



# LEGISLATIVE COUNCIL

SESSION OF 2022

(SECOND SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 5

TUESDAY, 24 MAY 2022

- 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 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 **WRITS FOR THE RETURN OF NEW MEMBERS.**— The Clerk of the Council laid upon the Table of the Council writs for the return of new Members for the Electoral Divisions of McIntyre, Elwick and Huon certifying to *Tania Verene Rattray*, *Joshua Barton Willie* and *Dean Andrew Harriss* respectively, having been elected on the 7<sup>th</sup> day of May 2022 to serve in the Legislative Council.
- 5 **MEMBER FOR MCINTYRE SWORN.**— *Tania Verene Rattray* returned upon a new Writ for McIntyre took and subscribed the Oath of Allegiance required by law.
- 6 **MEMBER FOR ELWICK SWORN.**— *Joshua Barton Willie* returned upon a new Writ for Elwick took and subscribed the Affirmation required by law.
- 7 **MEMBER FOR HUON SWORN.**— *Dean Andrew Harriss* returned upon a new Writ for Huon took and subscribed the Oath of Allegiance required by law.
- 8 **STATEMENT BY THE PRESIDENT – WELCOME NEW MEMBER FOR HUON.**— The President said —

“Honourable Members before moving to formal business I take this opportunity to welcome to this House and the Parliament the newly elected Member for Huon and wish him well in his role representing the people that have duly elected them.

I know that I speak on behalf of all Members, Chamber Officers and staff when I say we are ready to offer any support, advice or assistance that you may require, particularly in the early stages of your elected term. Please do not hesitate to ask. You will find, I am sure, that your role at times will be challenging but know you can be assured that you will find it satisfying and rewarding as you now get not only the opportunity to assist and represent the people of your electorate here in the Legislative Council but to also contribute to the improved welfare of the people of Tasmania.

I extend a warm welcome to you.

I also acknowledge the Honourable Member for Elwick and congratulate him on his return. He worked very hard in his electorate over the last six years and that was rewarded by his very good election result. Also, of course, the Honourable Member for McIntyre, the first elected member for McIntyre in the Chamber. That has been an interesting journey where we had two members for McIntyre, non-elected, and now we have the member for McIntyre. I know that you work

very hard in the new parts of your electorate and that has been proven by your great result. It is wonderful to have you both back in our Chamber.”

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

- (1) Property Agents and Land Transactions Act 2016: Statutory Rules 2022, No. 17, containing Property Agents and Land Transactions Amendment Regulations 2022.
- (2) Notice under Section 20 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* – Supreme Court Proceedings.
- (3) Department of Natural Resources and Environment Tasmania: Fees set in accordance with the *Fee Units Act 1997*. Ministerial Portfolio of Racing.
- (4) Department of Natural Resources and Environment Tasmania: Fees set in accordance with the *Fee Units Act 1997*. Ministerial Portfolio of Heritage.
- (5) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land situate at Longford Ambulance Station, Municipal Area of Northern Midlands.
- (6) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 823.0 m<sup>2</sup> situate in Illawarra Main Road, Municipal Area of Northern Midlands.
- (7) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land situate at Glenorchy Ambulance Station, Municipal Area of Glenorchy.

**10 REPORT OF THE LEGISLATIVE COUNCIL SESSIONAL GOVERNMENT ADMINISTRATION COMMITTEE ‘A’ ON THE INQUIRY INTO FINFISH FARMING IN TASMANIA.**— Ms *Webb* presented a Report of the Legislative Council Sessional Government Administration Committee ‘A’ on the Inquiry into Finfish Farming in Tasmania, together with evidence taken by the Committee.

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

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

Pursuant to Sessional Order No. 27 the consideration of the Report and its noting shall be made an Order of the Day.

**11 ROYAL ASSENT TO BILLS.**— The President read a Message from Her Excellency the Governor as follows:—

MESSAGE

Barbara Baker, Governor

A Bill for an Act to amend the *Land Tax Rating Act 2000*  
*Land Tax Rating Amendment Act 2022*  
(Bill No. 6 of 2022; Act No. 10 of 2022)

A Bill for an Act to amend the *Forest Practices Act 1985*  
*Forest Practices Amendment (Validation) Act 2022*  
(Bill No. 13 of 2022; Act No. 11 of 2022)

having been presented to the Governor for the Royal Assent, she has, in the name of Her Majesty the Queen, assented to the said Bills.

*Government House, Hobart, 13 May 2022*

**12 STATEMENT BY PRESIDENT: COMMUNICATION FROM GOVERNMENT HOUSE.**— The President said —

“Honourable Members I wish to advise that I have received the following correspondence from Government House —

18 May 2022

The Honourable Craig Farrell MLC  
President of the Legislative Council  
Parliament House  
HOBART TAS 7000

Dear Mr President,

I have the honour to inform you that on 18 May 2022 the Honourable Meg Webb MLC tendered her resignation as a member of the Parliamentary Standing Committee on Subordinate Legislation.

