



LEGISLATIVE COUNCIL

SESSION OF 2021 - 2022

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 34

WEDNESDAY, 9 MARCH 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 **LEAVE TO TABLE ANSWERS TO QUESTIONS AND INCORPORATE ANSWERS INTO HANSARD.**—*Ordered*, That Mrs *Hiscutt* have leave to Table answers to Questions No. 8 and 10 and have the answers incorporated into the Hansard record.
- 5 **TASTAFE REFORMS.**— Ms *Webb* to ask the Honourable Leader of the Government — With regard to TasTAFE reforms:
 - (1) Can the Government provide an expenditure breakdown of all promotional and advertising materials produced to promote the TasTAFE reforms, including:
 - (a) creation and placement of all newspaper advertisements; and
 - (b) creation and placement of all other forms of advertising and promotional materials.
 - (2) Can the Government provide the publication schedule of all TasTAFE reform-related promotional and advertising materials.

The Leader answered,

- (1) A total of \$83,628.93 exclusive of GST was expended on the production and placement of marketing and advertising material as part of the TasTAFE transition project to inform the public that draft legislation for TasTAFE was released for consultation.

This included:

- \$32,628.93 exclusive of GST on press advertising in the Mercury, the Examiner and the Advocate relating to public consultation on the draft legislation for TasTAFE.
 - \$26,000 exclusive of GST on radio advertising relating to public consultation on the draft legislation for TasTAFE.
 - \$15,000 exclusive of GST on digital advertising relating to public consultation on the draft legislation for TasTAFE.
 - \$10,000 exclusive of GST on press advertising placed on 16 November 2021.
- (2) Press advertisements were placed in the Mercury, the Examiner and the Advocate on Saturday 2 October, Monday 4 October, Thursday 7 October, Saturday 9 October, Monday 11 October, Thursday 14 October, Saturday 16 October and Monday 18 October.

Radio advertisements were placed with all major commercial radio stations in Hobart, Launceston, Scottsdale, Devonport, Burnie and Queenstown. The radio advertisements were placed every day from Saturday 2 October to midday on Monday 18 October.

Digital advertisements were placed with Google Ads, both Search and Display ads, and the Mercury online home page takeover. The Google Ads were placed every day from Saturday 2 October to Sunday 17 October and the Mercury online home page takeover was placed on Saturday 9 October.

There were a total of 13,520 views of the TasTAFE transition home page.

This expenditure was budgeted for as part of the Government's \$98.6 million election commitment to invest in the future of TasTAFE.

6 MACQUARIE POINT DEVELOPMENT SITE.— Ms *Webb* to ask the Honourable Leader of the Government — With regard to the Macquarie Point Development Site:

- (1) Can the Government provide advice from the Office of the Valuer-General, or any other independent source, regarding:
 - (a) the current and potential estimated value of the Macquarie Point development site; and
 - (b) the impact of rezoning on the estimated value of the Macquarie Point development site?
- (2) Can the Government:
 - (a) detail why, and on the basis of what option assessment process, the decision was made to sell the site to private sector developers, instead of dedicating it as a common open facility for all state citizens;
 - (b) confirm that even should a developer need to borrow significant funds to complete the current proposed residential and commercial concepts, that the 'gifted' equity of Crown land will enable a significant profit to be gained by the developer and bank/s involved; and
 - (c) detail any evaluation undertaken to determine whether, and how, this one-time profit from the sale of the Macquarie Development site is in the public interest, given that the majority of the Tasmanian people will not be able to participate in the proposed scheme?

The Leader answered,

- (1) (a) The current land value as stated in the 2021 Macquarie Point Development Corporation Annual Report is \$40.5m with an estimated public and private development/investment opportunity of some \$1 billion once completed.
- (b) The land value reflects improvements that have occurred to the site over the last decade and includes remediation works, site improvements such as the road works and rezoning.

The impact of the planning changes that occurred several years ago would be impossible to separate out from the other impacts which have improved the overall site value over the last decade or so.

- (2) (a) The Escarpment, which I assume the Member for Nelson is referring to in her question, is a 8,797 square metre parcel of land. This development represents only 10 per cent of the overall Macquarie Point site, being 9.3 hectares in total.

The Escarpment is also the first of seven developments to occur at Macquarie Point – as per the Masterplan and details in the Corporation's Master Development Plan; both of which are publicly available on the Corporation's website.

