



LEGISLATIVE COUNCIL
SESSION OF 2018
(FIRST SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 36

THURSDAY, 22 NOVEMBER 2018

1 COUNCIL MEETS.— The Council met at 2.30 o'clock in the afternoon and the President read Prayers.

2 PAPERS.— The Clerk of the Council laid upon the Table the following Papers: —

- (1) Tasmanian Planning Commission: Annual Report 2017– 2018.
- (2) Resource Management & Planning Appeal Tribunal: Annual Report 2017–2018.
- (3) National Health Practitioner Ombudsman and Privacy Commissioner: Annual Report 2016-2017.
- (4) National Health Practitioner Ombudsman and Privacy Commissioner: Annual Report 2017-2018.
- (5) Regional Natural Resource Management Committee for Cradle Coast Authority: Annual Report 2017-2018.
- (6) Regional Natural Resource Management Committee for NRM North: Annual Report 2017-2018.
- (7) Regional Natural Resource Management Committee for NRM South: Annual Report 2017-2018.
- (8) Tasmanian Building and Construction Industry Training Board: Annual Report 2017-2018.
- (9) Supreme Court Civil Procedure Act 1932: Statutory Rules 2018, No. 65, containing Supreme Court Amendment Rules (No. 2) 2018.

3 BILL NO. 54.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill intituled, 'A Bill for an Act to amend the *Roads and Jetties Act 1935* and the *Local Government (Highways) Act 1932*',

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

House of Assembly, 22 November 2018

S. HICKEY, *Speaker*

The Bill was read the First time.

Ordered, That the Second reading of the Bill be made an Order of the Day for Tuesday next.
(Mrs Hiscutt)

4 QUESTION TIME.— The President called for Questions without Notice. There were eight Questions asked.

5 BILL NO. 35. — The Justice and Related Legislation (Miscellaneous Amendments) Bill 2018 was read the Third time and passed.

6 BILL NO. 35.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, ‘A Bill for an Act to amend the *Acts Interpretation Act 1931*, the *Bail Act 1994*, the *Classification (Publications, Films and Computer Games) Enforcement Act 1995*, the *Coroners Act 1995*, the *Court Security Act 2017*, the *Criminal Code Act 1924*, the *Criminal Law (Detention and Interrogation) Act 1995*, the *Criminal Procedure (Attendance of Witnesses) Act 1996*, the *Evidence Act 2001*, the *Forensic Procedures Act 2000*, the *Guardianship and Administration Act 1995*, the *Long Service Leave Act 1976*, the *Oaths Act 2001*, the *Registration to Work with Vulnerable People Act 2013*, the *Sentencing Act 1997*, the *Sentencing Amendment (Phasing Out of Suspended Sentences) Act 2017*, the *Trustee Companies Act 1953* and the *Water Management Act 1999* and to repeal the *Long Service Leave (Casual Wharf Employees) Act 1982*.’

Legislative Council, 22 November 2018

J.S. WILKINSON, *President*

7 BILL NO. 27.— The Order of the Day was read for the consideration of the Building Legislation (Miscellaneous Amendments) Bill 2018 as amended in Committee of the Whole Council.

Ordered, That the Bill, as amended in the Committee, be now taken into consideration.

The Council, accordingly, proceeded to take the same into consideration.

The Amendments were read the First time.

The said Amendments, being read the Second time, were agreed to.

Ordered, That the Bill as amended in the Committee, be now read the Third time. (Mrs *Hiscutt*)

The Bill was read the Third time and passed.

8 BILL NO. 27.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, with Amendments, to the Bill intituled, ‘A Bill for an Act to amend the *Building Act 2016*, the *Occupational Licensing Act 2005*, the *Building Regulations 2016*, the *Occupational Licensing (Building Services Work) Regulations 2016*, the *Residential Building Work Contracts and Dispute Resolution Regulations 2016*, and the *Urban Drainage (General) Regulations 2016*’

Legislative Council, 22 November 2018

J.S. WILKINSON, *President*

9 BILL NO. 34.— The Order of the Day was read for the Second reading of the Crime Confiscation of Profits Amendment Bill 2018.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

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 Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 18 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

10 BILL NO. 25. — The Order of the Day was read for the Second reading of the Emergency Management Amendment Bill 2018.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

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 Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 31 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

11 BILL NO. 30.— The Order of the Day was read for the Second reading of the Traffic and Related Legislation Amendment Bill 2018.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

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 Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 7 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

12 BILL NO. 50.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill intituled, ‘A Bill for an Act to amend the *Macquarie Point Development Corporation Act 2012*’,

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

House of Assembly, 22 November 2018

S. HICKEY, *Speaker*

The Bill was read the First time.

Ordered, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

13 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 9.30 am on Friday, 23 November 2018. (Mrs *Hiscutt*)

It was resolved in the Affirmative.

Resolved, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 5.07 o'clock pm.

D.T. PEARCE, *Clerk of the Council*.

Briefings:

- *Justice and Related Legislation (Marriage Amendments) Bill 2018*