



LEGISLATIVE COUNCIL

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 1

TUESDAY, 22 JUNE 2021

A SESSION OF THE PARLIAMENT OF TASMANIA, COMMENCED AND HOLDEN IN THE CITY OF HOBART ON TUESDAY THE TWENTY SECOND DAY OF JUNE IN THE SEVENTIETH YEAR OF OUR SOVEREIGN LADY, QUEEN ELIZABETH THE SECOND AND IN THE YEAR OF OUR LORD TWO THOUSAND AND TWENTY ONE.

PARLIAMENT OF TASMANIA

1 COUNCIL MEETS.— On which day being the first day of the meeting of this Session of Parliament for the despatch of business, pursuant to Proclamation hereunder annexed, the Council met at eleven o'clock in the forenoon.

2 PARLIAMENT OPENED BY COMMISSION.— Her Excellency's Commissioners, the Honourable *Ruth Jane Forrest*, the Honourable *Leonie Anne Hiscutt* and the Honourable *Tania Verene Rattray* appointed by Her Excellency the Governor, having been introduced to the Council Chamber by the Usher of the Black Rod, *Timothy Alan Mills*, and being seated on the dais, the Honourable *Ruth Jane Forrest* in the centre with the Honourable *Leonie Anne Hiscutt* on her right hand, and the Honourable *Tania Verene Rattray* on her left hand; the Clerk of the Council read Her Excellency's Proclamation, as follows:—

A PROCLAMATION

WHEREAS by the *Constitution Act 1934* it is provided that the Governor shall call the Parliament of Tasmania together for the despatch of business after every general election of members of the Assembly, within 90 days after the dissolution of the Assembly.

AND WHEREAS the Assembly was dissolved on 26 March 2021 and a general election of members of the Assembly was held on 1 May 2021

AND WHEREAS it is expedient that I call Parliament together for the despatch of business as soon as practicable:

NOW THEREFORE I, Professor the Honourable Kate Warner, Companion of the Order of Australia, Governor over the State of Tasmania and its Dependencies in the Commonwealth of Australia, exercising the power and authority vested in me, do hereby fix 11.00 am on Tuesday 22 June 2021, in the Houses of Parliament situated in the City of Hobart in Tasmania, as the time and place that the said Parliament shall assemble for the despatch of business; and the members of the said Parliament are hereby required to give their attendance at the same time and place accordingly.

GIVEN under my hand at Hobart in Tasmania on 19 May 2021.

KATE WARNER, Governor.

By Her Excellency's Command,

PETER GUTWEIN, Premier.

3 MEMBERS OF THE HOUSE OF ASSEMBLY IN ATTENDANCE.— The Senior Commissioner commanded the Usher of the Black Rod, *Timothy Alan Mills*, to let the Members of the House of Assembly know —

“The Commissioners desire their immediate attendance in the Council to hear the Commission read”.

Who being come;

The Honourable *Ruth Jane Forrest* said:— “Honourable Members of the Legislative Council; Members of the House of Assembly:— Her Excellency the Governor, not thinking fit to be here at this time, has been pleased to cause a Commission under the Seal of State to be prepared in order to the opening and holding of this Parliament. This will more fully appear by the Letters Patent themselves, which the Clerk of the Council will now read”.

4 LETTERS PATENT READ.— The said Letters Patent were read by the Clerk of the Council as follows: —

ELIZABETH THE SECOND, by the Grace of God, Queen of Australia and Her other Realms and Territories, Head of the Commonwealth.

To the HONOURABLE RUTH JANE FORREST, The HONOURABLE LEONIE ANNE HISCUTT, The HONOURABLE TANIA VERENE RATTRAY being Members of Our Legislative Council; And to all to whom these presents shall come —

GREETING:

WHEREAS by a Proclamation under the hand of Her Excellency Professor The HONOURABLE KATE WARNER, Companion of the Order of Australia, Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, dated 19 May 2021, a session of Our Parliament of Tasmania was summoned to be held for the despatch of business on 22 June 2021.

And whereas it is expedient for the session of the Parliament of Our State to be opened by Commissioners:

We do by these Our Letters Patent, appoint you the said RUTH JANE FORREST, LEONIE ANNE HISCUTT, and TANIA VERENE RATTRAY or any two of you, to be Commissioners with full power in Our name in the name of Our Governor of Our said State to do things which are to be done on Their part in this Parliament.

AND further by these presents we command that all and every of the members of Our Legislative Council and House of Assembly, and all others whom they concern, meet in Our said Parliament there to diligently attend to the business thereof.

IN testimony whereof We have caused these Our Letters to be made Patent, and the Seal of Our said State to be hereunto affixed.

WITNESS The HONOURABLE BARBARA BAKER, Companion of the Order of Australia, Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia at Hobart in Tasmania on 16 June 2021, and in the seventieth year of Our reign.

BARBARA BAKER, *Governor*

By Her Excellency's Command,
PETER GUTWEIN, Premier.

Then the Honourable RUTH JANE FORREST, said: "Honourable Members of the Legislative Council and Members of the House of Assembly: “We have it in command from Her Excellency the Governor to let you know that as soon as the new Members of the House of Assembly shall be sworn and the House of Assembly has elected its Speaker in accordance with the Constitution Act, Her Excellency will in person at three o'clock this afternoon in this place declare the causes of her calling this Parliament together”.

