



# LEGISLATIVE COUNCIL

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 17

WEDNESDAY, 26 OCTOBER 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 **ADJOURNMENT: MATTER OF PUBLIC IMPORTANCE.**— Ms *Ratray* proposed to move, That the Council does now adjourn for the purpose of discussing a Matter of Public Importance; namely, That the Legislative Council recognises that despite all that has been reported in the press relating to the Ashley Youth Detention Centre, the vast majority of employees who have and are working at the Centre have dedicated their working life to caring for, assisting and helping rehabilitate all youths who have been detained at the Ashley Youth Detention Centre .  

And three Members rising in their places to indicate their approval,  
The Motion was proposed.  
A Debate arose thereupon.  
The Motion, by leave of the Council, was withdrawn.
- 5 **LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.**— *Ordered*, That Mrs *Hiscutt* have leave to Table answer to Question No. 1 and have the answer incorporated into the Hansard record.
- 6 **HUMAN RESOURCE STATISTICS ACROSS GOVERNMENT DEPARTMENTS.**— Mr *Valentine* asked the Honourable the Leader of the Government—

With regard Human Resources statistics, detailed by region – South, North, North-West as at 23 August 2022 in the following categories:

- (a) Full Time Equivalent (FTE) establishment;
- (b) total vacant FTEs;
- (c) total FTEs that are subject to an absence, that is an absence being for a period of more than 5 consecutive working days including planned and unplanned leave, leave without pay, suspension or workers compensation; and
- (d) total FTEs subject to an active recruitment process —

can the Government provide the requested FTE information for the following occupations:

- (e) Department of Education

- (ea) Speech and Language Pathologists
- (f) Department of Communities Tasmania
  - (fa) Child Safety and Wellbeing Workers;
  - (fb) Child Safety Officers;
  - (fc) Advice and Referral Line Officers;
  - (fd) Child Safety Practice Leaders; and
  - (fe) Support Workers.
- (g) Department of Justice
  - (ga) Community Corrections Probation Officers; and
  - (gb) Diversion Officers.
- (h) Department of Natural Resources and Environment Tasmania
  - (ha) Parks and Wildlife Officers; and
  - (hb) Field Officers.

The Leader answered,

(a) Full Time Equivalent (FTE) establishment

	North	North-West	South	<b>Total</b>
Ranger	25	17.9	33.4	76.3
Field Officer	23	19.6	28.5	71.1

Note: The data above indicates currently employed FTE and does not include vacant positions.

(b) Total vacant FTEs

	In Progress <sup>1</sup>	Never Occupied <sup>2</sup>	Recent (less than 8 weeks) <sup>2</sup>	Seasonal <sup>3</sup>	Temporary Position <sup>3</sup>	Under Review <sup>2</sup>	<b>Total</b>
<b>North</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>7</b>
Field Officer	0	0	0	0	2	0	2
Ranger	1	0	1	0	1	2	5
<b>North-West</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>5</b>	<b>17</b>
Field Officer	1	1	0	0	1	2	5
Ranger	5	0	0	3	1	3	12
<b>South</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>19</b>
Field Officer	1	2	2	0	2	4	11
Ranger	5	1	2	0	0	0	8
<b>Total</b>	<b>13</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>7</b>	<b>11</b>	<b>43</b>

1. Of these positions 13 are currently under active recruitment (North - 1; North-West - 6; South - 6)
2. A further 20 positions are currently not yet in active recruitment, this includes positions that have only recently become vacant, new positions that have been created but recruitment has not yet commenced or vacant positions that are currently being reviewed prior to the commencement of recruitment, this may include a change to the work location or statement of duties. (North - 3; North-West - 6; South - 11)

3. The remaining 10 positions are either temporary or seasonal positions that are not currently required (North - 3; North-West - 5; South - 2).

(c) Total FTEs subject to an absence > 5 days

	North	North-West	South	Total
Ranger	2	0	2	4
Field Officer	1	2	4	7

(d) Total FTEs subject to an active recruitment process

	North	North-West	South	Total
Ranger	3	5	11	19
Field Officer	1	2	4	7

Note: This includes positions that are currently vacant and non-vacant positions either approved for advertising, advertised, undergoing a selection process or where offers of employment are underway.

