



No. 16

TUESDAY, 21 AUGUST 2018

- 1 The House met at Ten o'clock a.m.
- 2 **ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.** - The Speaker made a statement acknowledging the traditional people of the land.
- 3 **PRAYERS.** – The Speaker read Prayers.
- 4 **QUESTIONS SEEKING INFORMATION.** – In accordance with Standing Order No. 43, Questions without notice commenced.
- 5 **DISTINGUISHED VISITORS.** – The Speaker said “I would like to draw to the attention of Honourable Members to the presence in the Speaker’s Reserve of Mr Tshering Dorji and Mr Tashi Dargay from the Parliament of Bhutan.”
- 6 **QUESTIONS SEEKING INFORMATION.** – In accordance with Standing Order No. 43, Questions without notice continued and concluded.
- 7 **PAPERS.** – The Deputy Premier laid upon the Table of the House the following Papers:-
  - (1) Vehicle and Traffic Act 1999: Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment Regulations 2018 (Statutory Rules 2018, No. 42).
  - (2) Rail Safety National Law (South Australia) Act 2012: Rail Safety National Law National Regulations (Fees) Variation Regulations 2018.
- 8 **PAPERS.** – The Treasurer laid upon the Table of the House the following Papers:-
  - (1) Liquor Licensing Act 1990: Liquor Licensing (Infringement Notices) Regulations 2018 (Statutory Rules 2018, No. 22).
  - (2) Local Government Act 1993:
    - (a) Local Government (General) Amendment Regulations (No. 2) 2018 (Statutory Rules 2018, No. 50);
    - (b) Tasman Council Regulatory Services By-Law 1 of 2018 – Regulating Matters in Public Places & Environmental Health within the Tasman Municipal Area;
    - (c) Hobart City Council: Infrastructure By-Law No. 1 of 2018;
    - (d) Hobart City Council: Environmental Health By-Law No. 2 of 2018;
    - (e) Hobart City Council: Waste Management By-Law No. 3 of 2018.

## Uncorrected Proof

(f) Hobart City Council: Public Spaces By-Law No. 4 of 2018;

(g) Hobart City Council: Parking By-Law No. 5 of 2018.

**9** PAPERS. – The Attorney-General laid upon the Table of the House the following Papers:-

- (1) Evidence (Audio and Audio Visual Links) Act 1999: Evidence (Audio and Visual Links) Regulations 2018 (Statutory Rules 2018, No. 19).
- (2) Court Security Act 2017: Court Security Regulations 2018 (Statutory Rules 2018, No. 28).
- (3) Legal Profession Act 2007: Legal Profession (Prescribed Authorities) Regulations 2018 (Statutory Rules 2018, No. 31).
- (4) Sentencing Act 1997: Sentencing Regulations 2018 (Statutory Rules 2018, No. 36).

**10** PAPERS. – The Minister for Building and Construction laid upon the Table of the House the following Paper:-

Occupational Licensing Act 2005: Occupational Licensing (Electrical Work) Amendment Regulations 2018 (Statutory Rules 2018 No. 21).

**11** PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Paper:-

Land Acquisition Act 1993: Dated 15 May 2018, land situate in Blackmans Bay, Municipality of Kingborough, Title of Volume 228560, registered owners Henry Roy Crisp and Eric Cadogan Waugh as personal representatives of Charles Ernest Webster.

**12** PAPERS. – Mr *Shelton* laid upon the Table of the House the following Papers:-

- (1) Additional information provided to Estimates Committee A in respect of the Estimates of the Premier, Minister for Tourism, Minister for Hospitality and Events, Minister for Trade, Minister for Parks and Minister for Heritage.
- (2) Additional information provided to Estimates Committee A in respect of the Estimates of the Treasurer, Minister for Local Government and Minister for State Growth.
- (3) Additional information provided to Estimates Committee A in respect of Estimates of the Minister for Human Services, Minister for Housing and Minister for Planning.
- (4) Additional information provided to Estimates Committee A in respect of the Estimates of the Minister for Education and Training, Minister for Advanced Manufacturing and Defence Industries and Minister for Infrastructure.

