



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 13

THURSDAY, 23 MAY 2019

1 COUNCIL MEETS.— The Council met at 11.00 o'clock in the forenoon and the President read Prayers.

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

- (1) Department of Primary Industries, Parks, Water and Environment - Ministerial Portfolio of Parks. Fees set in accordance with the Fee Units Act 1997 to apply from 1 July 2019.
- (2) Department of Police, Fire & Emergency Management. Fees set in accordance with the Fee Units Act 1997 to apply from 1 July 2019.

3 LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.—*Ordered*, That Mrs *Hiscutt* have leave to Table answer to Questions from Mr *Dean*, Ms *Ratray* and Ms *Armitage* relating to the Department of Police, Fire and Emergency Management Annual Report 2017-2018 and have the answer incorporated into the Hansard record.

4 LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.—*Ordered*, That Mrs *Hiscutt* have leave to Table answer to Question from Ms *Forrest* relating to the Section 19 *Public Account Act 1986* September Quarter 2018 Return and have the answer incorporated into the Hansard record.

5 BILL NO. 65 of 2018.— 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 *Registration to Work with Vulnerable People Act 2013*’,

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

House of Assembly, 23 May 2019

S. HICKEY, *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*)

6 BILL NO. 15.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to provide for the protection and enhancement of Tasmania’s biosecurity status for the benefit of Tasmania’s industries, environment and public wellbeing by providing for the prevention, detection and control of animal and plant disease, pests and other biosecurity matter’,

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

House of Assembly, 22 May 2019

S. HICKEY, *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*)

7 BILL NO. 9. — The Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) Bill 2019 was read the Third time and passed.

8 BILL NO. 9.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed without Request and without Amendment, to the Bill, intituled —

‘A Bill for an Act for the appropriation of money out of the Consolidated Fund for the service of the financial year ending on 30 June 2019 for the purpose of making contributions to Division 1, Department of Communities Tasmania, Division 3, Finance-General, Division 4, Department of Health and Division 5, Department of Justice, of Part 2 of Schedule 1 to the *Consolidated Fund Appropriation Act (No. 1) 2018*’,

now returns the same to the House of Assembly.

Legislative Council, 23 May 2019

C.M. FARRELL, *President*

9 BILL NO. 7. — The Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) Bill 2019 was read the Third time and passed.

10 BILL NO. 7.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed without Amendment, to the Bill intituled — ‘A Bill for an Act to amend the *Workers Rehabilitation and Compensation Act 1988* in relation to post-traumatic stress disorder’.

Legislative Council, 23 May 2019

C.M. FARRELL, *President*

11 BILL NO. 66 of 2018. — The Short Stay Accommodation Bill 2018 was read the Third time and passed.

12 BILL NO. 66 of 2018.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed without Amendment, to the Bill intituled — ‘A Bill for an Act to assist in enabling the enforcement of certain permits under the *Land Use Planning and Approvals Act 1993*, and the collection and use of information, in relation to short stay premises, and for related purposes’.

Legislative Council, 23 May 2019

C.M. FARRELL, *President*

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

14 ORDER OF BUSINESS.— *Ordered*, That intervening business be postponed until after consideration of Orders of the Day Nos. 5, 7 and 8. (Mrs *Hiscutt*)

15 BILL NO. 58 of 2018.— The Order of the Day was read for the Second reading of the Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) Bill 2018.

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

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

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

(In the Committee)

Ms Forrest in the Chair.

Clauses 1 to 4 agreed to.

Schedule 1 read.

Ms Rattray in the Chair

To report progress and seek leave to sit again.

The Council being resumed *Ms Rattray* 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 Council will, at a later hour, again resolve itself into the said Committee.

16 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 12.42 o'clock p.m. and resumed at 2.30 o'clock p.m.

17 QUESTION TIME.— The President called for Questions without Notice. There were six Questions asked.

18 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells for the purpose of enabling Members to attend the Assembly to hear the Budget Speech delivered by the Treasurer. (*Mrs Hiscutt*)

The Sitting was suspended at 2.53 o'clock p.m. and resumed at 3.49 o'clock p.m.

