



LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 48

FRIDAY, 6 MARCH 2020

(At 9.00 o'clock am)

NOTICES OF QUESTION

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)

19 Ms *Forrest* to ask the Honourable Leader of the Government —

For each one of the State's 23 public hospitals, listed separately, please provide the following data for the financial years 2017-2018 and 2018-2019:

- (1) The average numbers of FTE's for:
 - (a) salaried medical practitioners;
 - (b) nurses;
 - (c) diagnostic and allied health professionals;

- (d) administrative and clerical staff; and
- (e) domestic staff;

(2) The average bed occupancy rates for each hospital for each of these periods; and

(3) The number of patient days for each hospital, for each of these periods.

(asked 29.10.19)

20 Mr Dean to ask the Honourable Leader of the Government —During the Second reading speech on the *Public Health Amendment (Healthy Tasmania) Bill 2017 (No. 45)* in November 2017, the Honourable Leader stated that:

“It will be a standard condition on every licence to sell tobacco or personal vaporiser products that information on sales volumes be collected. This information is to be reported as part of the yearly renewal of a licence.

This information will complement existing population health surveys and assist with preventive health planning, targeted interventions, and evaluating the effectiveness of local and state-wide initiatives.”

Other matters addressed in the debate on the Bill which the government promised to address included banning smoking around schools and hospitals and providing information to smokers at point of sale and increasing the amount of infringement notices (on the spot fines) for offences relating to sales to minors.

In response to my proposed amendment that smoking be banned near schools and hospitals the Honourable Leader affirmed during the debate on the Bill that:

“The Government's preferred approach to extending smoke free areas under the Act is to develop a comprehensive project that is well researched, has regard to relevant evidence, and has been subject to community consultation to fully understand the practical implications.”

- (1) What is the progress of the Government's collection of the sales volumes provided by smoking product license holders?
- (2) What is the sales volume by type of business, for example newsagent, hotel, bottle shop, supermarket, tobacconist etc?
- (3) What is the provision of information to smokers at point of sale?
- (4) How many licensed smoking product retailers are there in Tasmania currently?
- (5)
 - (a) Is there a map or list by suburb/town/location of where those retailers are located;
 - (b) if so, can a copy be made available; and
 - (c) if not, why not?
- (6) What is the numbers of smoking product retailers by type of business, for example newsagent, hotel, bottle shop, supermarket, tobacconist etc.
- (7) How many licensed tobacco vending machines remain in Tasmania and where are they located?
- (8) What action has been taken to move forward to ban smoking around schools and hospitals?
- (9)
 - (a) Since the abolishment of the infringement notices has any action/prosecution been taken against retailers; and
 - (b) if so, what action has been taken and how many cases.

(asked 31.10.19)

22 Ms Webb to ask the Honourable Leader of the Government — Research indicates a connection in Australia between gambling harm and homelessness; a link that doesn't exist in other jurisdictions where poker machines are located only in destination gambling venues.

With the Government intending to keep poker machines in Tasmanian local communities for a further 20 years beyond 2023:—

- (1) Has the Government assessed and quantified the extent to which gambling harm has contributed to date to the level of homelessness and cost of homelessness services in Tasmania?
- (2) Has the Government modelled the likely contribution of gambling harm to our state's future level of homelessness and cost of homelessness services under the proposed new licencing model?
- (3) (a) Do Government-funded homelessness services collect data about the presence of gambling harm for people seeking assistance for homelessness; and
(b) if not, why not?
- (4) Does the Government have other data sources that quantify or indicate the co-occurrence of homelessness and gambling harm in this state?

(asked 31.10.19)

23 Ms Webb to ask the Honourable Leader of the Government — Australian research has found a statistically significant correlation between poker machine density and police-recorded domestic violence rates among postcodes. Further, research in Victoria, South Australia and Tasmania has shown that more than half the people receiving problem gambling treatment have recent experience of domestic violence, either as survivors or perpetrators.

With the Government intending to keep poker machines in Tasmanian local communities for a further 20 years beyond 2023:—

- (1) Has the Government assessed and quantified the extent to which gambling harm has contributed to date to the level of family violence and cost of family violence services in Tasmania?
- (2) Has the Government modelled the likely contribution of gambling harm to our state's future level of family violence and cost of family violence services under the proposed new licencing model?
- (3) (a) Do Government-funded family violence services collect data about the presence of gambling harm for people seeking assistance for family violence; and
(b) if not, why not?
- (4) Does the Government have other data sources that quantify or indicate the co-occurrence of family violence and gambling harm in this state?

