



LEGISLATIVE COUNCIL

SESSION OF 2025

(FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT)

VOTES AND PROCEEDINGS

No. 14

WEDNESDAY, 3 DECEMBER 2025

1 COUNCIL MEETS.— The Council met at 10.00 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 first inhabitants and the continuing custodians of this land.”

3 PRAYERS AND REFLECTION.— The President read Prayers.

4 DATA CENTRES IN TASMANIA.— Mr *Gaffney* asked the Honourable the Leader of the Government — With reference to Australia's need for data centres growing exponentially as artificial intelligence advances and more critical systems like banking and healthcare go digital.

On 12 March 2025 the Financial Review reported that approximately 175 new data centres, with a deployable capacity of approximately 3100 MW will be needed in Australia by 2030.

- (1) How many data centres do you anticipate will be introduced in Tasmania by 2030, and what will be their total deployable capacity?
- (2) Notwithstanding the AI factory in Launceston that was announced by Firmus Technologies on 1 July 2025 in Pulse Tasmania, and the New Energy Opportunities Limited data centre in the Burnie CBD as reported in the Financial Review on 10 October 2025, are there any other data centre projects anticipated in Tasmania?

The Leader answered:

- (1) It is not possible to accurately predict the number or capacity of data centres that will be established in Tasmania by 2030, as this will depend on a wide range of interrelated factors, including:
 - Availability of suitable sites
 - Availability and pricing of energy
 - Availability and pricing of water
 - The pace of technological change within data centres
 - Commercial demand and investment appetite
 - Competition from other jurisdictions
 - Suitability of backhaul capacity and latency considerations
 - Regulatory and planning approvals
 - Workforce capability and skills availability

In some cases, a single proponent may develop multiple sites; however, this will also be subject to the factors outlined above.

The scale of data centres is highly variable, ranging from relatively small facilities to hyperscale operations, and it is expected that scale will increase to meet growing demand in areas such as artificial intelligence and high-performance computing.

For example, Firmus has signalled plans for large-scale data centre development, potentially exceeding 300 MW of capacity—representing a significant investment and substantial infrastructure footprint.

Tasmania is considered an attractive destination for data centre development, with renewable energy being a significant drawcard. However, data centres are fundamentally commercial ventures, and their feasibility—both in Tasmania and elsewhere—will ultimately depend on the individual business case for each development, including long-term energy contracts, connectivity, and operational costs.

- (2) It is anticipated additional data centre projects may emerge in Tasmania over time.

Currently, we are aware of proponents such as Firmus, New Energy, and DAME, all of whom are at varying stages of consideration or development.

While several smaller-scale data centres already exist in Tasmania, these are considerably less extensive than the facilities proposed by major proponents such as Firmus.

We believe other proponents are likely to be actively assessing or exploring opportunities in Tasmania which have not yet been publicly disclosed or come to our attention.

Furthermore, there is a strong likelihood that additional entrants could be attracted by the national and international visibility of large-scale projects such as Project Southgate (Firmus). This visibility, combined with Tasmania's renewable energy advantage, positions the state as an emerging destination for data centre development.

5 BASS HIGHWAY – WYNYARD TO MARRAWAH UPGRADE.— Ms *Forrest* asked the Honourable the Minister for Infrastructure and Transport — With regard to the Bass Highway – Wynyard to Marrawah upgrade:

- (1) Can you confirm:
 - (a) Details of the total funds expended to date on each component of the project; and
 - (i) Details of the total funds expended to date on each component of each project; and
 - (ii) A breakdown of expended funds related to Australian Government funds; and
 - (iii) A breakdown of expended funds related to Tasmanian Government funds.
 - (b) The timelines for and amounts of expenditure of the remaining committed Federal funds;
 - (c) The timelines for and amounts of expenditure of the remaining committed State funds;
 - (d) The final costs for each component of the works already undertaken as part of this whole works package.
- (2) Whether funds the committed by the Australian Government have now been released for the 2024-25 Financial Year;
- (3) The amount of funds the committed by the State Government and how much has been expended and how much remains to be spent;
- (4) Please provide copies of all progress reports provided by the State to the Australian Government required under the agreement since works commenced;
- (5) All notes on Administration as referred to in the Agreement; and
- (6) Details of any variations from the original agreed project scope.

The Minister for Infrastructure and Transport (Mr *Vincent*) answered:

- (1) Funds expended to date on each component of the project is provided in Table 1, which I intend to table at the conclusion of this answer.
- (2) The 2024-25 funds committed by the Australian Government have been released.
- (3) The Tasmanian Government contribution is \$40 million. As at 30 June 2025, \$29.7 million has been spent with a balance of \$10.3 million remaining.
- (4) I intend to table the Australian Government Monthly Progress Report extract for reporting related to this funding commitment.

- (5) I also intend to table the Notes on Administration as referred to in the Agreement. For reference, these can also be found on the Australian Government Department of Infrastructure, Transport, Regional Development, Communications and the Arts website.
- (6) The proposed inclusion of the construction of a Heavy Vehicle Driver Rest Area at Detention River is the only variation to the original scope for the Bass Highway – Marrawah to Wynyard Upgrade project.

