



LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 58

WEDNESDAY, 3 JUNE 2020

- 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, present and emerging. 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 Deputy Clerk of the Council laid upon the Table the following Papers:—
 - (1) Parliamentary Standing Committee on Subordinate Legislation: Scrutiny of Notices Issued under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Report 4. Presented to the President of the Legislative Council on 13 May 2020.
 - (2) Land Use Planning and Approvals Act 1993: Statutory Rules 2020, No. 13, containing Land Use Planning and Approvals Amendment Regulations 2020.
 - (3) Payroll Tax Act 2008: Statutory Rules 2020, No. 29, containing Payroll Tax (Pandemic) Order (No. 2) 2020.
 - (4) Police Offences Act 1935: Statutory Rules 2020, No. 31, containing Police Offences Amendment Regulations 2020.
 - (5) Emergency Management Act 2006: Statutory Rules 2020, No. 33, containing Emergency Management Regulations 2020.
 - (6) Community Protection (Offender Reporting) Act 2005: Statutory Rules 2020, No. 36 containing Community Protection (Offender Reporting) Amendment Regulations 2020.
 - (7) Heavy Vehicle National Legislation Amendment Regulation 2020: Made under the Heavy Vehicle National Law as applied by the Heavy Vehicle National Law Act 2012 (Qld) and by the law of States and Territories.
 - (8) Notice under Section 13 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Land Use Planning and Approvals.
 - (9) Notice under Section 16 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020.
 - (10) Notice under Section 19 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Land Use Planning and Approvals.
 - (11) Notice under Section 23 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Waiving of certain annual taxi administration fees.

- (12) Notice under Section 23 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Notice to freeze Fire Service Contribution and Motor Vehicle Levy.
- (13) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 4907m2 and 544m2 situate in Tasman Highway Great Eastern Drive, Municipal Area of Glamorgan-Spring Bay.
- (14) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1237m2 situate in Esk Main Road Shoulder Widening, Municipal Area of Break O'Day.
- (15) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 890m2 situate in Tasman Highway Great Eastern Drive, Municipal Area of Glamorgan-Spring Bay.
- (16) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 195m2 and 367m2 situate in Tasman Highway Great Eastern Drive, Municipal Area of Glamorgan-Spring Bay.

5 REPORT OF THE PUBLIC ACCOUNTS COMMITTEE.— Mr *Dean* presented a Report of the Parliamentary Standing Committee of Public Accounts on the Office of Ombudsman and Health Complaints Commissioner, together with evidence taken by the Committee.

Ordered, That the Report be received. (Mr *Dean*)

Ordered, That the Report be printed. (Mr *Dean*)

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

MESSAGE

Kate Warner, Governor

A Bill for an Act to provide for special measures, related to the social and financial effects of the COVID-19 disease in the State, in relation to commercial leases
Covid-19 Disease Emergency (Commercial Leases) Act 2020
 (Bill No. 19 of 2020; *Act No. 13 of 2020*)

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, 13 May 2020

7 BILL NO. 19.— 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 provide for special measures, related to the social and financial effects of the COVID-19 disease in the State, in relation to commercial leases',

House of Assembly, 7 May 2020

S. HICKEY, Speaker

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

9 SUSPENSION OF STANDING ORDER.— *Ordered*, That so much of Standing Order No. 41 be suspended to allow for Special Interest Matters to be called on today's Sitting.

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 Armitage* – Miss Flinders Heritage Aircraft;
- (2) *Ms Forrest* – Circular Head Businesses;
- (3) *Ms Lovell* – International Nurses Day;
- (4) *Mr Dean* – Saints Softball Team;
- (5) *Mrs Hiscutt* – Buy Locally; and
- (6) *Mr Finch* – Mike Howe Condolence.

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

11 REPORT OF THE LEGISLATIVE SELECT COMMITTEE ON AFL IN TASMANIA.— A Motion was made (*Mr Dean*) and the Question was proposed, That the Legislative Council Select Committee Report on AFL in Tasmania be considered and noted.