(asked 31.10.19)

24 Ms Webb to ask the Honourable Leader of the Government — Australian research has indicated that the rate of problem gamblers within prison populations appears to be substantially higher than prevalence rates observed among the general population. For example, in a Victorian study the rate of problem gambling among prisoners was one in three compared to a general population proportion of 0.7 per cent. Further, 37 per cent prisoners surveyed reported having committed a gambling-related offence at some point in their lifetime—

With the Government intending to keep poker machines in Tasmanian local communities for a further 20 years beyond 2023:

- (1) Has the Government assessed and quantified the extent to which gambling harm has contributed to date to the level of crime and cost of incarceration in Tasmania?

- (2) Has the Government modelled the likely contribution of gambling harm to our state's future level of crime and cost of incarceration under the proposed new licencing model?
- (3) (a) Does the Government collect data about the presence of gambling harm for people convicted of crime in Tasmania, especially fraud, stealing or other financial-related crimes; and
(b) if not, why not?
- (4) Does the Government have other data sources that quantify or indicate the co-occurrence of crime and gambling harm in this state?
(asked 31.10.19)

26 *Mr Dean* to ask the Honourable Leader of the Government — On 12 October, The Bob Brown Foundation (BBF) held an event called the Big Canopy Camp Out at two separate locations at Sumac and Rapid River on the North West Coast, that come under the land management of Sustainable Timber Tasmania (STT). The event involves sleeping in tree-top canopies in small porta-ledge pods. The BBF held the same event last year and was advised by STT that a permit was required. The permit ensures that events comply with all safety regulations. This year's event was advertised publicly, well in advance.

Since the Big Canopy Camp Out event, the BBF has conducted several tree-sit protests, resulting in two trespass arrests. The BBF has published several video clips, showing that protesters have remained for days at a time in the tree-sits during dangerous weather conditions, and still remain.

- (1) (a) Was a permit issued by STT to the BBF to conduct the Big Canopy Campout Event this year; and
(b) if not, what steps if any, did STT take to consult with the BBF about the requirement of a permit for the event?
- (2) What steps if any, did STT take to ensure this event complied with all safety regulations?
- (3) Does STT have a duty of care under the *Forest Management Act 2013*, the *Work Health & Safety Act 2012* or any other legislation or regulation, to protect users of Permanent Timber Production Zone (PTPZ) land of known safety risks?
- (4) (a) Has STT made any assessments on the safety of the trees where the BBF are conducting their protests; and
(b) has STT advised the BBF of these facts?
- (5) Does STT have the authority to:
 - (a) prohibit a person from entering, an area in the interest of their safety; and
 - (b) request a person to leave an area in the interest of their safety?

(asked 19.11.19)

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)

29 Ms Armitage to ask the Honourable Leader of the Government — With regard to the number of Ear Nose and Throat (ENT) surgeons in Tasmania —

- (1) How many ENT surgeons are currently providing specialist service:
- (a) in the North-West;
 - (b) in Launceston; and
 - (c) in Hobart?
- (2) (a) Of the total number of ENT specialists how many are expected to retire across the three regions in the near future; and
- (b) is it expected that two overseas trained surgeons at the Launceston General Hospital will be leaving?
- (3) What specific plans are in place and what action is the Government taking to address issues surrounding recruitment and retention of ENT specialists in Tasmania considering there has not been any ENT specialist trainees in Tasmania for 15 years?

Given the obvious benefits, could you please advise the reasoning behind State Growth not recording footage from monitoring cameras?
(asked 28.11.19)

30 Ms Armitage to ask the Honourable Leader of the Government — With regard to cameras installed at traffic intersections, given the obvious benefits of recording and retaining footage from traffic monitoring cameras, including for the purposes of assisting police investigations, as well as planning for traffic infrastructure and road-user safety, what are the reasons for the Department of State Growth not recording and retaining footage from traffic monitoring cameras.
(asked 28.11.19)

ORDERS OF THE DAY

- 1** Place Names Bill 2019 (No.38): Third reading.
- 2** Disposal of Uncollected Goods Bill 2019 (No.16): Third reading.
- 3** Marine-Related Incidents (MARPOL Implementation) Bill 2019 (No.37): Second reading.
- 4** Neighbourhood Disputes About Plants Amendment Bill 2019 (No.35): Second reading.
- 5** Justice Legislation Miscellaneous Amendments Bill 2019 (No.39): Second reading.
- 6** Police Legislation Miscellaneous Amendments Bill 2019 (No. 44): Second reading.
- 7** 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*".

- 8** Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018 (No. 6): Second reading.
- 9** Duties Amendment Bill 2019 (No. 56): Second reading.
- 10** Justice Legislation (Mandatory Sentencing) Bill 2019 (No. 57): Second reading.
- 11** 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*)
- 12** Partition Bill 2019 (No. 2): Second reading.

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 *Webb* to move —
 - (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.

