



PARLIAMENT OF TASMANIA

LEGISLATIVE COUNCIL

REPORT OF DEBATES

Tuesday 16 August 2022

REVISED EDITION

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Tuesday 16 August 2022

THIRD SESSION OF THE FIFTIETH PARLIAMENT

The Council met at 11 a.m. pursuant to the Proclamation of Her Excellency, the Governor, the Honourable Barbara Baker AC.

The Clerk read the Proclamation.

OPENING OF PARLIAMENT BY COMMISSIONERS

The Commissioners appointed by the Governor, the Honourable Barbara Baker AC, the Honourable Craig Farrell, the Honourable Leonie Hiscutt and the Honourable Tania Rattray instructed the Black Rod to attend the House of Assembly and request members to attend in the Legislative Council to hear the Governor's Commission for the opening of Parliament.

Mr PRESIDENT - Honourable Members of the Legislative Council, honourable members of the House of Assembly:

Her Excellency the Governor, not thinking fit to be here at this time, has been pleased to cause a Commission under the Seal of State to be prepared in order to the opening and holding of this Parliament. This will more fully appear by the Letters Patent themselves, which the Clerk of the Council will now read.

The Clerk read the Commission.

Mr PRESIDENT - Honourable members of the Legislative Council, members of the House of Assembly:

We have it in command from Her Excellency the Governor to acquaint you that Her Excellency desires that you take into your earnest consideration such matters as may be submitted to you in this Third Session of the Fiftieth Parliament and I now declare the Session open.

ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE

The President, **Mr Farrell**, acknowledged the Traditional People and read Prayers.

PARTITION BILL (pro forma)

First Reading

Bill presented by Mrs Hiscutt and read the first time.

TABLED PAPERS

Select Committee Inquiry into Finfish Farming in Tasmania - Government Response

[11.16 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I table the Government's response to the Legislative Council Select Committee Inquiry into Finfish Farming in Tasmania.

Tasmanian Electoral Commission Advice - Electoral Boundaries

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, on behalf of the Premier, who made a commitment during Estimates, I table the Electoral Commissioner's advice regarding revising Tasmania's electoral boundaries.

MESSAGE FROM GOVERNOR

Resignation of Member for Pembroke - Ms Jo Siejka

[11.17 a.m.]

Mr PRESIDENT - Honourable Members, I wish to advise that I received the following correspondence from the Governor:

Dear Mr President,

I enclose the resignation of Ms Jo Siejka as a member of the Legislative Council which was received by Her Excellency the Governor on 27 July 2022.

Her Excellency has asked the Tasmanian Electoral Commissioner to take the appropriate action to fill the vacancy.

Yours sincerely,

David Owen, Official Secretary.

The letter reads:

Your Excellency,

In accordance with Section 15 of the Constitution Act 1934, I hereby tender my resignation as a Member of the Legislative Council for the electoral Division of Pembroke with effect from today, Friday 2 August 2022.

It has been an honour and a privilege to be the elected Member for Pembroke.

Yours sincerely,

Jo Siejka, MLC
Member for Pembroke.

STATEMENT BY LEADER

Ministerial Portfolio Changes

[11.18 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, on behalf of the Premier, I wish to advise the Council of ministerial appointments:

- Jeremy Rockliff MP, as Premier, Minister for Health, Minister for Mental Health and Wellbeing, Minister for Tourism and Minister for Trade.
- Michael Ferguson MP, as Deputy Premier, Treasurer, Minister for Infrastructure and Transport and Minister for Planning.
- Elise Archer MP, as Attorney-General, Minister for Justice, Minister for Corrections and Rehabilitation, Minister for Workplace Safety and Consumer Affairs and Minister for the Arts.
- Guy Barnett MP, as Minister for State Development, Construction and Housing, Minister for Energy and Renewables, Minister for Resources and Minister for Veterans' Affairs.
- Roger Jaensch MP, as Minister for Education, Children and Youth, Minister for Parks, Minister for Environment and Climate Change and Minister for Aboriginal Affairs.
- Madeleine Ogilvie MP, as Minister for Small Business, Minister for Advanced Manufacturing and Defence Industries, Minister for Science and Technology, Minister for Racing and Minister for Heritage.
- Jo Palmer MLC, as Minister for Primary Industries and Water, Minister for Prevention of Family Violence, Minister for Disability Services and Minister for Women.
- Felix Ellis MP, Minister for Police, Fire and Emergency Management and Minister for Skills, Training and Workforce Growth.
- Nic Street MP, Minister for Hospitality and Events, Minister for Community Services and Development, Minister for Sport and Recreation, Minister for Local Government and Leader of the House.

