



# LEGISLATIVE COUNCIL

SESSION OF 2022

(SECOND SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 12

TUESDAY, 21 JUNE 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 **PETITION: GOVERNMENT RESPONSE.**— Mrs *Hiscutt* laid upon the Table of the Council the Government Response to the following petition:

Petition No. 36 of 2021: Relating to support for youth with mental health challenges including eating disorders.
- 5 **PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
  - (1) Tasmanian Audit Office: Report of the Auditor-General No. 6 of 2021-22. Accessing services for the safety and wellbeing of children and young people – the Strong Families, Safe Kids Advice and Referral Line. Dated 21 June 2022.
  - (2) Department of State Growth: Fees set in accordance with Fee Units Act 1997.
- 6 **LEAVE TO TABLE ANSWER TO QUESTION.**— *Ordered*, That Ms *Hiscutt* have leave to Table answer to Questions from the Hon Member for Nelson (Ms *Webb*) regarding the Land Tax Amendment Rating Bill 2022.
- 7 **REPORT OF THE LEGISLATIVE COUNCIL SESSIONAL GOVERNMENT ADMINISTRATION COMMITTEE ‘A’.**— Ms *Forrest* presented a Report of the Legislative Council Sessional Government Administration Committee ‘A’ on its Short Inquiry Process into the Roy Fagan Centre

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

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

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

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

MESSAGE

Barbara Baker, Governor

A Bill for an Act to amend the *Criminal Code Act 1924*  
*Criminal Code Amendment Act 2022*  
(Bill No. 4 of 2022; Act No. 13 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 Bill.

*Government House, Hobart, 6 June 2022*

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

MESSAGE

Barbara Baker, Governor

A Bill for an Act for the appropriation of \$441 739 000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2022.  
*Appropriation (Supplementary Appropriation for 2021-22) Act 2022*  
(Bill No. 14 of 2022; Act No. 12 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 Bill.

*Government House, Hobart, 8 June 2022*

**10 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 *Youth Justice Act 1997* and to repeal section 19 of the *Youth Justice (Miscellaneous Amendments) Act 2013*  
*Youth Justice Amendment (Searches in Custody) Act 2022*  
(Bill No. 9 of 2022; Act No. 14 of 2022)

A Bill for an Act to amend the *Land Tax Rating Act 2000*  
*Land Tax Rating Amendment (Foreign Investors) Act 2022*  
(Bill No. 16 of 2022; Act No. 17 of 2022)

A Bill for an Act to amend the *Land Tax Act 2000*  
*Land Tax Amendment (Foreign Investors) Act 2022*  
(Bill No. 17 of 2022; Act No. 16 of 2022)

A Bill for an Act to amend the *Duties Act 2001*  
*Duties Amendment Act 2022*  
(Bill No. 18; Act No. 18 of 2022)

A Bill for an Act to amend the *Local Government Act 1993*  
*Local Government Amendment (Elections) Act 2022*  
(Bill No. 28; Act No. 15 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, 16 June 2022*

**11 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) Ms *Forrest* – Big hART’s ‘The Watershed’;
- (2) Ms *Howlett* – Walk Against Elder Abuse;
- (3) Mr *Gaffney* – Bass Strait Salmon; and
- (4) Ms *Armitage* – John Kirwan, outgoing CEO of Royal Flying Doctor Service Tasmania.

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

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

**13 APPROPRIATION BILL (NO 1) 2022 AND APPROPRIATION BILL (NO 2) 2022: PERMISSIVE INSTRUCTION.**— *Ordered*, With regard the Appropriation Bills (No. 1 and No. 2) 2022 (Nos. 23 and 24) 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 2022 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 *Forrest*)

**14 BILL NO. 23.**— The Order of the Day was read for the Second reading of the Appropriation Bill (No. 1) 2022.

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 *Forrest* in the Chair.

## **15 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 agreed to.

Division agreed to without Request.

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

Minister for Sport and Recreation

Operating Services

Output Group 4

Output 4.7 agreed to.

Grants and subsidies agreed to.

Minister for Aboriginal Affairs

Operating Services

Output Group 4

Output 4.4 agreed to.

Minister for Women

Operating Services

Output Group 4

Output 4.5 considered and agreed to.

Minister for Disability Services

Operating Services

Output Group 4

Output 4.2 considered and agreed to.

Minister for Veterans Affairs

Operating Services

Output Group 4

Output 4.6 agreed to.

Minister for the Prevention of Family Violence

Operating Services

Output Group 5

Output 5.1 agreed to.

Minister for Community Services and Development

Operating Services

Output Group 4

Outputs 4.1 and 4.3 agreed to.

Minster for State Development, Construction and Housing

Operating Expenses

Output Group 3

Output 3.1 agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Education, Children and Youth

Operating Services

Output Group 1

Output 1.1 considered and agreed to.