The process for sale of The Escarpment commenced in April 2020, when the Corporation announced the first stage of land release through a public Registration of Interest. This process

was used to test market appetite for development in light of the uncertainties in the early stages of the COVID-19 pandemic.

The Minister for State Development, Construction and Housing subsequently announced the Competitive Bid process would commence with a Request for Expression of Interest, which received strong interest from local, national, and international parties interested in The Escarpment. Two proponents were subsequently announced by the Minister as entering the Request for Proposal Stage during the Budget Estimates process just gone.

This information is available on the Corporation's website.

Once fully developed, some 45,000 square metres of public open space will be available on site with a further 34,000 square metres of ground floor activation across each build which must be accessible to the public.

In addition, work has commenced on the following:

- 1) The diversion of the main sewer line.
- 2) Remediation of the Roundhouse.
- 3) Remediation of the area which was the former gasworks.
- 4) Identifying a long-term tenant for the Goods Shed.

At every step of the Corporation's work, the importance of community, and the ability for the public to access every building on site has been considered.

(2)(b) The commercial aspects of any developers financing is up to that developer.

(2)(c) Macquarie Point was always going to comprise a mix of public and private uses. This has always been the intention for the site

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

- (1) The Australian Health Practitioner Regulation Agency (Ahpra) and the National Boards, reporting on the National Registration and Accreditation Scheme: Annual Report 2020/21.
- (2) Health Practitioner Regulation National Law: Health Practitioner Regulation National Law Amendment (Midwife Insurance Exemption) Regulation 2016.
- (3) Health Practitioner Regulation National Law: Health Practitioner Regulation National Law Amendment (Professional Indemnity Insurance) Regulation 2021.
- (4) Land Tax Act 2000: Statutory Rules 2021, No. 96, containing Land Tax Regulations 2021.
- (5) Taxation Administration Act 1997: Statutory Rules 2021, No. 97, containing Taxation Administration Regulations 2021.
- (6) Poisons Act 1971: Statutory Rules 2021, No. 110, containing Poisons Amendment Regulations (No. 3) 2021.
- (7) Poisons Act 1971: Statutory Rules 2021, No. 111, containing Poisons Amendment Regulations (No. 4) 2021.
- (8) Pharmacy Control Act 2001: Statutory Rules 2021, No. 112, containing Pharmacy Control (Fees) Regulations 2021.
- (9) Motor Vehicle Traders Act 2011: Statutory Rules 2022, No. 4, containing Motor Vehicle Traders Regulations 2022.

- (10) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1822.0 m² situate in Bass Highway Heavy Vehicle Rest Area Near Howth Weighbridge. Municipal Area of Central Coast.
- (11) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 1206.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (12) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 311.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (13) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 571.0 m² and 58.1 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (14) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 342.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (15) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 1105.0 m² and 121.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (16) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 560.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (17) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 511.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (18) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 785.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (19) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 196.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (20) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 198.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (21) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 227.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.
- (22) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 539.0 m² situate in Northern Roads – Batman Highway, Frankford Main Road and Birrale Main Road. Municipal Area of West Tamar.

8 BILL NO. 3. — The Justice Miscellaneous (Independent Review Amendments) Bill 2022 was read the Third time and passed.

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

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, 'A Bill for an Act to amend the *Archives Act 1983* and the *Right to Information Act 2009*'.

Legislative Council, 9 March 2022

C.M. FARRELL, *President*

10 BILL NO. 60 OF 2021.— The Justice and Related Legislation (Miscellaneous Amendments) Bill 2021 was read the Third time and passed.

11 BILL NO. 60 OF 2021.— A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, 'A Bill for an Act to amend the *Justices Act 1959* and other justice-related legislation'.

Legislative Council, 9 March 2022

C.M. FARRELL, *President*

12 BILL NO. 58 OF 2021.— The Order of the Day was read for resuming the Debate on the Question, That the Living Marine Resources Management Amendment (Aquaculture Research) Bill 2021 be now read the Second time.

The Question was again proposed, and the Council resumed the Debate.

A Motion was made (*Ms Webb*), and the Question was proposed, That the Debate be adjourned.

A Debate arose thereupon.

And the Question being put,

Council divided.