The Members of the House of Assembly withdrew.

5 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (*Ms Forrest*)

The Sitting was suspended at 11.08 o'clock a.m. and resumed at 11.38 o'clock a.m.

6 ELECTION OF PRESIDENT.— The Honourable, Member for Murchison *Ruth Jane Forrest*, addressing herself to the Clerk, proposed to the Council for their President the Honourable *Craig Maxwell Farrell*, Member for Derwent, and moved — “That the Honourable *Craig Maxwell Farrell* do take the Chair of this Council as President”; which Motion was seconded by the Honourable *Tania Verene Rattray*, Member for McIntyre.

There being no further nominations Mr *Farrell* stood in his place, and expressed the sense he had of the honour proposed to be conferred upon him, and submitted himself to the Council.

The Council then called Mr *Farrell* to the Chair.

Mr *Farrell* was then taken out of his place by the said Ms *Forrest* and Ms *Rattray* and conducted to the Chair, where, standing on the upper step he returned his humble acknowledgement to the Council for the great honour they had been pleased to confer upon him by choosing him to be their President; and thereupon he took the Chair.

7 SITTING SUSPENDED.— At 11.40 o'clock a.m. the Sitting of the Council was suspended.

The Council resumed the sitting at 3.00 o'clock p.m.

8 GOVERNOR PRESENT.— Her Excellency the Governor entered the Council, and being seated, commanded the Usher of the Black Rod, *Timothy Alan Mills*, to let the Assembly know that it is Her Excellency’s pleasure that they attend her immediately in this House’.

Who being come with their Speaker.

Her Excellency was pleased to speak as follows:—

Mr President and Honourable Members of the Legislative Council, Mr Speaker and Members of the House of Assembly

As the 29th Governor of this State I welcome you to the first session of the 50th Parliament of Tasmania.

The State Election on 1 May delivered a significant and historic outcome. For the first time in Tasmania’s history a majority Liberal Government was elected by the people of this State for a consecutive third term.

It is testament to the hard work of this Government, which over the past seven years has built a stronger, more resilient Tasmania, and steered our State safely through the ongoing threat of a global pandemic.

This was reflected in the unprecedented personal endorsement for the Honourable Peter Gutwein, Premier of Tasmania, who received overwhelming support from Tasmanians.

I acknowledge and welcome the new members to the House of Assembly, along with the new Member for Windermere to the Legislative Council.

I would also like to acknowledge and pay tribute to my predecessor, the former Governor, Professor Kate Warner AC, for her commitment to the role, through challenging personal times, as well as through the COVID-19 pandemic.

Professor Warner’s tenure will be remembered for her connection and commitment to many grassroots issues of importance to Tasmanians, with a passionate and strong focus on creating a more inclusive Tasmania.

My Government has a clear vision for Tasmania to be a state of opportunity for all who call Tasmania home, no matter who you are, where you live, your circumstance or background.

This is underpinned by a strong plan to secure Tasmania’s future with a focus on: making the decisions necessary to continue keeping Tasmanians safe from COVID-19; delivering a more diverse and resilient Tasmanian economy to create jobs; delivering the revenue we need to protect against future challenges; and continuing our record investment into essential services.

Importantly, we will ensure young Tasmanians can get the skills, training, apprenticeships and jobs for their future here in Tasmania.

We are so very fortunate to call Tasmania home. As we see the images and hear the stories from other parts of the world, where COVID-19 has devastated communities, claiming more than 3.8 million lives, it is a stark and very real reminder that we cannot be complacent, and we must continue to follow the advice of our Public Health officials.

Tasmania is one of the safest places on the planet and we must all continue to do our bit to keep it so.

Together with our vaccination strategy, we have in place our COVID safeguards to manage cases both here in Tasmania should they occur, as well as the risk of outbreaks in other jurisdictions on our State, as we have seen recently in Victoria.

I would like to acknowledge the incredible efforts of our public health and health staff, our frontline staff, and all those in our community who work hard every day to keep Tasmanians safe from the risk of COVID- 19.

My Government took significant steps to keep Tasmanians safe from the pandemic, balancing both a health and an economic crisis. Together with economic support packages, the hard work done over the past seven years to build a more resilient Tasmanian economy, and the initiatives taken to stimulate Tasmania's economy through the pandemic, we have placed our State in a strong position for recovery.

There are 25,000 more jobs in Tasmania now, compared to when my Government took office in 2014, and in fact, there are more Tasmanian jobs now than before the pandemic.

Our State is performing well across a number of key performance indicators, with job vacancies, exports and retail trade all increasing according to recent data reports.

However, now is not the time to walk the complacent middle path, because as the Premier has said on many occasions, there will be challenges ahead.

That is why my Government has adopted a bold agenda and clear plan to secure Tasmania's future.

To secure more opportunities for Tasmanians and to build a more diverse and resilient economy.

To harness our natural strengths and competitive advantages and realise our true potential.

This includes advanced manufacturing, agriculture, mineral resources, fisheries, forestry, tourism, arts and the iconic events which showcase our culture, heritage and ingenuity.

Tasmania has secured its reputation as a climate leader.

We were the first state in Australia to reach net zero emissions and we've reached our 2050 target early for five years in a row.

My Government will continue to harness our island's competitive advantages and lead Australia's transition to a low-emissions economy.

We will continue to take climate action across all sectors of our economy, including in housing, transport, waste, industry, energy and land use.

