



No. 156

THURSDAY, 17 AUGUST 2017

- 1 The House met at Ten o'clock a.m.
- 2 PRAYERS. – The Speaker read Prayers.
- 3 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 94, Questions without notice were asked.
- 4 PETITION. - Ms *Giddings* presented a Petition from approximately 524 residents of Tasmania, praying that the House immediately work with Clarence City Council to rebuild or replace in the near vicinity boat launching facilities at the Roaches Beach end of the canal at Lauderdale to ensure the community maintains continued access to Frederick Henry Bay to launch small vessels and to maintain marine safety for people in the Bay in the event of an emergency.

Which Petition was read and received.

- 5 PAPERS. – The Minister for Health laid upon the Table of the House the following Paper:-

Report of the Independent Reviewer: Independent Review of Part 9 Crime (Confiscation of Profits) Act 1993.

- 6 BILLS. – The Minister for Primary Industries and Water presented -

“A Bill for an Act to amend the Natural Resource Management Act 2002” (Bill No. 48)

“A Bill for an Act to amend the Environmental Management and Pollution Control Act 1994, the Inland Fisheries Act 1995, the Living Marine Resources Management Act 1995, the Marine Farming Planning Act 1995 and the Resource Management and Planning Appeal Tribunal Act 1993, so as to enable the appropriate regulation of the environmental impact of finfish farming, and for related purposes” (Bill No. 47)

And Mr *Rockliff* having presented the said Bills, the same were read the First time and made Orders of the Day for tomorrow.

- 7 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That Mrs *Rylah* have leave to make a Motion without Notice. (Mrs *Rylah*)
- 8 COMMUNITY DEVELOPMENT, HOUSE OF ASSEMBLY STANDING COMMITTEE ON, INQUIRY INTO DONOR CONCEPTION PRACTICES: REPORTING DATE. - *Ordered*, That the reporting date for the Standing Committee on Community Development in relation to its Inquiry into Donor Conception Practices in Tasmania be extended until 31 October 2017 (Mrs *Rylah*)
- 9 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Health have leave to make a Motion without Notice. (The Minister for Health)
- 10 ADJOURNMENT. - *Ordered*, That the House, at its rising, adjourn till Tuesday 12 September next. (The Minister for Health)

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11 NOTICES OF MOTION. – In accordance with Standing Order No. 83, Notices of Motion were given.

12 MATTER OF PUBLIC IMPORTANCE: HARM CAUSED BY POKER MACHINES. – Ms *Dawkins*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Harm Caused by Poker Machines.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

13 BILL NO. 46. - The Order of the Day being read for the Second reading of the Education Amendment Bill 2017.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Deputy Premier)

A Debate arose thereupon.

14 SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair.
At half-past Two o'clock the Speaker resumed the Chair.

15 BILL NO. 46. - 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 House.

And Madam Speaker having left the Chair, the House resolved itself into the said Committee.

(In the Committee)

Clauses 1 to 33 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The House being resumed, Mr *Shelton* reported that the Committee had gone through the Bill, and had directed him to report the same to the House without Amendment.

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

16 BILL NO. 46. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled "A Bill for an Act to amend the Education Act 2016 and to validate the collection of certain fees under the Education Act 1994",

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

House of Assembly, 17 August 2017.

ELISE ARCHER, *Speaker.*

17 STANDING AND SESSIONAL ORDERS. – The Order of the Day being read for resuming the adjourned Debate on the Question proposed and amended on Wednesday, 16 August 2017 by the Minister for Health — That:—

