



LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 74

TUESDAY, 27 OCTOBER 2020

(At 9.00 o'clock am)

NOTICE OF QUESTION

44 Ms *Webb* to ask the Honourable Leader of the Government — With regard to the Premier's Economic and Social Recovery Advisory Council (PESRAC) and its progress, can the Government:

- (1) Confirm that on 20 July 2020, when the PESRAC Chair delivered the Council's first report to the Premier, the Chair also undertook that PESRAC will "*shortly commence a broad-based community consultation program working with the Tasmanian community to shape the details of the recommendations for its Final Report*";
- (2) Confirm that the publicly available PESRAC Workplan and Consultation program states that the Phase Two Consultation stage, where consultation is to extend to the broader community, is indicated to occur between "*August – October 2020*";
- (3) Clarify whether that Phase Two consultation process has formally begun, and if so detail whether, and how, any further public notification of that public consultation process has been issued;
- (4) Advise, if the Phase Two consultation process has yet to formally begin, when it is scheduled to commence, how the public will be notified that it has commenced and options available to participate; and
- (5) Undertake that when the PESRAC Phase Two Consultation process formally commences, the public will still have the full three months available in which to participate and submit submissions as indicated in the Council's initial Workplan?

(asked 23.09.20)

45 Ms *Forrest* to ask the Honourable Leader of the Government — With regard to Ambulance Tasmania response times, staffing levels and procedures in the North West region municipal areas of Burnie; Waratah/Wynyard; West Coast; Circular Head; Central Coast; Devonport; Latrobe; and Kentish:

- (1) What is the average time taken for an ambulance to attend a 000 call-out in each municipal area?
- (2) For each municipal area, what is the breakdown of:
 - (a) salaried staff;
 - (b) students in training; and
 - (c) volunteer ambulance officers?
- (3)
 - (a) What are the current shift times in each municipal area; and
 - (b) what is the breakdown of wait times across each shift period in each municipal area?
- (4)
 - (a) What are the on-call arrangements in place in addition to the rostered shifts in each municipal area and how do these arrangements work; and

- (b) what is the breakdown of the data to identify weekdays as opposed to weekends across each municipal area?
- (6) (a) Are volunteer ambulance officers engaged, or required to support, ambulance officers/paramedics in each municipal area; and
 - (b) if so; when are they engaged or required and how far away from the location of the patient are they called from?
- (7) (a) Are single ambulance officers required to attend call-outs as first responders; and
 - (b) if so, when and why does this occur and how many times in the last 18 months has this occurred in each municipal area?
- (8) Reported by municipal area —
 - (a) what are the levels of overtime reported monthly over the last 18 months; and
 - (b) how often have double shifts been worked each month over the last 18 months?
- (9) (a) Is the Wynyard Ambulance Station now operating as a 24-hour station; and
 - (b) if not, why not?
- (10) (a) What alternative transport options are available to patients on weekends when patient transfer services are not operational; and
 - (b) what is the cost of each of these transport options and how are these funded?

(asked 13.10.20)

46 Ms Webb tomorrow to ask the Honourable Leader of the Government — With regard to COVID-19 hotel quarantine restrictions for Tasmanian students studying at interstate universities —

- (1) (a) Are Tasmanians, who under normal circumstances return to Tasmania between semesters, considered Tasmanian residents under current Emergency Management Act COVID-19 emergency powers; and
 - (b) if not, when did this non-residency classification come into effect and how were those affected advised?
- (2) Under what circumstances would permission to return to Tasmania be denied?
- (3) What types of evidence of residency, other than those on the Evidence of Residency list as referred to in the *Applying to the Deputy State Controller for recognition as a Tasmanian resident* section of the Government's coronavirus website, can returning Tasmanian students provide?
- (4) How many times have applications been made where returning Tasmanian students were unable to provide evidence of residency to the satisfaction of the Deputy State Controller and were refused entry to Tasmania?
- (5) (a) How many times have applications been made where returning Tasmanian students were able to provide evidence of residency, other than those on the Evidence of Residency list, to the satisfaction of the Deputy State Controller and were granted entry to Tasmania; and
 - (b) what types of evidence did these successful applications include?