19 QUESTION TIME.— The President called for Questions without Notice. There were four Questions asked.

20 LEAVE TO TABLE PAPERS.— *Ordered*, That *Mrs Hiscutt* have leave to Table Papers.

21 BUDGET PAPERS.— *Ordered*, That *Mrs Hiscutt* have leave to Table Budget Papers for 2019-2020 entitled:

Budget Speech;

The Tasmanian Budget – Budget Paper No 1;

Government Services – Budget Paper No 2, Volumes 1 and 2;

Appropriation Bill (No. 1) 2019; and

Appropriation Bill (No. 2) 2019.

22 MOTIONS WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move two Motions without Notice.

23 PRECEDENCE OF GOVERNMENT BUSINESS.— *Ordered*, That Government business have precedence on Tuesday, 28 May 2019 and Tuesday, 18 June 2019. (Mrs *Hiscutt*)

24 BUDGET PAPERS 2019-20 AND APPROPRIATION BILLS (NO.1 AND NO.2) 2019: TAKE NOTE.— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Budget Papers and the Appropriation Bills (No. 1 and No. 2) 2019 be noted.

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

25 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells for the purpose of a briefing. (Mrs *Hiscutt*)

The Sitting was suspended at 4.07 'clock p.m. and resumed at 4.54 o'clock p.m.

26 BILL NO. 58 of 2018.— The Council, according to Order, again resolved itself into a Committee on the Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) Bill 2018.

(In the Committee)

Ms *Forrest* in the Chair.

Schedule 1 as read further considered and agreed to.

Title agreed to.

Bill to be reported without Amendment.

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 without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Ms *Howlett*)

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

28 ESTIMATES COMMITTEES: ESTABLISHMENT.— *Ordered*, That the Legislative Council establish two Estimates Committees and that Committee A shall consist of 6 members and Committee B shall consist of 7 members.

And that –

Mr *Finch*,
Ms *Forrest*,
Mr *Gaffney*,
Ms *Lovell*,
Mr *Valentine*, and
Ms *Webb*
be of Committee 'A'.

and

Mr *Armstrong*,
Ms *Armitage*,

Mr *Dean*,
 Ms *Howlett*,
 Ms *Ratray*,
 Ms *Siejka*; and
 Mr *Willie*
 be of Committee 'B'.

That the Estimates Committees report upon the proposed expenditures contained in the Appropriation Bills (No. 1 and No. 2) and budget papers by no later than Friday, 14 June 2019.

And that the schedule emailed to Members on 2 May 2019 be adopted as the Estimates Committees timetable. (Mrs *Hiscutt*)

The Schedule is as follows:

LEGISLATIVE COUNCIL

ESTIMATES COMMITTEE TIMETABLE 2019

Monday 3 June 2019			
Commencing at 9.00 am (maximum of 9 hours)	Committee A (TBC)	Hon. Peter Gutwein MP	Treasurer Minister for State Growth Minister for Local Government
Commencing at 9.00 am (maximum of 9 hours)	Committee B (TBC)	Hon. Jeremy Rockliff MP	Minister for Education and Training Minister for Infrastructure Minister for Advanced Manufacturing and Defence Industries
Tuesday 4 June 2019			
Commencing at 9.00 am (maximum of 9 hours)	Committee A (TBC)	Hon. Michael Ferguson MP	Minister for Health Minister for Police, Fire & Emergency Managem Minister for Science and Technology
Commencing at 9.00 am (maximum of 9 hours)	Committee B (TBC)	Hon. Will Hodgman MP	Premier Minister for Tourism, Hospitality and Events Minister for Heritage Minister for Trade Minister for Parks
Wednesday 5 June 2019			
Commencing at 9.00 am (maximum of 9 hours)	Committee A (TBC)	Hon. Guy Barnett MP	Minister for Energy Minister for Primary Industries and Water Minister for Veterans' Affairs