The design of the Detention River Heavy Vehicle Driver Rest Area was completed as part of the Heavy Vehicle Driver Rest Area funding commitment with the construction cost of \$1.5 million proposed to be funded from the Bass Highway Wynyard to Marrawah corridor program.

The design for the remaining works within the \$100 million combined commitment for the Bass Highway – Wynyard to Marrawah upgrade is currently underway, and tendering of a further package of works is expected to be released in mid-2026.

The timing and scope of some of these works may change subject to discussions currently underway with Circular Head Council on priorities for the Bass Highway between Smithton and Marrawah.

Ordered, That Mr *Vincent*, have leave to Table the following documents:

- Tasmanian Roads Package – current month activities report;
- Australian Government -Notes on Administration for Land Transport Infrastructure Projects 2024-2029; and
- A table outlining funds expended to date on the Wynyard to Marrawah Upgrade.

6 HYDROPOWER PLANTS PROVIDING POWER TO DATA CENTRES.—

Mr *Gaffney* asked the Honourable the Minister for Energy and Renewables —

- (1) On 20 January 2025, Recharge News reported former Prime Minister Malcolm Turnbull as advocating the development of hydropower plants to provide clean baseload power to data centres.

As noted on the Hydo Tasmania website, work is progressing on the proposed pumped hydro project at Lake Cethana.

- (a) Are there any plans to build a data centre near the Lake Cethana dam, near the Workforce Accommodation Facility in Middlesex, or in any of the surrounding areas?
- (2) As reported by Reuters on 20 March 2025, 60 data centres near Washington D.C. in the US suddenly dropped off the energy grid last July in response to a failed surge protector on a high-voltage line. The data centres switched to on-site generators, which was triggered by the implementation of a standard safety mechanism intended to protect computer chips and electronic equipment from damage caused by voltage fluctuations. The exit of these data centres from the grid led to a large surge in excess electricity in the energy grid and put the region at risk of cascading power outages. The number of similar near-miss events has grown rapidly in the US over the last five years as more data centres come online. Given this example can the Minister please advise:
 - (a) What measures will be put in place to ensure that Tasmania is not placed at risk of blackouts due to data centre-related voltage swings in the energy grid?
- (3) The 15 October 2021 Planning Assessment document for the Robbins Island Road to Hampshire Transmission Line specifies that, “Up to 6 conductors and one communications cable” are planned. Minister, could you please provide the following additional details about this cable:
 - (a) What type of data will it be used to transmit?
 - (b) Will the data be flowing to or from the island, or in both directions?
 - (c) What will be the bandwidth capacity of this communications cable?

The Minister for Energy and Renewables (Mr *Duigan*) answered:

- (1) There are no current plans to establish a data centre at or near the proposed Cethana pumped hydro facility.

- (2) Responsibility for maintaining the stability of the Tasmanian network lies with TasNetworks Pty Ltd, working with the Australian Energy Market Operator (AEMO). Keeping the grid in a stable operating environment (such as dealing with unanticipated changes in frequency and voltage from planned and unplanned changes in generation and load) is very much ‘business as usual activity’ for these two businesses.

Large connections to the grid, such as by generators or large loads (like data centres) is through the negotiation of a connection agreement with TasNetworks. The connection agreement is the formal contract that governs how a load connects to and uses the electricity network. It protects both the customer and TasNetworks by clearly defining rights, obligations, and technical requirements. For large projects (e.g., hydrogen hubs, wind farms and large data centres), the agreement ensures TasNetworks can plan and deliver the necessary upgrades to transmission (and distribution as appropriate) assets to service the connection. Technical aspects of the performance of the data centres are addressed in the connection agreement.

There is no *a priori* reason to believe that the operations of data centres present any greater risk to the stability of the grid than other large loads, all of which can experience planned and unplanned outages that create system stability issues that TasNetworks and AEMO are well-equipped to manage. The principal means are through the acquisition and deployment of ancillary services by AEMO, such as frequency control ancillary support (FCAS) services, and reactive power capability to manage voltage stability issues.

- (3) The communication cable that forms part of the Robbins Island Wind Farm connection is an optical fibre cable within the earth wire. The purpose of the cable is to transmit operational data, including communications, control and electrical protection signals for the Robins Island and Jim’s Plain Renewable Energy Parks. This is two-way information. The capacity of the cable is not specified in the approval documents, but given the purpose of the cable, would be appropriate to support the operational data flow required for the development.

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

- (1) TasWater Annual Report: 2024-2025.
(2) *Police Powers (Controlled Operations) Act 2006*: Annual Report 2024-2025.
(3) *Listening Devices Act 1991*: Annual Report 2024-2025.
(4) *Police Powers (Assumed Identities) Act 2006*: Annual Report 2024-2025.
(5) *Police Powers (Surveillance Devices) Act 2006*: Annual Report 2024-2025.

8 BILL NO. 52.— The Terrorism Legislation (Extension) Bill 2025 was read the Third time and passed.

9 BILL NO. 52.— A Message to the House of Assembly:—

HONOURABLE SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, ‘A Bill for an Act to extend the operation of the *Police Powers (Public Safety) Act 2005* and the *Terrorism (Preventative Detention) Act 2005*’.