And we have a bold plan to unlock Tasmania's world-class renewable energy resources, including hydro generation and storage, as well as wind and solar resources.

Key projects, including Marinus Link, Battery of the Nation and our Hydrogen strategy will help transition Tasmania to a renewable energy future and meet our Renewable Energy Target of 200% by 2040.

We are focused on building better and more connected communities, and ensuring we have the inter-generational infrastructure our growing state needs.

We are building better roads, schools, hospitals, bridges, dams and irrigation networks right across our State, which is supporting thousands of jobs in our regions.

To realise our vision for Tasmania to provide opportunity for all who call this State their home, my Government is focused on delivering improved outcomes for more Tasmanians.

This includes a substantial investment, and whole of Government approach to building a better health system for Tasmania, delivering more housing to meet demand and ensuring Tasmania has the best training pathways so more Tasmanians have access to the skills and training they need for the jobs available.

While my Government is providing unprecedented resources for our health system - delivering record staffing levels, opening and funding new beds, and investing in the facilities our patients and staff deserve across our regions – we know there is more to do.

That is why there is a clear plan to ensure investments and reforms to Tasmania's health system will deliver a more integrated system, to deliver the care patients need in the right place and at the right time.

At the very heart of this, my Government is leaving no stone unturned to identify all options to provide better and faster access to care for Tasmanians.

The Premier and Minister for Health met with each major public and private hospital immediately after forming Government, to look at further improvements to healthcare and solutions to take pressure off our busy public hospital system.

We are drawing from learnings through COVID, where our private and public systems worked well together, and we are providing funding and support to deliver care sooner for Tasmanians by working with our private hospitals to ensure they are better able to support our public hospitals to manage demand.

Right now work is underway to understand how private hospitals can assist our public hospital sector to meet our ambitious elective surgery schedule, identifying opportunities to purchase beds from private hospitals to improve patient flow and access to care, and enable private hospitals to support public hospitals with demand in other areas, including community nursing and home care.

Importantly, we have wasted no time in delivering on commitments, with a Memorandum of Understanding signed with Calvary Health Care to accelerate the delivery of their \$120 million co-located private hospital adjacent to the Launceston General Hospital, which will enable better health services and boost attraction and retention of health professionals, including specialists to the community.

Co-located private and public hospitals have been extremely successful and beneficial to communities across Australia, and we know they can help attract and help to retain difficult-to-recruit specialists to our healthcare system.

There is no doubt this will deliver additional and complementary services to support and reduce pressure on the Launceston General Hospital and provide better health outcomes for Tasmanians.

My Government has also allocated \$156.4 million over four years across the State, to deliver an additional 22,300 elective surgeries and endoscopies, and we will invest an additional \$56 million to continue our transformation of the mental health system, alcohol and drug services, and boost preventative health measures.

This includes funding for new initiatives like an Emergency Mental Health Co-Response Team, which will deliver better outcomes for Tasmanians, increase the capacity of emergency services, and reduce hospitalisations.

We will also focus on the prevention of mental ill-health with a whole-of-community approach for all Tasmanians, by increasing the capacity for advice and information, and build the capacity of communities so Tasmanians can better understand and engage with their mental health, and stay well, by targeting mental health literacy initiatives in collaboration with local government.

There is no doubt that if we work together, we can and will build a better health system.

Strong, connected, healthy and safe communities are so important.

This is why my Government has a strong focus on keeping Tasmanians safe, and investing in infrastructure to support our community— such as more social and affordable housing.

I am very pleased that my Government is undertaking record investment into social and affordable housing, and homelessness initiatives, as well as incentives and plans to help more Tasmanians realise the dream of owning their own home.

Not only is this delivering more housing options for more Tasmanians, it provides a clear pipeline of work to keep our construction and building sector engaged and busy well into the future, supporting thousands of jobs and many businesses – large and small - across Tasmania.

We are keeping our communities safe by boosting Tasmania Police to the highest number of officers in the State's history, investing in CCTV in our rural and regional areas, and providing more funds to Crimestoppers and support for specialist recruitment, in areas such as cybercrime.

My Government is focused on keeping communities safe from the threat of bushfire, with more fuel reduction burns, more volunteers and new-generation technologies.

Keeping our communities safe, means taking action against family violence, which remains a top priority for my Government.

Since the launch of our first, nation-leading action plan in 2015, my Government has continued to build upon its commitment, investment and scope to respond to family and sexual violence in Tasmania.

Our response takes a whole of Government, multi-agency approach, and provides significant investment to deliver 40 actions under the current Safe Homes, Families, Communities: Tasmania's action plan for family and sexual violence 2019-2022.

We have made good progress over the past six years, and in 2019-20 we saw the continued reduction in the number of family violence incidents assessed as high risk.

We are investing in crisis accommodation through the Affordable Housing Action Plan, and extending the capacity of women's shelters across the State including Jireh House, Salvation Army and Magnolia House.

Through my Government's Rapid Rehousing program, we are helping more households into transitional accommodation and also funding an additional 20 properties as part of our response to COVID-19.

However, there is more work to be done.

This is why my Government has committed to a third Family and Sexual Violence Action Plan, with fully funded, evidence-based initiatives, in consultation with the Family and Sexual Violence Consultative Group and people with lived experience.