The Honourable Leonie Hiscutt MLC continues as Leader of the Government in the Legislative Council, and the Honourable Jo Palmer MLC continues as the Deputy Leader of the Government in the Legislative Council.

The Honourable Nick Duigan MLC continues as Parliamentary Secretary for the Tamar Estuary and the Honourable Lara Alexander MP continues as Parliamentary Secretary to the Minister for State Development, Construction and Housing and also Government Whip.

PRESIDENT'S AUTHORITY

Advisers on the Floor

[11.20 a.m.]

Mr PRESIDENT - Honourable members, by my authority, I have determined that advisers to the Leader of the Government and Deputy Leader and the Minister for Primary Industries and Water, Minister for Disability Services, Minister for Women, and Minister for the Prevention of Family Violence be authorised to go onto the Floor of this House for the duration of the session in order to provide advice and support to those two members.

STATEMENT BY THE PRESIDENT

Appointment of Staff to the Parliament - Mr Robert Wright

[11.21 a.m.]

Mr PRESIDENT - I welcome to the President's Reserve Mr Robert Wright, who has recently been appointed the Human Resources Manager for the Parliament of Tasmania. This is a new role and Robert commenced his duties on 27 June 2022. His previous role was with Family Planning Tasmania as the People & Culture Specialist, and he held that position since moving to Tasmania from New South Wales in May 2021.

In New South Wales he held roles in the public sector and private enterprise. He has over 20 years experience and is highly skilled in contemporary human resource management and is a very worthwhile appointment to the Parliament of Tasmania.

I am sure that Robert will be a great asset and I am sure that all members of this Chamber will welcome Robert to his new role and look forward to working with him in the years ahead.

Members - Hear, hear.

RECOGNITION OF VISITOR

[11.21 a.m.]

Mr PRESIDENT - I also welcome Aleira Chalker who is in the President's Reserve. Aleira is from the Hobart City High School and she is undertaking work experience with the Legislative Council this week, and will also spend time in the Elwick Electorate Office.

It is also Aleira's sixteenth birthday today, so I am sure all members will join me in wishing her a happy birthday and a satisfying time here in the Legislative Council.

Members - Hear, hear.

MOTIONS

Committee Appointments

[11.22 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
I seek leave to move various Motions without Notice relating to committees and other matters.

Leave granted.

Joint House Committee - Membership

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the following members of the Council be appointed to serve on a Joint Committee of both Houses, known as the House Committee, to control Parliament House and grounds and other matters:

Mr Farrell;
Ms Forrest, and
The Mover, Mrs Hiscutt.

Motion agreed to.

Joint Committee to Manage the Parliamentary Library - Membership

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the following members of the Council be appointed to serve on a Joint Committee of both Houses to manage the Parliamentary Library:

Mr Farrell;
Ms Armitage;
Ms Forrest;
Ms Howlett;
Ms Rattray; and
Mr Valentine.

Motion agreed to.

Message to the House of Assembly

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That a message be transmitted to the House of Assembly acquainting that House accordingly.

Motion agreed to.

MOTIONS

Joint Sessional Gender and Equality Committee - Establishment

[11.24 a.m.]

Ms FORREST (Murchison)(by leave) - Mr President, I move -

That a Joint Sessional Gender and Equality Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place to inquire into and report upon -

- (1) (a) Any bill referred to it by either House in order to examine gender and equality impacts and any such bill so referred shall be reported upon within 10 sitting days of its referral;
- (b) Any matter related to gender and equality referred to it by either House; and
- (c) Any matter related to gender and equality, initiated by its own motion; and
- (2) That notice of any own motion inquiry shall be reported to both Houses within two (2) sitting days of the Committee's Resolution; and
- (3) That the number of members to serve on the said Committee on the part of the Legislative Council be four.

Motion agreed to and message transmitted to the House of Assembly.

Joint Sessional Gender and Equality Committee - Membership

Ms FORREST (Murchison) - Mr President, I move -

That Mr Duigan, Mr Harriss, Mr Willie and the Mover be appointed to serve on the said Committee on the part of the Council.

Motion agreed to.

MOTIONS

Sessional Order - E-Petitions

[11.25 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council)(by leave) - Mr President, I move -

That the Sessional Orders relating to E-petitions, which were in place in the Second session of the Fiftieth Parliament, be again approved for this session.

Motion agreed to.

Sessional Orders - Standing Orders 29(2) and 138(2) and 138(4)

[11.25 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council)(by leave) - Mr President, I move -

That the following Sessional Orders apply in lieu of Standing Orders 29(2), and 138(2) and 138(4).

29. Adjournment for want of a Quorum when notice taken by Member

- (2) At any time after the Council has proceeded to business, if a Member notices that seven Members including the President or Deputy President are not present, and so states, the Bells shall be rung as for a Division, and if a quorum is not present at the expiration of four minutes the President shall adjourn the Council without a Question first put, until the next ordinary sitting time.

