



LEGISLATIVE COUNCIL

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 16

TUESDAY, 25 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 Forrest* proposed to move, That the Council does now adjourn for the purpose of discussing a Matter of Public Importance; namely, the circumstances surrounding the recent damage to the Cam River Bridge at Somerset and the resulting major delays to travel as a result of the reduction to one lane of traffic, the concerns around the integrity of the bridge and the need for a reliable alternative route.

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The Motion, by leave of the Council, was withdrawn.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 **PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
 - (1) Tasmanian Community Fund: Annual Report 2021-22.
 - (2) TasRail: Annual Report 2021-22.
 - (3) Motor Accidents Insurance Board (MAIB): Annual Report 2021-22.
 - (4) TasPorts: Annual Report 2021-22.
 - (5) Office of Tasmanian Assessment, Standards & Certification (TASC): Annual Report 2021-22.
 - (6) Environment Protection Authority: Annual Report 2021-22.
 - (7) Royal Tasmanian Botanical Gardens: Annual Report 2021-22.
 - (8) Tasmanian Audit Office: Annual Report 2021-22.
 - (9) Valuation of Land Act 2001: Statutory Rules 2022, containing Valuation of Land Regulations 2022.

(10) Valuation of Land Act 2001: Statutory Rules 2022 containing Valuation of Land (Tender Committee) Regulations 2022.

(11) Northern Midlands Council. By-Law No.1 of 2022: Footpath Trading By-Law.

6 REPORT OF THE LEGISLATIVE COUNCIL SESSIONAL GOVERNMENT ADMINISTRATION COMMITTEE 'A' ON THE INQUIRY INTO RURAL HEALTH SERVICES IN TASMANIA.— Ms *Forrest* presented a Report of the Legislative Council Sessional Government Administration Committee 'A' on the Inquiry into Rural Health Services in Tasmania, together with evidence taken by the Committee.

Ordered, That the Report be received. (Ms *Forrest*)

Ordered, That the Report be printed. (Ms *Forrest*)

Pursuant to Sessional Order No. 27 the consideration of the Report and its noting shall be made an Order of the Day.

7 REPORT OF THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON ROAD SAFETY IN TASMANIA.— Ms *Armitage* presented a Report of the Legislative Council Select Committee on Road Safety in Tasmania, together with evidence taken by the Committee.

Ordered, That the Report be received. (Ms *Armitage*)

Ordered, That the Report be printed. (Ms *Armitage*)

Ordered, That consideration of the Report and its noting be made an Order of the Day. (Ms *Armitage*)

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

9 LEAVE OF ABSENCE.— *Ordered*, That the Honourable Member for Pembroke, Mr *Edmunds*, be granted leave of absence from the service of the Council for this week's sitting. (Mrs *Hiscutt*)

10 SPECIAL INTEREST MATTERS.— The President advised the Chamber of six Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Ms *Howlett* – Southern Beaches Eight-Ball Association;
- (2) Mr *Willie* – Nils Network of Tasmania;
- (3) Ms *Armitage* – Special Olympics;
- (4) Mr *Valentine* – Pancreatic Cancer Awareness Month;
- (5) Ms *Ratray* – Tasmanian Women in Agriculture; and
- (6) Mrs *Hiscutt* – Penguin in Pink.

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

11 THE IMPORTANCE OF NEIGHBOURHOOD HOUSES IN TASMANIA.— A Motion was made (Ms *Howlett*) and the Question was proposed, That the Legislative Council —

- (1) Notes the importance that Neighbourhood Houses play in the economic, social and mental wellbeing of Tasmanians;
- (2) acknowledges the significant role volunteers play within Neighbourhood Houses;
- (3) thanks those that work and volunteer at Neighbourhood Houses for the critical role they play in the wellbeing of the community; and
- (4) commends the Rockliff Liberal Government's recent investment of an additional \$1.75 million, equating to an additional \$50,000 for each of Tasmania's 35 Neighbourhood Houses, to allow Neighbourhood Houses to do more to support those in the community.

A Debate arose thereupon.

12 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.

13 QUESTION TIME.— The President called for Questions without Notice. There were nine Questions asked.

14 THE IMPORTANCE OF NEIGHBOURHOOD HOUSES IN TASMANIA.
— The Council resumed the Debate on the Question, That the Legislative Council —

- (1) Notes the importance that Neighbourhood Houses play in the economic, social and mental wellbeing of Tasmanians;
- (2) acknowledges the significant role volunteers play within Neighbourhood Houses;
- (3) thanks those that work and volunteer at Neighbourhood Houses for the critical role they play in the wellbeing of the community; and
- (4) commends the Rockliff Liberal Government's recent investment of an additional \$1.75 million, equating to an additional \$50,000 for each of Tasmania's 35 Neighbourhood Houses, to allow Neighbourhood Houses to do more to support those in the community.

15 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.

16 THE IMPORTANCE OF NEIGHBOURHOOD HOUSES IN TASMANIA.—
The Council resumed the Debate on the Question, That the Legislative Council —

- (1) Notes the importance that Neighbourhood Houses play in the economic, social and mental wellbeing of Tasmanians;
- (2) acknowledges the significant role volunteers play within Neighbourhood Houses;
- (3) thanks those that work and volunteer at Neighbourhood Houses for the critical role they play in the wellbeing of the community; and
- (4) commends the Rockliff Liberal Government's recent investment of an additional \$1.75 million, equating to an additional \$50,000 for each of Tasmania's 35 Neighbourhood Houses, to allow Neighbourhood Houses to do more to support those in the community.