Legislative Council, 3 December 2025

C.M. FARRELL, *President*

10 BILL NO. 45.— The Poisons Amendment (Interstate Prescriptions) Bill 2025 was read the Third time and passed.

11 BILL NO. 45.— A Message to the House of Assembly:—

HONOURABLE SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, ‘A Bill for an Act to amend the *Poisons Act 1971*’.

Legislative Council, 3 December 2025

C.M. FARRELL, *President*

12 STATEMENT BY THE PRESIDENT – CONDUCT OF MEMBERS AND RULES OF DEBATE.—The President said —

“Before we proceed to Orders of the Day I would like to make a short statement regarding the conduct of Members, rules of debate and related matters.

It goes without saying that the subject matter of the Motion which the Council will be debating shortly has caused strong and opposing views to be expressed by many in our Electorates and across the Tasmania community. This is a project that should have united the State but unfortunately because of the way it has been handled, it has caused division, not just the State, but even within families. Whatever the outcome there will be those pleased and those not – we must be respectful of all.

Likewise, Members of this Chamber who represent their communities and are here to make laws for the peace order and welfare of the State of Tasmania will have differing and strongly held views on the subject matter of the Motion.

However, it is entirely reasonable that all Members should expect to be able to express their opinions and the views of their communities and various stakeholders while they have the call without undue or unnecessary interjections and personal attacks. We are after all a House of review which has served this State and the people of Tasmania well since 1856.

It is often said that proceedings in the Legislative Council are more considered and temperate, when compared to those of the other place.

As President I have always allowed a certain degree of interjection during debate. I think, up to a point, interjections can promote a healthy debate and not interrupt the thread of the speech being delivered.

But strictly speaking a Member may only interrupt another in specific circumstances, such as:

- Calling attention to a point of order
- Calling attention to a matter of privileges
- Call attention to the lack of quorum
- Objecting to the use of words used in debate
- Moving that a Member be heard or no longer heard.

While we have practice of allowing for interjections no Member should converse aloud or make any noise or disturbance to interrupt a Member and heckling or prosecuting a case or dialogue with the Member on their feet is not appropriate.

I will intervene if interjections interrupt the flow of a Member’s contribution or that that they impute motives, make personal attacks or cause the Member to feel harassed or unable to make their contribution.

I may stand and leave the chair and this will suspend the sittings until such time as I return at the ringing of the bells – perhaps this may be a way for Members to reflect and “cool their heels”.

I may also decide rule no interjections will be tolerated by any Member in the course of this debate. This will apply to all Members and will no doubt change the nature of debate in this place

Therefore, I would ask Members to reflect on the Rules of Debate as provided for by Part 15 of the Council’s Standing Orders.

In particular, both regarding the content of any contributions to a debate, as well as interjections:

- Standing Order 99(5): all imputations of improper motives and all personal reflections are disorderly, and
- Standing Order 99(8): Members are not to promote a quarrel with any other Member.

Personal attacks have no place in any workplace, and this includes the floor of this Chamber. Strongly disagreeing with a point being made by another Member is absolutely no excuse for such conduct.

It is often contended that Parliaments are unique institution, and in some respects that is true. However, it is absolutely not the case this should excuse behaviour that would not be tolerated in other workplaces.

It is also worth calling Member's attention to Part 15 of the Legislative Council's Standing Orders which deal with the conduct of Members and the rules of debate.

Included in this part are Standing Orders relating to the suspension of Members from the Council – Members may wish to refer to Standing Orders 104 to 108 which relate to naming Members and suspending them from the service of the Council. These Standing Orders have not been used by a President during my living memory and it would be unfortunate turn of events to have to proceed down this path.

Though I am not anticipating having to use these Standing Orders, given the strong feelings this issue has attracted, I thought it prudent to draw Members attention to how they differ from similar Standing Orders of the House of Assembly, which Members would be more familiar with given their occasional use in that place.

In the Council, the President does not have the power to unilaterally suspend a Member – instead the President must put the Question to the Council that the Members be suspended from the service of the Council. As such any suspension is an Order of the Council rather than a direction from the President.

A consequence of this is that in the Council, a suspended Member may not return to vote should a Division be called. This is a significant matter, and I would ask Members to reflect on that should they find themselves persisting in disorderly behaviour.

I expect today's proceedings will be more closely watched than any recent sitting of the Council. As Members will have noted I have authorised a number of media outlets to film and photograph proceedings.

The reputation of the Council and indeed the Parliament as an institution in the eyes of our electorates is to a significant degree informed by our behaviour here in the Chamber.

I would ask Members to be mindful of that, and accord other Members the respect they would expect to receive themselves.

This is a vote of the Legislative Council. No individual Member should be isolated for the vote they make."

13 STATE POLICIES AND PROJECTS (MACQUARIE POINT PRECINCT) ORDER 2025 (NO. 49).— A Motion was made (Mr *Vincent*) and the Question was proposed, That the Legislative Council approves, in accordance with section 26(9) of the *State Policies and Projects Act 1993*, the State Policies and Projects (Macquarie Point Precinct) Order 2025 (No. 49) made on the 21 October 2025.

