



# LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## NOTICES OF MOTION AND ORDERS OF THE DAY

No. 31

TUESDAY, 17 SEPTEMBER 2019

(At 11.00 o'clock am)

### NOTICES OF QUESTION

**4** Ms *Forrest* to ask the Honourable the Leader of the Government — With regard the latest available data on Tasmania's employment statistics on a trend and original basis:-

- (1) What is the current gender pay gap for Tasmanian women?
- (2) What are the current employment figures for Tasmania, broken down by full time, part time and casual employees listed by sex?
- (3)
  - (a) How many Tasmanians are unemployed reported by sex; and
  - (b) How many are long-term unemployed, reported by sex?
- (4) How many Tasmanians are currently underemployed reported by sex?
- (5) What are the current Tasmanian participation rates reported by sex?
- (6) What is the breakdown of Tasmanians employed in reported income brackets by sex.

(asked 6.08.19)

**5** Ms *Forrest* to ask the Honourable the Leader of the Government — With regard to the economic cost of family violence in Tasmania:

- (1)
  - (a) What is the cost of health care related to treating women who are subject to family violence; and
  - (b) What is the cost of health care related to treating men who are subject to family violence?
- (2) What is the cost of provision of, and access to, justice for women impacted by family violence?
- (3)
  - (a) What is the cost of the provision of, and access to, justice for men as perpetrators of family violence; and
  - (b) What is the cost of the provision of, and access to, justice for men impacted by family violence?
- (4)
  - (a) What is the economic and social cost of time away from education for women, as a result of family violence; and
  - (b) What is the economic and social cost of time away from education for men, as a result of family violence?

- (5) (a) What is the cost of the provision of shelter for women resulting from family violence; and
- (b) What is the cost of the provision of shelter for men resulting from family violence?
- (6) (a) What is the level of unmet demand for shelter for women resulting from family violence; and
- (b) What is the level of unmet demand for shelter for men resulting from family violence?
- (7) (a) What is the current cost, in dollar terms and percentage terms of Tasmania's GSP to treat or deal with the outcomes of family violence; and
- (b) What is the current cost, in dollar terms and percentage terms of Tasmania's GSP to prevent family violence?

*(asked 6.08.19)*

**7** Ms Webb to ask the Honourable the Leader of the Government — In relation to the 16 Remotely Piloted Aircraft, or drones, recently purchased for deployment across Tasmania as announced by Mark Shelton, Minister for Police, Fire and Emergency Management in his media release of 6 July 2019.

- (1) In the media statement from the Minister of 6 July 2019, reference is made to 'official authorization' – what is the 'official authorization' referred to?
- (2) What source of legal authority does the government rely upon for using drones to:
  - (a) Surveil the community; and
  - (b) Maintain 'public order'?
- (3) Noting Civil Aviation Safety Authority (CASA), rules extend to the physical safety of people, aircraft and property but not privacy: what provisions are being put in place to stop unjustified invasions of privacy by the police?
- (4) What permissions do police require for:
  - (a) Surveilling people who are on private property;
  - (b) Using thermal imaging of people who are on private property; and
  - (c) Surveilling public spaces?
- (5) In regards to permissions referred to in 4 (a), (b), and (c):
  - (a) Who or what gives this permission;
  - (b) Is that decision reviewable;
  - (c) If reviewable, who can request a review; and
  - (d) What is the legal authority police rely on?
- (6) In relation to drone footage and data held by Tasmanian authorities:
  - (a) What will happen to the digital or physical records of drone footage taken in:
    - (i) Public spaces; and
    - (ii) Private spaces?

- (b) What security measures will be used to protect the footage and data?
  - (c) Who will be responsible for:
    - (i) Data security; and
    - (ii) Reviewing access to the data or footage?
  - (d) What format will the footage or data be stored in and where will it be stored;
  - (e) How long will the footage be retained;
  - (f) How will data retention be managed;
  - (g) How will the data be deleted and on who's authority;
  - (h) Does the public have a right to review the footage; and
  - (i) Do any other authorities have the right to review the footage and if yes, please specify all the authorities or individuals that have this right?
- (7) When drone footage is collected, will the people in that footage be notified:
- (a) Before the footage is collected;
  - (b) After the footage is collected; and
  - (c) If not, why not?
- (8) Will people captured by drone footage or thermal imaging have a right to have that material removed from the record if taken in:
- (a) A private space; and
  - (b) A public space?
- (9) If the answer to either 8(a) or (b) is yes, what is the procedure for having the material removed or deleted and on what basis can it be removed?
- (10) If the answer to either 8(a) or (b) is no, will police be able to use footage that was incidental to a police operation or captured as part of general surveillance?
- (11) How will drone footage be used in policing activities and prosecutions?
- (12) (a) Will the drones be deployed to public gatherings on public land, for example street marches;
- (b) If so, on what grounds; and
  - (c) How will any drone footage from public gatherings be used?
- (13) In what places can Tasmanians reasonably expect they will not be observed by police surveillance?  
*(asked 13.08.19)*

**9** Mr *Valentine* to ask the Honourable the Leader of the Government — Will the Government please provide information with regard to the Registrar of Motor Vehicles (RMV) Medical Fitness to Drive Assessment (MFDA) process and outcomes for older drivers given Tasmania's population is ageing and the independence of individuals is very important in helping them maintain an active lifestyle.

