



TASMANIA

LEGISLATIVE COUNCIL

SESSION OF 2024

(FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT)

VOTES AND PROCEEDINGS

No. 29

THURSDAY, 31 OCTOBER 2024

- 1 COUNCIL MEETS.**— The Council met at 11.00 o'clock a.m.
- 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) Wellington Park Management Trust: Annual Report 2023-2024.
 - (2) Tasmanian Dairy Industry Authority: Annual Report and Financial Statements 2023-2024.
 - (3) Office of the Governor of Tasmania: Annual Report 2023-2024.
 - (4) TasTAFE: Annual Report 2023-2024.
 - (5) Department of Treasury and Finance: Annual Report 2023-2024.
 - (6) Tasmanian Economic Regulator: Annual Report 2023-2024.
 - (7) Treasurer’s Annual Financial Report 2023-2024.
 - (8) Legislative Council: Annual Report 2023-2024.
 - (9) House of Assembly: Annual Report 2023-2024.
 - (10) Legislature-General: Annual Report 2023-2024.
 - (11) Department of Natural Resources and Environment Tasmania: Annual Report 2023-2024.
 - (12) Tasmanian Networks Pty Ltd: Members’ Statement of Expectations. Dated October 2024.
 - (13) Macquarie Point Development Corporation: Annual Report 2023-2024.
 - (14) Department of State Growth: Annual Report 2023-2024.
 - (15) Report of the Tasmanian Industrial Commission: ‘Review of Actions’ 2023-2024.
- 5 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.
- 6 LEAVE OF ABSENCE.**— *Ordered*, That the Honourable Member for Rosevears, (Ms *Palmer*) be granted leave of absence from the service of the Council for this day’s sitting. (Mrs *Hiscutt*)
- 7 BILL NO. 41.**— The Order of the Day was read for the consideration of the Judicial Commissions Bill 2024 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.

8 BILL NO. 41.— A Message to the House of Assembly:—

HONOURABLE SPEAKER,

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

‘A Bill for an Act to provide for the examination of complaints in relation to certain judicial officers, to provide for their suspension or removal from office in certain circumstances and for related purposes’,

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

Legislative Council, 31 October 2024

C.M. FARRELL, President

9 MOTION WITHOUT NOTICE.— *Ordered*, That Ms *O'Connor* have leave to move a Motion without Notice.

10 REFERRAL OF BILL NO. 37 TO GOVERNMENT ADMINISTRATION COMMITTEE B.— A Motion was made (Ms *O'Connor*) and the Question was proposed, That the Validation (State Coastal Policy) Bill 2024 be referred to Government Administration Committee B for Consideration and Report.

A Debate arose thereupon.

And the Question being put,

The Council divided.

AYES 4

Ms Forrest
Ms O'Connor
Ms Thomas (Teller)
Ms Webb

NOES 8

Ms Armitage
Mr Duigan
Mr Edmunds
Mr Harriss (Teller)
Mrs Hiscutt
Ms Lovell
Ms Rattray
Mr Vincent

Pair: *Mr Gaffney*

Pair: *Ms Palmer*

So it passed in the Negative.

11 BILL NO. 37.— The Order of the Day was read for the Second reading of the Validation (State Coastal Policy) Bill 2024.

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

A Debate arose thereupon.

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

A Debate arose thereupon.

12 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.

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

14 SUPPLEMENTARY PAPER.—The Clerk of the Council laid upon the Table the Office of the Independent Regulator – Child Focused Oversight: Annual Report 2023-2024.

15 BILL NO. 37.—The Council resumed the Debate on the Question, That Debate be adjourned on the Question, That the Validation (State Coastal Policy) Bill 2024 be now read the Second time.

And the Question being put,

The Council divided.

AYES 4

Ms Forrest
Ms O'Connor
Ms Thomas (Teller)
Ms Webb

NOES 8

Ms Armitage
Mr Duigan
Mr Edmunds
Mr Harriss
Mrs Hiscutt
Ms Lovell
Ms Rattray
Mr Vincent (Teller)

Pair: *Mr Gaffney*

Pair: *Ms Palmer*

So it passed in the Negative.

Debate resumed on the Question that the Bill be now read the Second time.

And the Question being put,

The Council divided.

AYES 8

Ms Armitage
Mr Duigan
Mr Edmunds
Mr Harriss
Mrs Hiscutt
Ms Lovell (Teller)
Ms Rattray
Mr Vincent

NOES 4

Ms Forrest
Ms O'Connor (Teller)
Ms Thomas
Ms Webb

Pair: *Ms Palmer*

Pair: *Mr Gaffney*

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 Forrest in the Chair.

Clauses 1 to 5 agreed to.

New Clause A [Non-application of Act] brought up (*Ms Webb*) and read the First time as follows:—

A. Non-application of Act

- (1) This Act does not apply in respect of development on an actively mobile landform that has not substantially commenced, as determined under the *Land Use Planning and Approvals Act 1993*, before the end of the validation period.
- (2) For the purposes of subsection (1), any work or activity carried out in relation to a development before a LUPA permit is first issued, or purportedly issued, in respect of the development is not to be taken into account when determining whether development has substantially commenced.

Question put, that New Clause A be read a Second time.

The Committee divided.

AYES 3

Ms O'Connor
Ms Thomas
Ms Webb (Teller)

NOES 9

Ms Armitage
Mr Duigan
Mr Edmunds (Teller)
Ms Forrest
Mr Harriss
Mrs Hiscutt
Ms Lovell
Ms Rattray
Mr Vincent

Pair: Mr Gaffney

Pair: Ms Palmer

It passed in the Negative.

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 him 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 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 6.10 o'clock p.m. and resumed at 6.20 o'clock p.m.

17 ADJOURNMENT.— *Resolved*, That the Council will, at its rising adjourn until 11.00 o'clock a.m. on Tuesday, 19 November 2024. (Mrs *Hiscutt*)

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

The Council adjourned at 6.20 o'clock p.m.

C.L. VICKERS, *Clerk of the Council*.