As part of this, we will commission a feasibility study for a new Safe Emergency Accommodation facility in the Northern Midlands, to better support women from rural areas.

Ensuring we are removing barriers to enable more women to participate in learning and in the workforce is key, and I am pleased my Government is boosting the Women's Workforce Participation initiative to include additional funding over the next three years to develop an industry-led approach, to enable and empower more women to participate across the economy.

This includes a Diversity Action Plan, in partnership with the Tasmanian Mineral and Energy Council, a Women in Building and Construction Strategy, and a Girls in Property pilot program.

My Government is also boosting health services for Women through Family Planning Tasmania and we are providing free sanitary items in Government schools to ensure girls don't miss out on learning because they don't have access to basic items.

There is nothing more important than the safety and wellbeing of children and young people, and supporting the families in which they grow, are loved and belong.

We are committed to continuing the work that's begun, including our response to our most vulnerable children, young people and their families.

This is why we are developing Tasmania's very first Child and Youth Wellbeing Strategy.

We are also providing funds to support new, stable permanent family placements where children and young people can belong and thrive, and we will extend supports for Informal Kinship Carers, who play a crucial role in the lives of many Tasmanian children who are unable to live with their parents.

Ensuring we have a resilient and diverse economy to attract investment and enable our Tasmanian businesses to develop, grow and create employment opportunities for Tasmanians is critical.

A strong economy enables greater investment in the key areas that make a difference to Tasmanian lives – health, housing, community infrastructure, the environment, and training and education.

My Government has worked hard to deliver transformative change in education, including prioritising the extension of Years 11 and 12 across senior schools, to increase the opportunity for more Tasmanians to complete tertiary education.

Now, my Government will invest almost \$100 million in new funding into our TasTAFE system, including 100 more teachers, and new infrastructure and facilities, with increased access for rural and regional students.

These initiatives are described by industry as bold and pragmatic, and responding to the needs of Tasmanian businesses seeking to employ.

Ensuring young Tasmanians can get the training, apprenticeships and jobs for their future here in Tasmania is a key pillar of my Government's plan to Secure Tasmania's Future.

My Government has a clear plan to realise its vision, underpinned by principles of compassion and conviction.

This is why we believe very strongly that we must continue on our pathway to achieve reconciliation with our First Nations people, the Tasmanian Aboriginal people.

The Tasmanian Aboriginal people, who have inhabited this Island for more than 40,000 years.

Acknowledgment under our constitution and Closing the Gap provide a solid foundation to build from.

And whilst my Government remains committed to stronger protection of Aboriginal heritage and open to proposals for further land return, there is more to be done.

In consultation with our First Nations people, my Government wants to find an agreed pathway to reconciliation so we can all share in the potential that exists from a truly meaningful, reconciled relationship.

Our goal is to see better outcomes for Tasmanian Aboriginal people, more opportunity for them and their families, to dignify the relationship with Tasmanian Aboriginal people and achieve a truly reconciled community.

During her recent term as Governor for Tasmania, Professor Kate Warner AC has demonstrated a strong commitment to Tasmanian Aboriginal people and she has agreed to facilitate a process to understand directly from Aboriginal people themselves how best to take our next steps towards reconciliation.

Professor Warner, who will be supported by Professor Tim McCormack, will deliver a report to the Premier by October, which will then be tabled in Parliament later this year.

The Premier has requested that Professor Warner provide in her report recommendations that will outline a proposed way forward towards reconciliation, as well as the views of Tasmanian Aboriginal people on a Truth Telling process and on what a pathway to Treaty would consist of.

Professor Warner will begin these discussions in the coming weeks.

While the last 16 months have been some of the most challenging this State has ever faced, my Government believes that Tasmanians - regardless of race, religion, circumstance or background - demonstrated a common humanity during this time that brought us closer together.

We must hold onto that, we must learn from that, because it makes all of us stronger as a result.

My Government has received the endorsement of the people of Tasmania who have voted for stability and certainty.

They will responsibly and fairly govern for all, and importantly work hard to ensure more Tasmanians are able to grasp the opportunities that now exist in this beautiful State.

They have been given the honour and privilege of governing Tasmania to implement a bold vision to create opportunity for all Tasmanians, and to implement their plan to secure our State's future.

They hold an important role, and with it comes great responsibility.

I know my Government will lead with conviction and compassion, and continue to place the wellbeing and welfare of the people of Tasmania first.

Thank you.

The Governor withdrew.

The Members of the House of Assembly withdrew.

9 SITTING SUSPENDED.— At 3.26 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the sitting at 5.10 o'clock p.m.

10 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.”

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

12 BILL NO.2.— *Ordered*, That Mrs *Hiscutt* have leave to bring in a Bill for and Act to amend the *Partition Act 1869*.

And Mrs *Hiscutt* having presented the said Bill, the same 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*)

13 PRESIDENT REPORTS SPEECH. — The President reported the Speech of Her Excellency the Governor.

14 ADDRESS-IN-REPLY.— A Motion was made (Mr *Willie*) and the Question was proposed — That the following Address be presented to Her Excellency the Governor in reply to Her Excellency's Speech:—

To Her Excellency the HONOURABLE BARBARA BAKER, Companion of the Order of Australia, Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY —

We, Her Majesty's dutiful and loyal subjects, the Members of the Legislative Council of Tasmania, in Parliament assembled, desire to thank Your Excellency for the Speech which you have been pleased to address to both Houses of Parliament.

