



TASMANIA

# LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## NOTICES OF MOTION AND ORDERS OF THE DAY

No. 55

TUESDAY, 25 AUGUST 2020

(At 11.00 o'clock am)

### NOTICES OF QUESTION

**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?

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- (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)

**32** Mrs *Armitage* to ask the Honourable Leader of the Government — With regard to the tendering and hiring practices of TasWater’s Capital Development Office (CDO):

- (1) (a) What are the CDO’s engineering workforce needs and how does it plan to recruit and develop this workforce;
- (b) What information does the CDO have on the numbers of engineers needed as it relates to the operations of TasWater;
- (c) Are there any diversity objectives including targets or quotas; and
- (d) What is the primary source of qualified engineers for the CDO from local employers or from interstate?
- (2) (a) Does the CDO take steps to engage local, Tasmanian-based engineers and engineering firms in their recruitment processes; and
- (b) if not, why not?
- (3) What is the expected contribution of TasWater and the CDO, as an organization which develops large capital works with significant engineering aspects, to the development of an engineering workforce in Tasmania?
- (4) If contracting local businesses remains a priority of the CDO, as the TasWater website states, what percentage of work goes to large, multi-disciplinary firms from interstate?
- (5) Can TasWater and the CDO justify the financial cost of hiring larger firms and paying them to undertake work in Tasmania?
- (6) How does the CDO assess and maintain high quality competence and capability for their engineers?
- (7) Does the CDO understand the negative impact that overlooking local, Tasmanian-based engineers has on the engineering sector in Tasmania?

(asked 18.03.20)

## 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.

## ORDERS OF THE DAY

- 1** 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*)
- 2** 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.
- 3** Report of the Legislative Council Government Administration Committee ‘A’ Short Inquiry Process Report on Services and Supports Available to Tasmanians not Eligible for the NDIS. Consideration and noting. (Ms Forrest)
- 4** Premier’s Address — Adjourned Debate (Mr *Valentine*) on the Question proposed on 18 and 19 March 2020 — That the Address be noted.
- 5** Police Offences Amendment (Repeal of Begging) Bill 2019 (No. 49 of 2019): Second reading.
- 6** Brickmakers Point Landslip Bill 2020 (No. 15): (under suspension of standing orders) Adjourned Debate (Mr *Finch*) on the Question proposed on 25 March 2020 – That the Bill be now read the Second time.
- 7** Marine-Related Incidents (MARPOL Implementation) Bill 2019 (No.37): Second reading.
- 8** Neighbourhood Disputes About Plants Amendment Bill 2019 (No.35): Second reading.
- 9** Justice Legislation Miscellaneous Amendments Bill 2019 (No.39): Second reading.
- 10** Police Legislation Miscellaneous Amendments Bill 2019 (No. 44): Second reading.
- 11** Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018 (No. 6): Second reading.
- 12** Justice Legislation (Mandatory Sentencing) Bill 2019 (No. 57): Second reading.
- 13** Workplaces (Protection from Protesters) Amendment Bill 2019 (No. 54): Second reading.
- 14** 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, —*

That 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*”.

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

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

## PAPERS ISSUED

### LEGISLATIVE COUNCIL

Notice Paper No. 54

### SUMMARY OF BILLS

#### *Read First Time*

Bill No. 6 of 2018	Sentencing Amendment (Assaults on Off-Duty Police).
Bill No. 2 of 2019	Partition ( <i>pro forma</i> ).
Bill No. 35 of 2019	Neighbourhood Disputes About Plants Amendment.
Bill No. 37 of 2019	Marine-Related Incidents (MARPOL Implementation).
Bill No. 49 of 2019	Police Offences Amendment (Repeal of Begging).
Bill No. 39 of 2019	Justice Legislation Miscellaneous Amendments.
Bill No. 44 of 2019	Police Legislation Miscellaneous Amendments.
Bill No. 54 of 2019	Workplaces (Protection from Protesters) Amendment.
Bill No. 57 of 2019	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).
Bill No. 15	Brickmakers Point Landslip.