A Debate arose thereupon.

Ordered, That Ms *Thomas* have leave to Table a letter from Ms *Thomas* to the Premier, dated 29 November 2025.

14 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.

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

16 STATE POLICIES AND PROJECTS (MACQUARIE POINT PRECINCT) ORDER 2025 (NO. 49).— The Council resumed the Debate on the Question, That the Legislative Council approves, in accordance with section 26(9) of the *State Policies and Projects Act 1993*, the State Policies and Projects (Macquarie Point Precinct) Order 2025 (No. 49) made on the 21 October 2025.

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 STATE POLICIES AND PROJECTS (MACQUARIE POINT PRECINCT) ORDER 2025 (NO. 49).— The Council resumed the Debate on the Question, That the Legislative Council approves, in accordance with section 26(9) of the *State Policies and Projects Act 1993*, the State Policies and Projects (Macquarie Point Precinct) Order 2025 (No. 49) made on the 21 October 2025.

Ordered, That Mr *Harriss* have leave to Table a letter from Mr *Harriss* to the Premier, dated 30 November 2025, and the Premier's response, received 2 December 2025 and have them incorporated into the Hansard record.

Ordered, That the Debate be adjourned. (Ms *Lovell*)

19 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Ms *Ratray*)

The Sitting was suspended at 6.32 o'clock p.m. and resumed at 7.35 o'clock p.m.

20 STATE POLICIES AND PROJECTS (MACQUARIE POINT PRECINCT) ORDER 2025 (NO. 49).— The Council resumed the Debate on the Question, That the Legislative Council approves, in accordance with section 26(9) of the *State Policies and Projects Act 1993*, the State Policies and Projects (Macquarie Point Precinct) Order 2025 (No. 49) made on the 21 October 2025.

And the Council having continued to sit after midnight.

THURSDAY, 4 DECEMBER 2025.

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

And the Question being put,

It passed in the Negative.

Debate resumed on the Question, That the Motion be agreed to.

Ordered, That the Debate be adjourned. (Ms *Ratray*)

21 BILL NO. 63.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — 'A Bill for an Act for the appropriation of \$8 825 623 000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2026',

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

House of Assembly, 3 December 2025

JACQUIE PETRUSMA, *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. (Ms *Ratray*)

22 BILL NO. 64.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — 'A Bill for an Act for the appropriation of \$58 241 000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2026',

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

House of Assembly, 3 December 2025

JACQUIE PETRUSMA, *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.
(Ms Rattray)

23 BILL NO. 44.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill, intituled — ‘A Bill for an Act to amend the *Custodial Inspector Act 2016* to provide for protections from reprisal’.

House of Assembly, 3 December 2025

JACQUIE PETRUSMA, *Speaker*

24 BILL NO. 58.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to ensure that certain land vested in the University of Tasmania is not disposed of without the prior approval of both Houses of Parliament and to consequentially amend the *University of Tasmania Act 1992*’,

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

House of Assembly, 3 December 2025

JACQUIE PETRUSMA, *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.
(Ms Rattray)

25 CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly having taken into consideration the following Resolution from the Legislative Council:—

Resolved, With reference to the Interim Report of the Joint Sessional Committee on Workplace Culture Oversight (Paper No. 26), That for the current Parliament, unless otherwise ordered, the Legislative Council and the House of Assembly adopt a Code of Conduct for all Members of the Parliament of Tasmania in the following terms –

PART I PRINCIPLES AND SCOPE

1. Preamble

- 1.1. This Code sets out the ethical and behavioural standard of conduct expected of Members of Parliament elected by the people of Tasmania. The actions of Members of Parliament have an impact on the lives of all Tasmanian people through the legislation they enact, and the public confidence in parliament through the behaviours they model.
- 1.2. Members respect the rule of law and separation of powers.
- 1.3. Members commit to acting with respect, integrity, honesty, openness, accessibility, objectivity, selflessness, leadership, and accountability.
- 1.4. Members acknowledge Tasmanian Aboriginal people as Tasmania’s first people and continuing custodians of Tasmanian lands and waters. Members respect the deep history of Tasmanian Aboriginal peoples’ connection to Land, Waterways, Sea and Sky Country. Members respect Elders, past and present, and acknowledge their contribution and cultural knowledge.
- 1.5. Members ensure that bullying, harassment, sexual harassment or assault, discrimination or victimisation in any form is not tolerated, condoned or ignored in the parliamentary workplace. Members encourage the reporting of such behaviour and the importance of considering the welfare of those affected.

- 1.6. Members respect the roles, obligation to be impartial, rights and responsibilities of parliamentary staff, public servants and other staff who do not work at the direction of Members.
- 1.7. Members respect staff who work at their direction and support the rights and responsibilities of those staff while encouraging their adherence to the highest professional and ethical standards when acting on the Members' behalf.
- 1.8. Members are entitled to be safe and respected in the workplace.
- 1.9. Members commit to the highest standards of respect and safety for all, especially children and vulnerable people.
- 1.10. Members protect confidential and official information in their possession or knowledge.
- 1.11. Members acknowledge that people have different cultural beliefs and customs, different religious beliefs, and diversity of identity. Differences of opinion and belief are part of political discourse, but should be expressed respectfully.

