



HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 25

TUESDAY, 3 SEPTEMBER 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 RESIGNATION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

23 August 2019

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart Tas 7000

Dear Madam Speaker,

I have received a letter dated 22 August 2019 from Mr *Scott Bacon* MP tendering his resignation as a Member for Clark in the House of Assembly effective from Thursday 22 August 2019.

I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Yours sincerely,

C. A. WARNER, *Governor*

- 5 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice commenced.
- 6 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Franklin, Mr *O'Byrne*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 7 QUESTIONS SEEKING INFORMATION. – Questions without notice continued.
- 8 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Lyons, Ms *Butler*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.

9 QUESTIONS SEEKING INFORMATION. – Questions without notice continued.

10 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Braddon, Dr *Broad*, to withdraw from the House for one hour owing to repeated interjections.

11 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.

12 PETITION. - Ms *White* presented a Petition from approximately 846 citizens of Tasmania, requesting that the House direct the Minister for Resources to ensure that Sustainable Timber Tasmania (STT) adheres strictly to the recently agreed Planning Guidelines for Apiary Values when it plans the extent of leatherwood retention in all coupes to be harvested in the next three years, and in particular Coupe TN005D near the Florentine Road, and that STT ensures its contractors comply with those plans. (HA5/2019)

Which Petition was read and received.

13 PAPERS. – The Treasurer laid upon the Table of the House the following Papers:-

Office of the Tasmanian Economic Regulator:

- (a) Comparison of Regulated Standing Offer Electricity Prices and of Gas Prices in Australia August 2019; and
- (b) APAYG Price Comparison Report 2019 August 2019.

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

- (1) Racing Regulation Act 2004: Racing (Race Fields) Regulations 2019 (Statutory Rules 2019, No. 35).
- (2) Justices of the Peace Act 2018: Justices of the Peace (Code of Conduct) Regulations 2019 (Statutory Rules 2019, No. 33).
- (3) Status of Children Act 1974: Status of Children Regulations 2019 (Statutory Rules 2019, No. 47).

15 PAPERS. – The Minister for Police, Fire and Emergency Management laid upon the Table of the House the following Paper:-

Additional information provided to Estimates Committee A in respect of the Estimates of the Minister for Human Services, Minister for Housing and Minister for Planning.

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

Housing Land Supply Act 2018: Housing Land Supply (Huntingfield) Order 2019 Ministerial Report Pursuant to Section 9.

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

Report on Stage 2 King Island Hospital Redevelopment (Paper No. 15).

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

18 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 assist councils in the Greater Hobart area and the State Government to better collaborate with each other in the making of decisions that will affect strategic land use planning, and the provision of infrastructure, in the Greater Hobart area, and for related purposes. (Bill No. 11 (*Act No. 21 of 2019*))

having been presented to the Governor 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, 16 August 2019.

19 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 provide for the protection and enhancement of Tasmania's biosecurity status for the benefit of Tasmania's industries, environment and public wellbeing by providing for the prevention, detection and control of animal and plant disease, pests and other biosecurity matter. (Bill No. 15 (*Act No. 22 of 2019*))

having been presented to the Governor 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, 26 August 2019.

20 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 Forest Practices Act 1985. (Bill No. 61 of 2018 (*Act No. 25 of 2019*))

A Bill for an Act to amend the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995. (Bill No. 64 of 2018 (*Act No. 24 of 2019*))

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. (Bill No. 20 (*Act No. 23 of 2019*))

having been presented to the Governor 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, 2 September 2019.

21 BILL NO. 64 of 2018. - 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 amend the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995".

Legislative Council, 14 August 2019.

C.M. FARRELL, President.

22 BILL NO. 20. - 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 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".

Legislative Council, 14 August 2019.

C.M. FARRELL, President.

23 BILL NO. 61 of 2018. - 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 amend the Forest Practices Act 1985".

Legislative Council, 15 August 2019.

C.M. FARRELL, President.

24 BILL NO. 14. - A Message from the Legislative Council. -

MADAM SPEAKER

The Legislative Council having this day agreed, with Amendments, to a Bill, intituled –“A Bill for an Act to amend the Right to Information Act 2009”,

now returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 14 August 2019.

C.M. FARRELL, President.

Ordered, That the said Message be taken into consideration at a later hour. (The Minister for Infrastructure and Transport)

25 BILL NO. 32. – The Treasurer presented -

“A Bill for an Act to amend the Public Works Committee Act 1914”.

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

26 BILLS. – The Minister for Justice presented -

“A Bill for an Act to amend the Legal Profession Act 2007” (Bill No. 34)

“A Bill for an Act to amend the Neighbourhood Disputes About Plants Act 2017” (Bill No. 35)

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

27 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Lyons, Ms *White*, to withdraw from the House for one hour owing to repeated interjections.