Commencing at 9.00 am (maximum of 9 hours)	Committee B (TBC)	Hon. Elise Archer MP	Attorney-General Minister for Justice Minister for Corrections Minister for the Arts Minister for the Environment Minister for Racing
Thursday 6 June 2019			
Commencing at 9.00 am (maximum of 9 hours)	Committee A (TBC)	Hon. Roger Janesch MP	Minister for Human Services Minister for Housing Minister for Planning
		Hon. Jacquie Petrusma MP	Minister for Aboriginal Affairs Minister for Disability Services and Community Development Minister for Sport and Recreation Minister for Women
Commencing at 9.00 am (maximum of 9 hours)	Committee B (TBC)	Hon. Sarah Courtney MP	Minister for Resources Minister for Building and Construction

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

30 ESTIMATES COMMITTEES OF THE COUNCIL: REQUEST FOR MINISTERS IN THE ASSEMBLY TO ATTEND.— *Ordered*, That the Legislative Council having appointed two Estimates Committees reflecting the distribution of Government Ministers' portfolio responsibilities, requests that the House of Assembly give leave to all Ministers to appear before and give evidence to the relevant Council Estimates Committee in relation to the Budget Estimates and related documents. (*Mrs Hiscutt*)

Ordered, That a Message be transmitted to the House of Assembly acquainting that House accordingly. (*Mrs Hiscutt*)

31 ESTIMATES COMMITTEES OF THE COUNCIL: REQUEST FOR MINISTERS IN THE ASSEMBLY TO ATTEND. — A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council having passed the following Resolution now transmits the same to the House of Assembly, and requests its concurrence therein: —

Resolved, That the Legislative Council having appointed two Estimates Committees reflecting the distribution of Government Ministers' portfolio responsibilities, requests that the House of Assembly give leave to all Ministers to appear before and give evidence to the relevant Council Estimates Committee in relation to the Budget Estimates and related documents.

Legislative Council, 23 May 2019

C.M. FARRELL, *President*

32 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice relating to Committee appointments'.

33 COMMITTEE OF PRIVILEGES.— *Ordered*, That Mr *Farrell* and the Mover be appointed to the Committee of Privileges of this Council. (Mrs *Hiscutt*)

34 STANDING ORDERS COMMITTEE.— *Ordered*, That Ms *Rattray*, Mr *Valentine* and the Mover be appointed to the Standing Orders Committee and that the Honourable Member for Mersey be discharged. (Mrs *Hiscutt*)

35 HOUSE COMMITTEE.— *Ordered*, That Mr *Farrell* and the Mover be appointed to the House Committee. (Mrs *Hiscutt*)

36 GOVERNMENT ADMINISTRATION COMMITTEE B AND SELECT COMMITTEE ON AFL IN TASMANIA.— *Ordered*, That Ms *Siejka* be appointed to Government Administration Committee B and the Legislative Council Select Committee on AFL in Tasmania. (Mrs *Hiscutt*)

37 GOVERNMENT ADMINISTRATION COMMITTEE A.— *Ordered*, That Ms *Webb* be appointed to Government Administration Committee ‘A’. (Mrs *Hiscutt*)

38 GOVERNMENT ADMINISTRATION COMMITTEE A.— *Ordered*, That Mr *Willie* be appointed to Government Administration Committee ‘B’ in place of Mr *Farrell*. (Mrs *Hiscutt*)

39 SELECT COMMITTEE ON AFL IN TASMANIA.— *Ordered*, That Mr *Farrell* be discharged from the Legislative Council Select Committee on AFL in Tasmania and that Mr *Armstrong* be appointed in his place. (Mrs *Hiscutt*)

40 SELECT COMMITTEE ON THE PRODUCTION OF DOCUMENTS.— *Ordered*, That Mr *Gaffney* be discharged from the Legislative Council Select Committee on the Production of Documents. (Mrs *Hiscutt*)

41 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council will at its rising adjourn until 11.00 o’clock am on Tuesday, 28 May 2019.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

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

The Council adjourned at 5.08 o’clock p.m.

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

Briefings:

- *Greater Hobart Bill 2019*
- *Forest Practices Amendment Bill*
- *Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) Bill 2018*