**13** PAPERS. – Mr *Brooks* laid upon the Table of the House the following Papers:-

- (1) Additional information provided to Estimates Committee B in respect of the Estimates of the Attorney-General, Minister for Justice, Minister for Corrections, Minister for the Environment and Minister for the Arts.
- (2) Additional information provided to Estimates Committee B in respect of the Estimates of the Minister for Aboriginal Affairs, Minister for Women, Minister for Sport and Recreation, and Minister for Disability Services and Community Development.
- (3) Additional information provided to Estimates Committee B in respect of Estimates of the Minister for Health, Minister for Police, Fire and Emergency Management, and Minister for Science and Technology.

## Uncorrected Proof

- (4) Additional information provided the Estimates Committee B in respect of Estimates of the Minister for Primary Industries and Water, and the Minister for Racing.

**14** PAPERS. – The Clerk of the House laid upon the Table of the House the following Papers:-

Parliamentary (Disclosure of Interests) Act 1996 – Primary Returns for the following Honourable Members:

- (a) Ms Dow.
- (b) Ms Haddad.
- (c) Ms Hickey.
- (d) Hs Houston.
- (e) Mr O’Byrne.
- (f) Ms Standen.

**15** MESSAGE FROM HER EXCELLENCY THE ADMINISTRATOR. – The Speaker read the following Message from Her Excellency the Administrator:-

### MESSAGE.

H. Wood, *Administrator*.

A Bill for an Act for the appropriation of \$4 757 600 000 out of the Consolidated Fund for the services of the Government for the financial year ending on 30 June 2019 (*Bill No. 16 (Act No. 6 of 2018)*)

A Bill for an Act for the appropriation of \$31 708 000 of the Consolidated Fund for the services of the Parliament and Statutory Offices for the financial year ending on 30 June 2019 (*Bill No. 17 (Act No. 7 of 2018)*)

having been presented to the Administrator for the Royal Assent, she has, in the name and on behalf of Her Majesty the Queen, assented to the said Bills.

*Government House, Hobart, 20 July 2018.*

**16** MESSAGE FROM HER EXCELLENCY THE ADMINISTRATOR. – The Speaker read the following Message from Her Excellency the Administrator:-

### MESSAGE.

H. Wood, *Administrator*.

A Bill for an Act to assist the acute demand for housing to be met, by enabling the rapid, appropriate rezoning of certain government land, the alteration of planning provisions that apply to such land, the transfer to the Director of Housing of Crown land that is declared to be housing supply land under this Act, and for related purposes (*Bill No. 19 (Act No. 8 of 2018)*)

having been presented to the Administrator for the Royal Assent, she has, in the name and on behalf of Her Majesty the Queen, assented to the said Bills.

*Government House, Hobart, 20 July 2018.*

**17** BILLS. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Request and without Amendment, to the Bills, intituled –

“A Bill for an Act for the appropriation of \$4 757 600 000 out of the Consolidated Fund for the services of the Government for the financial year ending on 30 June 2019” (Bill No. 16)

## Uncorrected Proof

“A Bill for an Act for the appropriation of \$31 708 000 of the Consolidated Fund for the services of the Parliament and Statutory Offices for the financial year ending on 30 June 2019” (Bill No. 17)

Now returns the same to the House of Assembly.

*Legislative Council, 12 July 2018.*

J. S. WILKINSON, *President.*

**18** BILL NO. 19 - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to assist the acute demand for housing to be met, by enabling the rapid, appropriate rezoning of certain government land, the alteration of planning provisions that apply to such land, the transfer to the Director of Housing of Crown land that is declared to be housing supply land under this Act, and for related purposes".

*Legislative Council, 12 July 2018.*

J. S. WILKINSON, *President.*

**19** BILL NO. 28. – The Attorney-General presented -

A Bill for an Act to adopt the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 of the Commonwealth and to refer certain matters relating to the National Redress Scheme for Institutional Child Sexual Abuse to the Parliament of the Commonwealth for the purposes of section 51 (xxxvii) of the Constitution of the Commonwealth

And Ms *Archer* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

**20** MATTER OF PUBLIC IMPORTANCE: ENERGY. - Mr *O’Byrne*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Energy.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

**21** BILL NO. 21. - The Order of the Day being read for the Second reading of the Police Offences Amendment (Prohibited Insignia) Bill 2018.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Minister for Police, Fire and Emergency Management)

A Debate arose thereupon.

