



# HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 10

TUESDAY, 21 MAY 2019

- 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 AND REFLECTION. – The Speaker read Prayers.
- 4 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice were asked.
- 5 PAPERS. – The Premier laid upon the Table of the House the following Papers:-
  - (1) Fee Units Act 1997: Schedule of Fees - Department of Primary Industries, Parks, Water and Environment - Heritage.
  - (2) Wellington Park Act 1993: Wellington Park Regulations 2019 (Statutory Rules 2019, No. 13).
- 6 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-

Fee Units Act 1997:

  - (a) Schedule of Fees - Department of State Growth;
  - (b) Schedule of Fees - Marine and Safety Tasmania; and
  - (c) Schedule of Fees - Department of Education.
- 7 PAPERS. – The Minister for Health laid upon the Table of the House the following Paper:-

Health Practitioner Regulation National Law Act 2009: Health Practitioner Regulation National Law and Other Legislation Amendment Act 2019 (QLD).
- 8 PAPERS. – The Treasurer laid upon the Table of the House the following Paper:-

Office of The Tasmanian Economic Regulator: Tasmanian Water and Sewerage –State of the Industry Report 2017-18.
- 9 PAPERS. – The Attorney-General laid upon the Table of the House the following Papers:-
  - (1) Fee Units Act 1997:
    - (a) Schedule of Fees - Department of Primary Industries, Parks, Water and Environment – Racing; and

(b) Schedule of Fees - Department of Primary Industries, Parks, Water and Environment – Environment.

(2) Environmental Management and Pollution Control Act 1994: Environmental Management and Pollution Control (Environmental Licences) Regulations 2019 (Statutory Rules 2019 No. 20).

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

(1) Living Marine Resources Management Act 1995: Fisheries (Biosecurity) Order 2019.

(2) Land Acquisition Act 1993:

(a) Dated 2 October 2018, land situate in the Parish of Frampton, Land District of Cornwall, Municipality of Break O'Day, Lot 1 on Plan of Survey P175541, registered in the names of Liam Paul Gates and Alison Jane Jones for road purposes;

(b) Dated 15 January 2019, land situate in the Town of Bridgewater, Municipality of Brighton, Lot 28 on Plan of Survey D14182, registered in the name of Rizwhan Asraf for road purposes; and

(c) Dated 21 January 2019, land situate in the Parish of Kingborough, Land District of Buckingham, Municipality of Kingborough, Lot 101 on Plan of Survey P176088, registered in the name of Minh Hien Pty. Ltd. for road purposes.

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

(1) Dangerous Goods (Road and Rail Transport) Act 2010: Dangerous Goods (Road and Rail Transport) Amendment Regulations 2019 (Statutory Rules 2019, No.24).

(2) Work Health and Safety Act 2012: Work Health and Safety Amendment Regulations 2019 (Statutory Rules 2019, No. 9)

**12 PUBLIC WORKS, PARLIAMENTARY STANDING COMMITTEE ON: REPORT.** – Mrs Rylah brought up the following Report of the Parliamentary Standing Committee on Public Works:

Richmond Road Projects – Section 1 Cambridge Link Road and Sections 3,4 and 5 Richmond Road (Paper No. 10).

*Ordered*, That the said Report be received and printed. (Mrs Rylah)

**13 PAPERS.** – The Clerk of the House laid upon the Table of the House the following Paper:-

Tasmanian Audit Office: Report of the Auditor-General No. 9 of 2018-19, Financial Statements of State entities Volume 1, 31 December 2018 (Paper No. 7).

**14 LEAVE TO MAKE MOTION WITHOUT NOTICE.** - *Ordered*, That Ms White have leave to make a Motion without Notice. (Ms White)

**15 SUSPENSION OF STANDING ORDERS.** – *Ordered*, That so much of Standing Orders be suspended as would prevent a motion of condolence in relation to the late the Honourable Robert James Lee Hawke AC GCL from being debated forthwith. (Ms White)

**16 THE LATE THE HONOURABLE ROBERT JAMES LEE HAWKE AC GCL: CONDOLENCE RESOLUTION.** – *Resolved, nemine contradicente*, That this House expresses its deep

sadness at the death of the Honourable Robert James Lee Hawke AC GCL, who was the third longest serving Prime Minister of Australia from 1983 to 1991, and places on record its appreciation for his significant achievements, including laying the economic foundations for Twenty-first century Australia; and, further that this House respectfully tenders its sincere sympathy to Mr Hawke's family at this sad time.