2. Scope

- 2.1. This Code applies at all times to Members of both Houses, including Presiding Officers and Ministers, in their capacity as Members of Parliament. A former Member may be held to account for a breach of this Code, for an act or omission committed when they were a Member.
- 2.2. While Members enjoy freedom of speech in the official proceedings of parliament, they should be mindful of the principles in this Code, in particular respect for others and the right to a safe workplace for all, including other Members.

PART II ENFORCEABLE STANDARDS

This part of the Code of Conduct is enforceable. Failure to comply with any of the standards may give rise to a formal complaint and a finding that the Member has breached the Code.

3. Affirmation

- 3.1. Each Member shall publicly affirm, in their respective House, their commitment to the enforceable standards in this Code within the first two sitting weeks of being elected.

4. General conduct in public office

- 4.1. Members shall comply with all relevant rules regarding employment and engagement of staff, including disclosure of any potential or perceived conflict of interest where there is a personal relationship outside of a professional context.
- 4.2. Members shall comply with all relevant rules regarding lobbying and shall not engage in paid advice or paid advocacy in any way that relates to their parliamentary work.
- 4.3. Members shall comply with all relevant rules, laws, and policies regarding the use of public resources.

5. Financial and other interests

- 5.1. Members shall not undertake any activity as a Member in return for the provision, promise or expectation of any improper benefit to the Member or to another person, and not accept any inappropriate benefit in connection with their activity as a Member.
- 5.2. Members shall not provide any form of significant financial or other benefit to another Member, which could reasonably be perceived as being motivated by gaining a political advantage or outcome.
- 5.3. Members shall comply with the *Parliamentary (Disclosure of Interests) Act 1996*.
- 5.4. Members shall take all reasonable steps to avoid a conflict of interest with the performance of their duties. Members shall disclose any direct financial or non-financial interest in proceedings of the Council and Committees which would give rise to a conflict of interest.

6. Commitment to a safe and respectful workplace

- 6.1. Members shall uphold the letter and spirit of workplace laws and will not behave in the parliamentary workplace in a manner that constitutes –

- discrimination;
- bullying;
- harassment;
- sexual harassment and sexual assault; or
- victimisation

as defined by, and consistent with, the application of all relevant laws.

- 6.2 Members shall take appropriate steps to protect the health and safety of their staff if they observe or receive a report of unacceptable workplace behaviour towards them.
- 6.3 Members shall act on allegations of unacceptable workplace behaviour made about their staff.

7. Online behaviour

- 7.1. Members shall be open, honest and transparent in their use of social media and any other online activities including artificial intelligence (AI).
- 7.2. Members shall not use social media, messaging services, email or any other online activity in breach of the *Commitment to a safe and respectful workplace* section of this Code.
- 7.3. Members will not use AI in any way that breaches their obligation to maintain confidentiality.
- 7.4. Members shall be accountable for the use of social media and other online platforms by their staff when authorised by the Member to act on the Member's behalf.

8. Information Management

- 8.1. Members shall not use any information received in confidence in the course of their parliamentary duties unless strictly in connection with those duties. Such information must never be used for the purpose of financial gain or any personal benefit, or for the benefit or advantage of others.
- 8.2. Members shall keep confidential any information about individual constituents that comes into their possession, unless there is a valid reason to use the information in the proceedings of parliament, or with the consent of the individual, or unless required by law.

9. Mandatory induction and training

- 9.1. All Members shall participate in induction and training in relation to this Code and its enforcement, and in relation to workplace health and safety, provided by the Parliament within the first 12 months of the resolution of this Code and thereafter within 6 months of the election of new and returning Members.
- 9.2. The Clerks shall maintain a record of Members' participation in induction and training.

10. Members' responsibilities as complainants

- 10.1 A Member shall not make a complaint alleging a breach of this Code by another Member unless they have reasonable grounds to suspect non-compliance.
- 10.2 A Member shall not make a complaint of non-compliance against another Member that is frivolous or vexatious.

PART III GOVERNANCE

11. Ethics and integrity advice

- 11.1. Members should seek advice whenever required for the purposes of complying with this Code and for the purposes of deciding a course of action where ethical choices exist or this Code is silent on a matter.

12. Induction and Training – resourcing and awareness

- 12.1. The Clerks will be provided with reasonable financial resources to ensure that Members receive appropriate induction and ongoing training.
- 12.2. Members should assist staff working at their direction to be familiar with the workplace rights, obligations and policies applicable to those staff.
- 12.3. Members should ensure that their staff are aware of the Member's obligations under this Code.

13. Complaints and investigations

- 13.1 An independent complaints, investigations and reporting process will be established by the Houses and resourced to provide the necessary level of service.