138. After division called -

How Division taken

- (2) The President will order the division bells to be rung for four minutes.

Locking of Doors

- (4) After the four minutes have expired, or such lesser time at the discretion of the President, he or she will order the doors to be locked and no Member will enter or leave the Chamber until after the division.

Motion agreed to.

Sessional Order - Standing Order 200

[11.27 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council)(by leave) - Mr President, I move -

That the following Sessional Order apply in lieu of Standing Order 200 -

- (1) The evidence taken by any Select Committee of the Council, and documents presented to such Committee, which have not been reported to the Council shall not, unless authorised by the Committee, be referred to in the Council by any Member or published or disclosed by any Member or by any other person.
- (2) Paragraph (1) does not apply to -
 - a) any proceedings of the Committee that are open to the public and the news media;
 - b) press releases or statements by a Member of the Committee on the authority of the Committee; and
 - c) written submissions presented to a Select Committee and authorised to be published by the Committee.

Motion agreed to.

Sessional Order - Standing Order 39 Special Interest Matters

[11.28 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That so much of Standing Order 39 be suspended for the duration of this Session to enable Special Interest Matters to be called on each sitting Tuesday before Notices of Motion and Orders of the Day are proceeded with.

Motion agreed to.

SITTING TIMES

[11.28 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That for the period commencing on and from this day through to and including Wednesday 23 November 2022, whenever the Council is sitting at 4 p.m. on Tuesday and Wednesday, the sitting will be suspended for 30 minutes.

Motion agreed to.

RESUMPTION OF PROCEEDINGS

Restoration of Orders of the Day - Notice Paper

[11.28 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the following six Orders of the Day be restored to the Notice Paper following the prorogation of Parliament on 1 August 2022 -

- (1) Report of the Parliamentary Standing Committee of Public Accounts "Review of Auditor-General's Report No. 4 of 2016-17: Event Funding": Consideration and noting.
- (2) Report of the Parliamentary Standing Committee of Public Accounts "Review of Auditor-General's Report No. 8 of 2018-19: Student Attendance and Engagement, Years 7 to 10": Consideration and noting.
- (3) Report of the Legislative Council Government Administration Committee A Inquiry into Finfish Farming in Tasmania: Consideration and noting.
- (4) Report of the Parliamentary Standing Committee of Public Accounts Review of Selected Public Works Committee Reports 27 of 2015: Midland Highway, Mangalore to Bagdad Stage 1 and Midland Highway, Kempton to Melton Mowbray Stage 1; and 28 of 2015: Midland Highway, Perth to Breadalbane Duplication: Consideration and noting.
- (5) Report of the Legislative Council Government Administration Committee B Inquiry into Disability Services in Tasmania: Consideration and noting.
- (6) Report of the Legislative Council Government Administration Committee A Inquiry into the Roy Fagan Centre: Consideration and noting.

Motion agreed to.

MOTIONS

Deputy Chairs of Committees - Appointment

[11.30 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the following members be appointed Deputy Chairs of Committees of this Council -

Ms Rattray;
Mr Valentine; and
Ms Armitage

Motion agreed to.

Government Administration Committees A and B - Reappointments

[11.31 a.m.]

Ms FORREST (Murchison)(by leave) - Mr President, I move -

That Government Administration Sessional Committees A and B be reappointed and that the Sessional Orders Nos. 1 to 32 which govern the operation of the two Government Administration Sessional Committees and agreed to in the Second Session of the Fiftieth Parliament continue to have application for this Session.

And further,

That the following revised list of Ministerial portfolios be allocated to the Legislative Council Government Administrative Committees A and B as a result of the Ministerial portfolio changes -

Committee A

- I. The Premier
- II. The Minister for Health
- III. The Minister for Mental Health and Wellbeing
- IV. The Minister for Trade
- V. The Minister for Tourism
- VI. The Deputy Premier
- VII. The Treasurer
- VIII. The Minister for Infrastructure and Transport
- IX. The Minister for Planning
- X. The Minister for Primary Industries and Water
- XI. The Minister for Disability Services
- XII. The Minister for Women
- XIII. The Minister for the Prevention of Family Violence
- XIV. The Minister for Community Services and Development
- XV. The Minister for Hospitality and Events
- XVI. The Minister for Sport and Recreation
- XVII. The Minister for Local Government.