We desire to record our continued loyalty to the throne and Person of Her Majesty Queen Elizabeth the Second and at the same time to assure Your Excellency that the measures which will be laid before us during the Session will receive our careful consideration.

Ordered, That the Debate be adjourned. (Mr *Willie*)

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

- (1) Tasmanian Government Fiscal Sustainability Report 2021.
- (2) Living Marine Resources Management Act 1995: Statutory Rules 2021, No. 12, containing Fisheries (Penalties) Regulations 2021.
- (3) Living Marine Resources Management Act 1995: Fisheries (Biosecurity) Order 2021.
- (4) Covid-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice Under Sections 11 and 17.
- (5) Covid-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice Under Sections 11, 18 and 19.
- (6) Department of Justice: Fees set in accordance with the Fee Units Act 1997.
- (7) Department of Police, Fire & Emergency Management. Fees set in accordance with the Fee Units Act 1997.
- (8) Department of Primary Industries, Parks, Water and Environment - Ministerial Portfolio of Parks: Fees set in accordance with Fee Units Act 1997.
- (9) Department of Primary Industries, Parks, Water and Environment - Ministerial Portfolio of Racing: Fees set in accordance with the Fee Units Act 1997.

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

17 REESTABLISHMENT OF SELECT COMMITTEE ON TASWATER.— *Ordered*, That the Legislative Council Select Committee on TasWater appointed on 24 June 2020 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 operations of TasWater be reappointed; and that the membership of the Committee and its Terms of Reference be those agreed to in the Second Session of the Forty-Ninth Parliament and that the Minutes of Proceedings of, and evidence taken by that Committee be referred to the Committee. (*Ms Ratray*)

18 MOTION WITHOUT NOTICE.— *Ordered*, That Mr *Valentine* have leave to move a Motion without Notice.

19 REESTABLISHMENT OF SELECT COMMITTEE ON GREATER HOBART TRAFFIC.— *Ordered*, That the Legislative Council Select Committee on Greater Hobart Traffic appointed on 13 August 2019 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 traffic congestion in the greater Hobart area be reappointed; and that the membership of the Committee and its Terms of Reference be those agreed to in the Second Session of the Forty-Ninth Parliament and that the Minutes of Proceedings of, and evidence taken by that Committee be referred to the Committee (*Mr Valentine*)

20 STATEMENT BY PRESIDENT: HIS ROYAL HIGHNESS THE PRINCE PHILIP, DUKE OF EDINBURGH.— The President said —

“Honourable Members I wish to advise that on Monday, 12 April 2021 accompanied by the Speaker I visited Government House and presented the following Message —

TO HER MOST GRACIOUS MAJESTY, THE QUEEN:
MOST GRACIOUS SOVEREIGN,

On behalf of the Members of the Parliament of Tasmania, we, the President of the Legislative Council and the Speaker of the House of Assembly, desire to express to Your Majesty, the deep sorrow with which we have received the news of the lamented death of His Royal Highness The Prince Philip, Duke of Edinburgh, whose long life, leadership, and devoted support of Your Majesty, endeared him to Your Majesty’s subjects in Tasmania, and in all parts of the Commonwealth of nations.

We desire to convey to Your Majesty, and all other Members of the Royal Family, our deepest sympathy in your bereavement.

Hon. C.M. Farrell
President of the Legislative Council

Hon. Sue Hickey
Speaker of the House of Assembly

Her Excellency the Governor made the following reply —

MISTER PRESIDENT AND HONOURABLE MEMBERS
OF THE LEGISLATIVE COUNCIL

On behalf of Her Majesty The Queen

I thank you for your message.

12 April 2021

Kate Warner
GOVERNOR”

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

22 LEAVE OF ABSENCE.— *Ordered*, That the Honourable Member for Prosser (Ms *Howlett*) be granted leave of absence from the service of the Council for this day's sitting. (Mrs *Hiscutt*)

23 MINISTERIAL STATEMENT.— Mrs *Hiscutt* made a Ministerial Statement in regard to Ministerial Appointments as follows:

"Mr President, I want to inform the Council that as a result of the general election for the House of Assembly held on Saturday 1 May 2021 Her Excellency the Governor made the following ministerial appointments at Government House on 19 May 2021:

The Honourable PETER CARL GUTWEIN MP
Premier
Treasurer
Minister for Tourism,

The Honourable JEREMY PAGE ROCKLIFF MP
Deputy Premier
Minister for Health
Minister for Mental Health and Wellbeing
Minister for Community Services and Development
Minister for Advanced Manufacturing and Defence Industries

The Honourable ELISE NICOLE ARCHER MP
Attorney-General
Minister for Justice
Minister for Corrections
Minister for the Arts
Minister for Workplace Safety and Consumer Affairs

The Honourable SARAH JANE COURTNEY MP
Minister for Education
Minister for Skills, Training and Workforce Growth
Minister for Disability Services
Minister for Children and Youth
Minister for Hospitality and Events

The Honourable MICHAEL DARREL JOSEPH FERGUSON MP
Minister for Finance
Minister for Infrastructure and Transport
Minister for State Development, Construction and Housing
Minister for Science and Technology

The Honourable GUY BARNETT MP
Minister for Primary Industries and Water
Minister for Resources
Minister for Trade
Minister for Energy and Emissions Reduction
Minister for Veterans' Affairs

The Honourable ROGER CHARLES JAENSCH MP
Minister for State Growth Human Services
Minister for Environment
Minister for Local Government and Planning
Minister for Aboriginal Affairs
Minister for Heritage

The Honourable JACQUELINE ANNE PETRUSMA MP
Minister for Police, Fire and Emergency Management
Minister for Parks

Minister for Prevention of Family Violence
The Honourable JANE COLLEEN HOWLETT, MLC
Minister for Sport and Recreation
Minister for Racing
Minister for Small Business
Minister for Women

I also formally advise the Council the honourable Premier reappointed me Leader of the Government in the Legislative Council; and on the 19th May 2021 the honourable Premier appointed the Hon Jo Palmer MLC as Deputy Leader of the Government in the Legislative Council.