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

PAPERS ISSUED

LEGISLATIVE COUNCIL

Notice Paper No. 47
Bill No. 52

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. 35	Neighbourhood Disputes About Plants Amendment.
Bill No. 37	Marine-Related Incidents (MARPOL Implementation)
Bill No. 39	Justice Legislation Miscellaneous Amendments.
Bill No. 44	Police Legislation Miscellaneous Amendments.
Bill No. 56	Duties Amendment.
Bill No. 57	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).
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Awaiting Third Reading

Bill No. 38	Place Names.
Bill No. 16	Disposal of Uncollected Goods.

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	Electoral Amendment (<i>Act No.5 of 2019</i>).
Bill No. 4	Motor Accidents (Liabilities and Compensation) Amendment (<i>Act No.6 of 2019</i>).
Bill No. 5	Criminal Code Amendment (Bullying) (<i>Act No.34 of 2019</i>).
Bill No. 6	Fruit and Nut Industry (Research, Development and Extension Trust Fund) Repeal (<i>Act No.35 of 2019</i>).
Bill No. 7	Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) (<i>Act No.11 of 2019</i>).
Bill No. 9	Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) (<i>Act No.10 of 2019</i>).
Bill No. 10	Disability Services Amendment (<i>Act No.17 of 2019</i>).
Bill No. 11	Greater Hobart (<i>Act No.21 of 2019</i>).
Bill No. 12	Health Miscellaneous Amendments (<i>Act No.15 of 2019</i>).
Bill No. 14	Right to Information Amendment (Applications for Review) (<i>Act No.26 of 2019</i>).
Bill No. 15	Biosecurity (<i>Act No.22 of 2019</i>).
Bill No. 17	Local Government (Highways) Amendment (<i>Act No.28 of 2019</i>).
Bill No. 19	Vehicle and Traffic Amendment (<i>Act No.37 of 2019</i>).
Bill No. 20	Workers Rehabilitation and Compensation Amendment (<i>Act No.23 of 2019</i>).
Bill No. 21	Appropriation Bill (No. 1) (<i>Act No.19 of 2019</i>).
Bill No. 22	Appropriation Bill (No. 2) (<i>Act No.20 of 2019</i>).
Bill No. 23	Government Procurement Review (International Free Trade Agreements) (<i>Act No.27 of 2019</i>).
Bill No. 24	First Home Owner Grant Amendment (<i>Act No.16 of 2019</i>).
Bill No. 25	Roads and Jetties Amendment (Validation) (<i>Act No.39 of 2019</i>).
Bill No. 26	Roads and Jetties Amendment (Works in Highways) (<i>Act No.38 of 2019</i>).
Bill No. 27	Magistrates Court (Criminal and General Division) (<i>Act No.43 of 2019</i>).
Bill No. 28	Magistrates Court (Criminal and General Division) (Consequential Amendments) (<i>Act No.44 of 2019</i>).
Bill No. 29	Restraint Orders (<i>Act No.47 of 2019</i>).
Bill No. 30	Civil Liability Amendment (<i>Act No.33 of 2019</i>).
Bill No. 31	Historic Cultural Heritage Amendment (<i>Act No.36 of 2019</i>).
Bill No. 32	Public Works Committee Amendment (<i>Act No.42 of 2019</i>).
Bill No. 33	Genetically Modified Organisms Control Amendment (<i>Act No.40 of 2019</i>).
Bill No. 34	Legal Profession Amendment (Validation) (<i>Act No.41 of 2019</i>).
Bill No. 36	Justice Legislation Amendment (Organisational Liability for Child Abuse) (<i>Act No.48 of 2019</i>).
Bill No. 41	Public Sector Superannuation Reform Amendment (<i>Act No.52 of 2019</i>).
Bill No. 42	Burial and Cremation (<i>Act No.50 of 2019</i>).
Bill No. 43	Dog Control Amendment (<i>Act No.53 of 2019</i>).
Bill No. 45	Poisons Amendment (<i>Act No.51 of 2019</i>).
Bill No. 46	Inland Fisheries Amendment (Royalties) (<i>Act No.46 of 2019</i>).
Bill No. 47	Long Service Leave (State Employees) Amendment (<i>Act No.49 of 2019</i>).
Bill No. 51	Gaming Control Amendment (Wagering) (<i>Act No.45 of 2019</i>).

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 Rattray and Mr Valentine.

Parliamentary Standing Committee on Public Works (Joint): Ms Rattray and Mr Valentine.

Parliamentary Standing Committee on Subordinate Legislation (Joint): Ms Forrest, Ms Rattray 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 *Howlett*, Ms *Ratray*, Ms *Siejka* and Mr *Willie*.

SELECT COMMITTEES AND MEMBERS

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*.

Government Businesses Scrutiny Committee A: Mr *Finch*, Ms *Forrest*, Mr *Gaffney*, Ms *Lovell*, Mr *Valentine* and Ms *Webb*.

Government Businesses Scrutiny Committee B: Ms *Armitage*, Mr *Armstrong*, Mr *Dean*, Ms *Ratray*, Ms *Siejka* and Mr *Willie*.