- (1) How many drivers currently licenced in Tasmania are over 75 years of age?
- (2) How many drivers aged over 75 years have been directed by the RMV to undertake an MFDA during the period of 1 July 2017 to 30 June 2019?
- (3) Following an MFDA, what number of drivers in that period -
  - (a) Were able to retain their driver licence without any condition or restriction;
  - (b) Were able to retain their driver licence with an added condition or restriction; or
  - (c) Had their driver licence cancelled or suspended?
- (4) What are the possible conditions or restrictions that can be applied to a driver license under the MFDA process?
- (5) Is there a prescribed time period from the date of the MFDA within which the driver should receive the RMV's Statement of Reason as to the decision made?
- (6) Does the RMV allow the driver to seek a second independent medical opinion to inform the RMV decision to cancel, suspend or apply a condition or restriction to the licence?
- (7) In the event of a decision by the RMV to cancel or suspend a driver licence, can the Government please outline:
  - (a) The process available to the licence holder to apply for an internal review of the decision;
  - (b) The number of drivers who applied for an internal review of the decision over the period 1 July 2017 to 30 June 2019;
  - (c) The number of internal reviews over that period resulting in a revised outcome;
  - (d) The number of internal reviews over that period that did not satisfy the applicant, resulting in an appeal to the Magistrates Court; and
  - (e) The number of appeals to the Magistrates Court over that period which resulted in a revised outcome?

(asked 10.09.19)

**10** Mr *Gaffney* to ask the Honourable the Leader of the Government —

- (1) What is the maximum number of electronic gaming machines (EGMs) allowed in Tasmania?
- (2) Of that number, what is the maximum number of EGMs allowed in -
  - (a) Casinos;
  - (b) TT Line;

- (c) Hotels/Motels;
  - (d) RSLs; and
  - (e) Other
- (3) What is the actual number of EGMs currently located in -
- (a) Wrest Point Casino – Hobart;
  - (b) Country Club Casino – Launceston;
  - (c) TT Line;
  - (d) Hotels/Motels;
  - (e) RSLs; and
  - (f) Other
- (4) (a) Which RSL Clubs in Tasmania have EGMs; and
- (b) How many EGMs are located in each venue?
- (5) (a) Which Hotels/Motels in Tasmania have EGMs; and
- (b) How many EGMs are located in each venue?
- (6) How many EGMs are currently located in each Local Government area in Tasmania (excluding Casinos and TT Line)?

*(asked 10.09.19)*

## NOTICES OF MOTION

- 1** Mr *Dean* to move — That the Energy in Tasmania Report 2016-17 be considered and noted.
- 2** 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.
- 3** Ms *Webb* to move — That the Legislative Council, in accordance with section 9(4) of the Housing Land Supply Act 2018, disallow the proposed Housing Land Supply (Huntingfield) Order 2019 which was laid on the Table of the Council on 6 September 2019.

## 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** Report of Government Administration Committee “B” Final Report on Tasmania’s North East Railway Corridor — Consideration and noting. *(Ms Armitage)*
- 3** Land Acquisition Amendment Bill 2018 (No. 59): Third reading.
- 4** Corrections Amendment (Prisoner Remission) Bill 2018 (No. 15): Third reading.
- 5** Civil Liability Amendment Bill 2019 (No. 30): Second reading.
- 6** Criminal Code Amendment (Bullying) Bill 2019 (No. 5): Second reading.

- 7 Vehicle and Traffic Amendment Bill 2019 (No. 19): Second reading.
- 8 Fruit and Nut (Research, Development and Extension Trust Fund) Repeal Bill 2019 (No. 6): 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 Historic Cultural Heritage Amendment Bill 2019 (No. 31): Second reading.
- 12 Magistrates Court (Criminal and General Division) Bill 2019 (No. 27): Second reading.
- 13 Magistrates Court (Criminal and General Division) (Consequential Amendments) Bill 2019 (No. 28): Second reading.
- 14 Restraint Orders Bill 2019 (No. 29): Second reading.
- 15 Roads and Jetties Amendment (Works in Highways) Bill 2019 (No. 26): Second reading
- 16 Roads and Jetties Amendment (Validation) Bill 2019 (No. 25): Second reading.
- 17 Legal Profession Amendment (Validation) Bill 2019 (No. 34): Second reading.
- 18 Partition Bill 2019 (No. 2): Second reading.

