



TASMANIA

LEGISLATIVE COUNCIL

SESSION OF 2024

(FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT)

VOTES AND PROCEEDINGS

No. 3

TUESDAY, 21 MAY 2024

- 1 COUNCIL MEETS.**— The Council met at 11.00 o'clock a.m.
- 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. 3 of 2023-2024: Private works undertaken by councils.
 - (2) Report of the Review of the Use of Surveillance Devices in Prisons. Damian Bugg AM KC.
 - (3) Department of Justice. Right to Information: Annual Report 2022-2023.
 - (4) National Health Funding Pool: Annual Report 2022-2023.
 - (5) Police Service Act 2003: Statutory Rules 2023, No. 78, containing Police Service Regulations 2023.
 - (6) Break O’Day Council: By-law No. 1/2023. Environmental Health By-Law: Regulatory Impact Statement.
- 5 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.
- 6 LEAVE OF ABSENCE.**— *Ordered*, That the Honourable Member for Windermere, (Mr *Duigan*) be granted leave of absence from the service of the Council for this week’s sitting. (Mrs *Hiscutt*)
- 7 MOTIONS WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move Motions without Notice relating to committee appointments.
- 8 APPOINTMENTS - COMMITTEE OF PRIVILEGES.**— *Ordered*, That Mr *Farrell* (as President), Ms *Forrest* (as the Chair of Committees) Mr *Gaffney*, Ms *Ratray* and the Mover be appointed as the Committee of Privileges of this Council to inquire into and report upon complaints of breach of privilege which may be referred to it by the Council. (Mrs *Hiscutt*)
- 9 APPOINTMENTS - STANDING ORDERS COMMITTEE.**— *Ordered*, The President, the Chair of Committees, Ms *Ratray*, Ms *Armitage* and the Mover be appointed as the Standing Orders Committee. (Mrs *Hiscutt*)
- 10 APPOINTMENTS - SUBORDINATE LEGISLATION COMMITTEE.**— *Ordered*, That Mr *Harriss*, Ms *Ratray* and the Mover be appointed to serve on the Subordinate Legislation Committee in accordance with the provisions of Section 3 of the *Subordinate Legislation Committee Act 1969*. (Mrs *Hiscutt*)

11 APPOINTMENTS - JOINT STANDING COMMITTEE ON INTEGRITY.

— *Ordered*, That Ms *Armitage*, Ms *O'Connor* and Ms *Webb* be appointed to serve on the Joint Standing Committee on Integrity in accordance with Section 23 of the *Integrity Commission Act 2009*.
(Mrs *Hiscutt*)

12 APPOINTMENTS - JOINT HOUSE COMMITTEE.— *Ordered*, That the President, Ms *Forrest* and the Mover be appointed to serve on the Joint House Committee of this Parliament. (Mrs *Hiscutt*)

13 APPOINTMENTS - JOINT LIBRARY COMMITTEE.— *Ordered*, That Ms *Armitage*, Mr *Farrell*, Ms *Forrest*, Ms *Ratray*, Mr *Vincent* and the Mover be appointed to serve on the Joint Committee of both Houses to manage the Parliamentary Library. (Mrs *Hiscutt*)

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

14 MESSAGE TO THE HOUSE OF ASSEMBLY - COMMITTEE APPOINTMENTS.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has made the following appointments to Committees:—

Mr *Harriss*, Mrs *Hiscutt* and Ms *Ratray* to serve on the Subordinate Legislation Committee in accordance with the provisions of Section 3 of the *Subordinate Legislation Committee Act 1969*;

Ms *Armitage*, Ms *O'Connor* and Ms *Webb* to serve on the Joint Standing Committee on Integrity in accordance with Section 23 of the *Integrity Commission Act 2009*;

Mr *Farrell*, Ms *Forrest* and Mrs *Hiscutt* to serve on the Joint House Committee of this Parliament;
and

Ms *Armitage*, Mr *Farrell*, Ms *Forrest*, Mrs *Hiscutt*, Ms *Ratray* and Mr *Vincent* to serve on the Joint Committee of both Houses to manage the Parliamentary Library.

Legislative Council, 21 May 2024

C.M. FARRELL, *President*

15 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells for the purpose of ballots in respect to committee appointments. (Mrs *Hiscutt*)

The Sitting was suspended at 11.09 o'clock a.m. and resumed at 11.50 o'clock a.m.

