



TASMANIA

# LEGISLATIVE COUNCIL

SESSION OF 2021 - 2022

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 32

FRIDAY, 4 MARCH 2022

- 1 COUNCIL MEETS.**— The Council met at 9.30 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 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
  - (1) Legislative Council Government Businesses Scrutiny Committee ‘A’ 2021. Report with Minutes of Proceedings. Presented to the President on 17 December 2021.
  - (2) Legislative Council Government Businesses Scrutiny Committee ‘B’ 2021. Report with Minutes of Proceedings. Presented to the President on 17 December 2021.
  - (3) Joint Standing Committee on Subordinate Legislation. Report 18: Scrutiny of Notices Issued Under Sections 13,15 and 19 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Land Use Planning and Approvals Act 1993)*. Presented to the President on 2 February 2022.
  - (4) Joint Standing Committee on Subordinate Legislation. Report 19: Scrutiny of Notice Issued Under Section 17 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (Magistrates Court – Electronic Service and Witnessing); Scrutiny of Notice Issued Under Section 20 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (Magistrates Court – Proceedings). Presented to the President on 2 February 2022.
  - (5) Office of the Custodial Inspector Tasmania: Food and Nutrition Inspection Report. Inspection of Adult Custodial Services in Tasmania, 2020.
  - (6) Office of the Custodial Inspector Tasmania: Food and Nutrition Inspection Report. Inspection of Youth Custodial Services in Tasmania, 2020.
  - (7) Dangerous Goods (Road and Rail Transport) Act 2010: Statutory Rules 2021, No. 99, containing Dangerous Goods (Road and Rail Transport) Regulations 2021.
  - (8) Occupational Licensing Act 2005: Statutory Rules 2021, No. 113, containing Occupational Licensing (Gas-Fitting Work) Regulations 2021.
  - (9) Occupational Licensing Act 2005: Statutory Rules 2021, No. 114, containing Occupational Licensing (Plumbing Work) Regulations 2021.
  - (10) Victims of Crime Assistance Act 1976: Statutory Rules 2021, No. 116, containing Victims of Crime Assistance Regulations 2021.

- (11) Work Health and Safety Act 2012: Statutory Rules 2021, No. 121, containing Work Health and Safety Amendment Regulations 2021.
- (12) Forensic Procedures Act 2000: Statutory Rules 2021, No. 123, containing Forensic Procedures Regulations 2021.
- (13) Witness (Identity Protection) Act 2006: Statutory Rules 2021, No. 124, containing Witness (Identity Protection) (Corresponding Laws) Regulations 2021.
- (14) Police Powers (Assumed Identities) Act 2006: Statutory Rules 2021, No. 125, containing Police Powers (Assumed Identities) (Corresponding Laws) Regulations 2021.
- (15) Police Powers (Controlled Operations) Act 2006: Statutory Rules 2021, No. 126, Police Powers (Controlled Operations) (Corresponding Laws) Regulations 2021.
- (16) Police Powers (Surveillance Devices) Act 2006: Statutory Rules 2021, No. 127, Police Powers (Surveillance Devices) (Corresponding Laws) Regulations 2021.

**5 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 *Abandoned Lands Act 1973*, the *Associations Incorporation Act 1964*, the *Conveyancing and Law of Property Act 1884*, the *Conveyancing and Law of Property (Building Title Plans) Regulations 2012*, the *Homes Act 1935*, the *Land Acquisition Act 1993*, the *Land Titles Act 1980*, the *Land Titles Regulations 2012*, the *Local Government (Building and Miscellaneous Provisions) Act 1993*, the *Local Government (Highways) Act 1982*, the *Nature Conservation Act 2002*, the *Neighbourhood Disputes About Plants Act 2017*, the *War Service Land Settlement Act 1950* and the *Wellington Park Act 1993*  
*Land (Miscellaneous Amendments) Act 2021*  
 (Bill No 43 of 2021; Act No. 23 of 2021)

A Bill for an Act to amend the *Living Marine Resources Management Act 1995* and the *Fishing (Licence Ownership and Interest) Registration Act 2001*  
*Living Marine Miscellaneous Amendments (Digital Processes) Act 2021*  
 (Bill No 26 of 2021; Act No. 24 of 2021)

A Bill for an Act to amend the *Justices Act 1959* and to validate certain summonses and warrants  
*Justices (Validation) Act 2021*  
 (Bill No 52 of 2021; Act No. 25 of 2021)

A Bill for an Act to enable the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to be given effect within Tasmania and for related purposes  
*OPCAT Implementation Act 2021*  
 (Bill No 49 of 2021; Act No. 26 of 2021)

A Bill for an Act to amend the *Housing Land Supply Act 2018*  
*Housing Land Supply Amendment Act 2021*  
 (Bill 51 of 2021; Act No. 27 of 2021)

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, 29 November 2021*

**6 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 *Traffic Act 1925*  
Traffic Amendment (Personal Mobility Devices) Act 2021  
(Bill 57 of 2021; Act No. 29 of 2021)

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, 10 December 2021*

**7 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 postpone the repeal of the *Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998*  
*Repeal of Regulations Postponement Act 2021*  
(Bill No 59 of 2021; Act No. 28 of 2021)

A Bill for an Act to repeal the *Alcohol and Drug Dependency Act 1968* and to amend certain Acts, and rescind or revoke certain legislative instruments, consequent on that repeal  
*Alcohol and Drug Dependency Repeal Act 2021*  
(Bill 40 of 2021; Act No. 30 of 2021)

A Bill for an Act to amend the *Gaming Control Act 1993* and the *TT-Line Gaming Act 1993*  
*Gaming Control Amendment (Future Gaming Market) Act 2021*  
(Bill 45 of 2021; Act No. 31 of 2021)

A Bill for an Act to continue TasTAFE as an organisation to provide vocational education and training that benefits the Tasmanian community by contributing to the Tasmanian economy and providing skilled workers for the Tasmanian workforce  
*TasTAFE (Skills and Training Business) Act 2021*  
(Bill 56 of 2021; Act No. 32 of 2021)

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, 16 December 2021*

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

MR PRESIDENT,

The House of Assembly has appointed:

- (1) The Honourable Member for Braddon, Mr Ellis, and the Honourable Member for Lyons, Mr Tucker, to serve on the Parliamentary Standing Committee of Public Accounts pursuant to section (3) of the *Public Accounts Committee Act 1970* (No. 54);
- (2) The Honourable Member for Lyons, Mr Tucker, and the Honourable Member for Bass, Ms Alexander to serve on the Parliamentary Standing Committee on Subordinate Legislation pursuant to section 3 of the *Subordinate Legislation Committee Act 1969* (No. 44); and
- (3) The Honourable Member for Bass, Ms Alexander to serve on the Joint Committee of both Houses to manage the Library.

*House of Assembly, 1 March 2022*

MARK SHELTON, *Speaker*

**9 BILL NO. 3.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the Archives Act 1983 and the Right to Information Act 2009’,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 3 March 2022*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**10 ADJOURNMENT.**— *Ordered*, That the Council will at its rising adjourn until 11.00 o’clock am on Tuesday, 8 March 2022. (Mrs *Hiscutt*)

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

The Council adjourned at 9.39 o'clock a.m.

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

*Briefing:*

- *Hillcrest Primary School Condolence Motion*