AYES 4

Ms Armitage
Mr Gaffney (Teller)
Mr Valentine
Ms Webb

Pair: *Ms Forrest*
Pair: *Ms Rattray*

NOES 5

Mrs Hiscutt
Ms Lovell (Teller)
Ms Palmer
Ms Siejka
Mr Willie

Pair: *Mr Duigan*
Pair: *Ms Howlett*

So it passed in the Negative.

The Council resumed Debate on the Question, That the Bill be now read the Second time

13 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.

14 QUESTION TIME.— The President called for Questions without Notice. There were two Questions asked.

Ordered, That *Ms Palmer* have leave to Table a document detailing Dropped and Scheduled trips across the Metro Bus Network in 2022 and have the document incorporated into the Hansard record.

15 BILL NO. 58 OF 2021.— The Council resumed the Debate on the Question, That the Living Marine Resources Management Amendment (Aquaculture Research) Bill 2021 be now read the Second time.

Ordered, That Mrs *Hiscutt* have leave to Table a document noting the Blue Economy Cooperative Research Centre participants and have the document incorporated into the Hansard record.

And the Question being put,

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.

(In the Committee)

Ms *Rattray* in the Chair.

Clauses 1 to 9 agreed to.

Title agreed to.

Bill to be reported without Amendment.

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

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

16 BILL NO. 55 OF 2021.— The Order of the Day was read for the Second reading of the Waste and Resource Recovery Bill 2021

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

A Debate arose thereupon.

17 SITTING SUSPENDED. — It being 4.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 4.30 o'clock p.m.

18 BILL NO. 55 OF 2021.— The Council resumed the Debate on the Question, That the Waste and Resource Recovery Bill 2021 be now read the Second time.

And the Question being put,

The Council divided.

AYES 6

NOES 3

Mr *Duigan* (Teller)
Mr *Gaffney*
Mrs *Hiscutt*
Ms *Palmer*
Mr *Valentine*
Ms *Webb*

Ms *Armitage* (Teller)
Ms *Lovell*
Ms *Rattray*

Pair: Ms *Forrest*
Pair: Ms *Howlett*

Pair: Ms *Siejka*
Pair: Mr *Willie*

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.

(In the Committee)

Ms *Ratray* in the Chair.

Clauses 1 and 2 agreed to.

Clause 3 Amendment made (Mrs *Hiscutt*)

Page 6, subclause (1), definition of '*Appeal Tribunal*'.

Leave out "Resource Management and Planning Appeal Tribunal established by the *Resource Management and Planning Appeal Tribunal Act 1993*".

Insert instead "Tasmanian Civil and Administrative Tribunal established by the *Tasmanian Civil and Administrative Tribunal Act 2020*".

Clause as amended agreed to.

Clauses 4 to 28 agreed to

Clause 29 disagreed to.

Clauses 30 to 59 agreed to.

New Clause A [Prescribed Levy] brought up (Mrs *Hiscutt*) and read the First time as follows:—

A. Prescribed levy

For the purposes of this Act, the prescribed levy is –

- (a) if no amount is prescribed under paragraph (b), 12 fee units; or
- (b) the amount or amounts, of a levy in respect of a tonne of waste in a calendar month, that is prescribed by, or calculated in accordance with, regulations for the purposes of this section.

Read the Second time and made part of the Bill (to follow Clause 28).

Schedules 1, 2 and 3 agreed to.

Title agreed to.

Bill to be reported with Amendments.

The Council being resumed, Ms *Ratray* reported that the Committee had gone through the Bill, and directed her to report the same to the Council with Amendments.

Ordered, That the consideration of the Bill as amended in Committee be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

19 BILL NO. 50 OF 2021.— The Order of the Day was read for the Second reading of the Criminal Code Amendment (Judge Alone Trials) Bill 2021.

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

A Debate arose thereupon.

And the Question being put,

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.

(In the Committee)

Ms *Rattray* in the Chair.

Clauses 1 to 5 agreed to.

Title agreed to.

Bill to be reported without Amendment.

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

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

20 ADJOURNMENT.— *Ordered*, That the Council will at its rising adjourn until 10.00 o'clock am on Thursday, 10 March 2022. (Mrs *Hiscutt*)

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

The Council adjourned at 7.06 o'clock p.m.

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

Briefings:

- *Living Marine Resources Management Amendment (Aquaculture Research) Bill 2021 (No. 58)*
- *Waste Resource Recovery Bill 2021 (No. 55)*