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 11 Questions asked.

Ordered, That *Mrs Hiscutt* have leave to Table the Emergency Management Act 2006 Directions in Relation to King Island, Flinders Island and Islands in the Furneaux Group of Islands.

Ordered, That *Mrs Hiscutt* have leave to Table a list of proposed Department of Education School Revitalisation Projects and a list of School Revitalisation Projects Completed to 31 May 2020 and have the documents incorporated into the Hansard record.

Ordered, That *Mrs Hiscutt* have leave to Table the Department of Education School Capital Works Review Process 2020-2021 Priority List and have the document incorporated into the Hansard record.

14 REPORT OF THE LEGISLATIVE SELECT COMMITTEE ON AFL IN TASMANIA.— The Council resumed the Debate on the Question, That the Legislative Council Select Committee Report on AFL in Tasmania be considered and noted.

And the Question being put,

It was resolved in the Affirmative.

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

16 ESTABLISHMENT OF JOINT SELECT COMMITTEE ON TASMANIA'S COVID-19 RESPONSE AND RECOVERY MEASURES.— A Motion was made (*Ms Webb*) and the Question was proposed, That Noting the significant impact of the COVID-19 pandemic on the lives of Tasmanians and given the emergency response by the Tasmanian Government including Coronavirus related expenditure, legislative and public policy developments, that a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House, with leave to adjourn from place to place and with leave to report from time to time to inquire into and report upon—

- (1) (a) The State's immediate and ongoing COVID-19 response and recovery measures;
- (b) the impact of the COVID-19 pandemic on the health, economic and social lives of Tasmanians; and
- (c) any other matter incidental thereto; and
- (2) That the number of Members to serve on the said Committee on the part of the Legislative Council be four.

And requests the concurrence of the House of Assembly".

A Debate arose thereupon.
And the Question being put,
The Council divided.

AYES 7

NOES 5

Mr <i>Finch</i>	Ms <i>Armitage</i>
Ms <i>Forrest</i>	Mr <i>Armstrong</i>
Mr <i>Gaffney</i> (Teller)	Mr <i>Dean</i>
Ms <i>Lovell</i>	Mrs <i>Hiscutt</i>
Mr <i>Valentine</i>	Ms <i>Ratray</i> (Teller)
Ms <i>Webb</i>	
Mr <i>Willie</i>	
Pair:	Pair:
Ms <i>Siejka</i>	Ms <i>Howlett</i>

It was resolved in the Affirmative.

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

17 ESTABLISHMENT OF JOINT SELECT COMMITTEE ON TASMANIA'S COVID-19 RESPONSE AND RECOVERY MEASURES.— 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 to request its concurrence therein —

Resolved, That — Noting the significant impact of the COVID-19 pandemic on the lives of Tasmanians and given the emergency response by the Tasmanian Government including Coronavirus related expenditure, legislative and public policy developments, that a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House, with leave to adjourn from place to place and with leave to report from time to time to inquire into and report upon—

- (1) (a) The State's immediate and ongoing COVID-19 response and recovery measures;
- (b) the impact of the COVID-19 pandemic on the health, economic and social lives of Tasmanians; and
- (c) any other matter incidental thereto; and
- (2) That the number of Members to serve on the said Committee on the part of the Legislative Council be four."

Legislative Council, 3 June 2020

C.M FARRELL, *President*

18 BILL NO. 21.— 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 *Land Use Planning and Approvals Act 1993*, the *Electricity Supply Act 1995* and the *Water and Sewerage Industry Act 2008*', to which the House desires the concurrence of the Legislative Council.

House of Assembly, 3 June 2020

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*)

19 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 11.00 o'clock am on Thursday 4 June 2020.

It was resolved in the Affirmative.

The Council adjourned at 7.59 o'clock p.m.

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