



TASMANIA

**LEGISLATIVE COUNCIL**  
**SESSION OF 2018**  
**(FIRST SESSION OF THE FORTY-NINTH PARLIAMENT)**

**NOTICES OF MOTION AND ORDERS OF THE DAY**

No. 35

THURSDAY, 22 NOVEMBER 2018

*(At 2.30 o'clock pm)*

**NOTICE OF QUESTION**

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

- (1) What is the relationship between the Strathdevon Hydrotherapy Pool (SHP) in Latrobe and the State Government/DHHS?
- (2) Are there any arrangements or a service relationship between the SHP and the DHHS including funding and referral guidelines to health professionals?
- (3) What are the Government's plans for the hydrotherapy service in Latrobe (utilising the Strathdevon Hydrotherapy Pool)?
- (4) How does the Strathdevon Hydrotherapy Pool report back to the DHHS? Are there any reporting requirements between SHP and the Government?
- (5) How many clients have used the pool since its reopening and what are the age groups, needs and attributes of the client groups?
- (6) How many times (on average) do clients access the hydrotherapy pool?
- (7) What is the process for clients to obtain access to the Strathdevon Hydrotherapy Pool?
- (8) Why have DHHS and private clients who have previously utilised the Strathdevon Hydrotherapy Pool been advised that they should go to 'Splash' (Devonport Aquatic Centre, run by private company Belgravia Leisure) for their therapy?
- (9) Has there been a change in guidelines or a directive from DHHS regarding the referral to and utilisation of hydrotherapy pools at Strathdevon, and across the state?

*(asked 30.10.18)*

**ORDERS OF THE DAY**

- 1** Justice and Related Legislation (Miscellaneous Amendments) Bill 2018 (Bill 35): Third reading.
- 2** Building Legislation (Miscellaneous Amendments) Bill 2018 (No. 27): Consideration of Bill as amended in Committee of the Whole Council.
- 3** Crime (Confiscation of Profits) Amendment Bill 2018 (No. 34): Second reading.
- 4** Emergency Management Amendment Bill 2018 (No. 25): Second reading.
- 5** Traffic and Related Legislation Amendment Bill 2018 (No.30): Second reading.

- 6 Corrections Amendment (Prisoner Remission) Bill 2018 (No. 15): Second reading.
- 7 Report of Government Administration Committee “B” on Blueberry Rust in Tasmania — Consideration and noting. (Mr *Dean*)
- 8 Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons) Bill 2018 (No. 45): Second reading. (*Private Member’s Bill*)
- 9 Report of Government Administration Committee “A” Second Interim Report on Acute Health Services — Consideration and noting. (Mr *Valentine*)
- 10 Partition Bill 2018 (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 Ms *Siejka* to move — That that the Legislative Council:
  - (1) Recognises the important role of assistance animals in supporting many Tasmanians living with a range of disabilities and impairments;
  - (2) Understands the valuable therapeutic benefit that assistance animals provide;
  - (3) Recognises the challenges associated with gaining eligibility for assistance animal accreditation and registration; and
  - (4) Calls on the Government to commit to a review of the accreditation and registration process for assistance animals.
- 3 Mr *Dean* to move — That the Annual Report of the Department of Police, Fire and Emergency Management 2017-2018 be considered and noted.
- 4 Ms *Armitage* to move — That the Report of the Auditor-General No. 2 of 2018-19, Administration of two grant programs by the Department of State Growth, be considered and noted.
- 5 Mr *Dean* to move — That the Energy in Tasmania Report 2016-17 be considered and noted.
- 6 Mr *Valentine* to move — With reference to the Report No. 3 of the Joint Standing Committee on Integrity, the Legislative Council adopt a Code of Conduct for all Members of the Parliament of Tasmania in the following terms —

## PREAMBLE

Members of Parliament recognise that their actions have an impact on the lives of all Tasmanian people. Fulfilling their obligations and discharging their duties responsibly requires a commitment to the highest ethical standards to maintain and strengthen the democratic traditions of the State and the integrity of its institutions.