And the Question being put,

It was resolved in the affirmative.

17 ESTABLISHMENT OF GOVERNMENT BUSINESSES ENTERPRISE COMMITTEES.— *Ordered*, That two Government Businesses Scrutiny Committees be established to inquire into Government Businesses in accordance with the schedule detailed below and rules as set out in the Standing Orders at Part 22.

That the Committees have leave to sit on Tuesday, 29 November and Wednesday, 30 November 2022 between the hours of 9.00 a.m. and 5.45 p.m. or such other time as varied by the Chair and as necessary for the purpose of relevant stakeholder and deliberative meetings.

For 2022 Government Businesses are allocated to the Committees as follows —

Committee "A"

Tuesday, 29 November 2022

Metro Tasmania Pty Ltd, Motor Accidents Insurance Board, Tasmanian Public Finance Corporation, Tasmanian Railways Pty Ltd.

Committee “B”

Wednesday, 30 November 2022

Aurora Energy Pty Ltd, Port Arthur Historic Site Management Authority, Tasmanian Irrigation Pty Ltd, Tasmanian Water and Sewerage Corporation Pty Ltd, TasRacing Pty Ltd.

And that –

Mr *Duigan*,
Mr *Edmunds*,
Ms *Forrest*,
Mr *Gaffney*,
Mr *Harriss*, and
Ms *Lovell*
be of Committee A

and

Ms *Armitage*,
Ms *Howlett*,
Ms *Rattray*,
Mr *Valentine*
Ms *Webb*, and
Mr *Willie*
be of Committee B

And that the Committees report on the Government Businesses by no later than 16 December 2022.

If the Legislative Council is not sitting when the Government Businesses Scrutiny Committees complete their reports, those reports may be presented to the President or if the President is unable to act, to the Deputy President or other Office holder and in that event —

- (a) the reports shall be deemed to have been presented to the Council;
- (b) the publication of the reports is authorised by this Resolution;
- (c) the President, Deputy President or other Office holder, as the case may be, may give directions for the printing and circulation of the reports; and
- (d) the President, Deputy President or other Office holder, as the case may be, shall direct the Clerk to lay the reports upon the Table at the next sitting of the Council. (Mrs *Hiscutt*)

18 CONDOLENCE MOTION: ANDREW PAUL HARRIS.— *Resolved, Nemine Contradicente,*

That this Council expresses its profound regret at the death on 1 October 2022 of Andrew Paul Harriss, who served as a Member of the Legislative Council for the Division of Huon from 1996 to 2014, a Minister of the Crown from 2014 to 2016, and Member of the House of Assembly for the Division of Franklin from 2014 to 2016, and places on record its sincere appreciation of his great service to this State, and further, that the Council humbly and respectfully tenders to his family its deepest sympathy in their bereavement.

Ordered, That the Resolution of the Council be forwarded to the family of the late Andrew Paul Harriss. (Ms *Hiscutt*)

19 BILL NO. 41.— The Justice Miscellaneous (Advance Care Directives) Bill 2022 was read the Third time and passed.

20 BILL NO. 41.— 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 *Guardianship and Administration Amendment (Advance Care Directives) Act 2021* and the *Tasmanian Civil and Administrative Tribunal Act 2020*’.

Legislative Council, 25 October 2022

C.M. FARRELL, *President*

21 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.

(In the Committee)

Ms *Forrest* in the Chair.

Clause 6 as amended further considered.

Amendment proposed (Ms *Webb*)

Page 12, proposed new section 5B, subsection (2), after paragraph (a).

Insert the following paragraph:

- (ab) consideration of the risks associated with energy transition, including social and economic impacts, stranded assets and fuel security risks;

The proposed Amendment was, by leave, withdrawn.

Clause 6 as amended further considered.

Further amendment made. (Ms *Webb*)

Page 12, proposed new section 5B, subsection (2), after paragraph (a).

Insert the following paragraph:

- (ab) consideration of the risks associated with energy transition, including social and economic impacts.

Clause 6 as amended further considered.

Further amendment proposed. (Ms *Webb*)

Page 13, proposed new section 5C, subsection (1).

Leave out "business and industry representatives".

Insert instead "community, scientific, business and industry representatives and relevant unions".

Question put, That the Amendment be agreed to.

Committee divided.

AYES 5

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

Pair: Mr *Edmunds*

So it passed in the Negative.

NOES 7

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

Pair: Mr *Duigan*

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, tomorrow again, resolve itself into the said Committee.

22 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 *Animal Welfare Act 1993*, the *Births, Deaths and Marriages Registration Act 1999*, the *Coroners Act 1995*, the *Criminal Code Act 1924*, the *Dangerous Criminals and High Risk Offenders Act 2021*, the *Monetary Penalties Enforcement Act 2005*, the *Sex Industry Offences Act 2005* and the *Traffic Act 1925*’,

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*)

23 ADJOURNMENT.— *Resolved*, That the Council will, at its rising adjourn until 11.00 o'clock a.m. on Wednesday, 26 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*.