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

#### PAPERS ISSUED

#### LEGISLATIVE COUNCIL

Notice Paper No. 30

#### 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. 5	Criminal Code Amendment (Bullying).
Bill No. 6	Fruit and Nut Industry (Research, Development and Extension Trust Fund).
Bill No. 19	Vehicle and Traffic Amendment.
Bill No. 25	Roads and Jetties Amendment (Validation).
Bill No. 26	Roads and Jetties Amendment (Works in Highways).
Bill No. 27	Magistrates Court (Criminal and General Division).
Bill No. 28	Magistrates Court (Criminal and General Division) (Consequential Amendments).
Bill No. 29	Restraint Orders.
Bill No. 30	Civil Liability Amendment.
Bill No. 31	Historic Cultural Heritage Amendment.
Bill No. 34	Legal Professional Amendment (Validation).

##### *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. 15 of 2018 Corrections Amendment (Prisoner Remission).  
 Bill No. 59 of 2018 Land Acquisition Amendment.

*Agreed to by Both Houses*

Bill No. 40 of 2018 Gas Industry (*Act No.1 of 2019*).  
 Bill No. 41 of 2018 Gas Safety (*Act No.2 of 2019*).  
 Bill No. 42 of 2018 Gas (Consequential Amendments) (*Act No.3 of 2019*).  
 Bill No. 43 of 2018 Mental Health Amendment (*Act No.8 of 2019*).  
 Bill No. 47 of 2018 Justice and Related Legislation (Marriage Amendments) (*Act No.7 of 2019*).  
 Bill No. 51 of 2018 Security and Investigations Agents Amendment (*Act No.9 of 2019*).  
 Bill No. 52 of 2018 Supreme Court Civil Procedure Amendment (*Act No.14 of 2019*).  
 Bill No. 57 of 2018 Energy Co-ordination and Planning Amendment (*Act No.4 of 2019*).  
 Bill No. 58 of 2018 Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) (*Act No.13 of 2019*).  
 Bill No. 60 of 2018 Litter Amendment.  
 Bill No. 61 of 2018 Forest Practices Amendment (*Act No.25 of 2019*).  
 Bill No. 63 of 2018 Criminal Code and Related Legislation Amendment (Child Abuse).  
 Bill No. 64 of 2018 Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment (*Act No.24 of 2019*).  
 Bill No. 65 of 2018 Registration to Work with Vulnerable People Amendment (*Act No.18 of 2019*).  
 Bill No. 66 of 2018 Short Stay Accommodation (*Act No.12 of 2019*).  
 Bill No. 3 Electoral Amendment (*Act No.5 of 2019*).  
 Bill No. 4 Motor Accidents (Liabilities and Compensation) Amendment (*Act No.6 of 2019*).  
 Bill No. 7 Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) (*Act No.11 of 2019*).  
 Bill No. 9 Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) (*Act No.10 of 2019*).  
 Bill No. 10 Disability Services Amendment (*Act No.17 of 2019*).  
 Bill No. 11 Greater Hobart (*Act No.21 of 2019*).  
 Bill No. 12 Health Miscellaneous Amendments (*Act No.15 of 2019*).  
 Bill No. 14 Right to Information Amendment (Applications for Review).  
 Bill No. 15 Biosecurity (*Act No.22 of 2019*).  
 Bill No. 17 Local Government (Highways) Amendment.  
 Bill No. 20 Workers Rehabilitation and Compensation Amendment (*Act No.23 of 2019*).  
 Bill No. 21 Appropriation Bill (No. 1) (*Act No.19 of 2019*).  
 Bill No. 22 Appropriation Bill (No. 2) (*Act No.20 of 2019*).  
 Bill No. 23 Government Procurement Review (International Free Trade Agreements).  
 Bill No. 24 First Home Owner Grant Amendment (*Act No.16 of 2019*).

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

**SELECT COMMITTEES AND MEMBERS**

Short Stay Accommodation in Tasmania: Ms *Armitage*, Mr *Armstrong*, Ms *Ratray*, Mr *Valentine* and Mr *Willie*.  
 AFL in Tasmania: Mr *Armstrong*, Mr *Dean*, Mr *Finch*, Ms *Howlett* and Ms *Siejka*.  
 Production of Documents: Mr *Dean*, Ms *Forrest*, Ms *Howlett*, Ms *Webb* and Mr *Willie*.  
 Greater Hobart Traffic: Mr *Armstrong*, Ms *Howlett*, Ms *Siejka*, Mr *Valentine* and Ms *Webb*.