



# LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 18

TUESDAY, 18 JUNE 2019

**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: Report on The State of Public Health – Tasmania 2019.
- (2) Legislative Council Budget Estimates Committee B report and minutes and transcripts of proceedings.

### **3 FINAL REPORT OF GOVERNMENT ADMINISTRATION COMMITTEE 'A' ON ACUTE HEALTH SERVICES IN TASMANIA .—**

Mr *Valentine* presented a Report of the Legislative Council Government Administration Committee 'A' containing its Sub-Committee Inquiry Final Report into Acute Health Services in Tasmania, together with evidence taken by the Committee.

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

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

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

MESSAGE

Kate Warner, Governor

A Bill for an Act to amend the *Ambulance Service Act 1982*, the *Disability Services Act 2011*, the *Health Act 1997*, the *Mental Health Act 2013*, the *Pharmacy Control Act 2001*, the *Poisons Act 1971*, the *Right to Information Act 2009* and the *Youth Justice Act 1997* (Bill No 58 of 2018; Act No. 13 of 2019 *Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) Act 2019*)

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

*Government House, Hobart, 18 June 2018*

**5 LEAVE OF ABSENCE.**— *Ordered*, That the Honourable Member for Murchison, (Ms *Forrest*) be granted leave of absence from the service of the Council for this week's sitting. (Mrs *Hiscutt*)

**6 SPECIAL INTEREST MATTERS.**— The President advised the Chamber of four Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Mr *Finch* - Skal International Launceston and Osaka;
- (2) Mr *Willie* - Eureka Clubhouse;
- (3) Ms *Armitage* - Launceston Chamber of Commerce; and
- (4) Ms *Ratray* - Wild Mersey Mountain Bike Track.

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

**7 MOTION WITHOUT NOTICE.**— *Ordered*, That Ms *Ratray* have leave to move a Motion without Notice relating to a Permissive Instruction to the Committee of the Whole Council concerning the Budget Bills.

**8 APPROPRIATION BILL (NO. 1) 2019 AND THE APPROPRIATION BILL (NO. 2) 2019: PERMISSIVE INSTRUCTION.**— *Ordered*, With regard the Appropriation Bills (No. 1 and No. 2) 2019 (Nos. 21 and 22) That —

The Committee of the Whole Council be empowered to consider Output and other expenditure detail contained in the document – *Government Services Volumes 1 and 2*;

And further, That the Committee be empowered to exercise a vote on each proposed Output as part of the process of approving appropriations contained within the Appropriation Bills (Nos. 1 and 2) of 2019 under the two line Operating Services and Capital Services appropriation;

And further, That the Committee of the Whole Council be empowered to consider the Outputs as recommended in the Reports of Estimates Committees A and B and that the Outputs recommended in those Reports be not subject to debate and only those Outputs recommended and listed as being subject to further consideration be open to debate in Committee;

Provided – That should any Member require further consideration of any Output then the procedural mechanism of *recommittal* is to be used” (Ms *Ratray*)

**9 BILL NO. 11.**— The Order of the Day was read for the consideration of the Greater Hobart Bill 2019 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.

**10 BILL NO. 11.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council having this day agreed, with Amendments, to a Bill intituled — ‘A Bill for an Act to assist councils in the Greater Hobart area and the State Government to better collaborate with each other in the making of decisions that will affect strategic land use planning, and the provision of infrastructure, in the Greater Hobart area, and for related purposes’,

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

*Legislative Council, 18 June 2019*

C.M. FARRELL, *President*

**11 BILL NO. 12.** — The Health Miscellaneous Amendments Bill 2019 was read the Third time and passed.

**12 BILL NO. 12.**— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, 'A Bill for an Act to amend the *Ambulance Service Act 1982*, the *Food Act 2003*, the *Mental Health Act 2013*, the *Pharmacy Control Act 2001*, the *Poisons Act 1971* and the *Public Health Act 1997*'.

*Legislative Council, 18 June 2019*

C.M. FARRELL, *President*

**13 BILL NO. 21.**— The Order of the Day was read for the Second reading of the Appropriation Bill (No. 1) 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was put, That the Bill be now read the Second time.

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

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(In the Committee)

Ms *Rattray* in the Chair.

**14 STATEMENT BY THE CHAIR: APPROPRIATION BILLS: SCOPE OF DEBATE.**— The Chair said —

“Members, I would like to make a brief statement in regard to the way that the Committee is to be run.

