



# LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 66

TUESDAY, 15 SEPTEMBER 2020

- 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, present and emerging. 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) Joint Parliamentary Standing Committee on Subordinate Legislation – Report 12:
    - Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Resource Management and Planning Appeal Tribunal Act 1993).
    - Scrutiny of Notice Issued Under Section 23 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Mineral Resources Development Act 1995).
    - Scrutiny of Notice Issued Under Section 18 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Supreme Court – Rule Committee)
  - (2) Custodial Inspector: Rehabilitation & Reintegration Inspection Report - Inspection of Adult Custodial Services in Tasmania 2018.
  - (3) Police Powers (Assumed Identities) Act 2006 – Annual Report 2019-2020.
  - (4) Police Powers (Controlled Operations) Act 2006 – Annual Report 2019-2020.
  - (5) Police Powers (Surveillance Devices) Act 2006 – Annual Report 2019-2020.
  - (6) Australian Criminal Intelligence Commission – Annual Report 2019-2020: Police Powers (Surveillance Devices) Act 2006 (Tas).
  - (7) Australian Criminal Intelligence Commission – Annual Report: 2019-2020: Police Powers (Controlled Operations) Act 2006 (Tas).
  - (8) Draft Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016: Statutory Rules 2020, containing Strategic Infrastructure Corridors (Strategic and Recreational Use) (Western Corridor from Wynyard to Burnie Port) Notice 2020.
  - (9) Australian Consumer Law (Tasmania) Act 2010: Statutory Rules 2020, No. 53, containing Australian Consumer Law (Tasmania) (Code of Practice for Fuel Price Reporting) Regulations 2020.

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

MESSAGE

Kate Warner, Governor

A Bill for an Act to amend the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020  
*Covid-19 Disease Emergency (Miscellaneous Provision) Amendment (Debt Quarantine Recovery) Act 2020* (Bill No 29 of 2020; Act No. 17 of 2020)

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, 3 September 2020*

**6 BILL NO. 25.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to establish the Tasmanian Civil and Administrative Tribunal, to enable the appointment of members and staff of the Tribunal, to provide for certain transitional matters related to the establishment of the Tribunal, and for related purposes’,

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

*House of Assembly, 27 August 2020*

S. HICKEY, *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*)

**7 BILL NO. 55 of 2019.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act amend the *Cat Management Act 2009*’,

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

*House of Assembly, 27 August 2020*

S. HICKEY, *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*)

**8 STATEMENT BY THE PRESIDENT – LEGISLATIVE COUNCIL NEW STAFF MEMBER.**— The President said —

“Honourable Members, before proceeding to the business of the day it is with pleasure that I formally and very warmly welcome to the staff of the Legislative Council, Morris Malone.

Morris has been appointed Electorate Officer to the Honourable Member for Huon. Morris holds a Bachelor of Economics from the University of Tasmania. He has extensive experience in the retail industry and customer service, and has also worked in stakeholder engagement and event management. His previous work has provided him with people and organisational skills that will support the Member for Huon in the Member’s role. He looks forward to joining the Legislative Council team and supporting the Member in their new role representing the Huon – which comprises Blackmans Bay, the Channel, Huon Valley and Bruny Island.

Morris will be observing proceedings in the Legislative Council today and on behalf of all Members I extend to him a very warm welcome.”

**9 SPECIAL INTEREST MATTERS.**— The President advised the Chamber of six Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Ms *Forrest* - Wynyard Showground Industrial Hall Project;
- (2) Mr *Valentine* - Driver Education;
- (3) Dr *Seidel* - Passing of Dr Dick Geeves;
- (4) Ms *Armitage* - Genetic condition known as Fragile X;
- (5) Ms *Webb* - Women's Health Tasmania; and
- (6) Mr *Dean* - Mowbray Roundabout.

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

**10 REPORT ON THE EFFECTIVENESS OF ELECTRONIC MONITORING OF FAMILY VIOLENCE PERPETRATORS.**— A Motion was made (Mr *Dean*) and the Question was proposed, That the 'Review of the effectiveness of electronic monitoring as a condition for perpetrators in Family Violence Orders, under section 16 (3)(c) of the Family Violence Act 2004' report be considered and noted

A Debate arose thereupon.

**11 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.

**12 QUESTION TIME.**— The President called for Questions without Notice. There were ten Questions asked.

**13 LEAVE TO TABLE ANSWERS TO QUESTIONS AND INCORPORATE ANSWERS INTO HANSARD.**— *Ordered*, That Mrs *Hiscutt* have leave to Table answers to the following Questions and have the answers incorporated into the Hansard record.

Member for Murchison (Ms *Forrest*) regarding nursing staffing levels and hours at the North West Regional Hospital student results.

Member for Nelson (Ms *Webb*) regarding extensions of the section 14 *Public Health Act 1997* Declaration and section 42 *Emergency Management Act 2006* due to COVID-19.

Member for Launceston (Ms *Armitage*) regarding regional representation and composition of the Tasmanian Government Boards, Government Business Enterprises and State-Owned Corporations.

**14 REPORT ON THE EFFECTIVENESS OF ELECTRONIC MONITORING OF FAMILY VIOLENCE PERPETRATORS.**— The Council resumed Debate on the Question, That the 'Review of the effectiveness of electronic monitoring as a condition for perpetrators in Family Violence Orders, under section 16 (3)(c) of the Family Violence Act 2004' report be considered and noted.

And the Question being put,

It was resolved in the Affirmative.

**15 BILL NO. 30.**— The Order of the Day was read for the Second reading of the End-of-Life Choices (Voluntary Assisted Dying) Bill 2020.

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

A Debate arose thereupon.

*Ordered*, That the Debate be adjourned. (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 7.05 o'clock p.m.

**17 BILL NO. 30.**— The Council resumed the Debate on the Question, That the End-of-Life Choices (Voluntary Assisted Dying) Bill 2020 be now read the Second time.

*Ordered*, That the Debate be adjourned. (Mr *Valentine*)

**18 BILL NO. 28.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to provide for the protection of the community from persons who have committed offences involving violence, or an element of violence, and who are declared to be dangerous criminals, or who have committed serious offences and are determined to be at a high risk of committing further serious offences, to amend various enactments consequent upon the enactment of this Act, and for related purposes’,

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

*House of Assembly, 15 September 2020*

S. HICKEY, *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*)

**19 BILL NO. 16.**— 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 various Acts and statutory rules consequent on the enactment of the Financial Management Act 2016’,

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

*House of Assembly, 15 September 2020*

S. HICKEY, *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*)

**20 BILL NO. 31.**— 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 *Evidence (Children and Special Witnesses) Act 2001*, the *Criminal Code Act 1924* and the *Legal Aid Commission Act 1990*’,

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

*House of Assembly, 15 September 2020*

S. HICKEY, *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*)

**21 ADJOURNMENT.**— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 11.00 o’clock am on Wednesday, 16 September 2020.

It was resolved in the Affirmative.

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

The Council adjourned at 10.05 o’clock p.m.

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

**Briefing:**

- *End of Life Choices (Voluntary Assisted Dying) Bill 2020*