



# LEGISLATIVE COUNCIL

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 25

TUESDAY, 22 NOVEMBER 2022

- 1 **COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon.
- 2 **ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past and present. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 **PRAYERS.**— The President read Prayers.
- 4 **E-PETITION.**— Ms *Forrest* brought up an E-Petition from 1828 citizens of Tasmania who draw to the attention of the House the recent flood related damage to the Cam River bridge, the need for a full investigation of causes of the damage and consultation around the provision of a dual river crossing to compliment the new bridge being currently constructed.  
*Ordered,* That the E-Petition be received. (Ms *Forrest*)
- 5 **PETITION: GOVERNMENT RESPONSE.**— Mrs *Hiscutt* laid upon the Table of the Council the Government Response to the Hon Member for Murchison’s (Ms *Forrest*’s) Petition regarding the proposed expansion of ocean -based salmon farming industry into northwest Tasmania and beyond.
- 6 **PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
  - (1) Keystone Tasmania: Annual Report 2021-2022.
  - (2) Tasmanian Dairy Industry Authority: Annual Report and Financial Statements: 2021-2022.
  - (3) National Health Practitioner Ombudsman: Annual Report 2021-2022.
  - (4) AHPRA & National Boards – The Australian Health Practitioner Regulation Agency and the National Boards, reporting on the National Registration and Accreditation Scheme: Annual Report 2021-2022.
  - (5) Tasmanian Museum and Art Gallery: Annual Report 2021-2022.
  - (6) *Expungement of Historical Offences Act 2017* – Annual Report 2021-2022.
  - (7) *Asbestos Related Diseases Compensation Act 2011*. Second Five Yearly Review.
  - (8) *Biosecurity Act 2019*: Statutory Rules 2022 containing Biosecurity Regulations 2022.
- 7 **SPECIAL INTEREST MATTERS.**— The President advised the Chamber of five Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Mr *Gaffney* – Don River Railway;
- (2) Ms *Webb* – The Work of the Tasmanian Independent Science Council;
- (3) Ms Rattray – Northern Midlands Relay for Life – Mel Nicholson;
- (4) Ms *Palmer* – Exeter childcare – 30 years; and
- (5) Mrs *Hiscutt* – Valuing Tasmania’s Health Care Workforce.

At the conclusion of Special Interest Matters the Council proceeded to Orders of the Day.

**8 REPORT OF THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ROAD SAFETY IN TASMANIA.**— The Order of the Day was read for resuming the Debate on the Question, That the Report of the Legislative Council Select Committee on Road Safety in Tasmania be considered and noted.

The Question was again proposed, and the Council resumed the Debate.

**9 SITTING SUSPENDED.**— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

**10 QUESTION TIME.**— The President called for Questions without Notice. There were five Questions asked.

**11 REPORT OF THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ROAD SAFETY IN TASMANIA.**— The Council resumed the Debate on the Question, That the Report of the Legislative Council Select Committee on Road Safety in Tasmania be considered and noted.

And the Question being put,

It was resolved in the Affirmative.

**12 THE 75TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND HUMAN RIGHTS IN TASMANIA.**— A Motion was made (Ms *Webb*) and the Question was proposed, That the Legislative Council:

- (1) Notes that International Human Rights Day is observed every 10<sup>th</sup> of December, the date on which the United Nations General Assembly in 1948 formally adopted the Universal Declaration of Human Rights, which proclaims the inalienable rights to which every person is entitled;
- (2) notes that 2023 will be the 75<sup>th</sup> Anniversary of the milestone Universal Declaration of Human Rights;
- (3) acknowledges the long-standing community call for a Tasmanian Human Rights Act;
- (4) recognises that the Tasmanian Law Reform Institute (TLRI), following extensive public consultation, recommended in 2007 that Tasmania introduce a Human Rights Act, and that the TLRI is currently finalising an updated report;
- (5) notes that Victoria, Queensland and the Australian Capital Territory have implemented Human Rights Acts;
- (6) welcomes the recent Ministerial Statement made by the Premier, the Honourable Jeremy Rockliff MP, on the 16<sup>th</sup> August 2022, asserting the safety of children and young people are “*fundamental human rights*”, and also the Premier’s media statement of 26 September 2022 recognising housing as a “*basic human right*”;
- (7) welcomes the recent formation of the grassroots Alliance for a Tasmanian Human Rights Act (ATHRA), arising from a forum held in June this year which was hosted by Equal Opportunity Tasmania and sponsored by the Attorney-General;

- (8) congratulates this new grassroots alliance for their work, including a rally to be held on Saturday the 26<sup>th</sup> of November, to both celebrate International Human Rights Day while highlighting that it's time for a Human Rights Act in Tasmania; and
- (9) urges the government to consider marking the 75<sup>th</sup> Anniversary of the Universal Declaration of Human Rights by initiating consultation on a Human Rights Act for Tasmania.