16 MOTIONS WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move Motions without Notice relating to Joint Standing Committees on Public Works and Public Accounts.

17 APPOINTMENTS - PUBLIC WORKS COMMITTEE.— *Ordered*, That Ms *Ratray* and Mr *Harriss* be appointed to serve on the Public Works Committee in accordance with the provisions of Section 3 of the *Public Works Committee Act 1914*. (Mrs *Hiscutt*)

18 APPOINTMENTS - PUBLIC ACCOUNTS COMMITTEE.— *Ordered*, That Mr *Edmunds*, Ms *Forrest* and Ms *Thomas* be appointed to serve on the Public Accounts Committee in accordance with the provisions of Section 2 of the *Public Accounts Committee Act 1970*. (Mrs *Hiscutt*)

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

19 MESSAGE TO HOUSE OF ASSEMBLY - COMMITTEE APPOINTMENTS.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has made the following appointments to Committees:—

Mr *Harriss* and Ms *Rattray* to serve on the Public Works Committee in accordance with the provisions of Section 3 of the *Public Works Committee Act 1914*; and

Mr *Edmunds*, Ms *Forrest* and Ms *Thomas* to serve on the Public Accounts Committee in accordance with the provisions of Section 2 of the *Public Accounts Committee Act 1970*.

Legislative Council, 21 May 2024

C.M. FARRELL, *President*

20 MOTION WITHOUT NOTICE.— *Ordered*, That Ms *Forrest* have leave to move a Motion without Notice.

21 REESTABLISHMENT OF GOVERNMENT ADMINISTRATION COMMITTEES A AND B.— *Ordered*, That the Legislative Council agree to the re-establishment of two Government Administration Sessional Committees in the following terms:—

1. SESSIONAL COMMITTEE A ON GOVERNMENT ADMINISTRATION

- 1.1 The Sessional Committee A on Government Administration is re-established.
- 1.2 The Committee consists of not less than 5 Members.
- 1.3 The functions of the Committee are to inquire into and report on any matter relating to —

- (a) Any Bill or other matter referred to it by the Council;
- (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible: —

- I. Deputy Premier
- II. Treasurer
- III. Minister for Infrastructure
- IV. Minister for Energy and Renewables
- V. Minister for Parks and Environment
- VI. Minister for Children and Youth
- VII. Minister for Community Services
- VIII. Minister for Aboriginal Affairs
- IX. Minister for Finance
- X. Minister for Local Government
- XI. Minister for Sport and Events
- XII. Minister for Business, Industry and Resources
- XIII. Minister for Transport
- XIV. Minister for Education
- XV. Minister for Disability Services

- (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.

1.4 And that —

Mr *Harriss*;
Ms *Lovell*;
Ms *Thomas*;
Mr *Vincent*; and
The Mover

be appointed to serve on the said Committee.

2. SESSIONAL COMMITTEE B ON GOVERNMENT ADMINISTRATION

- 2.1 The Sessional Committee B on Government Administration is re-established.
- 2.2 The Committee consists of not less than 5 members.
- 2.3 The functions of the Committee are to inquire into and report on any matter relating to —
- (a) Any Bill or other matter referred to it by the Council;
 - (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible —
 - I. Premier
 - II. Minister for Tourism and Hospitality
 - III. Minister for Trade and Major Investment
 - IV. Minister for Primary Industries and Water
 - V. Minister for Racing
 - VI. Minister for Housing and Planning
 - VII. Minister for Police, Fire and Emergency Management
 - VIII. Minister for Skills and Training
 - IX. Minister for Small Business and Consumer Affairs
 - X. Minister for Corrections and Rehabilitation
 - XI. Minister for the Arts
 - XII. Minister for Women and the Prevention of Family Violence
 - XIII. Attorney-General
 - XIV. Minister for Justice
 - XV. Minister for Health, Mental Health and Wellbeing
 - XVI. Minister for Veterans' Affairs
 - (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.