(e) Department of Education

Note that establishment information is provided for the Greater Northern and Southern regions.

Current Paid FTE

**Speech and language Pathologist vacancies as at 23 August 2022**

Region	Est	FTE	Vacant
Southern Region	28.50	19.65	8.85
Northern Region	25.10	20.95	4.15
<b>Grand Total</b>	53.60	<b>40.60</b>	<b>13</b>

**Paid FTE of employees absent for five or more consecutive days.**

Region	FTE
Southern Region	1.20
Northern Region	0.55
<b>Grand Total</b>	<b>1.75</b>

Vacancies

There are currently 7.3 FTE advertised in the Southern region, closing 11 September 2022.

(f) Department of Communities Tasmania

Position	Number at 28 July 2022*
Child Safety and Wellbeing Workers #	33.00

Child Safety Officers	129.5
Child Safety Practice Leaders	23
Support Workers	25.40

\* These figures are at the pay period ending 28 July 2022, which is the most recent data available that takes recruitment and leave into account.

# The Advice and Referral Line is staffed by Child Safety and Wellbeing Workers. There is no separate employment type called “Advice and Referral Line Officers.

(g) Department of Justice

Region		Establishment FTE	Vacant FTE	Absence >5 day FTE	Active recruitment FTE
South	Probation Officer	30.1	3.6	4	4.5
	Court Diversion Officer	5	.2	1	0
North	Probation Officer	11.4	0.59	2	0
	Court Diversion Officer	4.5	1.9	0	1.9
North West	Probation Officer	11.5	1.1	1	0
	Court Diversion Officer	3	1	0	0

(h) Department of Natural Resources and Environment Tasmania

**Total FTEs subject to an absence > 5 days**

	North	North-West	South	Total
Ranger	2	0	2	4
Field Officer	1	2	4	7

**Total FTEs subject to an active recruitment process**

	North	North-West	South	Total
Ranger	3	5	11	19
Field Officer	1	2	4	7

Note: This includes positions that are currently vacant and non-vacant positions either approved for advertising, advertised, undergoing a selection process or where offers of employment are underway.

**7 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—

- (1) State Fire Commission: Annual Report 2021-22.

- (2) Tasmanian Economic Regulator: Annual Report 2021-22.
- (3) Teachers Registration Board Tasmania: Annual Report 2021.
- (4) Department of Police, Fire & Emergency Management: Annual Report 2021-22.
- (5) Office of the National Rail Safety Regulator: Annual Report 2021-22.
- (6) Tasmanian Planning Commission: Annual Report 2021-22.
- (7) Metro Tasmania: Annual Report 2021-22.
- (8) Marine and Safety Tasmania (MAST): Annual Report 2021-22.
- (9) Aurora Energy: Annual Report 2021-22.
- (10) Port Arthur Historic Site Management Authority: Annual Report 2021-22.
- (11) Nature Conservation Act 2002: Statutory Rules 2022, containing Proclamation Under the Nature Conservation Act 2002.
- (12) Inland Fisheries Service: Annual Report 2021-22.
- (13) House of Assembly: Annual Report 2021-22.
- (14) TasNetworks: Annual Report 2021-22.
- (15) Tasmania Development and Resources: Annual Report 2021-22.
- (16) Department of State Growth: Annual Report 2021-22.
- (17) Report of the Tasmanian Industrial Commission 'Review of Actions' 2021-22.
- (18) Brand Tasmania: Annual Report 2021-22.

**8 BILL NO. 46.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Environmental Management and Pollution Control Act 1994*’,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 25 October 2022*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**9 BILL NO. 63 OF 2021.**— The Order of the Day was read for the further consideration in Committee of the Climate Change (State Action) Amendment Bill 2021.

And the President having left the Chair, the Council resolved itself into the said Committee.

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(In the Committee)

Ms *Forrest* in the Chair.

Clause 6 as amended further considered.

Amendment proposed (Ms Webb)

Page 14, proposed new section 5c, after subsection (4).

*Insert* the following subsection:

(4A)A sector-based emissions reduction and resilience plan must include –

- (a) numerical estimates of the emissions reductions that the plan is likely to bring about; and
- (b) details of any voluntary agreements made with any emitting entities in the sector.