*Ordered*, That a copy of the foregoing Resolution be forwarded to the family of the late Mr Hawke.  
(Ms White)

**17** MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor:-

MESSAGE.

C. A. WARNER, *Governor*.

A Bill for an Act to amend the Mental Health Act 2013 (Bill No. 43 of 2018 (*Act No. 8 of 2019*))

A Bill for an Act to amend the Adoption Act 1988, the Anti-Discrimination Act 1998, the Births, Deaths and Marriages Registration Act 1999, the Civil Liability Act 2002, the Conveyancing and Law of Property Act 1884, the Criminal Code Act 1924 and the Status of Children Act 1974 (Bill No. 47 of 2018 (*Act No. 7 of 2019*))

A Bill for an Act to amend the Motor Accidents (Liabilities and Compensation) Act 1973 (Bill No. 4 (*Act No. 6 of 2019*))

*Government House, Hobart, 8 May 2019.*

**18** BILL NO. 23. – The Attorney-General presented -

“A Bill for an Act in relation to government procurement and for related purposes”.

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

**19** MATTER OF PUBLIC IMPORTANCE: HOMELESSNESS - Ms Standen, in accordance with Standing Orders, moved - That the House take note of the following matter:

Homelessness.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

**20** BILL NO. 20. - The Order of the Day being read for the Second reading of the Workers Rehabilitation and Compensation Amendment Bill 2019.

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.

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

**22** BILL NO. 20. - And the Question being again proposed;

The House resumed the debate.

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

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(In the Committee)

Clauses 1 to 4 agreed to.

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

Letter from the Minister for Resources to the Chair of WorkCover Tasmania Board regarding a review of step-down provisions in the Workers Rehabilitation and Compensation Act 1988.

New Clause A was brought up by Ms *O'Byrne* and read a First Time as follows:-

“(A) Review in Relation to Weekly Payments

After Section 69B by inserting the following new section: -

- (1) In this section a review is to be conducted in relation to the weekly payment determined under Section 69 and the impact on workers of receiving less than 100% of the weekly payment after the first 26 weeks of the period of incapacity following the date of the initial incapacity.
- (2) In this section a review means a review carried out by persons who:-
  - (a) In the Minister’s opinion are appropriately qualified for that task; and
  - (b) Include one or more persons who are not employees of the State or Commonwealth or of any agency of the State or Commonwealth.
- (3) The Minister is to cause to be commenced by 30 June 2019 a review as to whether this Act should be amended to remove provisions relating to reduced weekly payments.
- (4) The persons who carry out the review are to complete the review and give to the Minister a written report on the outcome of the review, as soon as practicable but in any case before 30 September 2020.
- (5) The Minister is to cause a copy of the report to be tabled in each House of Parliament on or before 30 September 2020.”

Question put – That New Clause A be read a Second time and made a part of the Bill to follow Clause 4;

The Committee divided.

AYES 12

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

NOES 12

Ms *Archer*  
Mr *Barnett*  
Ms *Courtney*  
Mr *Ferguson*  
Mr *Gutwein*  
Ms *Hickey*  
Mr *Hodgman*  
Mr *Jaensch*  
Mrs *Petrusma*  
Mr *Rockliff*  
Mrs *Rylah*  
Mr *Tucker* (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: “The numbers being equal, I vote with the Noes.”

So it passed in the Negative.

Clauses 5 and 6 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.

**23** 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 Workers Rehabilitation and Compensation Act 1988 to remove certain restrictions in relation to weekly payments in respect of police officers injured while on active duty”,

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

*House of Assembly, 21 May 2019.*

SUE HICKEY, *Speaker*.

**24** BILL NO. 15. - The Order of the Day being read for the Second reading of the Biosecurity Bill 2019.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Minister for Primary Industries and Water)

A Debate arose thereupon.

*Ordered*, That the speaking time of the Minister for Primary Industries and Water be extended by 10 minutes. (The Deputy Premier)

And the Question being again proposed;

The House resumed the debate.

And Dr *Broad* was addressing the Chair.

**25** 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 fifty-eight minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House*.

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MEMBERS. - All present during the day.