Output Group 2

Output 2.1 agreed to.

Output Group 90

Output 90.6 agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 3 - Department of Education**

Minister for Education, Children and Youth

Operating Services

Output Group 1

Output 1.1 considered and agreed to.

Output 1.2 read.

**16 SITTING SUSPENDED.**— It being 1.00 o'clock p.m. the Sitting of the Council was suspended. The Council resumed the Sitting at 2.30 o'clock p.m.

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

*Ordered,* That Ms *Palmer* have leave to Table information in relation to the average daily attendance rates by student year for 2021 and 2022 and have the information incorporated into the Hansard record.

**18 BILL NO. 23.**— The Council again resolved itself into a Committee on the Appropriation Bill ( No. 1) 2022.

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(In the Committee)

Ms *Forrest* in the Chair.

**Division 3 - Department of Education**

Minister for Education, Children and Youth

Operating Services

Output Group 1

Output 1.2 further considered and agreed to.

Output Group 2

Output 2.1 agreed to.

Output Group 3

Output 3.1 agreed to.

Grants and Subsidies agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 4 – Environmental Protection Authority**

Minister for Environment and Climate Change

Operating Services

Output Group 1

Outputs 1.1, 1.2 and 1.3 agreed to.

Division agreed to without Request and without Amendment.

**Division 5 - Finance General**

Treasurer

Operating Services

Output Group 1

Outputs 1.1 and 1.2 agreed to.

Output Group 2

Output 2.1 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, 4.8 and 4.9 agreed to.

Output Group 89

Output 89.1 agreed to.

Output Group 90

Outputs 90.2 and 90.8 agreed to.

Grants and Subsidies agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 6 - Department of Health**

Minister for Health

Operating Services

Output Group 1

Output 1.1 agreed to.

Output Group 2

Outputs 2.1, 2.2, 2.3, 2.4, 2.6 and 2.7 agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Mental Health and Wellbeing

Operating Services

Output Group 1

Output 1.2 agreed to.

Output Group 2

Output 2.5 considered and agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment

**Division 7 - Department of Justice**

Attorney-General and Minister for Justice

Operating Services

Output Group 1

Outputs 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, and 1.13 agreed to.

Output Group 2

Outputs 2.1 and 2.2 agreed to.

Output Group 3

Output 3.3 agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Corrections and Rehabilitation

Operating Services

Output Group 3

Outputs 3.1 and 3.2 agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Planning

Operating services

Output Group 4

Output 4.2 agreed to.

Minister for Workplace Safety and Consumer Affairs

Operating Services

Output Group 4

Outputs 4.1 and 4.4 agreed to.

Division agreed to without Request and without Amendment.

**Division 8- Ministerial and Parliamentary Support**

Premier

Operating Services

Output Group 1

Outputs 1.1 and 1.2 agreed to.



Division agreed to without Request.

**Division 9 – Department of Natural Resources and Environment Tasmania**

Minister for Primary Industries and Water

Operating Services

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 7

Output 7.3 agreed to.

Output Group 90

Output 90.2 agreed to.

Grants and Subsidies agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Resources

Operating Services

Output Group 2

Output 2.5 agreed to.

Grants and subsidies agreed to.

Minister for Aboriginal Affairs

Operating Services

Output Group 6

Output 6.2 agreed to.

Minister for Heritage

Operating Services

Output Group 6.1 agreed to.

Grants and Subsidies agreed to.

Minister for Parks

Operating Services

Output Group 1

Outputs 1.1 and 1.2 agreed to.

Output Group 4

Outputs 4.1 and 4.2 agreed to.

Output Group 90

Output 90.5 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 agreed to.

Grants and subsidies agreed to.

Minister for Environment and Climate Change

Operating Services

Output Group 7

Outputs 7.1, 7.2 and 7.4 agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

**Division 10 – 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 11 - Department of Premier and Cabinet**

Premier

Operating Services

Output Group 1

Output 1.1 considered and agreed to.

Output Group 2

Outputs 2.1, 2.2, 2.3, and 2.4 agreed to.

Output Group 3

Output 3.2 agreed to.

Output Group 4

Output 4.1 agreed to.

Output Group 5

Output 5.1 agreed to.

Output Group 90

Output 90.2 and 90. 4 agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Science and Technology

Operating Services

Output Group 3

Output 3.1 considered and agreed to.

Capital Services

Capital Investment Program agreed to.

Minister for Local Government

Operating Services

Output Group 6

Output 6.1 agreed to.

Minister for Planning

Operating Services

Output Group 6

Output 6.2 agreed to.

Division agreed to without Request and without Amendment.

**Division 12 – Department of State Growth**

Minister for Infrastructure and Transport

Operating services

Output Group 2

Outputs 2.1, 2.2 and 2.3 agreed to.