**10 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.

**11 QUESTION TIME.**— The President called for Questions without Notice. There were seven Questions asked.

**12 BILL NO. 63 OF 2021.**— The Council again resolved itself into a Committee on the Climate Change (State Action) Amendment Bill 2021.

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(In the Committee)

Ms *Forrest* in the Chair.

Clause 6 as amended.

Proposed amendment further considered.

Question put, That the amendment be agreed.

Committee divided.

AYES 5

Mr *Gaffney*  
Ms *Lovell (Teller)*  
Mr *Valentine*  
Ms *Webb*  
Mr *Willie*

NOES 7

Ms *Armitage*  
Ms *Forrest*  
Mr *Harriss (Teller)*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Palmer*  
Ms *Ratray*

Pair: Mr *Edmunds*

Pair: Mr *Duigan*

So it passed in the Negative.

Clause 6 as amended.

Further amendment proposed (Ms Webb)

Page 16, after proposed new section 5E.

*Insert* the following section:

**5F. Climate change to be taken into account**

In making a policy decision, a Tasmanian policy decision-maker must take into account the effect on climate change that the policy decision is likely to have.

**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 BILL NO. 63 OF 2021.**— The Council again resolved itself into a Committee on the Climate Change (State Action) Amendment Bill 2021.

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(In the Committee)

Ms *Forrest* in the Chair.

Clause 6 as amended further considered.

Proposed amendment further considered.

Question put, That the amendment be agreed to.

Committee divided.

AYES 7

Ms *Forrest*  
Mr *Gaffney*  
Ms *Lovell* (Teller)  
Ms *Ratray*  
Mr *Valentine*  
Ms *Webb*  
Mr *Willie*

NOES 5

Ms *Armitage*  
Mr *Harriss*  
Mrs *Hiscutt* (Teller)  
Ms *Howlett*  
Ms *Palmer*

Pair: Mr *Edmunds*

Pair: Mr *Duigan*

It was resolved in the Affirmative.

Clause as amended agreed to.

Clause 7 agreed to.

Clause 8, amendment made. (Ms *Lovell*)

Page 17, proposed new subsection (3), after “government”.

*Insert* “, relevant unions, the peak body representing trade unions”.

Clause as amended agreed to.

Clauses 9 and 10 agreed to.

Clause 11 read.

To report progress and seek leave to sit again.

The Council being resumed Ms *Forrest* reported that the Committee had made progress in the Bill, and that she was directed to move that the Committee may have leave to sit again.

Resolved, That the Committee will, at a later hour, again resolve itself into the said Committee.

**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 5.37 o'clock p.m. and resumed at 5.56 o'clock p.m.

**16 BILL NO. 63 OF 2021.**— The Council according to Order again resolved itself into a Committee to consider the Climate Change (State Action) Amendment Bill 2021.

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(In the Committee)

Ms *Forrest* in the Chair.

Clause 11 as read further considered.

Amendment made. (Ms *Ratray*)

Page 19, proposed new regulation 5, subregulation (2).

*Leave out* "he or she".

*Insert instead* "the Minister".

Clause as amended, agreed to.

Clause 12 agreed to.

**New Part 3A [Mineral Resources Development Act 1995 amended]** brought up (Ms *Webb*) and read the First time as follows:—

A. *Mineral Resources Development Act 1995* amended

The *Mineral Resources Development Act 1995* is amended by inserting after section 10 the following section:

10A Issue of new leases and licences for exploration fossil fuels to cease

After the commencement of the Climate Change (State Action) Amendment Act 2022, the Minister must not issue any new lease or licence under this Act in relation to the exploration for fossil fuels.

The proposed New Part was, by leave, withdrawn.

Title agreed to.

Bill to be reported with Amendment.

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The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council with Amendment.

*Ordered*, That the consideration of the Bill as amended in Committee be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

**17 ADJOURNMENT.**—*Resolved*, That the Council will, at its rising adjourn until 11.00 o'clock a.m. on Thursday, 27 October 2022. (Mrs *Hiscutt*)

*Resolved*, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 7.03 o'clock p.m.

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

*Briefings:*

- *Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Bill 2022 (No. 27)*
- *Roads and Jetties Amendment Bill 2022 (No. 12)*
- *Traffic Amendment (Electronic Billboards) Bill 2022 (No. 5)*
- *Electricity Safety Bill 2022 (No. 11)*