Committee B

- I. The Attorney- General
- II. The Minister for Justice
- III. The Minister for Corrections and Rehabilitation
- IV. The Minister for Workplace Safety and Consumer Affairs
- V. The Minister for the Arts
- VI. The Minister for Energy and Renewables
- VII. The Minister for State Development, Construction and Housing
- VIII. The Minister for Veterans' Affairs
- IX. The Minister for Education, Children and Youth
- X. The Minister for Environment and Climate Change
- XI. The Minister for Aboriginal Affairs
- XII. The Minister for Parks
- XIII. The Minister for Advanced Manufacturing and Defence Industries
- XIV. The Minister for Science and Technology
- XV. The Minister for Small Business
- XVI. The Minister for Racing
- XVII. The Minister for Heritage
- XVIII. The Minister for Police, Fire and Emergency Management
- XIX. The Minister for Resources
- XX. The Minister for Skills, Training and Workforce Growth.

And further, that -

Mr Duigan
Mr Gaffney
Mr Harriss
Ms Lovell
Ms Webb
and the Mover

be of Committee A.

And that -

Ms Armitage
Ms Howlett
Ms Rattray
Mr Valentine; and
Mr Willie

be of Committee B.

Motion agreed to.

Select Committee on Road Safety - Reappointment

[11.34 a.m.]

Ms ARMITAGE (Launceston)(by leave) - Mr President, I move -

That the Legislative Council Select Committee on Road Safety in Tasmania, appointed on 29 June 2021 and reappointed on 3 May 2022 with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place to inquire into and report upon Road Safety in Tasmania, be reappointed; and that Ms Rattray, Mr Willie and the Mover be of the Committee and its Terms of Reference be those agreed to in the First and Second Sessions of the Fiftieth Parliament and that the Minutes of Proceedings of, and evidence received by that Committee be referred to the Committee.

Motion agreed to.

Select Committee on the University of Tasmania - Reappointment

[11.34 a.m.]

Mr VALENTINE (Hobart)(by leave) - Mr President, I move -

That the Legislative Council Select Committee on the University of Tasmania Act 1992 appointed on 24 May 2022 with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place to inquire into and report upon the provisions of the University of Tasmania Act 1992 be reappointed; and that Mr Duigan, Mr Gaffney, Ms Lovell, Ms Webb and the Mover be of the Committee and its Terms of Reference be those agreed to in the Second Session of the Fiftieth Parliament and that the Minutes of Proceedings of, and evidence received by that Committee be referred to the Committee.

Motion agreed to.

MESSAGE FROM THE HOUSE OF ASSEMBLY

Attendance of Ministers from the Legislative Council in the House of Assembly

[11.35 a.m.]

Mr PRESIDENT - Honourable members, 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 pursuant to the provisions of House of Assembly Standing Order 50, a Message be transmitted to the Legislative Council, requesting that the Legislative Council give leave for any Member of the Legislative Council who is a Minister of the Crown to attend the Assembly so as to

respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly.

Mark Shelton, Speaker,
House of Assembly, 16 August 2022.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the message be taken into consideration forthwith.

Motion agreed to.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That leave be granted to Members of the Legislative Council who are Ministers of the Crown to attend the House of Assembly, if they think fit, so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly.

Motion agreed to.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That a message be transmitted to the House of Assembly acquainting the House accordingly.

Motion agreed to.

SUSPENSION OF SITTING

[11.36 a.m.]

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, we are waiting on another message from the other place. In the meantime, I move -

That the sitting be suspended until the ringing of the Division bells.

Motion agreed to.

Sitting suspended from 11.37 a.m. until 12.03 p.m.

MESSAGE FROM THE HOUSE OF ASSEMBLY

Resumption of Proceedings

[12.04 p.m.]

Mr PRESIDENT - Honourable members, the House of Assembly having passed the following Resolution begs now to transmit the same to the Legislative Council and to request its concurrence therein -

Resolved, That in accordance with Standing Order No. 248, a message be transmitted to the Legislative Council requesting that the proceedings of the -

Police Offences Amendment (Workplace Protection) Bill 2022 (No. 15)

which were interrupted by the prorogation of Parliament on 1 August 2022, be resumed at the stage at which they were so interrupted.

Mark Shelton, Speaker,
House of Assembly, 16 August 2022.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That the message be taken into consideration forthwith.

Motion agreed to.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That in accordance with Standing Order No. 317(2)(b) the proceedings on the said Bill be resumed at the stage at which they were interrupted by the Prorogation of Parliament on 1 August 2022.

Motion agreed to.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) - Mr President, I move -

That a message be transmitted to the House of Assembly acquainting that House accordingly.

Motion agreed to.

ADJOURNMENT

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That at its rising the Council does adjourn until 9.30 a.m. on
Friday 19 August 2022.

This will be for a Quorum call.

Motion agreed to.

Mrs HISCUTT (Montgomery - Leader of the Government in the Legislative Council) -
Mr President, I move -

That the Council do now adjourn.

The Council adjourned at 12.06 p.m.