



# LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 48

THURSDAY, 28 NOVEMBER 2019

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

**2 PALLIATIVE CARE.**— Mr *Gaffney* asked the Honourable the Leader of the Government —

- (1) As the Government made both a 2018 election commitment and that *Building Your Future 2018 First Year Agenda* referenced designated palliative care rooms to be developed at Mersey Hospital, when will this service be delivered so that the dying on the North West can have the same access to palliative care as those in the North and South of the State currently have?
- (2) Given that the Palliative Care Australia Minimum Standards regarding designated palliative care beds per population recommends 6.7 beds per 100,000 people, and that the four beds promised at the Mersey Hospital will be short of attaining minimum standards, will the Government meet minimum standards by providing additional designated palliative care beds at the North West Regional Hospital (NWRH), noting that the current multipurpose units at NWRH are not designated palliative care rooms and palliative care patients are not able to access these rooms when patients with non-palliative care needs are accessing them?
- (3) Noting that funding for Palliative Care Tasmania (PCT) is set to cease on 30 June 2020, and a commitment for funding past this date has not been received from the State Government (and that the services could not be provided within the public health system as cost effectively or with as much community reach and access), will the Government provide a guaranteed commitment to enable PCT to continue their valuable work?

The Leader answered,

- (1) I can confirm that the Hodgman majority Liberal Government is committed to delivering dedicated palliative care beds at the Mersey in line with our election policy. We are continuing to make progress on the \$35 million redevelopment of the Mersey, following the completion of the Rehabilitation Ward earlier this year.

The Department of Health advises that planning work for the Medical Ward, which contains the dedicated palliative care beds, is on track to commence in the first half of 2020.

The model of care will include beds with specialist 24-hour care, and will work closely with the community based Specialist Palliative Care Service. These beds will be fully funded and staffed.

At present, palliative care patients receive high quality care on the medical ward using existing infrastructure, including single rooms and the family lounge. We are focused on ensuring Tasmanians have access to the best possible palliative care services and facilities, so that families and carers can receive the support they need, when they need it.

- (2) Three beds are presently available on the medical ward at the North West Regional Hospital (NWRH) to provide palliative care.

If these beds are occupied, patients will still receive the same level of care in alternate and appropriate single rooms, cared for by the acute medical team with in-reach from the Specialist Palliative Care Service. This is in addition to the high-quality services that palliative care patients receive at the Mersey Community Hospital.

- (3) Palliative Care Tasmania (PCT) is a highly valued organisation and works closely with the Department of Health, across the state.

Funding for PCT has traditionally come through Federal Government sources. The Tasmanian Government has wherever possible and appropriate to do so, supported PCT to secure federal funding.

The Hodgman majority Liberal Government has also provided significant support for a number of groups and organisations to deliver important community-based palliative and end-of-life care initiatives, including PCT.

This is evidenced by the more than \$2 million in funds, provided through the Department of Health to PCT for projects and initiatives that enhance education, capacity and capability within the palliative care sector in Tasmania.

The Government acknowledges and appreciates Palliative Care Tasmania's interest in certainty beyond the current agreement, and has strongly encouraged the organisation to take part in the Treasury Budget Community Consultation Process which is currently underway.

The Government will continue to engage and support the important work of PCT where possible, to help ensure that people have the best possible quality care at end of life and to support their families and carers receive the support they need.

**3 LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.**—*Ordered*, That Mrs *Hiscutt* have leave to Table answer to Question No.27 and have the answer incorporated into the Hansard record.

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

- (1) Report of the Auditor-General No. 6 of 2019-2020: Auditor-General's Report on the Financial Statements of State entities. Volume 2 – Audit of State entities and audited subsidiaries of State entities 2018-2019. November 2019.
- (2) Supreme Court of Tasmania: Annual Report 2018-2019.
- (3) Magistrates Court of Tasmania: Annual Report 2018-2019.
- (4) Office of the Public Guardian: Annual Report 2018-2019.
- (5) The Anti-Discrimination Tribunal: Annual Report 2018-2019.
- (6) Australian Health Practitioner Regulation Agency: Annual Report 2018-2019.
- (7) Administrator of the National Health Funding Pool: Annual Report 2018-2019.
- (8) Public Health Act 1997: Statutory Rules 2019, containing Public Health (Smoking Product Licence) Regulations 2019
- (9) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 291m2 situate in the Tasman Highway Great Eastern Drive – Dark Hollow Creek Access in the Municipal area of Break O'Day.

- (10) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 112m2 situate in the Parish of Ormaig, Parish of Yarlinton, Land District of Monmouth in the Municipal area of Southern Midlands.
- (11) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 997m2 situate in the Parish of North Bruny, Land District of Buckingham in the Municipal area of Kingborough.
- (12) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 324m2, 2114m2, 277m2 and 572m2 situate in the Parish of Broomsgrove - Land District of Cornwall, Parish of Chesterfield - Land District of Cornwall, Parish of Fingal – Land District of Cornwall, in the Municipal area of Break O'Day.
- (13) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 336m2 situate in the Parish of Ormaig, Land District of Monmouth in the Municipal area of Southern Midlands.
- (14) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1120m2 situate in the Parish of Ormaig, Land District of Monmouth in the Municipal area of Southern Midlands.
- (15) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 281m2 situate in the Parish of Ormaig, Land District of Monmouth in the Municipal area of Southern Midlands.
- (16) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1.445ha situate in the City of Clarence in the Municipal area of Clarence.