I have enclosed a copy of Ms Webb’s letter of resignation.

Yours sincerely

Barbara Baker  
Governor

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18 May 2022

Her Excellency  
The Honourable Barbara Baker AC  
Governor of Tasmania  
Government House  
HOBART 7000

Your Excellency

In accordance with section 4(1) of the *Subordinate Legislation Committee Act 1969*, I hereby tender my resignation as a Member of the Parliamentary Standing Committee on Subordinate Legislation, effective from the date of this letter.

Yours faithfully

Hon Meg Webb MLC  
Member for Nelson.”

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

**14 COMMITTEE APPOINTMENTS.**— *Ordered*, That the Honourable Member for McIntyre, Ms *Rattray*, be reappointed to serve on the Joint Parliamentary Standing Committees on Public Works and Subordinate Legislation; the Joint Library Committee; Government Administration Committee ‘B’; and the Select Committee on Road Safety in Tasmania. (Mrs *Hiscutt*)

*Ordered*, That the Honourable Member for Elwick, Mr *Willie*, be reappointed to serve on the Joint Parliamentary Standing Committee of Public Accounts; Government Administration Committee ‘B’; and the Select Committee on Road Safety in Tasmania. (Mrs *Hiscutt*)

*Ordered*, That the Honourable Member for Huon, Mr *Harriss*, be appointed to serve on Government Administration Committee 'A'. (Mrs *Hiscutt*)

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

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

MR SPEAKER,

The Legislative Council has made the following reappointments to Committees as a consequence of the Legislative Council elections held on 7 May 2022:—

Ms *Ratray* to serve on the Joint Parliamentary Standing Committees on Public Works and Subordinate Legislation, and the Joint Library Committee; and

Mr *Willie* to serve on the Joint Parliamentary Standing Committee of Public Accounts.

*Legislative Council, 24 May 2022*

C.M. FARRELL, *President*

**16 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* – Punchbowl Community Garden and the Blackstone Heights Community Garden;
- (2) Ms *Forrest* – Magical Moments photo exhibition;
- (3) Ms *Palmer* – Clifford Craig medical research grants;
- (4) Mr *Gaffney* – UTAS;
- (5) Ms *Webb* – Kingborough Bowls and Community Club; and
- (6) Ms *Howlett* – Shayla Phillips rescue.

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

**17 SITTING SUSPENDED.**— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 11.45 o'clock a.m. and resumed at 12.20 o'clock p.m.

**18 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move various Motions without Notice concerning the appointment of the Deputy Chair of Committees and associated Committee appointments.

**19 APPOINTMENT OF DEPUTY CHAIR OF COMMITTEES AND ASSOCIATED COMMITTEE APPOINTMENTS.**— *Ordered*, That the Honourable Member for McIntyre, Ms *Ratray*, be the Deputy Chair of Committees of the Council. (Mrs *Hiscutt*)

*Ordered*, That the Honourable Member for McIntyre, Ms *Ratray*, be reappointed to the Committee of Privileges and the Standing Orders Committee of the Council. (Mrs *Hiscutt*)

**20 FINAL REPORT OF THE JOINT PARLIAMENTARY STANDING COMMITTEE OF PUBLIC ACCOUNTS INQUIRY INTO THE GOVERNMENT'S ECONOMIC RESPONSE TO THE COVID-19 PANDEMIC.**

— A Motion was made (Ms *Forrest*) and the Question was proposed, That the Joint Parliamentary Standing Committee of Public Accounts Final Report, "Inquiry into the Government's Economic Response to the COVID-19 Pandemic", be considered and noted.

A Debate arose thereupon.

**21 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.

**22 QUESTION TIME.**— The President called for Questions without Notice. There were six Questions asked.

**23 FINAL REPORT OF THE JOINT PARLIAMENTARY STANDING COMMITTEE OF PUBLIC ACCOUNTS INQUIRY INTO THE GOVERNMENT'S ECONOMIC RESPONSE TO THE COVID-19 PANDEMIC.**

— The Council resumed the Debate on the Question, 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.

And the Question being put,

It was resolved in the Affirmative.

**24 UKRAINIAN TERRITORIAL SOVEREIGNTY.**— A Motion was made (Mr *Duigan*) and the Question was proposed,

That the Legislative Council —

- (1) Recognises Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.
- (2) Notes —
  - (a) that Tasmania is home to both Ukrainian and Russian communities who have received this news with deep concern for their loved ones, and we stand with all Tasmanians in wishing to provide care and support for those communities; and
  - (b) Tasmania stands with the Australian Government in affirming our respect for Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.
- (3) Acknowledges that there is no justification for this aggression and condemns the aggressive action which has been borne by innocent Ukrainians.
- (4) Further notes that Tasmania has a strong history of welcoming and providing support for national efforts in providing humanitarian responses to previous conflicts and will continue to work with the Australian Government in jointly responding to the unfolding events.

A Debate arose thereupon.