Output Group 6

Outputs 6.1, 6.2, and 6.3 agreed to.

Output Group 90

Outputs 90.16, 90.23 and 90.28 agreed to.

Grants and subsidies agreed to.

Capital Services

Capital Investment Program considered and agreed to.

Minister for Resources

Operating Services

Output Group 4

Output 4.2 agreed to.

Minister for the Arts

Operating Services

Output Group 5

Outputs 5.1, 5.2 and 5.3 agreed to.

Grants and Subsidies agreed to.

Minister for Small Business

Operating Services

Output Group 90

Output 90.24 agreed to.

Minister for Hospitality and Events

Output Group 5

Output 5.4 agreed to.

Minister for Tourism

Operating Services

Output Group 5

Output 5.5 considered and agreed to.

Minister for Skills, Training and Workforce Growth

Output Group 3

Output 3.1 agreed to.

Output Group 90

Outputs 90.2 and 90.26 agreed to.

Minister for State Development, Construction and Housing

Operating Services

Output Group 1

Outputs 1.1 and 1.2 agreed to.

Output Group 90

Output 90.3 agreed to.

Capital Services

Capital Investment Program agreed to.

Division agreed to without Request and without Amendment.

### **Division 13 – Tourism Tasmania**

Minister for Tourism

Operating Services

Output Group 1

Output 1.1 agreed to.

Division agreed to without Request.

**Division 14 - Department of Treasury and Finance**

Treasurer

Operating Services

Output Group 1

Outputs 1.1, 1.2 1.3, 1.4 and 1.5 agreed to.

Output Group 2

Output 2.1, 2.2 and 2.3 agreed to.

Output Group 3

Outputs 3.1, 3.2, 3.4 and 3.5 agreed to.

Output Group 4

Output 4.1 agreed to.

Minister for Energy and Renewables

Operating Services

Output Group 5

Output 5.2 agreed to.

Minister for Environment and Climate Change

Operating Services

Output Group 5

Output 5.1 agreed to.

Division agreed to without Request.

Schedule agreed to without Request and without Amendment.

Postponed Clauses 4 and 5 further considered and agreed to.

Title agreed to.

Bill to be reported without Request and without Amendment.

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The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Request and without Amendment.

*Ordered*, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

**19 BILL NO. 24.**— The Order of the Day was read for the Second reading of the Appropriation Bill (No. 2) 2022

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 *Forrest* in the Chair.

Clauses 1 to 3 agreed to.

Clauses 4 and 5 postponed.

Clause 6 agreed to.

Schedule 1

**Division 1- House of Assembly**

Speaker of the House of Assembly

Operating Services

Output Group 1

Outputs 1.1, 1.2 and 1.3 agreed to.

Output Group 2

Output 2.1 agreed to.

Division agreed to without Request.

**Division 2- Integrity Commission**

Attorney-General and Minister for Justice

Operating Services

Output Group 1

Output 1.1 agreed to.

Division agreed to without Request.

**Division 3 - Legislative Council**

President of the Legislative Council

Operating Services

Output Group 1

Outputs 1.1 and 1.2 agreed to.

Output Group 2

Output 2.1 agreed to.

Division agreed to without Request.

**Division 4 - Legislature-General**

President of the Legislative Council and Speaker of the House of Assembly acting jointly

Operating Services

Output Group 1

Output 1.1 agreed to.

Output Group 2

Output 2.1 agreed to.

Output Group 3

Outputs 3.1 and 3.2 agreed to.

Output Group 4

Outputs 4.1, 4.2, 4.3 and 4.4 agreed to.

Division agreed to without Request.

**Division 5 - The Office of the Director of Public Prosecutions**

Attorney-General and Minister for Justice

Operating Services

Output Group 1

Output 1.1 agreed to.

Division agreed to without Request.

**Division 6 – Office of the Governor**

Premier

Operating Services

Output Group 1

Output 1.1 agreed to.

Division agreed to without Request.

**Division 7 Office of the Ombudsman**

Attorney-General and Minister for Justice

Operating Services

Output Group 1

Output 1.1 agreed to.

Division agreed to without Request.

**Division 8 – Tasmanian Audit Office**

Treasurer

Operating Services

Output Group 1

Output 1.1 agreed to.

Division agreed to without Request.

Schedule agreed to without Request.

Postponed Clauses 4 and 5 further considered and agreed to.

Title agreed to.

Bill to be reported without Request.

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The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Request.

*Ordered*, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

**20 ADJOURNMENT.**— *Resolved*, That the Council will, at its rising adjourn, until 11.00 o'clock a.m. on Wednesday, 22 June 2022. (Mrs *Hiscutt*)

A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council do now adjourn.

And the Question being put,

It was resolved in the Affirmative.

The Council adjourned at 3.19 o'clock p.m.

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