(asked 13.10.20)

47 Ms Webb tomorrow to ask the Honourable Leader of the Government — With regard to the National Driver Licence Facial Recognition Solution (NDLFRS):

- (1) Can the Government provide details on—
 - (a) the total number of Tasmanian drivers' licences images and associated data provided to the NDLFRS; and
 - (b) the timeframe during which that Tasmanian information was and/or continues to be provided to the NDLFRS system?

- (2) (a) Given the absence of the necessary national legislation, are Tasmanian drivers' licences images and associated data currently still being provided to the NDLFRS system;
- (b) if not, please advise the date it ceased; and
- (c) if so, why is that the case?
- (3) With regard to the following classes of Tasmanian drivers' licences images and associated data to the NDLFRS can the Government provide (a) the details on data provided and (b) the number for each class:
- (a) renewal of full drivers licences;
- (b) new drivers licences,
- (c) new provisional drivers licences; and
- (d) current drivers licences granted prior to 2017?
- (4) Can the Government detail the privacy, legislative and other provisions applied to the collation and supply to the national database of Tasmanians drivers' licence images and associated data?
- (5) (a) Given the absence of the necessary national legislation for the operation of the NDLFRS, will the Government recall Tasmanians' data already provided; and
- (b) if not, why not?
- (6) In response to Legislative Council Petition No. 33 of 2020 the Government has stated that "Tasmanian legislation fully supports the use for the purpose reflected in this bill". Will any eventual national legislation be tabled in the Tasmanian parliament?
- (7) (a) Can the Government guarantee there will be a moratorium on any use of Tasmanian drivers' licence images and any associated data currently transferred to the NDLFRS, until such transfer is authorised under an Act of the Tasmanian Parliament; and
- (b) if not, why not?
- (8) (a) Can the Government guarantee there will be a moratorium on any future transfer and use of new Tasmanian drivers' licence images and any associated data, until such transfer is authorised under an Act of the Tasmanian Parliament; and
- (b) if not, why not?

(asked 14.10.20)

NOTICES OF MOTION

- 1** 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.
- 2** 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.
- 3** Ms *Ratray* to move — That the Government Businesses Scrutiny Committee ‘B’ 2019 Report be considered and noted.
- 4** Ms *Webb* to move —That Statutory Rules 2019, No. 63, Fisheries (Abalone) Amendment Rules 2019 dated 23 September 2019 made under the *Living Marine Resources Management Act 1995* and laid upon the Table of the Council on 19 November 2019, be disallowed as provided by Section 47 of the *Acts Interpretation Act 1931*.
- 5** Mr *Dean* to move — That the Parliamentary Standing Committee of Public Accounts report No. 14: “Office of the Ombudsman and Health Complaints Commissioner”, be considered and noted.
- 6** Mrs *Hiscutt* to move —That the Council approve, in accordance with subsection 2(4) of the *Sentencing Amendment (Phasing Out of Suspended Sentences) Act 2017*, the tabled draft of terms of reference of the review laid before the Council, as prepared by the Attorney General and Minister for Justice in consultation with the Sentencing Advisory Council pursuant to subsection 2 (3).