**25 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.

**26 UKRAINIAN TERRITORIAL SOVEREIGNTY.**— The Council, according to order, resumed the Debate on the Question, That the Legislative Council —

- (1) Recognises Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.
- (2) Notes —
  - (a) that Tasmania is home to both Ukrainian and Russian communities who have received this news with deep concern for their loved ones, and we stand with all Tasmanians in wishing to provide care and support for those communities; and

- (b) Tasmania stands with the Australian Government in affirming our respect for Ukrainian territorial sovereignty and its right to peace, freedom, and democratic rule.
- (3) Acknowledges that there is no justification for this aggression and condemns the aggressive action which has been borne by innocent Ukrainians.
- (4) Further notes that Tasmania has a strong history of welcoming and providing support for national efforts in providing humanitarian responses to previous conflicts and will continue to work with the Australian Government in jointly responding to the unfolding events.

And the Question being put,

It was resolved in the Affirmative.

**27 APPOINTMENT OF SELECT COMMITTEE INQUIRY INTO THE PROVISIONS OF THE UNIVERSITY OF TASMANIA ACT 1992.**— A Motion was made (Mr *Valentine*) and the Question was proposed, That a Select Committee be appointed, 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* with particular reference to —

- (1) The constitution, functions and powers of the University;
- (2) The constitution, role, powers and obligations of the Council and Academic Senate;
- (3) The appropriateness of the Act to ensure accountable executive, fiscal and academic decision-making;
- (4) The appropriateness of the Act to protect and promote academic freedom, independence and autonomy; and
- (5) Any other matters incidental thereto.

And that —

Mr *Duigan*;

Mr *Gaffney*;

Ms *Siejka*

Ms *Webb*; and

The Mover be of the Committee

A Debate arose thereupon.

An Amendment was proposed to be made to the Motion (Ms *Forrest*):—

**First Amendment**

- (3) *Insert* “and” after “decision-making;”

**Second Amendment**

- (4) *Insert* “.” after “autonomy” and *leave out* “; and”

**Third Amendment**

- (5) *Leave out* “(5) Any other matters incidental thereto.”

A Debate arose thereupon.

Motion made and Question put, That the Amendments be agreed to.

It passed in the negative

The Council resumed the Debate on the Question, That the Motion be agreed to.

And the Question being put.

It was resolved in the Affirmative.

**28 TASMANIAN BUDGET 2022-23: ESTIMATES COMMITTEE OF THE HOUSE REQUEST FOR MINISTER IN THE COUNCIL TO ATTEND.—** A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly having passed the following Resolution, begs now to transmit the same to the Legislative Council, and to request its concurrence therein—

*Resolved*, That the House of Assembly requests that: —

- (1) All Members of the Legislative Council attend in the House of Assembly Chamber following the First reading of the Appropriation Bills (No.1 and No.2) 2022 for the purpose of listening to the speech by the Premier and the Treasurer in relation to the Tasmanian Budget 2022-23.
- (2) The Legislative Council gives leave to the Honourable the Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women to appear before and give evidence to, the relevant Estimates Committee of the House of Assembly in relation to the Budget Estimates and related documents.

*House of Assembly, 24 May 2022*

MARK SHELTON, *Speaker*

*Ordered*, That the Message be taken into consideration forthwith (Mrs *Hiscutt*).

*Ordered*, That the Honourable Member for Rosevears, as Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women be given leave to appear before and give evidence to the relevant Assembly Estimates Committee in relation to the Budget Estimates and related documents. (Mrs *Hiscutt*)

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

**29 ATTENDANCE OF MINISTER IN THE COUNCIL AT HOUSE OF ASSEMBLY ESTIMATES COMMITTEE.—** A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council desires to inform the House of Assembly that it agrees to the request of the Assembly in its Message dated 24 May 2022 and has given leave for the Honourable Jo Palmer MLC, Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women to appear before and give evidence to the relevant Estimates Committee in relation to the Budget Estimates and related documents.

*Legislative Council, 24 May 2022*

C.M. FARRELL, *President*

**30 COMMITTEE APPOINTMENTS.—** A Message from the House of Assembly:—

MR PRESIDENT,

In accordance with section 23 subsection (4) of the *Integrity Commission Act 2009* (No. 67), the following Member has been appointed on the part of the House to serve on the Joint Standing Committee on Integrity:

Mr *Street*.

*House of Assembly, 24 May 2022*

MARK SHELTON, *Speaker*

**31 BILL NO. 18.—** 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 *Duties Act 2001*’, to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 24 May 2022*

MARK SHELTON, *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*)

**32 BILL NO. 16.**— 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 Tax Rating Act 2000*’, to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 24 May 2022*

MARK SHELTON, *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*)

**33 BILL NO. 17.**— 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 Tax Act 2000*’, to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 24 May 2022*

MARK SHELTON, *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*)

**34 ADJOURNMENT.**— *Ordered*, That the Council will, at its rising, adjourn until 11.00 o’clock a.m. on Wednesday, 25 May 2022. (Mrs *Hiscutt*)

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

The Council adjourned at 7.28 o’clock p.m.

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