6 INTERIM REPORT OF GOVERNMENT ADMINISTRATION COMMITTEE A ON ACUTE HEALTH SERVICES IN TASMANIA.— Mr *Valentine* presented an Interim Report of the Government Administration Committee 'A' on Acute Health Services, together with evidence taken by the Committee.

Ordered, That the Report be received. (Mr *Valentine*)

Ordered, That the Report be printed. (Mr *Valentine*)

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 amend the *Electricity Supply Industry Act 1995* and the *Electricity Supply Industry Amendment (Pricing) Act 2017* (Bill No 13 (Act No. 24 of 2018 *Electricity Supply Industry Amendment (Price Cap) Act 2018*))

A Bill for an Act to amend the *Legal Profession Act 2007* (Bill No 36 (Act No. 25 of 2018 *Legal Profession Amendment Act 2018*))

A Bill for an Act to amend the *Water and Sewerage Corporation Act 2012* to enable the Crown to hold shares in, and have certain rights in relation to, the Corporation, and to amend the *Water and Sewerage Industry Act 2008* in relation to pricing, and for related purposes (Bill No. 53 (Act No. 23 of 2018 *Water and Sewerage Legislation (Corporate Governance and Pricing) Amendment Act 2018*))

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

Government House, Hobart, 16 November 2018

8 DISTINGUISHED VISITORS.— The President said “Before we commence with Special Interest Matters, I would like to extend a warm welcome for the two research officers from the Legislative Assembly of Samoa, Sivaitele Leiataua & Shona Faatuilagi Mata'afa who are with us in the Chamber this morning.

Tele and Shona are here for a week to look at the Tasmanian Parliament’s Research Service and its systems, practices and research methodology. This placement is sponsored by the United Nations Development Program and is a great opportunity for us to further our relationship with our Pacific twin under the CPA twinning arrangements.

Dr Bryan Stait, in conjunction with the Deputy Clerks of both Houses, has prepared a program for Tele and Shona which includes observing proceedings and briefings and sharing best practice techniques in preparing parliamentary research papers and briefings for Members.

We wish them well with their studies”.

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) Mr *Willie* – Glenorchy Youth Taskforce;
- (2) Ms *Siejka* – Bellerive CWA;
- (3) Ms *Forrest* – Wynyard Tulip Festival;
- (4) Mr *Finch* – Able Australia;
- (5) Ms *Armitage* – Gorgeous Walks and Talks; and
- (6) Ms *Ratray* – Briseis Bridge and Mine Hole Bike Trails

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

10 TASMANIAN DAIRY INDUSTRY AUTHORITY ANNUAL REPORT 2017-2018.— A Motion was made (Ms *Ratray*) and the Question was proposed, That the Tasmanian Dairy Industry Authority Annual Report and Financial Statements 2017-2018, be considered and noted.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

11 ELDER ABUSE.— A Motion was made (Ms *Siejka*) and the Question was proposed, That the Legislative Council,

- (1) Notes –
 - (a) that Tasmania has a high proportion of elderly people living in our community; and
 - (b) that elder abuse within the privacy of a person's home or within an aged care institution is a growing problem in our community; and
 - (c) that this abuse can take various forms such as neglect, physical, emotional, financial or sexual abuse.
- (2)
 - (a) Acknowledges that a National Plan to combat elder abuse is underway; and
 - (b) Strongly encourages the Government to commit to a review and extension of the Elder Abuse Prevention Action Plan 2018 to take into account the National Plan.
- (3) Recognises that there is a need to develop adult safeguarding legislation to help prevent elder abuse and urges the Government to pursue its development as a priority.

A Debate arose thereupon.

12 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.

13 QUESTION TIME.— The President called for Questions without Notice. There were five Questions asked.

14 ELDER ABUSE.— The Council resumed the Debate on the Question, That the Legislative Council,

- (1) Notes –
 - (a) that Tasmania has a high proportion of elderly people living in our community; and
 - (b) that elder abuse within the privacy of a person's home or within an aged care institution is a growing problem in our community; and
 - (c) that this abuse can take various forms such as neglect, physical, emotional, financial or sexual abuse.
- (2)
 - (a) Acknowledges that a National Plan to combat elder abuse is underway; and
 - (b) Strongly encourages the Government to commit to a review and extension of the Elder Abuse Prevention Action Plan 2018 to take into account the National Plan.
- (3) Recognises that there is a need to develop adult safeguarding legislation to help prevent elder abuse and urges the Government to pursue its development as a priority.

