



**LEGISLATIVE COUNCIL**  
**SESSION OF 2018**  
**(FIRST SESSION OF THE FORTY-NINTH PARLIAMENT)**

**VOTES AND PROCEEDINGS**

No. 5

THURSDAY, 24 MAY 2018

**1 COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon and the President read Prayers.

**2 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—

- (1) Department of Health and Human Services: Fees set in accordance with the Fee Units Act 1997 to apply from 1 July 2018.
- (2) Report into Investigation under Section 21 of the Personal Information Protection Act 2004, Mr A, Mr B and Mrs C and the Glamorgan Spring Bay Council, Ombudsman Tasmania. Dated April 2018.
- (3) Fourth Social and Economic Impact Study of Gambling in Tasmania 2017, Volume 1: Industry Trends and Impacts. Dated 17 January 2018 and Volume 2: Prevalence Survey. Dated 22 December 2017.
- (4) Report of the Auditor-General No. 8 of 2017-18, Follow up of selected Auditor-General reports: March 2015 to May 2015. Dated May 2018.
- (5) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 251m2 situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (6) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1936m2 situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (7) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2175m2 and 140m2 situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (8) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 346m2 situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (9) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 62.4m2 situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (10) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 423m2 situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.

- (11) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2386m<sup>2</sup> and 273m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (12) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 173m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (13) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1627m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (14) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 4500m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (15) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 328m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (16) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 303m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (17) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2566m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (18) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2269m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (19) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 164m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (20) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 65m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (21) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 813m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (22) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 3496m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (23) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1900m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (24) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1987m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (25) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2703m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.

- (26) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2195m<sup>2</sup> and 1075m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (27) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2090m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (28) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 3010m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (29) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2500m<sup>2</sup> and 2114m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (30) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 843m<sup>2</sup> and 435m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (31) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2137m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (32) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 930m<sup>2</sup> situate in Parish of Strangford, Land District of Monmouth in the Municipal Area of Southern Midlands.
- (33) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 4790m<sup>2</sup> situate in the Parish of St Albans, Land District of Cumberland and 2499m<sup>2</sup>, 27780m<sup>2</sup> and 26760m<sup>2</sup> situate in Parish of St Albans, Land District of Glamorgan in the Municipal Area of Glamorgan-Spring Bay.
- (34) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 481m<sup>2</sup>, 5577m<sup>2</sup>, 1151m<sup>2</sup> and 107m<sup>2</sup> situate in the Parish of Maxwell, Land District of Somerset in the Municipal Area of Southern Midlands.
- (35) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 2538m<sup>2</sup>, 1506m<sup>2</sup>, 1125m<sup>2</sup>, 355m<sup>2</sup>, 1593m<sup>2</sup>, 458m<sup>2</sup>, 38.7m<sup>2</sup> and 4985m<sup>2</sup> situate in the Parish of Maxwell, Land District of Somerset and the Municipal Area of Southern Midlands.
- (36) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1968m<sup>2</sup> and 542m<sup>2</sup> situate in the Parish of Maxwell, Land District of Somerset in the Municipal Area of Southern Midlands.
- (37) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 7118m<sup>2</sup>, 1116m<sup>2</sup>, 316m<sup>2</sup>, 1822m<sup>2</sup> and 3013m<sup>2</sup> situate in the Parish of Oatlands, Land District of Somerset and 131m<sup>2</sup> situate in the Parish of Maxwell, Land District of Somerset in the Municipal Area of Southern Midlands.
- (38) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1051m<sup>2</sup>, 261m<sup>2</sup>, 2362m<sup>2</sup>, 804m<sup>2</sup>, 89.8m<sup>2</sup>, 2969m<sup>2</sup>, 8234m<sup>2</sup>, 79.9m<sup>2</sup>, 10070m<sup>2</sup> and 84.3m<sup>2</sup> situate in the Parish of Maxwell, Land District of Somerset in the Municipal Area of Southern Midlands.
- (39) Living Marine Resources Management Act 1995: Statutory Rules 2017, No. 94 containing Fisheries (Abalone) Rules 2017.

(40) Living Marine Resources Management Act 1995: Statutory Rules 2017, No. 96 containing Fisheries (General and Fees) Amendment Regulations (No. 4) 2017.

(41) Living Marine Resources Management Act 1995: Fisheries (Biosecurity) Order 2018

**3 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move Motions without Notice relating to Committee Appointments.

**4 APPOINTMENTS COMMITTEE OF PRIVILEGES.**— *Ordered*, That the President Mr *Wilkinson*, the Chair of Committees Ms *Forrest*, Mr *Finch*, Mr *Dean* and Mrs *Hiscutt* 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*)

**5 APPOINTMENTS STANDING ORDERS COMMITTEE.**— *Ordered*, That the President, the Chair of Committees, Ms *Rattray*, Mr *Gaffney* and the Mover be appointed as the Standing Orders Committee. (Mrs *Hiscutt*)

**6 APPOINTMENTS PUBLIC WORKS COMMITTEE.**— *Ordered*, That Ms *Rattray* and Mr *Valentine* 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*)

**7 APPOINTMENTS SUBORDINATE LEGISLATION COMMITTEE.**— *Ordered*, That Mr *Farrell*, Ms *Forrest* and Ms *Rattray* 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*)

