



LEGISLATIVE COUNCIL

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 17

FRIDAY, 15 OCTOBER 2021

- 1 COUNCIL MEETS.**— The Council met at 9.30 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 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
 - (1) Report of the Auditor-General No. 2 of 2021-22: Council general manager recruitment, appointment and performance assessment.
 - (2) Metro Tasmania Pty. Ltd.: Annual Report 2020-21.
 - (3) TasRail: Annual Report 2020-21.
 - (4) Aurora Energy: Annual Report 2020-21.
 - (5) Environment Protection Authority: Annual Report 2020-2021.
 - (6) Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016: Statutory Rules 2021, containing draft Strategic Infrastructure Corridors (Strategic and Recreational Use) (Derwent Valley Corridor from Third Avenue to Back River Road) Notice 2021.
 - (7) Crime (Confiscation of Profits) Act 1993: Statutory Rules 2021, No. 67, containing Crime (Confiscation of Profits) Amendment Regulations 2021.
 - (8) Australian Consumer Law (Tasmania) Act 2010: Statutory Rules 2021, No. 77, containing Australian Consumer Law (Tasmania) Infringement Regulations 2021.
 - (9) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice Under Section 17. Electronic Matters.
 - (10) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice Under Section 20. Magistrates Court.
 - (11) Living Marine Resources Management Act 1995: Fisheries (Rock Lobster Management Plan) Order 2021.

5 ROYAL ASSENT TO BILLS.— The President read a Message from Her Excellency the Governor as follows:

MESSAGE

Barbara Baker, Governor

A Bill for an Act to make interim provision for the appropriation of \$6 559 224 000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2022

Appropriation (No. 1) Act 2021
(Bill No 36; Act No. 13 of 2021)

A Bill for an Act to make interim provision for the appropriation of \$40 141 000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2022

Appropriation (No.2) Act 2021
(Bill No 37; Act No. 14 of 2021)

having been presented to the Governor for the Royal Assent, she has in the name of Her Majesty the Queen, assented to the said Bills.

Government House, Hobart, 5 October 2021

6 ROYAL ASSENT TO BILL.— The President read a Message from Her Excellency the Governor as follows:—

MESSAGE

Barbara Baker, Governor

A Bill for an Act to amend the *Food Act 2003*
Food Amendment Act 2021
(Bill No 27; Act No. 12 of 2021)

having been presented to the Governor for the Royal Assent, she has, in the name of Her Majesty the Queen, assented to the said Bill.

Government House, Hobart, 5 October 2021

7 BILL NO. 35.— 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 *Poisons Act 1971*’, to which the House desires the concurrence of the Legislative Council.

House of Assembly, 12 October 2021

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)

8 BILL NO. 43.— 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 *Abandoned Lands Act 1973*, the *Associations Incorporation Act 1964*, the *Conveyancing and Law of Property Act 1884*, the *Conveyancing and Law of Property (Building Title Plans) Regulations 2012*, the *Homes Act 1935*, the *Land Acquisition Act 1993*, the *Land Titles Act 1980*, the *Land Titles Regulations 2012*, the *Local Government (Building and Miscellaneous Provisions) Act 1993*, the *Local Government (Highways) Act 1982*, the *Nature Conservation Act 2002*, the *Neighbourhood Disputes About Plants Act 2017*, the *War Service Land Settlement Act 1950* and the *Wellington Park Act 1993*’, to which the House desires the concurrence of the Legislative Council.

House of Assembly, 12 October 2021

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. 42.— 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 *Mutual Recognition (Tasmanian) Act 1993*’,

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

House of Assembly, 12 October 2021

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)

10 BILL NO. 40.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to repeal the *Alcohol and Drug Dependency Act 1968* and to amend certain Acts, and rescind or revoke certain legislative instruments, consequent on that repeal’, to which the House desires the concurrence of the Legislative Council.

House of Assembly, 12 October 2021

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)

11 BILL NO. 39.— 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 *Guardianship and Administration Act 1995*, the *Industrial Relations Act 1984*, the *Justices of the Peace Act 2018*, the *Legal Profession Act 2007*, the *Mental Health Act 2013* and the *Workers Rehabilitation and Compensation Act 1988*, so as to validate certain appointments, actions and decisions purportedly made under those Acts, and to amend certain provisions of the *Industrial Relations Act 1984* in relation to the appointment of members of the Tasmanian Industrial Commission and to provide for certain transitional arrangements in relation to such amendments’,

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

House of Assembly, 14 October 2021

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)

12 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 the *Tasmanian Civil and Administrative Tribunal Act 2020*’, to which the House desires the concurrence of the Legislative Council.

House of Assembly, 14 October 2021

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)

13 BILL NO. 47.— 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 certain Acts and regulations, and to repeal or rescind certain Acts and regulations, consequential to the enactment of the *Tasmanian Civil and Administrative Tribunal Amendment Act 2021*’,

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

House of Assembly, 14 October 2021

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*)

14 BILL NO. 14.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill, intituled — ‘A Bill for an Act to amend the *Guardian and Administration Act 1995*’.

House of Assembly, 14 October 2021

MARK SHELTON, *Speaker*

15 LEAVE TO TABLE ANSWERS TO QUESTION AND INCORPORATE ANSWERS INTO HANSARD.—*Ordered*, That Mrs *Hiscutt* have leave to Table answers to Questions raised by the Member for Mersey (Mr *Gaffney*) in the Debate on Appropriation Bills (No. 1 and No. 2) 2021 and have the Answers incorporated into the Hansard record.

16 ADJOURNMENT.— *Ordered*, That the Council will at its rising adjourn until 11.00 o’clock a.m. on Tuesday, 26 October 2021. (Mrs *Hiscutt*)

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

It was resolved in the Affirmative.

The Council adjourned at 9.43 o'clock a.m.

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