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** End-of-Life Choices (Voluntary Assisted Dying) Bill 2020 (No. 30): Further consideration in Committee (Clause 14) as amended. (*Private Member’s Bill*)
- 3** Evidence (Children and Special Witnesses) Amendment Bill 2020 (No. 31): Third Reading.
- 4** Justice Miscellaneous (Court Backlog and Related Matters) Bill 2020 (No. 35): Third Reading.
- 5** On-Demand Passenger Transport Services Industry (Miscellaneous Amendments) Bill 2020 (No. 34): Third Reading.
- 6** Neighbourhood Disputes About Plants Amendment Bill 2019 (No.35): Third Reading.
- 7** Residential Tenancy Amendment (COVID -19) Bill 2020 (No. 37): Second Reading.
- 8** Building and Construction (Regulatory Reform Amendments) Bill (No. 2) 2020 (No. 39): Second Reading.
- 9** Dangerous Criminals and High Risk Offenders Bill 2020 (No. 28): Second Reading.
- 10** Teachers Registration Amendment Bill 2019 (No. 50): Second Reading
- 11** Architects Amendment Bill 2020 (No. 6): Adjourned Debate (Ms *Ratray*) on the Question proposed on 15 October 2020 – That the Bill be now read the Second time.
- 12** Vehicle and Traffic Amendment (Road Vehicle Standards) Bill 2020 (No. 8): Second reading.
- 13** State Service Amendment (Validation) Bill 2019 (No. 52): Second Reading
- 14** Anzac Day Trust Winding-Up Bill 2020 (No. 33): Second Reading.
- 15** Rail Safety National Law (Tasmania) Amendment Bill 2020 (No. 7): Second Reading
- 16** Financial Management (Further Consequential Amendments) Bill 2020 (No. 16): Second Reading
- 17** Mines Work Health and Safety (Supplementary Requirements) Amendment Bill 2019: (No. 48): Second Reading
- 18** Property Agents and Land Transactions Amendment Bill 2019 (No. 53): Second Reading
- 19** Justice Legislation (Mandatory Sentencing) Bill 2019 (No. 57): Second reading.

- 20** Brickmakers Point Landslip Bill 2020 (No. 15): (under suspension of standing orders) Adjourned Debate on the Question proposed on 25 March 2020 – That the Bill be now read the Second time.
- 21** Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018 (No. 6): Second reading.
- 22** Workplaces (Protection from Protesters) Amendment Bill 2019 (No. 54): Second reading.
- 23** Police Offences Amendment (Repeal of Begging) Bill 2019 (No. 49): Consideration of Bill as amended in Committee of the Whole Council.
- 24** 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*”.

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

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

PAPERS ISSUED

LEGISLATIVE COUNCIL

Notice Paper No. 73
Paper Nos. 31 & 35
Bill No. 43

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. 48 of 2019	Mines Work Health and Safety (Supplementary Requirements) Amendment.
Bill No. 50 of 2019	Teachers Registration Amendment.
Bill No. 52 of 2019	State Service Amendment (Validation).
Bill No. 53 of 2019	Property Agents and Land Transactions Amendment.
Bill No. 54 of 2019	Workplaces (Protection from Protesters) Amendment.
Bill No. 57 of 2019	Justice Legislation (Mandatory Sentencing).
Bill No. 7	Rail Safety National Law (Tasmania) Amendment.
Bill No. 8	Vehicle and Traffic Amendment (Road Vehicle Standards).
Bill No. 16	Financial Management (Further Consequential Amendments).
Bill No. 28	Dangerous Criminals and High Risk Offenders.
Bill No. 33	Anzac Day Trust Winding-Up.
Bill No. 37	Residential Tenancy Amendment (COVID -19).
Bill No. 39	Building and Construction (Regulatory Reform Amendments) (No. 2).

Second Reading Debate Adjourned

Bill No. 45 of 2018	Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons).
Bill No. 6	Architects Amendment.
Bill No. 15	Brickmakers Point Landslip.

In Committee

Bill No. 30	End-of-Life Choices (Voluntary Assisted Dying).
-------------	---

Consideration of Bill as Amended in Committee of Whole Council

Bill No. 49 of 2019 Police Offences Amendment (Repeal of Begging).

