



# HOUSE OF ASSEMBLY

SESSION OF 2019 - 2021

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 89

TUESDAY, 23 MARCH 2021

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 PETITION. - Ms *Butler* presented a Petition from approximately 552 citizens of Tasmania, requesting that the House call on the Minister for Infrastructure and Transport to immediately improve the intersection of Marlborough and Wellington Streets ("Sticky Beaks Corner") in Longford by introducing a safer traffic control management system.

Which Petition was read and received.

6 PAPERS. - The Minister for Infrastructure and Transport laid upon the Table of the House the following Papers:-

(1) Taxi and Hire Vehicle Industries Act 2008:

- (a) Taxi Industry Amendment Regulations 2021 (Statutory Rules 2021, No. 16);
- (b) Taxi Industry Amendment Regulations (No. 2) 2020 (Statutory Rules 2020, No. 96);
- (c) Luxury Hire Car Industry Amendment Regulations 2020 (Statutory Rules 2020, No. 95); and
- (d) Restricted Hire Vehicle Industry Amendment Regulations 2020 (Statutory Rules 2020, No. 97).

(2) Vehicle and Traffic Act 1999: Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment (Graduated Licensing) Regulations 2020 (Statutory Rules 2020, No. 75).

(3) Traffic Act 1925:

- (a) Road Amendment (Graduated Licensing) Rules 2020 (Statutory Rules 2020, No. 73); and
- (b) Traffic (Compliance and Enforcement) Amendment (Graduated Licensing) Regulations 2020 (Statutory Rules 2020 No. 74).

7 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. 10 of 2020-21 Covid-19 Pandemic response and mobilisation, 23 March 2021.

**8** BILL NO. 8. – The Minister for Planning presented -

“A Bill for an Act to amend the Land Use Planning and Approvals Act 1993”.

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

**9** MATTER OF PUBLIC IMPORTANCE: TASTAFE. – Ms *O’Byrne*, in accordance with Standing Orders, moved - That the House take note of the following matter:

TasTAFE.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

**10** PREMIER’S ADDRESS. - The Order of the Day being read for the resumption of the adjourned debate on the Question proposed on Tuesday, 16 March 2021 - That the Premier’s Address be noted.

And the Question being again proposed;

The House resumed the said adjourned debate.

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

**12** PREMIER’S ADDRESS. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put.

It was resolved in the Affirmative.

**13** BILL NO. 28 of 2020. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Dangerous Criminals and High Risk Offenders Bill 2020.

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(In the Committee)

Mr *Street* took the Chair.

Amendments.

Clause 5

Page 12, before subclause (1).

Insert the following subsection:

(1A) This section applies in relation to an application under section 4(1).

Clause 6

Page 13, subclause (1), paragraph (a), after “application”.

Insert “under section 4(1)”.

Clause 24

Page 43, after paragraph (b).

Insert the following paragraph:

- (x) the department primarily responsible in relation to the administration of the *Mental Health Act 2013*;

Clause 40

First amendment

Page 73, subclause (2).

Leave out “the Supreme Court”.

Insert instead “a court of petty sessions”.

Second amendment

Page 73, subclause (3).

Leave out the subclause.

Clause 42

Page 76, subclause (2).

Leave out the subclause.

New Clause A to follow Clause 4.

**A. Reports and examination of offender to whom application under section 4(1) relates**

- (1) The Supreme Court, after receiving an application under section 4(1) in relation to an offender –
  - (a) must order that the DPP provide to the Court, by the date specified in the order, each report, if any, in relation to the offender provided to the DPP under section 26(4) or section 28(5); and
  - (b) may order that the Chief Forensic Psychiatrist provide to the Court, by the date specified in the order, a report, prepared by a psychiatrist, psychologist or medical practitioner, as to the risk of the offender being a serious danger to the community.
- (2) The Supreme Court –
  - (a) may order the DCS or any other person to prepare and provide to the Court a report in relation to the offender addressing the matters that the Court specifies in the order; and

- (b) may have regard to the report for the purpose of determining the application under section 4(1).
- (3) The Supreme Court is to provide to –
  - (a) the DPP a copy of a report that is provided to the Court in accordance with an order under subsection (1) or (2), other than a report provided to the Court by the DPP; and
  - (b) the offender a copy of a report in relation to the offender that is provided to the Court in accordance with an order under subsection (1) or (2).
- (4) The Supreme Court may order an offender to submit to examination by a person who is to prepare in relation to the offender a report that is to be provided to the Court under subsection (1)(b) or (2).
- (5) If –
  - (a) the DPP or the offender proposes to tender a report at the hearing of an application under section 4(1); and
  - (b) the DPP or the offender has caused the report to be prepared otherwise than in accordance with an order under subsection (2) –

the DPP or the offender, respectively, is to provide to the other party to the application a copy of the report at least 7 days, or within such other period ordered by the Court, before the hearing of the application.

Amendments agreed to.

Resolution to be reported.

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

To agree to the Amendments of the Legislative Council.

*Resolved*, That the said Resolution be agreed to. (The Attorney General)

**14** BILL NO. 28 of 2020. - A Message to the Legislative Council. -

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 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.”

*House of Assembly, 23 March 2021*

SUE HICKEY, *Speaker*.

**15** BILL NO. 42 of 2020. - The Order of the Day being read for the Second reading of the Land (Miscellaneous Amendments) Bill 2020.

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.

And the Minister for Primary Industries and Water was addressing the Chair.

**16** 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-six minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

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MEMBERS. - All present during the day except Ms *Houston*.