## **5 REPORT OF THE JOINT STANDING COMMITTEE ON INTEGRITY.—**

Mr *Dean* presented the Joint Standing Committee on Integrity Annual Report 2019.

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

**6 BILL NO. 42.**— The Burial and Cremation Bill 2019 was read the Third time and passed.

**7 BILL NO. 42.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, ‘A Bill for an Act to make provisions for the establishment and management of cemeteries and crematoria, to provide for, and regulate, the handling and storage of human remains and to repeal the *Burial and Cremation Act 2002*’.

*Legislative Council, 28 November 2019*

C.M.FARRELL, *President*

**8 BILL NO. 45.**— The Poisons Amendment Bill 2019 was read the Third time and passed.

**9 BILL NO. 45.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, ‘A Bill for an Act to amend the *Poisons Act 1971*’.

*Legislative Council, 28 November 2019*

C.M.FARRELL, *President*

**10 BILL NO. 41.**— The Public Sector Superannuation Reform Amendment Bill 2019 was read the Third time and passed.

**11 BILL NO. 41.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, 'A Bill for an Act to amend the *Public Sector Superannuation Reform Act 2016*'.

*Legislative Council, 28 November 2019*

C.M.FARRELL, *President*

**12 BILL NO. 43.**— The Order of the Day was read for the Second reading of the Dog Control Amendment Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

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(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 13 agreed to.

Title agreed to.

Bill to be reported without Amendment.

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The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

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

**14 SUSPENSION OF STANDING ORDERS.**— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That Standing Order No 279 be suspended in respect of this Bill, in order that the Bill may be now read the Third time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

**15 BILL NO. 43.**— The Dog Control Amendment Bill 2019 was read the Third time and passed.

**16 BILL NO. 43.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, 'A Bill for an Act to amend the *Dog Control Act 2000*'.

*Legislative Council, 28 November 2019*

C.M.FARRELL, *President*

**17 BILL NO. 38.**— The Order of the Day was read for the Second reading of the Place Names Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

**18 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.

**19 QUESTION TIME.**— The President called for Questions without Notice. There were six Questions asked.

**20 BILL NO. 38.**— The Council resumed the Debate on the Question, That the Place Names Bill 2019 be now read the Second time.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

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(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 20 agreed to.

Schedule 1 postponed.

Schedules 2 and 3 agreed to.

Postponed Schedule 1 further considered and agreed to.

Title agreed to.

Bill to be reported without Amendment.

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The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

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

**22 SUSPENSION OF STANDING ORDERS.**— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That Standing Order No 279 be suspended in respect of this Bill, in order that the Bill may be now read the third time.

A Debate arose thereupon.

And the Question being put,

The Council divided.

AYES 5

NOES 8

*Ms Armitage*

*Mr Armstrong* (Teller)

*Mr Dean*

*Mrs Hiscutt*

*Ms Howlett*

*Mr Finch* (Teller)

*Ms Forrest*

*Mr Gaffney*

*Ms Lovell*

*Ms Siejka*

*Mr Valentine*

*Ms Webb*

*Mr Willie*

So it passed in the Negative.

*Ordered*, That the Third reading of the Bill be made an Order of the Day for tomorrow. (*Mrs Hiscutt*)

**23 BILL NO. 16.**— The Order of the Day was read for the Second reading of the Disposal of Uncollected Goods Bill 2019.

A Motion was made (*Ms Howlett*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

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(In the Committee)

*Ms Forrest* in the Chair.

Clauses 1 to 33 agreed to.

Schedule 1 agreed to.

Title agreed to.

Bill to be reported without Amendment.

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The Council being resumed, *Ms Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

**24 MOTION WITHOUT NOTICE.**— *Ordered*, That *Ms Howlett* have leave to move a Motion without Notice.

**25 SUSPENSION OF STANDING ORDERS.**— A Motion was made (*Ms Howlett*) and the Question was proposed, That Standing Order No 279 be suspended in respect of this Bill, in order that the Bill may be now read the Third time.

A Debate arose thereupon.

And the Question being put,

The Council divided.

AYES 5

NOES 8

Ms *Armitage* (Teller)

Mr *Armstrong*

Mr *Dean*

Mrs *Hiscutt*

Ms *Howlett*

Mr *Finch*

Ms *Forrest*

Mr *Gaffney* (Teller)

Ms *Lovell*

Ms *Siejka*

Mr *Valentine*

Ms *Webb*

Mr *Willie*

So it passed in the Negative.

*Ordered*, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Ms *Howlett*)

**26 PAPER.**— The Clerk of the Council laid upon the Table the Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 8,961m<sup>2</sup> situate in Talone Road, Blackmans Bay, Municipality of Kingborough.

**27 ADJOURNMENT.**— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council will at its rising adjourn until 9.00 o'clock am on Friday, 6 March 2020.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

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

The Council adjourned at 5.35 o'clock p.m.

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

*Briefings:*

- *Drivers Licence Face Matching*
- *Marine-Related Incidents (MARPOL Implementation) Bill 2019*