2.4 And that —

Ms Armitage;
Mr Edmunds;
Mr Gaffney;
Ms O'Connor;
Ms Rattray; and
Ms Webb

be appointed to serve on the said Committee. (*Ms Forrest*)

22 MOTION WITHOUT NOTICE.— *Ordered*, That *Ms Forrest* have leave to move a Motion without Notice.

23 RE-ESTABLISHMENT OF SESSIONAL ORDERS GOVERNING GOVERNMENT ADMINISTRATION COMMITTEES A AND B.— *Ordered*, That the Sessional Orders governing the operation of the two Government Administration Sessional Committees A and B which were in place in the last Session of the Fiftieth Parliament, be again approved for this Session. (*Ms Forrest*)

24 MOTION WITHOUT NOTICE.— *Ordered*, That *Ms Forrest* have leave to move a Motion without Notice.

25 ESTABLISHMENT OF JOINT SESSIONAL WORKPLACE CULTURE OVERSIGHT COMMITTEE.— *Ordered,*

- (1) That a Joint Sessional Workplace Culture Oversight Committee be appointed with power to send for persons and papers and with leave to report from time to time, to oversee the implementation of any recommendations, by the relevant employer, contained in the report Motion for Respect – Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services (August 2022).
- (2) That the number of Members to be appointed to serve on the said Committee on the part of the Legislative Council be four. (*Ms Forrest*)

Ordered, That a Message be transmitted to the House of Assembly acquainting that House accordingly and requesting its concurrence therein. (*Ms Forrest*)

26 MESSAGE TO HOUSE OF ASSEMBLY - JOINT SESSIONAL WORKPLACE CULTURE OVERSIGHT COMMITTEE.— A Message to the House of Assembly:—

MADAM SPEAKER,

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

Resolved,

- (1) That a Joint Sessional Workplace Culture Oversight Committee be appointed with power to send for persons and papers and with leave to report from time to time, to oversee the implementation of any recommendations, by the relevant employer, contained in the report Motion for Respect – Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services (August 2022).
- (2) That the number of Members to be appointed to serve on the said Committee on the part of the Legislative Council be four.

Legislative Council, 21 May 2024

C.M. FARRELL, President

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

28 ESTABLISHMENT OF JOINT SESSIONAL GENDER AND EQUALITY COMMITTEE.— *Ordered,* That a Joint Sessional Gender and Equality Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place to inquire into and report upon —

- (1)
 - (a) Any Bill referred to it by either House in order to examine gender and equality impacts and any such Bill so referred shall be reported upon within 10 sitting days of its referral;
 - (b) Any matter related to gender and equality referred to it by either House; and
 - (c) Any matter related to gender and equality, initiated by its own motion; and
- (2) That Notice of any own Motion Inquiry shall be reported to both Houses within two (2) sitting days of the Committee's Resolution; and
- (3) That the number of Members to serve on the said Committee on the part of the Legislative Council be four. (*Ms Forrest*)

Ordered, That a Message be transmitted to the House of Assembly acquainting that House accordingly and requesting its concurrence therein. (*Ms Forrest*)

29 MESSAGE TO HOUSE OF ASSEMBLY - JOINT SESSIONAL GENDER AND EQUALITY COMMITTEE.— A Message to the House of Assembly:—

MADAM SPEAKER,

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

Resolved,

That a Joint Sessional Gender and Equality Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place to inquire into and report upon —

- (1) (a) Any Bill referred to it by either House in order to examine gender and equality impacts and any such Bill so referred shall be reported upon within 10 sitting days of its referral;
(b) Any matter related to gender and equality referred to it by either House; and
(c) Any matter related to gender and equality, initiated by its own motion; and
- (2) That Notice of any own Motion Inquiry shall be reported to both Houses within two (2) sitting days of the Committee's Resolution; and
- (3) That the number of Members to serve on the said Committee on the part of the Legislative Council be four.

Legislative Council, 21 May 2024

C.M. FARRELL, *President*

30 MOTION WITHOUT NOTICE.— *Ordered,* That Ms Webb have leave to move a Motion without Notice.

31 ESTABLISHMENT OF LEGISLATIVE COUNCIL SELECT COMMITTEE ON THE UNIVERSITY OF TASMANIA ACT 1992.— *Ordered,* That the Legislative Council Select Committee on the *University of Tasmania Act 1992* appointed on 24 May 2022 and reappointed on 16 August 2022 with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place to inquire into and report upon the provisions of the *University of Tasmania Act 1992* be reappointed; and That

Mr Gaffney,
Ms Lovell; and
the Mover,

be of the Committee and its Terms of Reference be those agreed to in the Second Session of the Fiftieth Parliament and that the Minutes of Proceedings of, and evidence received by that Committee be referred to the Committee. (Ms Webb)

32 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) Ms Armitage – RAAF involvement with Launceston Airport;
- (2) Mr Gaffney – East Devonport Neighbourhood House;
- (3) Ms Forrest – West Coast Pathways Program;
- (4) Ms Rattray – Chudleigh Show and Better Health for Dorset; and
- (5) Mrs Hiscutt – ‘Weindorfer Day’.