The stages of the Bill are intended to achieve two primary objects: first, to enable full discussion of both the substance and form of the legislation; second, to ensure that decisions already made at one stage are not reopened for discussion at a subsequent stage and do not, as a result, prolong a Bill's passage unnecessarily. In the context of debate on the Appropriation Bills, Members are reminded that the purpose of the consideration in the Committee of the Whole Council is to report to the House as to whether the Bills should pass and whether clauses and items in the schedule to the Bills should be, first, agreed to; second, subject to a request; or third, amended where the item is not for the ordinary annual services of the Government.

The consideration of the Budget Papers during the Estimates process is intended to assist the efficient consideration of the Appropriation Bills by resolving issues prior to the debate of the Bills in the Committee of the Whole. This facilitates the efficient consideration of the Bills as in accordance with the permissive instruction only those outputs that are recommended for further debate may be addressed in detail during the Committee stage, unless the output is recommitted. I have directed that a list of the outputs recommended for further debate in each of the Estimates Committees reports be provided to Members. You will note that the list specifies the matters that gave rise to the recommendation for further debate. In addressing these outputs Members should confine their questioning to those particular matters.

The permissive instruction to enable the Committee of the Whole to consider and vote on the items under output groups in the Budget Papers is to facilitate debate on the proposed appropriation of public money contained in the Appropriation Bills. The instruction does not broaden the scope for debate which may take place in the Committee of the Whole. It is not an invitation to make statements unrelated to the proposed appropriation, to revisit the second reading debate or to introduce issues unrelated to the proposed appropriation. I remind Members that debate in Committee of

the Whole is not a grievance-type debate. I therefore ask Members to be succinct and to keep these comments in mind when speaking to the items in the Budget Papers.”

Clauses 1 to 3 agreed to.

Clauses 4 and 5 postponed.

Clause 6 agreed to.

Schedule 1.

### **Division 1 – Brand Tasmania**

Premier

Operating Services

Output Group 1

Output 1.1 further considered and agreed to.

Division agreed to without Request.

### **Division 2 - Department of Communities Tasmania**

Premier

Operating Services

Output Group 7

Output 7.1 further considered and agreed to.

Minister for Sport and Recreation

Operating Services

Output Group 6

Output 6.7 agreed to.

Grants and Subsidies agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Human Services

Operating Services

Output Group 1

Output 1.1 agreed to.

Output Group 2

Output 2.1 further considered and agreed to.

Output Group 3

Output 3.1 agreed to.

Output Group 6

Output 6.1 agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Aboriginal Affairs

Operating Services

Output Group 6

Output Group 6.4 agreed to.

Minister for Women

Operating Services

Output Group 6

Output 6.5 agreed to.

Minister for Housing

Operating Services

Output Group 4

Output 4.1 agreed to.

Output Group 5

Output 5.1 further considered and agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Disability Services and Community Development

Operating Services

Output Group 6

Outputs 6.2 and 6.3 agreed to.

Minister for Veterans' Affairs

Operating Services

Output Group 6

Output Group 6.6 agreed to.

Division agreed to without Request and without Amendment.

**Division 3 - Department of Education**

Minister for Education and Training

Operating Services

Output Group 1

Output 1.1 further considered and agreed to.

Outputs 1.2, 1.3 and 1.4 agreed to.

**15 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.

**16 QUESTION TIME.**— The President called for Questions without Notice. There were four Questions asked.

**17 BILL NO. 21.**— The Council, again resolved itself into a Committee on the Appropriation Bill (No. 1) 2019.

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(In the Committee)

Ms *Rattray* in the Chair.

**Division 3 – Department of Education**

Minister for Education and Training

Operating Services

Output Group 2

Output 2.1 further considered and agreed to.

Output 2.2 agreed to

Grants and Subsidies agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 4 - Finance General**

Treasurer

Operating Services

Output Group 1

Outputs 1.1, 1.2, and 1.3 agreed to.

Output Group 2

Outputs 2.1 and 2.3 agreed to.

Output Group 3

Outputs 3.1, 3.2, and 3.4 agreed to.

Output Group 4

Outputs 4.2, 4.3, 4.4, 4.7 and 4.8 agreed to.

Grants and Subsidies agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 5 - Department of Health**

Minister for Health

Operating Services

Output Group 1

Output 1.1 agreed to.

Output Group 2

Output 2.1 further considered and agreed to.