#### *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 of 2019	Electoral Amendment ( <i>Act No.5 of 2019</i> ).
Bill No. 4 of 2019	Motor Accidents (Liabilities and Compensation) Amendment ( <i>Act No.6 of 2019</i> ).
Bill No. 5 of 2019	Criminal Code Amendment (Bullying) ( <i>Act No.34 of 2019</i> ).
Bill No. 6 of 2019	Fruit and Nut Industry (Research, Development and Extension Trust Fund) Repeal ( <i>Act No.35 of 2019</i> ).
Bill No. 7 of 2019	Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) ( <i>Act No.11 of 2019</i> ).
Bill No. 9 of 2019	Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) ( <i>Act No.10 of 2019</i> ).
Bill No. 10 of 2019	Disability Services Amendment ( <i>Act No.17 of 2019</i> ).
Bill No. 11 of 2019	Greater Hobart ( <i>Act No.21 of 2019</i> ).
Bill No. 12 of 2019	Health Miscellaneous Amendments ( <i>Act No.15 of 2019</i> ).
Bill No. 14 of 2019	Right to Information Amendment (Applications for Review) ( <i>Act No.26 of 2019</i> ).
Bill No. 15 of 2019	Biosecurity ( <i>Act No.22 of 2019</i> ).
Bill No. 16 of 2019	Disposal of Uncollected Goods.
Bill No. 17 of 2019	Local Government (Highways) Amendment ( <i>Act No.28 of 2019</i> ).
Bill No. 19 of 2019	Vehicle and Traffic Amendment ( <i>Act No.37 of 2019</i> ).
Bill No. 20 of 2019	Workers Rehabilitation and Compensation Amendment ( <i>Act No.23 of 2019</i> ).
Bill No. 21 of 2019	Appropriation Bill (No. 1) ( <i>Act No.19 of 2019</i> ).
Bill No. 22 of 2019	Appropriation Bill (No. 2) ( <i>Act No.20 of 2019</i> ).
Bill No. 23 of 2019	Government Procurement Review (International Free Trade Agreements) ( <i>Act No.27 of 2019</i> ).
Bill No. 24 of 2019	First Home Owner Grant Amendment ( <i>Act No.16 of 2019</i> ).
Bill No. 25 of 2019	Roads and Jetties Amendment (Validation) ( <i>Act No.39 of 2019</i> ).
Bill No. 26 of 2019	Roads and Jetties Amendment (Works in Highways) ( <i>Act No.38 of 2019</i> ).
Bill No. 27 of 2019	Magistrates Court (Criminal and General Division) ( <i>Act No.43 of 2019</i> ).
Bill No. 28 of 2019	Magistrates Court (Criminal and General Division) (Consequential Amendments) ( <i>Act No.44 of 2019</i> ).

Bill No. 29 of 2019	Restraint Orders ( <i>Act No.47 of 2019</i> ).
Bill No. 30 of 2019	Civil Liability Amendment ( <i>Act No.33 of 2019</i> ).
Bill No. 31 of 2019	Historic Cultural Heritage Amendment ( <i>Act No.36 of 2019</i> ).
Bill No. 32 of 2019	Public Works Committee Amendment ( <i>Act No.42 of 2019</i> ).
Bill No. 33 of 2019	Genetically Modified Organisms Control Amendment ( <i>Act No.40 of 2019</i> ).
Bill No. 34 of 2019	Legal Profession Amendment (Validation) ( <i>Act No.41 of 2019</i> ).
Bill No. 36 of 2019	Justice Legislation Amendment (Organisational Liability for Child Abuse) ( <i>Act No.48 of 2019</i> ).
Bill No. 38 of 2019	Place Names.
Bill No. 41 of 2019	Public Sector Superannuation Reform Amendment ( <i>Act No.52 of 2019</i> ).
Bill No. 42 of 2019	Burial and Cremation ( <i>Act No.50 of 2019</i> ).
Bill No. 43 of 2019	Dog Control Amendment ( <i>Act No.53 of 2019</i> ).
Bill No. 45 of 2019	Poisons Amendment ( <i>Act No.51 of 2019</i> ).
Bill No. 46 of 2019	Inland Fisheries Amendment (Royalties) ( <i>Act No.46 of 2019</i> ).
Bill No. 47 of 2019	Long Service Leave (State Employees) Amendment ( <i>Act No.49 of 2019</i> ).
Bill No. 51 of 2019	Gaming Control Amendment (Wagering) ( <i>Act No.45 of 2019</i> ).
Bill No. 56 of 2019	Duties Amendment.
Bill No. 3	Justice Legislation Amendments (Criminal Responsibility).
Bill No. 4	Evidence Amendment.
Bill No. 5	Criminal Code Amendment (Sexual Abuse Terminology).
Bill No. 10	Appropriation (Supplementary Appropriation for 2019-20).
Bill No. 11	Supply Bill (No. 1).
Bill No. 12	Supply Bill (No. 2).
Bill No. 13	Taxation and Related Legislation (Miscellaneous Amendments).
Bill No. 14	Covid-19 Emergency (Miscellaneous Provisions).

#### 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*.