- (1) The House:—
- (a) notes the “Report of the Standing Orders Committee on the Proposed Revision of the House of Assembly Standing Orders and Rules” (Paper No. 13 of 2017);
 - (b) adopts the draft House of Assembly Standing Orders and Rules appended to the “Report of the Standing Orders Committee on the Proposed Revision of the House of Assembly Standing Orders and Rules”, to take effect from 12 September next;
 - (c) repeals the current House of Assembly Standing and Sessional Orders and Rules upon the commencement of the new Standing Orders and Rules; and
 - (d) authorises the Clerk of the House to prepare and append to such Standing Orders a Table of Contents; Analysis; and Index.
- (2) The following Sessional Orders be adopted for the remainder of this Session, to take effect from 12 September next on the commencement of the new Standing Orders and Rules:—
- (a) Standing Order 76 be amended after paragraph (3), by adding the following new paragraph:—
 - “(4) On Tuesdays and Wednesdays priority shall be given to the Opposition to raise a Matter of Public Importance and on Thursdays priority shall be given to Members other than the Opposition. Government Private Members shall only be given priority on every second sitting week.”
 - (b) Standing Order 42 be amended by leaving out paragraphs (a) to (d) and inserting the following new paragraphs:—
 - “(a) Private Members Business will have priority from 2.30 p.m. till 6.00 p.m. on Wednesdays;
 - (b) Private Members Business which has been on the Notice Paper for the period required by the Standing Orders may be called on by a Member of the group which has been allocated time pursuant to the following schedule:—

2.30 p.m. to 3.30 p.m.	Government Private Members
3.30 p.m. to 5.00 p.m.	Opposition Members
5.00 p.m. to 6.00 p.m.	Other Members
 - (c) the Member calling on an item in Private Members’ Business may, in doing so, state that at the conclusion of that time for the debate on that day, the matter be voted upon.
 - (d) at the commencement of the time allocated for a group’s Private Members’ Business, the Whip or any other Member of that group, may indicate to the Speaker that its time be waived, in which case, the House shall immediately proceed with Government Business for that allocation of time.”
- (3) After Standing Order 48, insert the following Sessional Order:—

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“48A Minimum number of Questions

Notwithstanding the provisions of Standing Order 47, the Speaker shall ensure that a minimum of questions without notice to be asked shall be seven by the Opposition, four by the Government Private Members and two by other members.”

And the Question being again proposed – that the Main Question, as amended, be agreed to;

The House resumed the debate.

An Amendment was proposed by Ms *O'Connor*, in Paragraph (1), sub-paragraph (b), after “Standing Orders and Rules” (second occurring) by inserting “with the following amendment – by leaving out proposed new Standing Order 23 and insert the following new Standing Order 23:-

“23 Acknowledgement of traditional people.

The Speaker shall, upon taking the Chair each day, make the following statement before reading the prayer or reflection:

"We acknowledge the traditional people of the land upon which we meet today, the Mouheneener people."

A debate arose thereupon.

An Amendment to the Amendment was proposed by Mr *Llewellyn*, by leaving out all the words before “23 Acknowledgement of traditional people” and inserting instead, “That the following proposed new Standing Order be referred to the Standing Orders Committee for consideration and report to the House:-

“23 Acknowledgement of traditional people.

The Speaker shall, upon taking the Chair each day, make the following statement before reading the prayer or reflection:

"We acknowledge the traditional people of the land upon which we meet today, the Mouheneener people."”

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A Debate arose thereupon.

And the Question being put – that the words proposed to be left out be so left out and the words proposed to be inserted be so inserted;

It was resolved in the Negative.

And the Question being put – that the words proposed to be inserted be so inserted;

It passed in the Negative.

And the Main Question, as amended, being again proposed;

And the Question being put;

Resolved, That: -

(1) The House:—

(a) notes the “Report of the Standing Orders Committee on the Proposed Revision of the House of Assembly Standing Orders and Rules” (Paper No. 13 of 2017);

(b) adopts the draft House of Assembly Standing Orders and Rules appended to the “Report of the Standing Orders Committee on the Proposed Revision of

