



TASMANIA

LEGISLATIVE COUNCIL

SESSION OF 2024

(FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT)

VOTES AND PROCEEDINGS

No. 15

WEDNESDAY, 14 AUGUST 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 REPORT OF THE JOINT SESSIONAL COMMITTEE ON GENDER AND EQUALITY.— Ms *Forrest* presented a Report of the Joint Sessional Committee on Gender and Equality on an Inquiry into Experiences of Gendered Bias in Healthcare on Tasmania, together with evidence taken by the Committee.

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

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

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

5 BILL NO. 18.— The Human Tissue Amendment Bill 2024 was read the Third time and passed.

6 BILL NO. 18.— A Message to the House of Assembly:—

HONOURABLE SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, ‘A Bill for an Act to amend the *Human Tissues Act 1985*’.

Legislative Council, 14 August 2024

C.M. FARRELL, *President*

7 BILL NO. 21. — The Asbestos-Related Diseases (Occupational Exposure) Compensation Amendment Bill 2024 was read the Third time and passed.

8 BILL NO. 21.— A Message to the House of Assembly:—

SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, ‘A Bill for an Act to amend the *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011*’.

Legislative Council, 14 August 2024

C.M. FARRELL, *President*

9 BILL NO. 34.— The Order of the Day was read for the Second reading of the Tasmanian Development Amendment Bill 2024.

A Motion was made (Mrs *Hiscutt*), 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 8 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.
(Mrs *Hiscutt*)

10 BILL NO. 10.— The Order of the Day was read for the further consideration in Committee of the Racing Regulation and Integrity Bill 2024.

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

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 5 to 7 agreed to.

Clause 8 read.

11 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.

12 QUESTION TIME.— The President called for Questions without Notice. There were five Questions asked.

13 BILL NO. 10.— The Council again resolved itself into a Committee on the Racing Regulation and Integrity Bill 2024.

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

(In the Committee)

Ms *Forrest* in the Chair.

Clause 8 further considered and agreed to.

Clause 9, Amendment made. (Ms *O'Connor*)

Page 25, subclause (1), paragraph (k), after “to make”.

Insert “best practice”.

Clause 9 as amended agreed to.

Clauses 10 to 52 agreed to.

Clause 53 read.

14 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.

15 BILL NO. 10.— The Council again resolved itself into a Committee on the Racing Regulation and Integrity Bill 2024.

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

(In the Committee)

Ms *Forrest* in the Chair.

Clause 53 further considered and Amendments made. (Ms *O'Connor*)

First amendment

Page 68, subclause (1).

Leave out that subclause.

Insert instead the following subclauses:

- (1) The Commissioner is to prepare and issue standards including, but not limited to, standards relating to integrity and animal welfare.
- () The Commissioner may prepare and issue Standards as a result of a request of the Minister under section 54.

Clause 53 further Amendment proposed. (Ms *O'Connor*)

Second amendment

Page 69, subclause (3), paragraph (f), after “keeping,”.

Insert “humane”.

Question put, That the Amendment be agreed to.

It passed in the negative.

Clause 53 further Amendment proposed. (Ms *O'Connor*)

Third amendment

Page 70, subclause (4), after paragraph (a).

Insert the following paragraph:

- (ab) industry best practice integrity and animal welfare standards;

Question put, That the Amendment be agreed to.

It passed in the negative.

Clause 53 as amended agreed to.

Clauses 54 to 58 agreed to.

Clause 59, Amendments proposed. (Ms *O'Connor*)

First amendment

Page 81, subclause (1), paragraph (c).

Leave out “efficient and effective”.

Insert instead “efficient, effective and humane”.

Second amendment

Same page, same subclause, paragraph (d).

Leave out “efficient and effective”.

Insert instead “efficient, effective and humane”.

And the Question being put, That the amendments be agreed,
Committee divided.

AYES 6

Ms Forrest
Mr Gaffney
Mr Harriss
Ms O'Connor
Ms Rattray
Ms Webb (Teller)

Pair: *Ms Lovell*

NOES 6

Mr Duigan
Mr Edmunds (Teller)
Mrs Hiscutt
Ms Palmer
Ms Thomas
Mr Vincent

Pair: *Ms Rattray*

The votes being equal it passed in the negative.

Clause 59 further considered.

And the Question being put, That clause 59 as read be agreed.

Committee divided.

AYES 10

Ms Armitage
Mr Duigan
Mr Edmunds
Ms Forrest
Mr Harriss
Mrs Hiscutt
Ms Palmer
Ms Rattray
Ms Thomas
Mr Vincent (Teller)

NOES 3

Mr Gaffney
Ms O'Connor (Teller)
Ms Webb

It was resolved in the affirmative.

Clause 59 as read agreed to.

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

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

17 SITTING SUSPENDED.— *Ordered*, That the Sitting of the Council be suspended until the ringing of the Division bells for the purpose of a dinner break. (*Mrs Hiscutt*)

The Sitting was suspended at 7.00 o'clock p.m. and resumed at 8.01 o'clock p.m.