A Debate arose thereupon.

**13 SITTING SUSPENDED.** — It being 4.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 4.30 o'clock p.m.

**14 THE 75TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND HUMAN RIGHTS IN TASMANIA.**— The Council resumed the Debate on the Question, That the Legislative Council:

- (1) Notes that International Human Rights Day is observed every 10<sup>th</sup> of December, the date on which the United Nations General Assembly in 1948 formally adopted the Universal Declaration of Human Rights, which proclaims the inalienable rights to which every person is entitled;
- (2) notes that 2023 will be the 75<sup>th</sup> Anniversary of the milestone Universal Declaration of Human Rights;
- (3) acknowledges the long-standing community call for a Tasmanian Human Rights Act;
- (4) recognises that the Tasmanian Law Reform Institute (TLRI), following extensive public consultation, recommended in 2007 that Tasmania introduce a Human Rights Act, and that the TLRI is currently finalising an updated report;
- (5) notes that Victoria, Queensland and the Australian Capital Territory have implemented Human Rights Acts;
- (6) welcomes the recent Ministerial Statement made by the Premier, the Honourable Jeremy Rockliff MP, on the 16<sup>th</sup> August 2022, asserting the safety of children and young people are “*fundamental human rights*”, and also the Premier’s media statement of 26 September 2022 recognising housing as a “*basic human right*”;
- (7) welcomes the recent formation of the grassroots Alliance for a Tasmanian Human Rights Act (ATHRA), arising from a forum held in June this year which was hosted by Equal Opportunity Tasmania and sponsored by the Attorney-General;
- (8) congratulates this new grassroots alliance for their work, including a rally to be held on Saturday the 26<sup>th</sup> of November, to both celebrate International Human Rights Day while highlighting that it's time for a Human Rights Act in Tasmania; and
- (9) urges the government to consider marking the 75<sup>th</sup> Anniversary of the Universal Declaration of Human Rights by initiating consultation on a Human Rights Act for Tasmania.

And the Question being put,

It was resolved in the Affirmative.

**15 SITTING SUSPENDED.**— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 4.40 o'clock p.m. and resumed at 5.29 o'clock p.m.

**16 BILL NO. 22 OF 2021.**— The Order of the Day was read for resuming the Debate on the Question, That the Public Interest Disclosures (Members of Parliament) Bill 2021 be now read the Second time.

The Question was again proposed, and the Council resumed the Debate.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time.

A Motion was made (Mr *Gaffney*) and the Question was proposed, That the Council does now resolve itself into a Committee to further consider the Bill.

And the President proposed the Question, That the Council does now resolve itself into a Committee and that I do now leave the Chair.

An Amendment was proposed to be made to the Question (Ms *Forrest*)

Leave out all the words after 'That', in order to insert the words – 'the Council will tomorrow resolve itself into the said Committee'

A Debate arose thereupon.

And the Question being put, That the Amendment to the Question be agreed to.

It was resolved in the Affirmative.

*Resolved*, That the Council will, tomorrow, resolve itself into the said Committee.

**17 BILL NO. 30.**— The Retail Leases Bill 2022 was read the Third time and passed.

**18 BILL NO. 30.**— A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, 'A Bill for an Act to make provision in relation to leases of certain retail premises and other business premises, and the rights and obligations of landlords and tenants of those retail premises and other business premises, to rescind the *Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998*, and for other related purposes'.

*Legislative Council, 22 November 2022*

C.M. FARRELL, *President*

**19 BILL NO 47.**— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Expansion of House of Assembly Bill 2022 be now read the Third time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

The Bill was read the third time and passed.

**20 BILL NO. 47.**— A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, 'A Bill for an Act to amend the *Constitution Act 1934* and the *Electoral Act 2004*'.

*Legislative Council, 22 November 2022*

C.M. FARRELL, *President*

**21 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

**22 ORDER OF BUSINESS.**— *Ordered*, That intervening business be postponed until after consideration of Order of the Day No. 7. (Mrs *Hiscutt*)

**23 BILL NO. 48.**— The Order of the Day was read for the Second reading of the Workers Rehabilitation and Compensation Amendment Bill 2022.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

*Ordered*, That the Debate be adjourned. (Mrs *Hiscutt*)

**24 ADJOURNMENT.**—*Resolved*, That the Council at its rising adjourn until 11.00 o'clock a.m. on Wednesday, 23 November 2022. (Mrs *Hiscutt*)

A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council do now adjourn.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

The Council adjourned at 6.14 o'clock p.m.

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

*Briefing*

- *Public Interest Disclosures (Members of Parliament) Bill 2021 (No. 22)*