28 BILL NO. 33. – The Minister for Primary Industries and Water presented -

“A Bill for an Act to amend section 36 of the Genetically Modified Organisms Control Act 2004 so as to extend the operation of the Act for a further 10 years”.

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

29 MATTER OF PUBLIC IMPORTANCE: REGIONAL INFRASTRUCTURE – Ms *Dow*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Regional Infrastructure.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

30 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Premier have leave to make a Motion without Notice. (The Premier)

31 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 Tim Fischer from being debated forthwith. (The Premier)

32 THE LATE THE HONOURABLE TIMOTHY ANDREW FISCHER AC: CONDOLENCE RESOLUTION. – A Motion being made and the Question being proposed — That the House expresses its deep sadness at the death of the Honourable Timothy Andrew Fischer AC, who was formerly the Deputy Prime Minister of Australia, and places on record its appreciation for his significant achievements, and, further that this House respectfully tenders its sincere sympathy to Mr Fischer's family at this sad time.

And the Minister for Housing was addressing the Chair.

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

34 THE LATE THE HONOURABLE TIMOTHY ANDREW FISCHER AC: CONDOLENCE RESOLUTION. – And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

Resolved, nemine contradicente, That this House expresses its deep sadness at the death of the Honourable Timothy Andrew Fischer AC, who was formerly the Deputy Prime Minister of Australia, and places on record its appreciation for his significant achievements, and, further that this House respectfully tenders its sincere sympathy to Mr Fischer's family at this sad time.

Ordered, That a copy of the foregoing Resolution be forwarded to the family of the late Mr Fischer. (The Premier)

35 BILL NO. 31. - The Historic Cultural Heritage Amendment Bill 2019 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.

(In the Committee)

Mr *Tucker* took the Chair.

Clauses 1 to 15 agreed to.

Clause 16 read.

Amendment proposed (Ms *O'Connor*) in paragraph (a), proposed new subclause (1) by leaving out “7” and inserting instead “8”.

Question proposed – That the Amendment be agreed to.

Mrs *Petrusma* took the Chair.

And the Question being put;

The House divided.

AYES 2

Ms *O'Connor*

Dr *Woodruff* (Teller)

NOES 21

Ms *Archer*

Mr *Barnett*

Dr *Broad*

Ms *Butler*

Ms *Courtney*

Ms *Dow*

Mr *Ferguson*

Mr *Gutwein*

Ms *Haddad*

Ms *Hickey*

Mr *Hodgman*

Ms *Houston*

Mr *Jaensch*

Mr *O'Byrne*

Ms *O'Byrne*

Mr *Rockliff*

Mr *Shelton*

Ms *Standen*

Mr *Tucker*

Ms *White*

Mrs *Rylah* (Teller)

So it passed in the Negative.

Clause 16, as read, agreed to.

Clause 17 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The House being resumed, Mrs *Petrusma* reported that the Committee had gone through the Bill, and had directed her 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.

36 BILL NO. 31. - 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 Historic Cultural Heritage Act 1995”,

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

House of Assembly, 3 September 2019.

SUE HICKEY, *Speaker.*

37 BILL NO. 14. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Right to Information Amendment (Applications for Review) Bill 2019.

(In the Committee)

Mrs *Petrusma* took the Chair.

Amendment

Page 5, after clause 5.

Insert the following:

New Clause A [Section 36 amended]

A. Section 36 amended (Personal information of person)

Section 36(5) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (d) “provided.” and substituting “provided; or”;
- (b) by inserting after paragraph (d) the following paragraphs:
 - (e) if the information is information to which a decision referred to in section 45(1A) relates –
 - (i) during 20 working days after the notification of the decision; or
 - (ii) where the person applies for a review of the decision under section 45(1A) – until that review determines the information should be provided.

New Clause B [Section 37 amended]

B. Section 37 amended (Information relating to business affairs of third party)

Section 37(5) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (d) “provided.” and substituting “provided; or”;
- (b) by inserting after paragraph (d) the following paragraphs:

- (e) if the information is information to which a decision referred to in section 45(1A) relates –
 - (i) during 20 working days after the notification of the decision; or
 - (ii) where the third party applies for a review of the decision under section 45(1A) – until that review determines the information should be provided.

Amendments agreed to.

Resolution to be reported.

The House being resumed, Mrs *Petrusma* 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 Minister for Justice)

38 BILL NO. 14. - 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 amend the Right to Information Act 2009”.

House of Assembly, 3 September 2019.

SUE HICKEY, *Speaker.*

39 BILL NO. 26. - The Order of the Day being read for the Second reading of the Roads and Jetties Amendment (Works in Highways) Bill 2019.

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

A Debate arose thereupon.

And Mrs *Rylah* was addressing the Chair.

40 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 Seven o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day.