I also advise the appointment of Madeleine Ogilvie MP as Parliamentary Secretary to the Premier and John Tucker MP also as Parliamentary Secretary to the Premier and Mr Tucker continues as the Government Whip.

24 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 Mersey, Derwent and Windermere, certifying to Michael Victor Gaffney, Craig Maxwell Farrell and Nicholas John Henry Duigan respectively, having been chosen on the 1st day of May 2021 to serve in the Legislative Council.

25 NEW MEMBERS SWORN.— The Clerk of the Council said:

“Mr President, I advise the Council that Michael Victor Gaffney, returned upon a new writ for Mersey, Craig Maxwell Farrell, returned upon a new writ for Derwent and Nicholas John Henry Duigan, returned upon a new writ for Windermere have each previously made and taken the affirmation or oath of allegiance as required by law”.

26 STATEMENT BY THE PRESIDENT – WELCOME TO NEW AND RETURNED MEMBERS.— The President said —

“I take this opportunity to welcome to this House and the Parliament the newly elected Member for Windermere and wish him well in his role representing the people that have duly elected him.

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 I 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 Windermere 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.

Also, I wish to acknowledge and congratulate the Honourable Member for Mersey on your return to this Chamber and I know that you will continue to work extremely hard for the people of Mersey and Tasmania and we look forward to your further contributions in this Parliament”.

27 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move two Motions without Notice.

28 SUSPENSION OF STANDING ORDER.— *Ordered*, That so much of Standing Order No. 16 be suspended as would prevent the Council proceeding to consider business prior to the Governor being notified of the election of the new President (Mrs *Hiscutt*)

29 DEPUTATION TO NOTIFY GOVERNOR OF ELECTION OF PRESIDENT.
— *Ordered*, That accompanied by a deputation of so many of the Members of the Council as see fit to attend, you notify Her Excellency the Governor of your election, at Government House at 6.00 o'clock pm this day. (Mrs *Hiscutt*)

30 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move Motions without Notice to establish certain Sessional and other Orders.

31 SESSIONAL ORDER: E-PETITIONS.— *Ordered*, That the Sessional Orders relating to E-petitions which were in place in the last session of the Forty-Ninth Parliament, be again approved for this session.

The sessional orders were as follows: —

1. An E-Petition is a Petition:
 - (a) in the correct form, stating a grievance and containing a request for action by the Council;
 - (b) sponsored by a Member and lodged with the Clerk for publication on the Parliament's Internet Website for a nominated period ("posted period");
 - (c) persons may elect to indicate their support of ("join the petition") by electronically providing their name, address (including postcode) and signifying their intention to join the Petition.
2. The posted period for an E-Petition is to be a minimum of one week and a maximum of six months from the date of publication on the Parliament's Internet Website.
3. The Member sponsoring the E-Petition must provide the Clerk with the details of the Petition in the correct form; the posted period and a signed acknowledgment that they are prepared to sponsor the E-Petition.
4. Once published on the Parliament's Internet Website an E-Petition cannot be altered.
5. Only one E-Petition dealing with substantially the same grievance and requesting substantially the same action by the Council shall be published on the Parliament's Internet Website at the same time.
6. Once the posted period for an E-Petition has elapsed, a paper copy of the Petition shall be printed by the Clerk in full (including the details of the persons who joined the Petition) and presented to the Council in the name of the Member that sponsored the E-Petition.
7. An E-Petition published on the Council's Internet Website, but not presented to the Council prior to the prorogation or dissolution of Parliament, shall be presented to the subsequent Parliament and becomes a Petition of the subsequent Parliament.
8. An E-Petition may be sponsored during any adjournment of the Legislative Council and during any period of prorogation.
9. Persons must join an E-Petition by filling out their correct details and personally agreeing to join the E-Petition, and by no one else, except in the case of incapacity from sickness.
10. A person cannot sign or join an E-Petition more than once.
11. Only the name and address of the Principal Petitioner shall be made public on the Legislative Council's website.
12. The Clerk may decline to publish an E-Petition on the website not in conformity with these Orders and shall advise the sponsoring Member accordingly.
13. The Clerk shall ensure that all Government responses to E-Petitions are posted on the website.
14. The Clerk or any Member may seek a ruling from the President of the Legislative Council relating to the conformity or otherwise of any E-Petition with these Orders.
15. The Clerk is authorised to create and maintain an appropriate internet website on which to publish E-Petitions, responses to E-Petitions and other explanatory information and do all things necessary in order to give effect to these Orders.

