



LEGISLATIVE COUNCIL

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 21

TUESDAY, 9 NOVEMBER 2021

(At 11.00 o'clock a.m.)

NOTICE OF QUESTION

5 Dr *Seidel* tomorrow to ask the Honourable Leader of the Government —

With regard to the Report of the Auditor-General No. 2 of 2021-22: Council general manager recruitment, appointment and performance assessment:

- (1) Does the government accept the findings that the inadequate management of the conflict of interest resulted in a flawed recruitment process for the Huon Valley Council's general manager?
- (2) Does the government accept the findings that the potential for bias and unfair treatment of applicants was significant throughout the recruitment process?
- (3) Does the government accept that the process undermined the public confidence required in an appointment as significant as the general manager of a council?
- (4)
 - (a) Does the government believe that the breaches identified by the Auditor-General warrant further investigation under the *Criminal Code Act 1924*;
 - (b) if yes, what action has been taken by the government and/or the Director of Local Government in this matter; and
 - (c) if not, what assurances can the government provide that an investigation under the *Criminal Code Act 1924* is not warranted?
- (5) Does the government believe that any breaches under Section 27 of the *Local Government Act 1993* occurred during the recruitment process?
- (6)
 - (a) Has the government issued a Ministerial Direction to the Huon Valley Council to recommence the recruitment process for the Huon Valley Council's General Manager;
 - (b) if yes, when was the Ministerial Direction issued; and
 - (c) if not, why not?
- (7)
 - (a) Does the government believe that the identified breaches by the Auditor-General warrant an order for the dismissal of a councillor or councillors under Section 226 of the *Local Government Act 1993*;
 - (b) if yes, when was this order issued; and
 - (c) if not, why not?

(asked 15.10.21)

NOTICES OF MOTION

1 Ms *Forrest* to move — 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;
 - (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.

2 Ms *Webb* to move — That the following parts of Statutory Rules 2019, No. 63, Fisheries (Abalone) Amendment Rules 2019 dated 23 September 2019 made under the *Living Marine Resources Management Act 1995* and laid upon the Table of the Council on 19 November 2019, namely,

- (a) Section 9, Rule 18 amended (Quantity of abalone), paragraphs (a) and (c); and
- (b) Section 10, Rule 18A inserted (18A Quantity of abalone in eastern region)

be disallowed as provided by Section 47 of the *Acts Interpretation Act 1931*.

3 Mrs *Hiscutt* to move — That the Legislative Council:

- (1) Notes the undertaking made by the Tasmanian Government at the last election to implement all commitments under its first 100 Days in Office plan;
- (2) Notes that all elements of that 100 Day Plan have now successfully been met and more, within the identified time frame; and
- (3) Urges the State Government to maintain the momentum now established and to continue implementation of its long-term strategic plan for improving the lives of all Tasmanians and securing Tasmania's future.

4 Mr *Duigan* to move — That the Legislative Council:

- (1) Notes the importance of trout fishing as a way of life for thousands of Tasmanians;
- (2) Notes that the Tasmanian trout fishery is regarded as one of the best in the world;
- (3) Acknowledges the significant economic, tourism and social benefits for Tasmania and Tasmanians arising from the operation of the Tasmanian trout fishery; and
- (4) Urges the Tasmanian Government to continue its strategies to implement best practice recreational trout fishery management and the development of appropriate infrastructure, facilities and access to support the trout fishing experience for all Tasmanians.

5 Mr *Duigan* to move — That the Legislative Council:

- (1) Notes that Hydro Tasmania was named as a finalist for the 2021 Clean Energy Council Awards in the Community Engagement category for their COVID-19 Recovery Program to assist Tasmanian communities in overcoming the challenges associated with the pandemic;
- (2) Notes that Hydro Tasmania's program had two phases: the Sustain phase reassuring Tasmanians that essential energy generation would continue, while the Recovery phase partnered with community organisations to deliver initiatives to assist hard-hit sectors and vulnerable groups;
- (3) Acknowledges that the program enabled community organisations to help more people affected by the pandemic and delivered a range of positive community initiatives across Tasmania; and
- (4) Urges Hydro Tasmania to continue its endeavours to fully engage with the Tasmanian community as it develops its ongoing responses to deal with the COVID pandemic.