Compliance with the law may not always be enough to guarantee an acceptable standard of conduct. Members must not only act lawfully, but also in a manner that will withstand close public scrutiny.

This Code sets out ethical standards and principles to assist Members in observing expected standards of conduct in public office and to act as a benchmark against which their conduct can be measured.

Neither the law nor this Code is designed to be exhaustive, and there may be instances where Members find it necessary to adopt more stringent norms of conduct in order to protect the public interest, and to enhance public confidence and trust. In making choices about conduct, Members should have regard to community

values and standards.

Members should also, where possible, avoid giving unnecessary offence to groups in the community whose beliefs and views differ from those held by the Members or by groups the Member represents.

Members are expected to promote and support this Code by leadership and example.

## STATEMENT OF VALUES

This Code is derived from the fundamental values of the institution of the Parliament in this State. By adopting and upholding this Code, all Members of Parliament share in and support these values.

As Members of Parliament, we value:

- the public interest and the fundamental objective of public office to act solely in terms of the public interest;
- the improvement of the economic and social conditions of all Tasmanian people, and our service to our fellow citizens to achieve this;
- the promotion of human, social and environmental welfare through the responsible execution of our official duties;
- integrity, honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding, without harassment, victimisation or discrimination;
- respect for differences, equity and fairness in political dealings, with fellow Members of Parliament; and
- ethical political practices that support the democratic traditions of our State and its institutions, and the rejection of political corruption.

## ETHICAL STANDARDS

### *Conflict of interest*

**A Member protects and upholds the public interest by taking all reasonable steps to avoid, disclose and manage any conflict of interest that arises, or is likely to arise, between their personal interests and their official duties.**

A conflict of interest may be financial or non-financial and may be potential, actual or perceived.

A conflict of interest does not exist where the Member, their spouse or domestic partner, relative or associate is affected only as a member of the public or of a broad class of persons.

Each Member is individually responsible for avoiding and managing conflicts of interest.

### *Declaration of personal interests*

**A Member is personally responsible for full and accurate disclosure of their financial and other interests, in accordance with their obligations under the *Parliamentary (Disclosure of Interests) Act 1996*.**

### *Use of public office*

**A Member makes proper use of their office to represent and serve the community, conducting themselves in ways that maintains the trust and confidence of the public.**

A Member must not use their influence as a Member to improperly obtain appointment, promotion, advancement, transfer or any other advantage or benefit on behalf of themselves or other persons.

A Member must not appoint their spouse, domestic partner or relative to a position in their own office.

A Member must not receive or seek to receive any fee, payment, retainer or reward, nor permit any compensation to accrue to their beneficial interest, for or on account of, or as a result of, their position as a Member, other than compensation to which they are entitled as a Member of Parliament.

#### *Use of official information*

**A Member makes appropriate use of official information strictly for the purpose of performing their role as a Member of Parliament in the best interests of the public.**

A Member must take care to protect confidential and official information in their possession or knowledge.

A Member must not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties or position, for the advantage or benefit of themselves or another person.

#### *Use of public resources*

**A Member uses public resources and assets strictly for the purpose of performing their role as a Member of Parliament, and in accordance with any rules and guidelines regarding the use of those resources and assets.**

A Member must not use public resources, or allow such resources to be used by others, for personal advantage or benefit.

A Member must be scrupulous in ensuring the legitimacy and accuracy of any claim they make on the public account.

#### *Gifts and benefits*

**A Member must adhere to standards of transparency and accountability in relation to gifts or benefits, and carry out their duties as a Member of Parliament without being influenced by gifts or benefits.**

A Member must not solicit, encourage or accept gifts, benefits or favours which may improperly influence the Member in the exercise of their duties, or may give the appearance of improper influence. Exceptions to this are incidental gifts or customary hospitality of nominal value.

A Member must declare gifts and benefits received, as required by the *Parliamentary (Disclosure of Interests) Act 1996*.

#### *Accuracy of statements*

**A Member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.**

A Member must not mislead Parliament or the public in statements that they make.

Whether any misleading was intentional or unintentional, a Member is obliged to correct the Parliamentary record, or the public record, at the earliest opportunity in a manner that is appropriate to the circumstances.

