



TASMANIA

LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 71

THURSDAY, 24 SEPTEMBER 2020

- 1 COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past, present and emerging. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 PRAYERS.**— The President read Prayers.
- 4 PETITION: GOVERNMENT RESPONSE.**— Mrs *Hiscutt* laid upon the Table of the Council the Government Response to the following Petition: Medical Services in Strahan.
- 5 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
 - (1) Department of Primary Industries, Parks, Water and Environment: Animal Research Statistics Tasmania – Annual Report. Number 24 (2019). Dated September 2020.
 - (2) Department of Justice: Expungement of Historical Offences Act 2017 – Annual Report 2019-2020.
- 6 BILL NO. 26.**— The Order of the Day was read for the consideration of the Land Use Planning and Approvals Amendment (Major Projects) Bill 2020 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.

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

A Debate arose thereupon.

And the Question being put,

The Council divided.

AYES 10

NOES 2

Ms *Armitage*
 Mr *Dean*
 Ms *Forrest* (Teller)
 Mrs *Hiscutt*
 Ms *Lovell*
 Ms *Palmer*
 Ms *Rattray*
 Dr *Seidel*
 Ms *Siejka*
 Mr *Willie*

Mr *Valentine* (Teller)
 Ms *Webb*

Pair: Ms *Howlett*

Pair: Mr *Gaffney*

It was resolved in the Affirmative,
The Bill was read the Third time and passed.

7 BILL NO. 26.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council having this day agreed, with Amendments, to a Bill intituled — ‘A Bill for an Act to amend the *Land Use Planning and Approvals Act 1993* to provide for major projects and for related purposes and, consequential on those amendments, the *Environmental Management and Pollution Control Act 1994* and the *Historic Cultural Heritage Act 1995*’, returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 24 September 2020

C.M. FARRELL, *President*

8 BILL NO. 37 OF 2019 — The Order of the Day was read for resuming the Debate on the Question, That the Marine-Related Incidents (MARPOL Implementation) Bill 2019 be now read the Second time.

The Question was again proposed, and the Council 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 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 and 2 agreed to.

Clause 3 as read postponed.

Clauses 4 to 72 agreed to.

Clause 73 read.

9 SITTING SUSPENDED.— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

10 QUESTION TIME.— The President called for Questions without Notice. There were five Questions asked.

11 BILL NO. 37 OF 2019.— The Council again resolved itself into a Committee on the Marine-Related Incidents (MARPOL Implementation) Bill 2019.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 73 to 80 agreed to.

Schedules 1 to 4 agreed to.

Postponed Clause 3 as read further considered and 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. 27.— The Order of the Day was read for the Second reading of the Corrections Amendment (Electronic Monitoring) Bill 2020.

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

A Debate arose thereupon.

Ordered, That the Debate be adjourned. (Mrs *Hiscutt*)

13 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 3.28 o'clock p.m. and resumed at 3.55 o'clock p.m.

14 BILL NO. 27.— The Council, according to order, resumed the Debate on the Question, That the Corrections Amendment (Electronic Monitoring) Bill 2020 be now read the Second time.

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 5 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*)

15 BILL NO. 55 of 2019.— The Order of the Day was read for the Second reading of the Cat Management Amendment Bill 2019.

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

A Debate arose thereupon.

Ordered, That the Debate be adjourned. (Ms *Rattray*)

16 BILL NO. 26.— A Message from the House of Assembly:—

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 *Land Use Planning and Approvals Act 1993* to provide for major projects and for related purposes and, consequential on those amendments, the *Environmental Management and Pollution Control Act 1994* and the *Historic Cultural Heritage Act 1995*, ’.

House of Assembly, 24 September 2020

S. HICKEY, *Speaker*

17 BILL NO. 35.— 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 *Bail Act 1994*, the *Criminal Code Act 1924*, the *Criminal Justice (Mental Impairment) Act 1999*, the *Justices Act 1959*, the *Misuse of Drugs Act 2001*, the *Police Offences Act 1935* and the *Sentencing Act 1997*,’

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

House of Assembly, 24 September 2020

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)

18 ADJOURNMENT.— A Motion was made (Mrs Hiscutt) and the Question was put, That the Council will at its rising adjourn until 11.00 o’clock am on Tuesday, 13 October 2020.

It was resolved in the Affirmative.

A Motion was made (Mrs Hiscutt) and the Question was proposed, That the Council do now adjourn.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

The Council adjourned at 6.46 o'clock p.m.

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

Briefings:

- *Tasmanian Community Fund*
- *Pharmacists: Covid-19 and medicines safety*
- *Cat Management Amendment Bill 2019*