6 Ms Palmer to move — That the Legislative Council:

- (1) Notes the importance of the Tasmanian wine industry and that Tasmanian wines are highly regarded both nationally and internationally;
- (2) Notes the key role in Tasmania's agri-food sector that wine continues to play with a contribution of more than \$200 million to the State's economy and provision of over 2000 FTE positions representing 10% of total employment in the agriculture, forestry and fishing sectors in Tasmania;
- (3) Notes the continuing efforts by the Government to support the Tasmanian wine industry including a \$50 000 grant from Biosecurity Tasmania for enhanced biosecurity preparedness; and
- (4) Acknowledges that the efforts of Wine Tasmania compliment Biosecurity Tasmania's strategy to keep Tasmania free from unwanted pests and diseases.

7 Ms Palmer to move — That the Legislative Council:

- (1) Notes that the Tasmanian Government has established its law and order credentials with its extensive law reform agenda, prioritising victims and community safety;
- (2) Notes that the Tasmanian Government's policy to modernise Tasmania's bail laws to better reflect community expectations is an important measure to ensure community safety from high-risk offenders;
- (3) Notes that legislating a presumption against bail in circumstances when offenders are accused of committing a crime such as murder or serious drug trafficking, or deemed a high risk, is the right thing to do; and
- (4) Further notes that these changes now being prioritised by the Government are needed to restore community confidence in the justice system.

8 Ms Webb to move —

- (1) That the Legislative Council notes:
 - (a) The Organisation for Economic Co-operation and Development (OECD) and Council of Europe defines gender responsive budgeting as: "*Gender budgeting is an application of gender mainstreaming in the budgetary process. It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality*";
 - (b) in 2019, the International Monetary Fund (IMF) stated, "*Gender equity, achieved through gender responsive budgeting, is more than a human rights issue. It's an economic imperative*"; and
 - (c) Gender Equity Victoria defines the three key areas of gender budgeting as:
 - (i) gender-informed resource allocation whereby individual policy decisions and/or funding allocations take into account the impact of the decision on gender equality;
 - (ii) analysis at the sectorial level of the impact of decisions on gender equality within that sector or industry; and
 - (iii) assessment of the impact of the budget as a whole is subject to some degree of gender analysis.
- (2) That the Legislative Council further notes:
 - (a) Australia was recognised as a pioneer and global leader in developing an analytical gender lens to evaluate economic infrastructure and outcomes, by including the nation's first Women's Budget Statement in the 1984-85 Federal Budget;
 - (b) the National Gender Budget Statement stopped being produced in 2014, but was reinstated by the Federal government in the 2021-22 Federal Budget Papers;
 - (c) Victoria has produced a Gender Budget Impact Statement as part of its State Budget Papers since its introduction in the 1986-87 Budget year; and

- (d) gender responsive budgeting would provide another tool within the State legislative and policy framework to facilitate improved economic security for, and economic participation of, Tasmanian women and gender-diverse communities.
- (3) That the Legislative Council calls upon the Tasmanian Government to:
 - (a) Develop genuine whole-of-government gender-responsive budgeting processes; and
 - (b) introduce an analytical Budget Gender Impact Statement as part of the 2022-23 State Budget papers.

9 Ms *Forrest* to move — That the Parliamentary Standing Committee of Public Accounts final report, “Inquiry into the Government’s Economic Response to the COVID-19 Pandemic”, be considered and noted.

10 Ms *Forrest* to move — That the Parliamentary Standing Committee of Public Accounts report “Review of the Tasmanian Government Fiscal Sustainability Report 2021”, be considered and noted.

11 Ms *Forrest* to move — That the Legislative Council recognises the service of the former Member for Windermere, Ivan Dean, from 2003 to 2021 and acknowledges his contribution to this House, the Parliament and the constituents of his electorate.

ORDERS OF THE DAY

- 1** Land (Miscellaneous Amendments) Bill 2021 (No. 43): Third reading.
- 2** Living Marine Miscellaneous Amendments (Digital Processes) Bill 2021 (No. 26): Third reading.
- 3** Alcohol and Drug Dependency Repeal Bill 2021 (No. 40): Further consideration in Committee (Clause 9).
- 4** Gaming Control Amendment (Future Gaming Market) Bill 2021 (No. 45): Second reading.
- 5** OPCAT Implementation Bill 2021 (No. 49): Second reading.
- 6** Housing Land Supply Amendment Bill 2021 (No. 51): Second reading.
- 7** Partition Bill 2021 (No. 2): Second reading.