**8 APPOINTMENTS PUBLIC ACCOUNTS COMMITTEE.**— *Ordered*, That Mr *Dean*, Ms *Forrest* and Mr *Gaffney* 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*)

**9 APPOINTMENTS JOINT STANDING COMMITTEE ON INTEGRITY.**— *Ordered*, That Mr *Dean*, Mr *Gaffney* and Mr *Valentine* be appointed to serve on the Joint Standing Committee on Integrity in accordance with Section 23 of the *Integrity Commission Act 2009*. (Mrs *Hiscutt*)

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

**11 APPOINTMENTS JOINT COMMITTEE OF BOTH HOUSES TO MANAGE THE PARLIAMENTARY LIBRARY.**— *Ordered*, That Mr *Farrell*, Mr *Finch*, Ms *Forrest*, Ms *Rattray*, Mr *Valentine* and Mr *Wilkinson* be appointed to serve on the Joint Committee of both Houses to manage the Parliamentary Library. (Mrs *Hiscutt*)

**12 COMMITTEE APPOINTMENTS.**— A Message to the House of Assembly:—

MADAM SPEAKER,

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

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

Mr *Farrell*, Ms *Forrest* and Ms *Rattray* to serve on the Subordinate Legislation Committee in accordance with the provisions of Section 3 of the *Subordinate Legislation Committee Act 1969*;

Mr *Dean*, Ms *Forrest* and Mr *Gaffney* to serve on the Public Accounts Committee in accordance with the provisions of Section 2 of the *Public Accounts Committee Act 1970*;

Mr *Dean*, Mr *Gaffney* and Mr *Valentine* to serve on the Joint Standing Committee on Integrity in accordance with Section 23 of the *Integrity Commission Act 2009*;

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

Mr *Farrell*, Mr *Finch*, Ms *Forrest*, Ms *Rattray*, Mr *Valentine* and Mr *Wilkinson* to serve on the Joint Committee of both Houses to manage the Parliamentary Library

*Legislative Council, 24 May 2018*

J.S. WILKINSON, *President*

**13 BILL NO. 3.**— The Order of the Day was read for the consideration of the Tasmanian Health Service Bill 2018 as amended in Committee of the Whole Council.

*Ordered*, That the Bill, as amended in the Committee, be now taken into consideration.

The Council, accordingly, proceeded to take the same into consideration.

The Amendments were read the First time.

The said Amendments, being read the Second time, were agreed to.

*Ordered*, That the Bill as amended in the Committee, be now read the Third time. (Mrs *Hiscutt*)

The Bill was read the Third time and passed.

**14 BILL NO. 3.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council having this day agreed, with Amendment, to the Bill intituled — ‘A Bill for an Act to continue the Tasmanian Health Service established under the *Tasmanian Health Organisations Act 2011*, to provide for the role of the Secretary and the Executive in relation to the Tasmanian Health Service, to repeal the *Tasmanian Health Organisations Act 2011*, and for related purposes’,

returns the same to the House of Assembly, and requests its concurrence therein.

*Legislative Council, 24 May 2018*

J.S. WILKINSON, *President*

**15 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.

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

**16 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.

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

**18 LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.**— *Ordered*, That Mrs *Hiscutt* have leave to Table the answer to the Question without Notice asked by Mr *Dean* in relation to the numbers of charges laid for breach of bail and convictions for breach of bail and have the answer incorporated into the Hansard.

**19 BILL NO. 3.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendment made by the Legislative Council to the Bill intituled “A Bill for An Act to continue the Tasmanian Health Service established under the *Tasmanian Health Organisations Act 2011*, to provide for the role of the Secretary and the Executive in relation to the Tasmanian Health Service, to repeal the *Tasmanian Health Organisations Act 2011*, and for related purposes”.

*House of Assembly, 24 May 2018*

S.HICKEY, *Speaker*

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

And the Question being put,

It was resolved in the Affirmative.

**21 PRESENTATION OF ADDRESS-IN-REPLY.**— Mrs *Hiscutt* said: —

“I have to inform the Council that Her Excellency the Governor will receive the Address-in-Reply at Government House at 12.30 pm on Wednesday, 13 June 2018.”

*Ordered*, That the President, accompanied by the Mover and Seconder and so many other Honourable Members as think proper to attend, present the same to Her Excellency at the said time and place. (Mrs *Hiscutt*)

**22 BILL NO 11.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled “A Bill for An Act for the appropriate of money out of the Consolidated Fund for the service of the financial year ending on 30 June 2018 for the purpose of making contributions to Division 1, Department of Education, Division 2, Finance-General, Division 3, Department of Health and Human Services, Division 4, Department of Justice, Division 6, Department of Police, Fire and Emergency Management, Division 7, Department of Premier and Cabinet, Division 8, Department of Primary Industries, Parks, Water and Environment, and Division 9, Department of State Growth, of Part 2 of Schedule 1 to the Consolidated Fund Appropriation Act (No.1) 2017”, to which the House desires the concurrence of the Legislative Council

*House of Assembly, 24 May 2018*

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*)

**23 ADJOURNMENT.**— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council will at its rising adjourn until 9.00 o'clock am on Friday, 25 May 2018. (Mrs *Hiscutt*)

A Debate arose thereupon

And the Question being put,

It was resolved in the Affirmative.

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

The Council adjourned at 6.02 o'clock pm.

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