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

33 STATEMENT BY THE PRESIDENT – INAUGURAL SPEECHES.— The President said—

“Before I call for Orders of the Day, I would like to make the following statement.

First or inaugural speeches play an important part in the parliamentary life of a Member of Parliament, they often represent a moment of achievement, a setting off point, as they step onto the parliamentary stage for the first time.

As Honourable Members appreciate the convention in this place is that Members do not contribute to substantive debate until they have delivered their first or inaugural speech. New Members are allowed to choose the time and day they wish to make their first speech. Until such time an inaugural speech is made the Member refrains from participating in substantive debates or new business of the Council.

Just to remind Members of our practice when a Member is ready to make their inaugural speech, they generally let me know of the time of their choosing and I will advise the Chamber accordingly. In the Council we also allow some latitude in the inaugural speech and allow the Member to speak broadly on matters not strictly relevant to the question before the House or the matter under debate. It is a time-honoured custom that a new Member making his or her initial speech to the Council is heard without interjection or interruption. The corollary of these conventions and courtesies are that a first speech should not directly criticise other Members or provoke interjections or points of order.

I, and Honourable Members, appreciate these time-honoured traditions. However, over time conventions have changed to allow Members to participate in formal business and limited debates such as Condolence Motions or Matters of Public Importance. To this end I am advising the Council that I will allow new Members may ask questions with or without Notice and move Notices of Motion to be placed on the Notice Paper for future debate once the new Members are ready to make or have made their inaugural speech. This allows our new Members them to participate in formal business, but not substantive debate on any Motion, Bill or adjournment debate.

I trust this clarifies.”

34 ADDRESS-IN-REPLY.— The Order of the Day was read for resuming the Debate on the Question, That the Address-in-Reply to Her Excellency the Governor’s Speech be agreed to. (Mr Edmunds)

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

35 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.

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

Ordered, That Mrs *Hiscutt* have leave to Table and incorporate answers into the Hansard record answers in relation to the following Questions from:

- The former Member for Hobart (Mr *Valentine*) regarding the docking of nuclear-powered vessels in Tasmanian ports.
- The Honourable Member for Murchison (Ms *Forrest*) regarding the JackJumpers media release of 25 September 2023 titled “JackJumpers launch into schools with Huon Aquaculture”.
- The Honourable Member for Murchison (Ms *Forrest*) regarding the way retail pricing is set by the Office of the Tasmanian Economic Regulator (OTTER) and have it incorporated into the Hansard record.

- The Honourable Member for Pembroke (Mr *Edmunds*) regarding development applications, fire service levies, rates collected and waste charged in each Tasmanian Local Government Area.
- The Honourable Member for Pembroke (Mr *Edmunds*) regarding the complaints under the *Local Government Act 1993*.
- The Honourable Member for Murchison (Ms *Forrest*) regarding funding allocated to the Arthur-Pieman Conservation Area.

37 ADDRESS-IN-REPLY.— The Council resumed the Debate on the Question, That the Address-in-Reply to Her Excellency the Governor’s Speech be agreed to. (Mr *Edmunds*)

Ordered, that Ms Webb have leave to Table the following documents, namely;

- Democracy Agenda for the 51st Tasmanian Parliament Options for Reform, Discussion Paper by B. Browne and E. Carr, May 2024.
- Integrity Road Map for the Tasmanian Public Sector, CPSU; Charter of Tasmanian Government and Parliamentary Reform 2024, Susan McKinnon Foundation, May 2024.
- Tasmania Law Reform Institute, Research Paper No.6 2024, April 2024, A Charter of Human Rights for Tasmania? Update.

38 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.

39 ADDRESS-IN-REPLY.— The Council resumed the Debate on the Question, That the Address-in-Reply to Her Excellency the Governor’s Speech be agreed to.

Ordered, That the Debate be adjourned. (Mr *Harris*)

40 ADJOURNMENT.— *Resolved*, That the Council will, at its rising adjourn until 11.00 o’clock a.m. on Wednesday, 22 May 2024. (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 6.08 o'clock p.m.

C.L. VICKERS, *Clerk of the Council*.