And the Question being put,

It was resolved in the Affirmative.

15 SELECT COMMITTEE ON TASMANIAN AFL TEAM.— A Motion was made (Mr *Dean*) and the Question was proposed, That a Select Committee be appointed, with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place to inquire into and report upon —

- (1) The likely benefits to the broader Tasmanian economy and community from having a Tasmanian team in the AFL;
- (2) Whether or not the Tasmanian Taxpayer, or the AFL, should subsidise Melbourne based AFL Clubs playing in Tasmania;
- (3) The on-going support required to sustain a Tasmanian AFL team;
- (4) The possible solutions to the AFL's perception of Tasmania being geographically and politically divided;

- (5) The impact on the aspirations of Tasmanian Youth in the knowledge they can only be drafted into mainland teams;
- (6) The impact on the future participation rates in AFL in Tasmania of not having a Tasmanian team in the AFL;
- (7) The optimal time for Tasmania to field an AFL team; and
- (8) Any other matter incidental thereto.

And that -

Mr *Farrell*;
 Mr *Finch*;
 Mr *Gaffney*;
 Ms *Howlett*;
 Ms *Siejka*, and
 The Mover be of the Committee.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

16 REPORT OF THE LEGISLATIVE SELECT COMMITTEE ON TASMANIAN IRRIGATION.— A Motion was made (Ms *Rattray*) and the Question was proposed, That the Legislative Council Select Committee Report on Tasmanian Irrigation be considered and noted.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

17 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

18 ESTABLISHMENT OF GOVERNMENT BUSINESSES SCRUTINY COMMITTEES.—

Ordered, That two Government Businesses Scrutiny Committees be established to inquire into Government Businesses in accordance with the schedule detailed below and rules as set out in the Standing Orders at Part 22.

That the Committees have leave to sit on Tuesday 4 and Wednesday 5 December 2018 between the hours of 9.00 a.m. and 5.00 p.m. and at other times as necessary for the purpose of relevant stakeholder and deliberative meetings.

For 2018 Government Businesses are allocated to the Committees as follows-

Committee “A”

<i>Tuesday, 4 December 2018</i>	Aurora Energy Pty Ltd, Motor Accidents Insurance Board, Tasmanian Public Finance Corporation, and the Tasmanian Water and Sewerage Corporation Pty Ltd
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Committee “B”

<i>Wednesday, 5 December 2018</i>	Metro Tasmania Pty Ltd, Tasmanian Irrigation Pty Ltd, Tasmanian Railway Pty Ltd, Port Arthur Historic Site Management Authority, and Tasracing Pty Ltd
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And that –

Mr *Finch*,
Ms *Forrest*,
Mr *Gaffney*,
Ms *Lovell*,
Mr *Valentine* and
Mr *Willie*
be of Committee A

and

Ms *Armitage*,
Mr *Armstrong*,
Mr *Dean*,
Mr *Farrell*,
Ms *Howlett*,
Ms *Rattray* and
Ms *Siejka*
be of Committee B

And that the Committees report on the Government Businesses by no later than Wednesday, 19 December 2018.

If the Legislative Council is not sitting when the Government Businesses Scrutiny Committees complete their reports, those reports may be presented to the President or if the President is unable to act, to the Deputy President or other Office holder and in that event —

- (a) the reports shall be deemed to have been presented to the Council;
- (b) the publication of the reports is authorised by this Resolution;
- (c) the President, Deputy President or other Office holder, as the case may be, may give directions for the printing and circulation of the reports; and
- (d) the President, Deputy President or other Office holder, as the case may be, shall direct the Clerk to lay the reports upon the Table at the next sitting of the Council. (Mrs *Hiscutt*)

19 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 2.30 pm on Wednesday, 21 November 2018. (Mrs *Hiscutt*)

It was resolved in the Affirmative.

Resolved, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 6.29 o'clock pm.

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