Outputs 2.2, 2.3 and 2.4 agreed to.

Output 2.5 further considered and agreed to.

Output 2.6 agreed to.

Output Group 3

Output 3.1 agreed to.

Output 3.2 further considered and agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 6 - Department of Justice**

Treasurer

Operating Services

Output Group 1

Output 1.9 agreed to.

Attorney-General and Minister for Justice

Operating Services

Output Group 1

Output 1.1 further considered and agreed to.

Outputs 1.2, 1.3 and 1.4 agreed to.

Output 1.5 further considered and agreed to.

Outputs 1.6, 1.7, 1.8 and 1.12 agreed to.

Output 2 – Legal Services

Outputs 2.1 and 2.2 agreed to.

Output Group 3

Output 3.3 agreed to

Minister for Corrections

Operating Services

Output Group 3

Output 3.1 further considered and agreed to.

Output 3.2 further considered and agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Building and Construction

Operating Services

Output Group 1

Output 1.10 further considered and agreed to.

Output Group 4

Outputs 4.1 and 4.4 agreed to.

Minister for Planning

Operating Services

Output Group

Output 1.11 agreed to.

Output Group 4

Outputs 4.2 and 4.3 agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 7 - Ministerial and Parliamentary Support**

Premier

Operating Services

Output Group 1

Outputs 1.1 and 1.2 agreed to.

Division agreed to without Request.

**Division 8 - Department of Police, Fire and Emergency Management**

Minister for Police, Fire and Emergency Management

Operating Services

Output Group 1

Output 1.1 agreed to.

Output Group 2

Outputs 2.1, 2.2, 2.3 and 2.4 agreed to.

Output Group 3

Output 3.1 agreed to.

Output Group 4

Outputs 4.1 and 4.2 agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 9 - Department of Premier and Cabinet**

Premier

Operating Services

Output Group 1

Output 1.1 further considered and agreed to.

Output Group 2

Outputs 2.1, 2.2 and 2.3 agreed to.

Output 2.4 further considered and agreed to.

Output Group 3

Output 3.2 further considered and agreed to.

Output Group 4

Output 4.1 agreed to.

Output Group 5

Output 5.1 agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Science and Technology

Operating Services

Output Group 3

Output 3.1 agreed to.

Minister for Environment

Operating Services

Output Group 1

Output 1.2 agreed to.



Minister for Local Government

Operating Services

Output Group 6

Output 6.1 agreed to.

Division agreed to without Request and without Amendment.

**Division 10 Department of Primary Industries, Parks, Water and Environment**

Minister for Primary Industries and Water

Operating Services

Output Group 1

Outputs 1.1 and 1.2 agreed to.

Output Group 2

Output 2.1, 2.2 and 2.3 agreed to.

Output Group 3

Output 3.1 agreed to.

Output Group 4

Output 4.1 agreed to.

Output Group 6

Output 6.1 and 6.2 agreed to.

Output Group 8

Output 8.2 agreed to.

Grants and Subsidies agreed to

Capital Services

Capital Investment Program agreed to.

Minister for Aboriginal Affairs

Operating Services

Output Group 3

Output 3.3 agreed to.

Minister for Heritage

Operating Services

Output Group 3

Outputs 3.2 and 3.4 agreed to.

Minister for Environment

Operating Services

Output Group 3

Output 3.5 agreed to.

Output Group 7

Output 7.1 further considered and agreed to.

Output 7.2 agreed to.

Minister for Parks

Operating Services

Output Group 8

Output 8.1 agreed to.

Grants and Subsidies agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Racing

Operating Services

Output Group 5

Output 5.1 further considered and agreed to.

Grants and subsidies agreed to.

Division agreed to without Request and without Amendment.

**Division 11 – Department of State Growth**

Minister for Education and Training

Operating Services

Output Group 1

Output 1.3 further considered and agreed to.

Capital Services

Capital Investment Program agreed to.

To report progress and seek leave to sit again.

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The Council being resumed, Ms *Rattray* reported that the Committee had made progress in the Bill, and that she was directed to move that the Committee may have leave to sit again.

*Resolved*, That the Council will, tomorrow, again resolve itself into the said Committee.

**18 ADJOURNMENT.**— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 11.00 o'clock am on Wednesday, 19 June 2019.

It was resolved in the Affirmative.

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

The Council adjourned at 5.29 o'clock p.m.

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