Awaiting Third Reading

Bill No. 35 of 2019 Neighbourhood Disputes About Plants Amendment.
Bill No. 31 Evidence (Children and Special Witnesses) Amendment.
Bill No. 34 On-Demand Passenger Transport Services Industry (Miscellaneous Amendments).
Bill No. 35 Justice Miscellaneous (Court Backlog and Related Matters).

Agreed to by Both Houses

Bill No. 15 of 2018 Corrections Amendment (Prisoner Remission) (*Act No.32 of 2019*).
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. 59 of 2018 Land Acquisition Amendment (*Act No.31 of 2019*).
Bill No. 60 of 2018 Litter Amendment (*Act No.30 of 2019*).
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) (*Act No.29 of 2019*).
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 of 2019 Electoral Amendment (*Act No.5 of 2019*).
Bill No. 4 of 2019 Motor Accidents (Liabilities and Compensation) Amendment (*Act No.6 of 2019*).
Bill No. 5 of 2019 Criminal Code Amendment (Bullying) (*Act No.34 of 2019*).
Bill No. 6 of 2019 Fruit and Nut Industry (Research, Development and Extension Trust Fund) Repeal (*Act No.35 of 2019*).
Bill No. 7 of 2019 Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) (*Act No.11 of 2019*).
Bill No. 9 of 2019 Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) (*Act No.10 of 2019*).
Bill No. 10 of 2019 Disability Services Amendment (*Act No.17 of 2019*).
Bill No. 11 of 2019 Greater Hobart (*Act No.21 of 2019*).
Bill No. 12 of 2019 Health Miscellaneous Amendments (*Act No.15 of 2019*).
Bill No. 14 of 2019 Right to Information Amendment (Applications for Review) (*Act No.26 of 2019*).
Bill No. 15 of 2019 Biosecurity (*Act No.22 of 2019*).
Bill No. 16 of 2019 Disposal of Uncollected Goods (*Act No. 2 of 2020*).
Bill No. 17 of 2019 Local Government (Highways) Amendment (*Act No.28 of 2019*).
Bill No. 19 of 2019 Vehicle and Traffic Amendment (*Act No.37 of 2019*).
Bill No. 20 of 2019 Workers Rehabilitation and Compensation Amendment (*Act No.23 of 2019*).
Bill No. 21 of 2019 Appropriation Bill (No. 1) (*Act No.19 of 2019*).
Bill No. 22 of 2019 Appropriation Bill (No. 2) (*Act No.20 of 2019*).
Bill No. 23 of 2019 Government Procurement Review (International Free Trade Agreements) (*Act No.27 of 2019*).
Bill No. 24 of 2019 First Home Owner Grant Amendment (*Act No.16 of 2019*).
Bill No. 25 of 2019 Roads and Jetties Amendment (Validation) (*Act No.39 of 2019*).
Bill No. 33 of 2019 Roads and Jetties Amendment (Works in Highways) (*Act No.38 of 2019*).
Bill No. 27 of 2019 Magistrates Court (Criminal and General Division) (*Act No.43 of 2019*).
Bill No. 28 of 2019 Magistrates Court (Criminal and General Division) (Consequential Amendments) (*Act No.44 of 2019*).
Bill No. 29 of 2019 Restraint Orders (*Act No.47 of 2019*).
Bill No. 30 of 2019 Civil Liability Amendment (*Act No.33 of 2019*).
Bill No. 31 of 2019 Historic Cultural Heritage Amendment (*Act No.36 of 2019*).
Bill No. 32 of 2019 Public Works Committee Amendment (*Act No.42 of 2019*).
Bill No. 33 of 2019 Genetically Modified Organisms Control Amendment (*Act No.40 of 2019*).
Bill No. 34 of 2019 Legal Profession Amendment (Validation) (*Act No.41 of 2019*).
Bill No. 36 of 2019 Justice Legislation Amendment (Organisational Liability for Child Abuse) (*Act No.48 of 2019*).
Bill No. 37 of 2019 Marine-Related Incidents (MARPOL Implementation).
Bill No. 38 of 2019 Place Names (*Act No. 1 of 2020*).
Bill No. 39 of 2019 Justice Legislation Miscellaneous Amendments (*Act No. 19 of 2020*).
Bill No. 41 of 2019 Public Sector Superannuation Reform Amendment (*Act No.52 of 2019*).
Bill No. 42 of 2019 Burial and Cremation (*Act No.50 of 2019*).
Bill No. 43 of 2019 Dog Control Amendment (*Act No.53 of 2019*).
Bill No. 44 of 2019 Police Legislation Miscellaneous Amendments (*Act No. 20 of 2020*).

