



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 46

WEDNESDAY, 27 NOVEMBER 2019

(At 11.00 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)

27 *Mr Gaffney* to ask the Honourable 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?

(asked 19.11.19)

ORDERS OF THE DAY

- 1 Justice Legislation Amendment (Organisational Liability for Child Abuse) Bill 2019 (No. 36): Third reading.
- 2 Long Service Leave (State Employees) Amendment Bill 2019 (No. 47): Third reading.
- 3 Burial and Cremation Bill 2019 (No. 42): Further consideration in Committee (Postponed Clause 32).
- 4 Poisons Amendment Bill 2019 (No.45): Second reading.
- 5 Public Sector Superannuation Reform Amendment Bill 2019 (No.41): Second reading.
- 6 Dog Control Amendment Bill 2019 (No.43): Second reading.
- 7 Place Names Bill 2019 (No. 38): Second reading.
- 8 Disposal of Uncollected Goods Bill 2019 (No. 16): Second reading.
- 9 Marine-Related Incidents (MARPOL Implementation) Bill 2019 (No.37): Second reading.
- 10 Neighbourhood Disputes About Plants Amendment Bill 2019 (No.35): Second reading.
- 11 Justice Legislation Miscellaneous Amendments Bill 2019 (No.39): Second reading.
- 12 Police Legislation Miscellaneous Amendments Bill 2019 (No. 44): Second reading.
- 13 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*”.

- 14 Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018 (No. 6): Second reading.
- 15 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*)
- 16 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.

TUESDAY, 3 DECEMBER 2019

ORDERS OF THE DAY

- 1 Duties Amendment Bill 2019 (No. 56): Second reading.
- 2 Justice Legislation (Mandatory Sentencing) Bill 2019 (No. 57): Second reading.

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

PAPERS ISSUED

LEGISLATIVE COUNCIL

Notice Paper No. 45

SUMMARY OF BILLS

Read First Time

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| Bill No. 6 of 2018 | Sentencing Amendment (Assaults on Off-Duty Police). |
| Bill No. 2 | Partition (<i>pro forma</i>). |
| Bill No. 16 | Disposal of Uncollected Goods. |
| Bill No. 35 | Neighbourhood Disputes About Plants Amendment. |
| Bill No. 37 | Marine-Related Incidents (MARPOL Implementation) |
| Bill No. 38 | Place Names. |
| Bill No. 39 | Justice Legislation Miscellaneous Amendments |
| Bill No. 41 | Public Sector Superannuation Reform Amendment. |
| Bill No. 43 | Dog Control Amendment |
| Bill No. 44 | Police Legislation Miscellaneous Amendments. |
| Bill No. 45 | Poisons Amendment. |
| Bill No. 56 | Duties Amendment. |
| Bill No. 57 | Justice Legislation (Mandatory Sentencing). |

Second Reading Debate Adjourned

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| Bill No. 45 of 2018 | Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons). |
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In Committee

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| Bill No. 42 | Burial and Cremation. |
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Awaiting Third Reading

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| Bill No. 36 | Justice Legislation Amendment (Organisational Liability for Child Abuse). |
| Bill No. 47 | Long Service Leave (State Employees) Amendment. |

Agreed to by Both Houses

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| 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>). |

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| 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). |
| Bill No. 28 | Magistrates Court (Criminal and General Division) (Consequential Amendments). |
| Bill No. 29 | Restraint Orders. |
| 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. |
| 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. 46 | Inland Fisheries Amendment (Royalties). |
| Bill No. 51 | Gaming Control Amendment (Wagering). |

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 *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 *Howlett*, Ms *Ratray*, Ms *Siejka* and Mr *Willie*.