#### *Outside employment*

**A Member must manage employment outside of Parliament to ensure that any such employment does not interfere with their duties as a Member of Parliament.**

A Member must not engage in any employment outside Parliament that involves a substantial commitment of time and effort to the extent that it interferes with their duties as a Member.

#### *Upholding the principles of respect, justice and inclusion for all Tasmanians*

Members agree to respect the religious and cultural beliefs of others, in accordance with the Universal Declaration of Human Rights.

Members agree to uphold the principles of justice and inclusion among our multicultural society, making efforts to generate understanding of all groups.

Members agree to recognise and value diversity as an integral part of Australia's social and economic future.

Members should promote reconciliation with Indigenous Australians.

### ***Parliamentary conduct***

**A Member conducts themselves in Parliament in ways that will protect the public interest, and enhance public confidence and trust in Parliament.**

A Member must observe proper standards of parliamentary conduct by complying with Standing Orders, and directions of the Presiding Officer.

A Member must take particular care to consider the rights and reputations of others before making use of the unique protection available under parliamentary privilege. This privilege should never be used recklessly or without due regard to accuracy.

TUESDAY, 27 November 2018

## **ORDERS OF THE DAY**

- 1** Justice and Related Legislation (Marriage Amendments) Bill 2018 (No. 47): Second reading.
- 2** Mental Health Amendment Bill 2018 (No. 43): Second reading.
- 3** Gas Industry Bill 2018 (No. 40): Second reading.
- 4** Gas Safety Bill 2018 (No. 41): Second reading.
- 5** Gas (Consequential Amendments) Bill 2018 (No. 42): Second reading.

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

### **PAPERS ISSUED**

#### **LEGISLATIVE COUNCIL**

Notice Paper No. 34  
Bills Nos. 58 & 60

### **SUMMARY OF BILLS**

#### *Read First Time*

Bill No. 2	Partition ( <i>pro forma</i> ).
Bill No. 15	Corrections Amendment (Prisoner Remission).
Bill No. 25	Emergency Management Amendment.
Bill No. 30	Traffic and Related Legislation Amendment
Bill No. 34	Crime (Confiscation of Profits) Amendment.
Bill No. 40	Gas Industry.
Bill No. 41	Gas Safety.
Bill No. 42	Gas (Consequential Amendments).
Bill No. 43	Mental Health Amendment.
Bill No. 45	Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons).
Bill No. 47	Justice and Related Legislation (Marriage Amendments).

#### *Consideration of Bill as amended in Committee of Whole Council*

Bill No. 27	Building Legislation (Miscellaneous Amendments).
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*Awaiting Third Reading*