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. 55 of 2019	Cat Management Amendment.
Bill No. 56 of 2019	Duties Amendment (<i>Act No. 3 of 2020</i>).
Bill No. 3	Justice Legislation Amendments (Criminal Responsibility) (<i>Act No. 10 of 2020</i>).
Bill No. 4	Evidence Amendment (<i>Act No. 7 of 2020</i>).
Bill No. 5	Criminal Code Amendment (Sexual Abuse Terminology) (<i>Act No. 8 of 2020</i>).
Bill No. 10	Appropriation (Supplementary Appropriation for 2019-20) (<i>Act No. 4 of 2020</i>).
Bill No. 11	Supply Bill (No. 1) (<i>Act No. 5 of 2020</i>).
Bill No. 12	Supply Bill (No. 2) (<i>Act No. 6 of 2020</i>).
Bill No. 13	Taxation and Related Legislation (Miscellaneous Amendments) (<i>Act No. 9 of 2020</i>).
Bill No. 14	COVID-19 Disease Emergency (Miscellaneous Provisions) (<i>Act No.11 of 2020</i>).
Bill No. 17	COVID-19 Disease Emergency (Miscellaneous Provisions) (No.2) (<i>Act No. 12 of 2020</i>).
Bill No. 19	COVID-19 Disease Emergency (Commercial Leases) (<i>Act No. 13 of 2020</i>).
Bill No. 20	Biosecurity (Consequential and Transitional Provisions) (<i>Act No. 18 of 2020</i>)
Bill No. 21	Building and Construction (Regulatory Reform Amendments) (<i>Act No. 16 of 2020</i>).
Bill No. 22	Land Tax Amendment (<i>Act No. 14 of 2020</i>).
Bill No. 23	HomeBuilder Grants (<i>Act No. 15 of 2020</i>).
Bill No. 25	Tasmanian Civil and Administrative Tribunal.
Bill No. 26	Land Use Planning Approvals (Major Projects). (<i>Act No. 21 of 2020</i>)
Bill No. 27	Corrections Amendment (Electronic Monitoring)
Bill No. 29	Covid-19 Disease Emergency (Miscellaneous Provisions) Amendment (Quarantine Debt Recovery) (<i>Act No. 17 of 2020</i>).

STANDING COMMITTEES AND MEMBERS

Committee of Privileges: Mr *Dean*, Mr *Farrell* (The President), Ms *Forrest* (Chair of Committees), Mrs *Hiscutt* and Ms *Ratray*.

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*, Ms *Forrest*, Ms *Ratray*, Dr *Seidel* and Mr *Valentine*.

Government Administration A: Ms *Forrest*, Mr *Gaffney*, Ms *Lovell*, Dr *Seidel*, Mr *Valentine* and Ms *Webb*.

- Horizontal Fiscal Equalisation System
- Finfish Farming in Tasmania

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

SELECT COMMITTEES AND MEMBERS

Production of Documents: Mr *Dean*, Ms *Forrest*, Ms *Webb* and Mr *Willie*.

Greater Hobart Traffic: Ms *Siejka*, Mr *Valentine* and Ms *Webb*.

TasWater: Mr *Dean*, Ms *Lovell*, Ms *Palmer* and Ms *Ratray*.