16. The Clerk must dispose of all electronic personal data relating to the posting and joining of an E-Petition within six months after an E-Petition is printed and presented to the Legislative Council.
17. The Standing Orders for petitions have application to E-Petitions insofar as they can be applied. (Mrs *Hiscutt*)

32 SESSIONAL ORDERS: IN LIEU OF STANDING ORDERS NOS. 29(2), 138(2) AND (4).— *Ordered*, That the following Sessional Orders apply in lieu of Standing Orders 29(2), 138(2) and (4) —

29. Adjournment for want of a Quorum when notice taken by Member

- (2) At any time after the Council has proceeded to business, if a Member notices that seven Members including the President or Deputy President are not present, and so states, the Bells shall be rung as for a Division, and if a quorum is not present at the expiration of *four* minutes the President shall adjourn the Council without a Question first put, until the next ordinary sitting time.

138. After division called —

How Division taken

- (2) The President will order the division bells to be rung for *four* minutes.

Locking of Doors

- (4) After the *four* minutes have expired, or such lesser time at the discretion of the President, he or she will order the doors to be locked and no Member will enter or leave the Chamber until after the division. (Mrs *Hiscutt*)

33 SESSIONAL ORDER: IN LIEU OF STANDING ORDER NO. 200— *Ordered*, That the following Sessional Order apply in lieu of Standing Order 200 —

- (1) The evidence taken by any Select Committee of the Council, and documents presented to such Committee, which have not been reported to the Council shall not, unless authorised by the Committee, be referred to in the Council by any Member or published or disclosed by any Member or by any other person.
- (2) Paragraph (1) does not apply to —
 - (a) any proceedings of the Committee that are open to the public and the news media;
 - (b) press releases or statements made by a Member of the Committee on the authority of the Committee; and
 - (c) written submissions presented to a Select Committee and authorised to be published by the Committee. (Mrs *Hiscutt*)

34 SESSIONAL ORDER: SPECIAL INTEREST MATTERS — *Ordered*, That so much of Standing Order 39 be suspended for the duration of this Session to enable Special Interest Matters be called on each sitting Tuesday before Notices of Motion and Orders of the Day are proceeded with. (Mrs *Hiscutt*)

35 PRAYERS.— *Ordered*, That upon the President taking the Chair at the commencement of each day's sitting, the following prayers shall be read —

"Almighty God, we humbly beseech thee to vouchsafe thy blessing upon this parliament. Direct and prosper our deliberations to the advancement of thy glory and the true welfare of the people of Tasmania.

Our father, who art in heaven, hallowed be thy name. Thy kingdom come. Thy will be done on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those that trespass against us. And lead us

not into temptation but deliver us from evil. For thine is the kingdom, the power and the glory, for ever and ever. Amen". (Mrs *Hiscutt*)

36 PRESIDENT'S AUTHORITY.— The President said:—

“By my authority I have determined that advisers to the Honourable the Leader of the Government, the Deputy Leader of Government and the Minister for Sport and Recreation, Minister for Racing, Minister for Small Business and Minister for Women be authorised to go onto the Floor of this House for the duration of the Session in order to advise and support those Honourable Members”.

37 PRESIDENT'S STATEMENT: STAFF APPOINTMENT.— The President said:—

“Honourable Members I am very pleased to advise the House that on 22 April 2021 I appointed Mr Tim Mills to the position of Clerk-Assistant and Usher of the Black Rod. The appointment followed a selection process with a recommendation made to me. This appointment is a significant one.

Tim has a background in Law having been admitted as a Barrister and Solicitor of the Supreme Court of Tasmania in 2004. Tim has worked as a Criminal Lawyer and as Crown Counsel in the Office of the Director of Public Prosecutions. In addition, Tim has undertaken important work in the Office of the Secretary in the Department of Justice including legislation development and providing other strategic advice.

In more recent times Tim has been the Senior Adviser in the Office of the Attorney-General and prior to being appointed Clerk-Assistant was the Assistant Director (Administration of Justice) in the Office of the Secretary, Department of Justice.

On behalf of all Members I wish Tim well as he embarks on his new role with our confidence and support”.

38 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells to allow Members to attend at Government House. (Mrs *Hiscutt*)

The Sitting was suspended at 5.40 o'clock p.m. and resumed at 6.34 o'clock p.m.

39 ELECTION OF PRESIDENT.— The President said:—

“I wish to report to the Council that in accordance with Standing Order No. 16, in the company of other Honourable Members, I presented myself to Her Excellency the Governor and informed her that the Council had done me the honour of electing me President.

Her Excellency has sent the following Message:—

‘To the President and Members of the Legislative Council

I congratulate Honourable Members of the Legislative Council on their choice of a President.’

22 June 2021

BARBARA BAKER, *Governor*.

40 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice concerning the appointment of Deputy Chairs of Committees.