18 BILL NO. 10.— The Council again resolved itself into a Committee on the Racing Regulation and Integrity Bill 2024.

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

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 60 to 66 agreed to.

Clause 67, Amendment proposed. (Mr *Edmunds*)

Page 94, subclause (1).

Leave out “suitably qualified person”.

Insert instead “person, who has a demonstrated understanding of the racing industry”.

The proposed Amendment was, by leave, withdrawn.

Clause 67 postponed.

Clause 68, Amendments proposed. (Ms *Rattray*)

Page 96, after subclause (1).

Insert the following subclause:

- (1A) Tasracing may only appoint a person as a stipendiary steward under subsection (1)(a) if Tasracing is satisfied that the person has all the reasonable qualifications expected by industry that are necessary to perform the functions of steward.

The proposed Amendment was, by leave, withdrawn.

Clause 68 postponed.

Clauses 69 to 74 agreed to.

Clause 75, Amendment proposed. (Ms *O'Connor*)

Page 102, after paragraph (d).

Insert the following paragraph:

- (e) a representative of the RSPCA.

Question put, That the Amendments be agreed to.

It passed in the negative.

Clause 75 as read agreed to

Clauses 76 to 78 agreed to.

Clause 79, Amendment made. (Mrs *Hiscutt*)

Page 109, subclause (3), after “operation of a”.

Insert “decision or a”.

Clause 79 as amended agreed to.

Clauses 80 to 84 agreed to.

Clause 85, Amendments made. (Mrs *Hiscutt*)

First amendment

Page 117, subclause (1), after “operation of a”.

Insert “decision or a”.

Second amendment

Same page, subclause (2), after “operation of a”.

Insert “decision or a”.

Third amendment

Same page, same subclause, paragraph (a).

Leave out the paragraph.

Insert instead the following paragraph:

(a) the decision was made, or the penalty imposed, because of a serious risk to –

(i) the welfare or health of an animal; or

(ii) the safety of any person; or

(iii) the integrity of the Tasmanian racing industry; or

Clause 85 as amended agreed to.

Clauses 86 to 87 agreed to.

Clause 88, Amendment made. (Mrs *Hiscutt*)

Page 118, subclause (2).

Leave out the subclause.

Clause 88 as amended agreed to.

Clause 89, Amendments made. (Mrs *Hiscutt*)

First amendment

Page 120, subclause (8).

Leave out “subsection (1)”.

Insert instead “subsection (7)”.

Second amendment

Page 121, subclause (9).

Leave out “Subsection (2)”.

Insert instead “Subsection (8)”.

Clause 89 as Amended agreed to.

Clauses 90 to 98 agreed to.

Clause 99, Amendment made. (Mrs *Hiscutt*)

First amendment

Page 129, subclause (5), paragraph (b), after “operation of a”.

Insert “decision or a”.

Second amendment

Same page, same subclause, paragraph (c), after “operation of a”.

Insert “decision or a”.

Clause 99 as amended agreed to.

Clauses 100 to 190 agreed to.

Clause 191, Amendment proposed. (Ms *O'Connor*)

Page 252, after “information relates to an”.

Insert “ongoing”.

The proposed Amendment was, by leave, withdrawn.

Postponed Clause 67 further considered and Amendment made. (Mr *Edmunds*)

Page 94, subclause (1), after “a suitably qualified person”.

Insert “, who has a demonstrated understanding of the racing industry,”.

Clause 67 as amended agreed to.

Postponed Clause 68 further considered and Amendment made. (Ms *Rattray*)

Page 96, after subclause (1).

Insert the following subclause:

- (1A) Tasracing may only appoint a person as a stipendiary steward under subsection (1)(a) if the person has qualifications that are necessary to perform the functions of steward.

Clause 68 as amended agreed to.

Schedule 1 amendment made (Ms *Thomas*)

Page 258, clause 2, after subclause (1).

Insert the following subclause:

- (X) The Commissioner must not –
 - (a) wager on a Tasmanian race meeting or with a Tasmanian registered bookmaker; or
 - (b) have or obtain a financial or proprietary interest in a greyhound or horse, other than a greyhound or horse that has retired from racing.

Schedule 1 as amended agreed to.

Schedules 2, 3, 4, 5, 6 and 7 agreed to.

Title agreed to.

Bill to be reported with 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 with Amendment.

Ordered, That the Bill as amended in Committee be taken into consideration tomorrow. (Ms *Forrest*)

19 BILL NO. 11.— The Order of the Day was read for the Second reading of the Racing Regulation and Integrity (Consequential Amendments) Bill 2024.

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

A debate arise 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 30 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.
(Mrs *Hiscutt*)

20 ADJOURNMENT.— *Resolved*, That the Council will, at its rising adjourn until 11.00 o'clock a.m. on Thursday, 15 August 2024. (Mrs *Hiscutt*)

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

The Council adjourned at 10.16 o'clock p.m.

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

Briefings:

- *Tasmanian Development Amendment Bill 2024*
- *Justice Miscellaneous (Commission of Inquiry) Bill 2024*
- *Evidence (Children and Special Witnesses) Amendment Bill 2024*
- *Forestry (Miscellaneous Amendment) Bill 2024*