14. Findings, remedies, and sanctions

- 14.1 Investigations and reports of alleged breaches of this Code will be based on evidence, findings, remedies, and sanctions that are consistent with the principles of justice, proportionate, and not based on political advantage.
- 14.2 Members convicted of a breach of the criminal law or workplace law, may also be subject to a sanction or remedy if found to have breached this Code.

15. Review

- 15.1 This Code and any related procedures shall be reviewed not less than once every parliamentary term.
- 15.2 The review is to be conducted by the relevant Committee which shall consult with other relevant office holders who have responsibility for advice, oversight and enforcement of this Code.
- 15.3 A report of each review is to be tabled in both Houses regardless of whether any amendments are recommended.

16. Guidelines

- 16.1 The Presiding Officers, acting jointly, may publish guidelines for this Code. The Presiding Officers will consult with relevant committees, the Independent Complaints Commissioner, and external agencies when reviewing the guidelines.
- 16.2 Such guidelines are only for the purpose of assisting Members to understand and interpret this Code and are not enforceable provisions.

does agree to the Resolution and has filled up the blank with the words ‘and the House of Assembly’.

House of Assembly, 3 December 2025

JACQUIE PETRUSMA, *Speaker*

26 INDEPENDENT COMPLAINTS COMMISSIONER.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly having taken into consideration the following Resolution from the Legislative Council:—

Resolved, With reference to the Interim Report of the Joint Sessional Committee on Workplace Culture Oversight (Paper No. 26), that for the current Parliament, unless otherwise ordered, That the Legislative Council and the House of Assembly Resolve to establish an Independent Complaints Commissioner in the following terms:

FUNCTIONS

1.1 The functions and exclusions of the Independent Complaints Commissioner (ICC) and Deputy are provided by this resolution.

1.1.1 Inclusions

- (a) Receiving and assessing complaints in relation to any allegation that a Member of Parliament has breached the enforceable standards in the Members Code of Conduct, including a breach of the requirements of the Parliamentary (Disclosure of Interests) Act 1996. For the avoidance of doubt, this includes Ministers in relation to their duties and conduct as a Member.
- (b) Receiving complaints in relation to any allegation that a Minister has breached the enforceable standards in relation to the Code of Conduct *Commitment to a safe and respectful workplace*, regardless of whether the behaviour was in the context of the performance of ministerial functions. For the avoidance of doubt, any other alleged breach of a ministerial code of conduct shall not be investigated by the ICC or Deputy.

- (c) Offering services designed to facilitate the resolution of complaints including via the provision of information, problem solving, conciliation, and advice.
- (d) Investigating complaints that cannot, or should not, be resolved at a dispute resolution level.
- (e) Imposing remedies where investigations lead to a finding of a minor breach of the enforceable standards in the Code of Conduct for Members.
- (f) Making findings and recommendations (including recommended sanctions) to the Privileges Committee (*wherever this term is used, it means the relevant Committee in each House*) for action in the House where investigations relate to a major breach of the enforceable standards.
- (g) Providing information and education on the role of the ICC and Deputy and the processes associated with it.

1.1.2 Exclusions:

- (a) Investigating complaints involving proceedings of the House of Assembly, Legislative Council, or a committee of either or both of those Houses.
- (b) Investigating serious misconduct as defined in the *Integrity Commission Act 2009*, Part 1, section 4.
- (c) Investigating matters that would fall under the *Criminal Code Act 1924*.

1.2 Appointment of Commissioner and Deputy Commissioner

1.2.1 The Presiding Officers, acting jointly, with the assistance of the Clerks, shall join with an appropriately qualified and experienced person who will bring an understanding of the required skills of candidates, such person not being a current or former Member of Parliament (the Appointment Panel) to fill positions:

- 1. a suitably qualified person to be appointed to the position of Independent Complaints Commissioner (ICC) by not later than three months after the date of this resolution.
 - The person appointed should not be a former Member of any Parliament.
 - It is preferable that the person resides in Tasmania.
- 2. A suitably qualified person to be appointed to the position of Deputy Independent Complaints Commissioner (Deputy) with the same requirements as above

1.2.2 The appointments should reflect gender balance.

1.3 Term of appointment and option for re-appointment

1.3.1 The term of appointment of the ICC and Deputy shall be for not less than three and not more than four years. The Appointment Panel may re-appoint the ICC and Deputy not more than once, so that they cannot serve more than two terms.

1.4 Consultation

1.4.1 The Appointment Panel shall undertake a consultation process prior to making any appointment. The panel shall consult with a Consultation Group comprised of the Premier, the Leader of the Opposition, the leader of any other parties with more than one elected Member, a representative of the cross-bench in the House of Assembly, and a representative of the independent Members in the Legislative Council to be nominated by those groups.

1.5 Terms and conditions

1.5.1 The Presiding Officers, acting jointly, may contract the ICC and Deputy on terms and conditions.

1.6 Dismissal

1.6.1 The Presiding Officers, acting jointly, may, with agreement by majority of the Consultation Group, remove the Commissioner or Deputy from office for physical or mental incapacity that substantially reduces the capacity of the ICC or Deputy to perform their duties, OR for failing to act consistently with the Guiding Principles of their role as described in section 2.

