



LEGISLATIVE COUNCIL

SESSION OF 2021 - 2022

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 35

THURSDAY, 10 MARCH 2022

- 1 COUNCIL MEETS.**— The Council met at 10.00 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 Member for Murchisons’s petition regarding the call for parliamentary review of the planning process around the cable car development on Kunanyi/Mount Wellington.
- 5 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
 - (1) Tasmanian Timber Promotion Board: Financial Statements 2012-2013 to 2020-2021.
 - (2) Living Marine Resources Management Act 1995: Statutory Rules 2021, containing Fisheries (Commercial Dive) Rules 2021.
 - (3) Teachers Registration Act 2000: Statutory Rules 2021, No. 108, containing Teachers Registration Regulations 2021.
 - (4) Living Marine Resources Management Act 1995: Statutory Rules 2021, No. 120, containing Fisheries (Processing and Handling) Rules 2021.
 - (5) Electricity Supply Industry Act 1995: Statutory Rules 2021, No. 132, containing Electricity Supply Industry Amendment Regulations 2021.
 - (6) Marine and Safety Authority Act 1997: Statutory Rules 2021, No. 133, containing Marine and Safety (General) Amendment Regulations 2021.
- 6 BILL NO. 58 OF 2021.** — The Living Marine Resources Management Amendment (Aquaculture Research) Bill 2021 was read the Third time and passed.
- 7 BILL NO. 58 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 *Living Marine Resources Management Act 1995*’.

Legislative Council, 10 March 2022

C.M. FARRELL, President

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

9 BILL NO. 55 OF 2021.— A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council having this day agreed, with Amendments, to a Bill intituled —

‘A Bill for an Act to encourage the diversion of waste from landfill, increase the recovery of resources from waste, impose a levy on waste received at a landfill facility and provide for a rebate in relation to that levy in certain circumstances, provide for standards and guidelines to be made in relation to landfill and resource recovery facilities, establish the Tasmanian Waste and Resource Recovery Board, and for related purposes’,

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

Legislative Council, 10 March 2022

C.M. FARRELL, *President*

10 BILL NO. 50 OF 2021. — The Criminal Code Amendment (Judge Alone Trials) Bill 2021 was read the Third time and passed.

11 BILL NO. 50 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 *Criminal Code Act 1924*’.

Legislative Council, 10 March 2022

C.M. FARRELL, *President*

12 PREMIER’S ADDRESS.— *Ordered,* That Standing Order No. 10(2)(a) be suspended to provide for the Premier’s Address to be Tabled without the requirement for the Address to be read again in the Council. (Mrs *Hiscutt*)

Ordered, That Mrs *Hiscutt*, have leave to Table a copy of the Premier’s Address and have the Premier’s Address incorporated into the Hansard record. (Mrs *Hiscutt*)

A Motion was made (Mrs *Hiscutt*) and the Question was proposed – That the Premier’s Address be noted.

A Debate arose thereupon.

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 three Questions asked.

Ordered, That Ms *Hiscutt* have leave to Table a document setting out numbers of incidents of bullying, assaults, suspensions and workers compensation claims in Tasmanian public schools for the years 2017, 2018, 2019, 2020 and 2021 and have the document incorporated into the Hansard record.

15 BILL NO. 54 OF 2021.— The Order of the Day was read for the consideration in Committee of the Container Refund Scheme Bill 2021.

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

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 13 agreed to.

Clause 14 Amendment proposed (*Ms Armitage*)

Page 21, proposed new subclause (2), after paragraph (d).

Insert the following paragraph:

- (a) does not intend to operate, as the scheme coordinator, for the purpose of securing a profit, or other form of gain, for shareholders, or members, of an organisation or body; and

Question put, That the Amendment be agreed

It passed in the Negative.

Clause as read agreed to.

Clauses 15 to 30 agreed to.

Clause 31 Amendment proposed (*Ms Rattray*)

Page 46, after subclause (2).

Insert the following subclause:

- (3) Subsection (1)(b) and (c) do not apply in respect of an approved container if the approved container is deposited at a container refund point within the 6-month period after the commencement of this section.

Question put, That the Amendment be agreed

It passed in the Negative.

Clause as read agreed to.

Clauses 32 to 46 agreed to.

Title agreed to.

Bill to be reported without Amendment.

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 Amendment.

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

17 SUSPENSION OF STANDING ORDERS.— *Ordered*, That so much of Standing Orders be suspended to enable the Bill to be now read the Third time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

Ordered, That the Bill be now read the Third time (Mrs *Hiscutt*)

The Bill was read the Third time and passed.

18 BILL NO. 54 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 establish a container refund scheme to reduce litter in Tasmania and increase the recovery and recycling of containers’.

Legislative Council, 10 March 2022

C.M. FARRELL, *President*

19 ADJOURNMENT.— *Ordered*, That the Council will at its rising adjourn until 9.00 o’clock a.m on Friday, 11 March 2022. (Mrs *Hiscutt*)

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

A Debate arose thereupon.

It was resolved in the Affirmative.

The Council adjourned at 4.42 o'clock p.m.

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

Briefing:

- *University of Tasmania – Vice Chancellor*