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

PAPERS ISSUED

LEGISLATIVE COUNCIL

Notice Paper No. 20

SUMMARY OF BILLS

Read First Time

Bill No. 2	Partition (<i>pro forma</i>).
Bill No. 45	Gaming Control Amendment (Future Gaming Market).
Bill No. 49	OPCAT Implementation.
Bill No. 51	Housing Land Supply Amendment.

Further Consideration in Committee of the Whole Council

Bill No. 40	Alcohol and Drug Dependency Repeal.
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Awaiting Third Reading

Bill No. 26	Living Marine Miscellaneous Amendments (Digital Processes).
Bill No. 43	Land (Miscellaneous Amendments).

Agreed to by Both Houses

Bill No. 10	Supply (No. 1) (<i>Act No. 5 of 2021</i>).
Bill No. 11	Supply (No. 2) (<i>Act No. 6 of 2021</i>).
Bill No. 12	Treasury Miscellaneous (Cost of Living and Affordable Housing Support) (<i>Act No. 8 of 2021</i>).
Bill No. 13	Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Modification) (<i>Act No. 7 of 2021</i>).

Bill No. 14	Guardianship and Administration Amendment (Advance Care Directives) (<i>Act No. 15 of 2021</i>).
Bill No. 15	Justice Miscellaneous (Increasing Judicial Retirement Age) (<i>Act No. 11 of 2021</i>).
Bill No. 27	Food Amendment (<i>Act No. 12 of 2021</i>).
Bill No. 28	Children, Young Persons and Their Families Amendment.
Bill No. 32	Supply (No. 3) (<i>Act No. 9 of 2021</i>).
Bill No. 33	Supply (No. 4) (<i>Act No. 10 of 2021</i>).
Bill No. 34	Defamation Amendment.
Bill No. 35	Poisons Amendment.
Bill No. 36	Appropriation (No. 1) (<i>Act No. 13 of 2021</i>).
Bill No. 37	Appropriation (No. 2) (<i>Act No. 14 of 2021</i>).
Bill No. 39	Validation (<i>Act No. 19 of 2021</i>).
Bill No. 42	Mutual Recognition (Tasmania) Amendment.
Bill No. 46	Tasmanian Civil and Administrative Tribunal Amendment (<i>Act No. 17 of 2021</i>).
Bill No. 47	Tasmanian Civil and Administrative Tribunal (Consequential Amendments) (<i>Act No. 18 of 2021</i>).

STANDING COMMITTEES AND MEMBERS

Committee of Privileges: Mr Farrell (The President), Ms Forrest (Chair of Committees), Mr Gaffney, Mrs Hiscutt and Ms Rattray.

Standing Orders Committee: The President (Mr Farrell), The Chair of Committees (Ms Forrest), Mrs Hiscutt, Ms Rattray and Mr Valentine.

Parliamentary Standing Committee on Public Works (Joint): Ms Rattray and Mr Valentine.

Parliamentary Standing Committee on Subordinate Legislation (Joint): Ms Forrest, Ms Rattray and Ms Webb.

Parliamentary Standing Committee of Public Accounts (Joint): Ms Forrest, Ms Webb and Mr Willie.

Parliamentary Standing Committee on Integrity (Joint): Ms Armitage, Ms Palmer and Mr Valentine.

SESSIONAL COMMITTEES AND MEMBERS

House Committee (Joint): The President (Mr Farrell), Ms Forrest, Mrs Hiscutt.

Library Committee (Joint): Ms Armitage, Mr Farrell, Ms Forrest, Ms Rattray, Dr Seidel and Mr Valentine.

Government Administration A: Mr Duigan, Ms Forrest, Mr Gaffney, Ms Lovell, Dr Seidel and Ms Webb.

- Rural Health Services.
- Finfish Farming in Tasmania: Mr Valentine (substitute member with leave from Government Administration B).
- The Roy Fagan Centre – Short Inquiry Process (SIP).

Government Administration B: Ms Armitage, Ms Palmer, Ms Rattray, Ms Siejka, Mr. Valentine and Mr Willie.

- Disability Services.

SELECT COMMITTEES AND MEMBERS

Greater Hobart Traffic: Ms Siejka, Mr Valentine and Ms Webb.

TasWater: Ms Lovell, Ms Palmer and Ms Rattray.

Road Safety in Tasmania: Ms Armitage, Ms Palmer, Ms Rattray, Dr Seidel and Mr Willie.