1.7 Scope

1.7.1 Only the following people may make a complaint to the ICC or Deputy about an alleged breach of the enforceable standards of the Members Code of Conduct:

- Members of the Tasmanian Parliament
- Those employed pursuant to an Act of Tasmania or by Crown Prerogative, whose duties require them to engage with Members of the Parliament of Tasmania in their capacity as Members or Ministers
- Contractors or sub-contractors engaged by any of the above
- Volunteers, interns, or work placements with any of the above

1.8 Timeframes for complaints

- 1.8.1 No complaint of a breach of the enforceable standards of the Code of Conduct for Members may be considered which is alleged to have occurred prior to its resolution in both Houses.
- 1.8.2 Complaints may be made against former Members who were Members at the time of the alleged conduct.
- 1.8.3 Complaints must be lodged within two years of the incident alleged to have occurred, unless this is not fair or reasonable to a complainant or Member, or former Member as determined by the ICC.

GUIDING PRINCIPLES

2.1 The Independent Complaints Commissioner (ICC) and Deputy are to be guided by the following principles in the performance of their functions:

Integrity – act with personal integrity in such a manner as to promote the integrity of the Parliament.

Independence – act in a manner free from political bias.

Fairness— promote and apply principles of procedural fairness, impartially consider all relevant facts and make decisions based on the available information.

Proportionality – any sanction recommended to a Privileges Committee or remedy imposed for a minor matter, will be based on the measure being consistent and proportionate to the breach.

Respect and safety – taking all reasonable steps to protect the welfare of complainants, witnesses, Members, and treating all persons with respect.

Accountability – responsive and honest in reporting relationships and within any limitations of this resolution, including confidentiality.

Efficiency - conduct investigations without unnecessary delay and resolve in as short a time as possible with due regard for other principles.

RECEIVING COMPLAINTS

3.1 Referral

- 3.1.1 The complaint or referral received must be assessed as eligible by the ICC or Deputy before the commencement of any investigation or other process permitted by this resolution.
- 3.1.2 If a complainant is referred to the ICC by another agency, the ICC shall in the first instance, verify the willingness of the complainant to proceed.
- 3.1.3 In relation to an alleged breach of the Code of Conduct on the basis of a prohibited workplace behaviour, the ICC is not to commence any examination unless the complainant is directly affected by the alleged behaviour.

3.2 Triage

- 3.2.1 Following the inaugural appointment of the ICC, the ICC shall be the first point of contact for complaints. If, on review, it is deemed appropriate by the Presiding Officers acting jointly, the ICC may establish protocols for the use of a complaints triage service (*an independent, contracted*

service that specialises in receiving complaints, determining eligibility, and directing the complainant to the correct entity).

- 3.2.2 The triage service may be contracted by the Presiding Officers on terms and conditions that include the protocols developed by the ICC.

3.3 Advice

- 3.3.1 The ICC may seek advice from suitably qualified persons in relation to the nature of a complaint and jurisdictional issues arising.
- 3.3.2 The ICC may consult the Clerks on a matter of parliamentary procedure or privilege.

3.4 Communication

- 3.4.1 The ICC will communicate with the complainant and the Member at intervals requested and agreed on at the time the complaint is accepted

3.5 Conciliation

- 3.5.1 Where possible, the ICC will facilitate early, confidential resolution/conciliation of a complaint without progressing to formal processes.

3.6 Confidentiality

- 3.6.1 Complainants, witnesses and any persons with knowledge of a complaint, who are not Members of Parliament, shall maintain confidentiality concerning all aspects of the complaint and investigation, unless otherwise provided by this resolution.
- 3.6.2 Members of Parliament should observe the same level of confidentiality, but nothing in this resolution overrides the parliamentary privilege of free speech.
- 3.6.3 In exceptional circumstances where fairness to either party is the primary concern, the ICC may publicly confirm the fact that a complaint has been made.
- 3.6.4 If the matter relates to a provision in the *Commitment to a safe and respectful workplace* section of the Code of Conduct, and the ICC has been unable to resolve the matter via early conciliation, a report will only be presented to the Privileges Committee if the complainant consents to the making of the report.
- 3.6.5 In determining whether to accept the recommendations of the ICC in a report to the Privileges Committee, the Committee will consider the ICC's advice as to the amount of information that should be made public in a report to the House. For this purpose the ICC may submit a summary report to the Privileges Committee.

INVESTIGATIONS, REFFERALS AND REPORTS

4.1 Protocols

- 4.1.1 The ICC shall develop leading practice protocols, and amended protocols from time to time, and may consult with the Privileges Committees and the Clerks. The protocols and any subsequent amendments shall be tabled in each House by the Clerks.

4.2 Referral to other integrity and law enforcement agencies

- 4.2.1 At any time a matter is received or being investigated, the ICC may cease the investigation and recommend to the complainant that they make a complaint to a relevant integrity or law enforcement agency, unless the matter comprises a duty as a mandated reporter in which case, the ICC will follow the mandated reporting procedure.