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

**23** BILL NO. 21. - And the Question being again proposed;

The House resumed the debate.

Amendment proposed (Ms *Haddad*) to leave out all words after “that” and insert instead:  
“the Bill be withdrawn and redrafted for the following reasons:

## Uncorrected Proof

- (a) Labor supports giving police the tools they need to effectively target and disrupt organised crime, including OMCs. With the right checks and balances, that includes giving police the ability to ban colours from identified organisations.
- (b) While Labor supports the intent of the Bill, they have reservations about the powers of the Minister and the lack of an appeals mechanism.
- (c) Labor remains concerned that the Bill puts the power to prescribe an organisation solely in the hands of the Minister for Police, Fire and Emergency Management (the Minister), who only needs to give regard to the advice of the Police Commissioner. There is nothing to prevent the Minister from disregarding the advice of the Police Commissioner.
- (d) Labor attempted to engage with the Premier prior to debate on this Bill to seek sensible amendments, but to date the Government has not responded.
- (e) Stakeholders, including the Police Association of Tasmania, have acknowledged the need for amendments to the Bill.
- (f) Rather than attempting to move amendments on the floor of the Parliament in an ad hoc way, withdrawing and redrafting the Bill will provide the opportunity to develop a more comprehensive and bipartisan approach to targeting organised crime”

And the Question being proposed;

A debate arose thereupon;

And the Question being put;

It was resolved in the Negative.

And the Main Question being again proposed;

The House resumed the debate;

And the Question being put;

The House divided.

### AYES 11

*Ms Archer*  
*Mr Barnett*  
*Mr Brooks*  
*Ms Courtney*  
*Mr Ferguson*  
*Mr Hidding*  
*Mr Hodgman*  
*Mr Jaensch*  
*Mrs Petrusma*  
*Mr Rockliff*  
*Mr Shelton (Teller)*

### NOES 11

*Mr Bacon*  
*Dr Broad*  
*Ms Butler*  
*Ms Dow*  
*Mr O’Byrne*  
*Ms O’Byrne*  
*Ms O’Connor*  
*Ms Standen*  
*Ms White*  
*Dr Woodruff*  
*Ms Haddad (Teller)*

### PAIRS

*Mr Gutwein*

*Ms Houston*

## Uncorrected Proof

SPEAKER GIVES CASTING VOTE. – The Speaker said: “The numbers being equal, I vote with the Ayes.”

It was resolved in the Affirmative.

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

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

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

**24** BILL NO. 21. - 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 Police Offences Act 1935”,

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

*House of Assembly, 21 August 2018.*

SUE HICKEY, *Speaker*.

**25** BILL NO. 24. – The Minister for Health presented -

A Bill for an Act to amend the Water and Sewerage Corporation Act 2012 to enable certain resolutions, for the purpose of increasing Crown engagement with the Corporation, to be made

And Mr *Ferguson* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

**26** BILL NO. 20 – The Terrorism (Restrictions on Bail and Parole) Bill 2018 was, according to Order, read the Second time, and committed to a Committee of the whole House.

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

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(In the Committee)

Clauses 1 to 9 agreed to.

Title agreed to.

Bill to be reported without Amendment.

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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.

**27** BILL NO. 20. - 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 Bail Act 1994, and the Corrections Act 1997, in relation to the granting of bail or parole to certain persons linked to terrorist activities, and for related purposes (Bill No. 20) to which the House desires the concurrence of the Legislative Council.

## Uncorrected Proof

*House of Assembly, 21 August 2018.*

SUE HICKEY, *Speaker.*

**28** BILL NO. 23. - The Anzac Day Observance Amendment Bill 2018 was, according to Order, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;

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

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

**29** BILL NO. 23. - 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 Anzac Day Observance Act 1929 and the Shop Trading Hours Act 1984 and to revoke the Shop Trading Hours Order 2012”,

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

*House of Assembly, 21 August 2018.*

SUE HICKEY, *Speaker.*

**30** ADJOURNMENT. - The time being Six o'clock, the Speaker proposed - That the House do now adjourn and called for issues to be raised;

The House adjourned at forty-seven minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

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MEMBERS. - All present during the day.