41 APPOINTMENT OF DEPUTY CHAIRS OF COMMITTEES.— *Ordered*, That the Honourable Member for McIntyre, Ms *Ratray* be appointed Deputy Chair of Committees, the Honourable Member for Hobart, Mr *Valentine* be appointed Second Deputy Chair and the Honourable Member for Launceston Ms *Armitage* be appointed Third Deputy Chair of Committees of this Council. (Mrs *Hiscutt*)

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

43 APPOINTMENTS - COMMITTEE OF PRIVILEGES.— *Ordered*, That the President Mr *Farrell*, the Chair of Committees Ms *Forrest*, Mr *Gaffney*, Ms *Ratray*, and the Mover 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*)

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

45 APPOINTMENTS - PUBLIC WORKS COMMITTEE.— *Ordered*, That Ms *Ratray* 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*)

46 APPOINTMENTS - SUBORDINATE LEGISLATION COMMITTEE.— *Ordered*, That Ms *Forrest*, Ms *Ratray* and Ms *Webb* 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*)

47 APPOINTMENTS - PUBLIC ACCOUNTS COMMITTEE.— *Ordered*, That Ms *Forrest*, Mr *Willie* and Ms *Webb* 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*)

48 APPOINTMENTS - JOINT STANDING COMMITTEE ON INTEGRITY.— *Ordered*, That Ms *Armitage*, Ms *Palmer* 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*)

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

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

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

MR SPEAKER,

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

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

Ms *Armitage*, Mr *Farrell*, Ms *Forrest*, Ms *Ratray*, Dr *Seidel* and Mr *Valentine* to serve on the Joint Committee of both Houses to manage the Parliamentary Library.

Legislative Council, 22 June 2021

C.M. FARRELL, *President*

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

MR SPEAKER,

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

Ms *Ratray* 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*;

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

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

Ms *Armitage*, Ms *Palmer* and Mr *Valentine* to serve on the Joint Standing Committee on Integrity in accordance with Section 23 of the *Integrity Commission Act 2009*.

Legislative Council, 22 June 2021

C.M. FARRELL, *President*

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

54 RE-ESTABLISHMENT OF GOVERNMENT ADMINISTRATION COMMITTEES.— *Ordered*, That the Legislative Council agree to the re-establishment of two Government Administration Sessional Committees in the following terms —

1. SESSIONAL COMMITTEE A ON GOVERNMENT ADMINISTRATION

- 1.1 The Sessional Committee A on Government Administration is re-established.
- 1.2 The Committee consists of not less than 5 members.
- 1.3 The functions of the Committee are to inquire into and report on any matter relating to —

- (a) Any Bill or other matter referred to it by the Council;
- (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible —
 - I. Premier
 - II. Treasurer
 - III. Minister for Climate Change
 - IV. Minister for Tourism
 - V. Deputy Premier
 - VI. Minister for Health
 - VII. Minister for Advanced Manufacturing and Defence Industries
 - VIII. Minister for Mental Health and Wellbeing
 - IX. Minister for Community Services and Development
 - X. Minister for Science and Technology
 - XI. Minister for Infrastructure and Transport
 - XII. Minister for Finance
 - XIII. Minister for State Development, Construction and Housing
 - XIV. Minister for Aboriginal Affairs
 - XV. Minister for State Growth
 - XVI. Minister for Heritage
 - XVII. Minister for Local Government and Planning
 - XVIII. Minister for Environment
- (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.

1.4 And that —

Mr Duigan
Mr Gaffney;
Ms Lovell;
Dr Seidel;
Ms Webb; and
The Mover

be appointed to serve on the said Committee.

2. SESSIONAL COMMITTEE B ON GOVERNMENT ADMINISTRATION

- 2.1 The Sessional Committee B on Government Administration is re-established.
- 2.2 The Committee consists of not less than 5 members.
- 2.3 The functions of the Committee are to inquire into and report on any matter relating to —
- (a) Any Bill or other matter referred to it by the Council;
 - (b) The administration, processes, practices and conduct of any department, agency, Government Business Enterprise, State-owned Company, or other entity for which the following Ministers are responsible —
 - I. Minister for Education
 - II. Minister for Skills, Training and Workforce Growth
 - III. Minister for Children and Youth
 - IV. Minister for Hospitality and Events
 - V. Minister for Disability Services
 - VI. Attorney-General
 - VII. Minister for Justice
 - VIII. Minister for Corrections
 - IX. Minister for the Arts
 - X. Minister for Workplace Safety and Consumer Affairs
 - XI. Minister for Primary Industries and Water
 - XII. Minister for Resources
 - XIII. Minister for Trade
 - XIV. Minister for Veterans' Affairs
 - XV. Minister for Energy and Emissions Reduction
 - XVI. Minister for Sport and Recreation
 - XVII. Minister for Racing
 - XVIII. Minister for Women
 - XIX. Minister for Small Business
 - XX. Minister for Parks
 - XXI. Minister for Police, Fire and Emergency Management
 - XXII. Minister for the Prevention of Family Violence
 - (c) The administration, processes, practices and conduct of any other entity including those entities in which local government has an interest.
- 2.4 And that —
- Ms *Armitage*;
 - Ms *Palmer*;
 - Ms *Ratray*;
 - Ms *Siejka*;
 - Mr. *Valentine*; and
 - Mr *Willie*

be appointed to serve on the said Committee. (Ms *Forrest*)

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

56 GOVERNMENT ADMINISTRATION SESSIONAL COMMITTEES SESSIONAL ORDERS.— *Ordered*, That the Sessional Orders governing the operation of the two Government Administration Sessional Committees A and B which were in place in the last Session of the Forty-Ninth Parliament, be again approved for this Session (Ms *Forrest*)

57 ADJOURNMENT.— *Resolved*, That the Council will, at its rising adjourn until 11 o'clock a.m. on Wednesday, 23 June 2021. (Mrs *Hiscutt*)

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

The Council adjourned at 6.43 o'clock p.m.

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