4.3 Referrals to Privileges committee of relevant House

- 4.3.1 Where the ICC's findings and recommended sanctions would require consideration and enforcement by the relevant House, the ICC shall transmit their report to the Privileges Committee.

4.4 Call for persons, documents and other elements

- 4.4.1 The ICC may require a person to attend a meeting with the ICC and may require a person to produce documents or other records in support of an investigation.

- 4.4.2 If a person fails to comply with a direction of the ICC, the ICC may report the failure to the relevant Privileges Committee.

4.5 Refusal to cooperate with ICC

- 4.5.1 The Commissioner may make a report to the relevant Privileges Committee if a Member or former Member refuses to cooperate with an investigation.

4.6 Remedies and Sanctions

- 4.6.1 The ICC may recommend and impose a remedy following conciliation or other process in relation to minor breaches, which may include inadvertent breaches of the Code, including the *Parliamentary (Disclosure of Interests) Act 1996*.
- 4.6.2 In the event that a Member does not agree to a remedy, the ICC may report the matter and recommended remedy to the Privileges Committee.
- 4.6.3 Where a matter involves a more serious breach of the Code, the ICC shall make a summary report of their findings and recommended sanction to the Privileges Committee.

4.7 Responsibilities of the Privileges Committee

- 4.7.1 Where the Privileges Committee receives a report from the ICC with findings and recommended sanctions the Privileges Committee shall:
1. Consider the report
 2. Invite the Member to provide a written response regarding the sanctions recommended for its consideration
 3. Transmit a report to the House that contains:
 - (a) Report or summary report of the ICC
 - (b) The recommendations of the Privileges Committee regarding sanctions
 - (c) An explanation for any differences between the recommendations of the ICC and the recommendations of the Privileges Committee.

4.8 Reporting duties

- 4.8.1 The ICC shall provide a yearly report of the following to the Clerks who shall cause the report to be tabled in each House:
- (a) data and trends including number of complaints received, number of complaints declined, number of complaints withdrawn (and at what stage this occurred), number of resolutions achieved at conciliation, number of referrals to Privileges Committee
 - (b) any other relevant material with due consideration to section 3.6 of this resolution
 - (c) reform needs, including amendments to this resolution; and
 - (d) systemic issues and hazards
- 4.8.2 Where significant circumstances warrant the ICC making additional reports, the ICC shall transmit such reports to the Clerks who shall cause the report to be tabled in each House.

4.9 Records of the ICC

- 4.9.1 Records kept by the ICC shall remain confidential and shall be deposited with the Clerks when the person ceases to hold the position of ICC.
- 4.9.2 The ICC may request that the Clerk provide access to documents relating to a prior complaint in support of an investigation.

4.10 Review of this resolution

- 4.10.1 Not later than two years after the commencement of this resolution, the Privileges Committees will review the operation of this resolution and report to the Houses, including any recommended amendments. The Committees will consult with the ICC, the Integrity Commission and any other office holders and persons for this purpose.

4.10.2 Nothing in this resolution overrides the powers and functions of the Integrity Commission contained in its establishing Act.

does agree to the Resolution and has filled up the blank with the words ‘and the House of Assembly’.

House of Assembly, 3 December 2025

JACQUIE PETRUSMA, Speaker

27 ALCOHOL AND DRUGS MEMBERS’ STATEMENT.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly having taken into consideration the following Resolution from the Legislative Council:—

Resolved, With reference to the Interim Report of the Joint Sessional Committee on Workplace Culture Oversight (Paper No. 26), that for the current Parliament, unless otherwise ordered, the Legislative Council and the House of Assembly agree to the following statement for Members in relation to alcohol and other drugs —

Our acknowledgements:

Attendance at social and community events, official functions, protocol, and other activities where alcohol is served are frequent features of the work of an elected Member of Parliament.

We value the reputation of the institution of Parliament, public trust in Members, and the safety and welfare of the people with whom we work.

We acknowledge that impairment from alcohol or other drugs can significantly increase risks to Work Health and Safety, including during work related travel.

We acknowledge that alcohol use is correlated with sexual harassment and assault.

We accept that our role as elected Members of Parliament does not excuse irresponsible consumption of alcohol or being more generally impaired by alcohol and other drugs.

Our commitments:

We commit to managing the risks associated with alcohol and other drug use and acknowledge our shared responsibility under the Work Health and Safety Act to maintain a safe and respectful workplace for all.

We commit to principles of responsible consumption of alcohol and preventing the adverse consequences of impairment from alcohol and drug use on staff and other Members in the workplace.

We respect the choice of an individual to not consume alcohol in any setting where alcohol is served.

We recognise and respond to inappropriate behaviour, intervening when needed, and encourage and support others to speak up.

does agree to the Resolution and has filled up the blank with the words ‘and the House of Assembly’.

House of Assembly, 3 December 2025

JACQUIE PETRUSMA, Speaker

28 ADJOURNMENT.— *Resolved*, That the Council will, at its rising adjourn until 11.00 o’clock a.m. on Thursday, 4 November 2025. (Ms Rattray)

Resolved, That the Council do now adjourn. (Ms Rattray)

The Council adjourned at 2.45 o’clock a.m.

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