Bill No. 35	Justice and Related Legislation (Miscellaneous Amendments). <i>Returned to House of Assembly with Amendment</i>
Bill No. 32	Residential Tenancy Amendment. <i>Agreed to by Both Houses</i>
Bill No. 3	Tasmanian Health Service ( <i>Act No. 1 of 2018</i> ).
Bill No. 4	Constitution Amendment (House of Assembly Electoral Boundaries) ( <i>Act No. 17 of 2018</i> ).
Bill No. 7	Natural Resource Management Amendment ( <i>Act No. 11 of 2018</i> ).
Bill No. 8	Threatened Species Protection Amendment ( <i>Act No. 10 of 2018</i> ).
Bill No. 9	Consolidated Fund Supply (No. 1) ( <i>Act No. 3 of 2018</i> ).
Bill No. 10	Consolidated Fund Supply (No. 2) ( <i>Act No. 4 of 2018</i> ).
Bill No. 11	Consolidated Fund Appropriation (Supplementary Appropriation for 2017-18) ( <i>Act No. 2 of 2018</i> ).
Bill No. 12	Justices of the Peace. ( <i>Act No. 15 of 2018</i> ).
Bill No. 13	Electricity Supply Industry Amendment (Price Cap) ( <i>Act No. 24 of 2018</i> ).
Bill No. 14	Metro Tasmania Amendment ( <i>Act No. 9 of 2018</i> ).
Bill No. 16	Consolidated Fund Appropriation Bill (No. 1) ( <i>Act No. 6 of 2018</i> ).
Bill No. 17	Consolidated Fund Appropriation Bill (No. 2) ( <i>Act No. 7 of 2018</i> ).
Bill No. 18	Taxation Related Legislation (Housing Availability and Payroll Relief) ( <i>Act No. 5 of 2018</i> ).
Bill No. 19	Housing Land Supply ( <i>Act No. 8 of 2018</i> ).
Bill No. 20	Terrorism (Restrictions on Bail and Parole). ( <i>Act No. 14 of 2018</i> ).
Bill No. 21	Police Offences Amendment (Prohibited Insignia) ( <i>Act No. 13 of 2018</i> ).
Bill No. 22	Land Titles Amendment. ( <i>Act No. 20 of 2018</i> ).
Bill No. 23	Anzac Day Observance Amendment. ( <i>Act No. 21 of 2018</i> ).
Bill No. 24	Water and Sewerage Corporation Amendment (Crown Involvement Facilitation) ( <i>Act No. 12 of 2018</i> ).
Bill No. 26	Health Complaints Amendment (Code of Conduct). ( <i>Act No. 19 of 2018</i> ).
Bill No. 28	National Redress Scheme of Institutional Child Sexual Abuse (Commonwealth Powers). ( <i>Act No. 16 of 2018</i> ).
Bill No. 29	Surveillance Legislation Amendments (Personal Police Cameras) ( <i>Act No. 18 of 2018</i> ).
Bill No. 31	Australian Crime Commission Legislation (Miscellaneous Amendments).
Bill No. 33	Corrections Amendment.
Bill No. 36	Legal Profession Amendment ( <i>Act No. 25 of 2018</i> ).
Bill No. 37	Police Offences Amendment (Consorting). ( <i>Act No. 22 of 2018</i> ).
Bill No. 39	Family Violence Reforms
Bill No. 53	Water and Sewerage Legislation (Corporate Governance and Pricing) Amendment ( <i>Act No. 23 of 2018</i> ).

#### STANDING COMMITTEES AND MEMBERS

Committee of Privileges: Mr Dean, Mr Finch, Ms Forrest (Chair of Committees), Mr Wilkinson (President) and Mrs Hiscutt.

Standing Orders Committee: The President (Mr Wilkinson), The Chair of Committees (Ms Forrest), Mr Gaffney, Mrs Hiscutt, and Ms Rattray.

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

Parliamentary Standing Committee on Subordinate Legislation (Joint): Mr Farrell, Ms Forrest and Ms Rattray.

Parliamentary Standing Committee of Public Accounts (Joint): Mr Dean, Ms Forrest and Mr Gaffney.

Parliamentary Standing Committee on Integrity (Joint): Mr Dean, Mr Gaffney and Mr Valentine.

#### SESSIONAL COMMITTEES AND MEMBERS

House Committee (Joint): The President (Mr Wilkinson), Ms Forrest and Mrs Hiscutt.

Library Committee (Joint): Mr Farrell, Mr Finch, Ms Forrest, Ms Rattray and Mr Valentine and Mr Wilkinson.

Government Administration A: Mr Finch, Ms Forrest, Mr Gaffney, Ms Lovell, Mr Valentine and Mr Willie.

- Acute Health Services.
- Horizontal Fiscal Equalisation System

Government Administration B: Ms Armitage, Mr Armstrong, Mr Dean, Mr Farrell, Ms Howlett, Ms Rattray and Ms Siejka.

- North-East Rail Corridor Ms Lovell (substitute for Ms Siejka)

#### SELECT COMMITTEES AND MEMBERS

Short Stay Accommodation in Tasmania: Ms Armitage, Mr Armstrong, Mr Rattray, Mr Valentine and Mr Willie.

AFL in Tasmania: Mr Dean, Mr Farrell, Mr Finch, Mr Gaffney, Ms Howlett and Ms Siejka.

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

Government Businesses Scrutiny Committee B: Ms Armitage, Mr Armstrong, Mr Dean, Mr Farrell, Ms Howlett, Ms Rattray and Ms Siejka.