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- the House of Assembly Standing Orders and Rules”, to take effect from 12 September next;
- (c) repeals the current House of Assembly Standing and Sessional Orders and Rules upon the commencement of the new Standing Orders and Rules; and
- (d) authorises the Clerk of the House to prepare and append to such Standing Orders a Table of Contents; Analysis; and Index.
- (2) The following Sessional Orders be adopted for the remainder of this Session, to take effect from 12 September next on the commencement of the new Standing Orders and Rules:—
- (a) Standing Order 76 be amended after paragraph (3), by adding the following new paragraph:—
- “(4) On Tuesdays and Wednesdays priority shall be given to the Opposition to raise a Matter of Public Importance and on Thursdays priority shall be given to Members other than the Opposition. Government Private Members shall only be given priority on every second sitting week.”
- (b) Standing Order 42 be amended by leaving out paragraphs (a) to (d) and inserting the following new paragraphs:—
- “(a) Private Members Business will have priority from 2.30 p.m. till 6.00 p.m. on Wednesdays;
- (b) Private Members Business which has been on the Notice Paper for the period required by the Standing Orders may be called on by a Member of the group which has been allocated time pursuant to the following schedule:—

2.30 p.m. to 3.30 p.m.	Government Private Members
3.30 p.m. to 5.00 p.m.	Opposition Members
5.00 p.m. to 6.00 p.m.	Other Members

- (c) the Member calling on an item in Private Members’ Business may, in doing so, state that at the conclusion of that time for the debate on that day, the matter be voted upon.
- (d) at the commencement of the time allocated for a group’s Private Members’ Business, the Whip or any other Member of that group, may indicate to the Speaker that its time be waived, in which case, the House shall immediately proceed with Government Business for that allocation of time.”

- (3) After Standing Order 48, insert the following Sessional Order:—

“48A Minimum number of Questions

Notwithstanding the provisions of Standing Order 47, the Speaker shall ensure that a minimum of questions without notice to be asked shall be seven by the Opposition, four by the Government Private Members and two by other members.”

15 BILL NO. 41. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on 15 August 2017 - That the Water and Sewerage Bill 2017 be now read the Second time;

And the Question being again proposed;
The House resumed the said adjourned Debate.

And the Question being put;
Ordered, That the Bill be now read the Second time.

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And the Bill was, accordingly, read the Second time, and committed to a Committee of the whole House.

And Mr Speaker having left the Chair, the House resolved itself into the said Committee.

(In the Committee)

Clauses 1 to 5 agreed to.

Clause 6 read.

To report progress and ask leave to sit again.

The House being resumed, Mr *Shelton* reported that the Committee had made progress in the Bill, and had directed him to ask leave to sit again.

Resolved, That this House will, at a later hour, on tomorrow, again resolve itself into the said Committee.

19 BILL NO. 8. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Neighbourhood Disputes About Plants Bill 2017.

(In the Committee)

Amendments:

Clause 7:

Page 13, subclause (2), paragraph (b), after “photovoltaic panel,”.

Insert “a solar collector for a solar hot water system,”.

Clause 16:

First amendment:

Page 22, subclause (1), penalty6.

Leave out “400”.

Insert instead “200”.

Second amendment:

Same page, subclause (2), penalty.

Leave out “400”.

Insert instead “200”.

Clause 17:

Page 24, after subclause (5).

Insert the following subclause:

(6) Subsection (5) does not apply in relation to –

(a) an owner of land, if the owner of land did not know, or ought not reasonably be expected to know, that he or she had been given a copy of an application or order; or

(b) a person who was acting for the owner of the land and who prepared the contract of sale in relation to the land, if the person did not know, or ought not reasonably be expected to know, that the owner had been given a copy of an application order.

Amendments agreed to.

Resolution to be reported.

The House being resumed, Mr *Shelton* reported that the Committee had considered the Amendments to it referred, and had come to a certain Resolution which was read as follows:-

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To agree to the Amendments of the Legislative Council.

Resolved, That the said Resolution be agreed to. (The Minister for Police, Fire and Emergency Management)

The House adjourned at fifty-eight minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day.