



HOUSE OF ASSEMBLY

SESSION OF 2024

(FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT)

VOTES AND PROCEEDINGS

No. 16

TUESDAY, 6 AUGUST 2024

- 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 **CONSTITUENCY QUESTIONS.** – In accordance with Sessional Order No. 48C, Constituency Questions were asked.
- 6 **PAPERS.** – The Deputy Premier laid upon the Table of the House the following Papers:-
 - (1) State Grants Commission: State Grants Commission 2022-23 Annual Report including 2023-24 Financial Assistance Grants Recommendations.
 - (2) Land Acquisition Act 1993 (Notice of Acquisition pursuant to Section 18):
 - (i) Dated 11 January 2024, land situate in the Parish of Uxbridge, Land District of Buckingham, Municipal Area of Derwent Valley, Lot 1 on Plan of Survey P185896, and Lot 2, Parish of Anglesea on Plan of Survey 185896 registered in the name of Haas Investments Pty Ltd for road purposes;
 - (ii) Dated 11 January 2024, land situate in the Parish of Stanley, Land District of Devon, Municipal Area of West Tamar, Lot 1 on Plan of Survey P185918, registered in the name of United Petroleum Properties Pty Ltd for road purposes;
 - (iii) Dated 11 January 2024, land situate in the Town of Legana, Municipal Area of West Tamar, Lot 1 on Plan of Survey P185914, a registered in the name of Regis Aged Care Pty Ltd for road purposes;
 - (iv) Dated 11 January 2024, land situate in the Parish of Stanley, Land District of Devon, Municipal Area of West Tamar, Lot 1 on Plan of Survey P185916, registered in the names of Garry Cameron-Smith, Mary Cameron-Smith for road purposes;
- 7 **PAPERS.** – The Minister for Finance laid upon the Table of the House the following Papers:-
 - (1) The Tasmanian Economic Regulator: Report on the State of the Tasmanian Water and Sewerage Industry 2022-23.
 - (2) Local Government Act 1993: Local Government (Appointment and Performance of General Managers) Order 2024 (Statutory Rules 2024, No. 33)

8 PUBLIC ACCOUNTS COMMITTEE: REPORT BROUGHT UP. – Mr *Willie* brought up the following Report of the Parliamentary Standing Committee of Public Accounts:-

Annual Report 2023-24 (Paper No. 11)

Ordered, That the said Report be received. (Mr *Willie*)

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

- (1) Tasmanian Audit Office: Report of the Auditor-General No. 1 of 2024-25 – Alignment of duration of custodial stays at Ashley Youth Detention Centre with related sentencing orders. (Paper No. 5)
- (2) Office of the Custodial Inspector: Inhumane treatment in dry cells – review report 2024.

10 BILL NO. 36. – The Minister for Justice presented -

“A Bill for an Act to amend the Agricultural and Veterinary Chemicals (Tasmania) Act 1994, the Competition Policy Reform (Tasmania) Act 1996, the Corporations (Tasmania) Act 1990, the Federal Courts (State Jurisdiction) Act 1999, the Gene Technology (Tasmania) Act 2012, the Human Embryonic Research Regulation Act 2003, the Legal Profession (Board of Legal Education) Rules 2021, the Marine Safety (Domestic Commercial Vessel National Law Application) Act 2013, the New Tax System Price Exploitation Code (Tasmania) Act 1999, the Terrorism (Preventative Detention) Act 2005, the Therapeutic Goods Act 2001, and the Water Efficiency Labelling and Standards Act 2013”.

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

11 BILL NO. 38. - Mr *O’Byrne* presented -

“A Bill for an Act to amend the Family Violence Act 2004”.

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

12 MATTER OF PUBLIC IMPORTANCE: FAILURE TO DELIVER. – Mr *Winter* in accordance with Standing Orders, moved - That the House take note of the following matter:

Failure to Deliver.

And the Question being put;

It was resolved in the Affirmative.

13 BILL NO. 30. - The Order of the Day being read for the Second reading of the Sentencing Amendment (Presumption of Mandatory Sentencing) Bill 2024.

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

A Debate arose thereupon.

And the Minister for Justice was addressing the Chair.

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

15 BILL NO. 30. – And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

The House divided.

AYES 25

Mr Abetz
Mr Barnett
Mr Behrakis
Mrs Beswick
Dr Broad
Ms Brown
Ms Butler
Mrs Dow
Mr Ellis
Mr Fairs
Mr Ferguson
Ms Haddad
Ms Howlett
Mr Jaensch
Ms Ogilvie
Mrs Pentland
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Ms White
Mr Willie
Mr Winter
Mr Wood
Ms Finlay (Teller)

NOES 8

Mr Bayley
Ms Burnet
Mr Garland
Ms Johnston
Mr O'Byrne
Ms Rosol
Dr Woodruff
Ms Badger (Teller)

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

16 BILL NO. 30. - 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 Sentencing Act 1997 to provide for a presumption in respect of sentencing in relation to certain sexual offences against children”,

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

House of Assembly, 6 August 2024.

MICHELLE O'BYRNE, *Speaker*.

17 BILL NO. 25. - The Electoral Amendment Bill 2024 was, according to Order, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

18 BILL NO. 25. - 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 Electoral Act 2004”,

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

House of Assembly, 6 August 2024.

MICHELLE O’BYRNE, *Speaker.*

19 BILL NO. 33. - The Farm Debt Mediation Bill 2024 was, according to Order, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

20 BILL NO. 33. - A Message to the Legislative Council. –

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to make provision for mediation concerning farm debts and for other related purposes”,

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

House of Assembly, 6 August 2024.

MICHELLE O’BYRNE, *Speaker.*

21 BILL NO. 32. - The Historic Cultural Heritage Amendment Bill 2024 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)

Mrs *Petrusma* took the Chair.

Clauses 1 to 6 agreed to.

Clause 7 read.

Ms *Finlay* took the Chair.

Clause 7 further considered.

And the Question being put – That the Clause, as read, stand part of the Bill;

The Committee divided.

AYES 16

Mr *Abetz*
 Mr *Barnett*
 Mr *Behrakis*
 Mrs *Beswick*
 Mr *Ellis*
 Mr *Fairs*
 Mr *Ferguson*
 Ms *Howlett*
 Mr *Jaensch*
 Ms *Ogilvie*
 Mrs *Pentland*
 Mrs *Petrusma*
 Mr *Rockliff*
 Mr *Shelton*
 Mr *Street*
 Mr *Wood* (Teller)

NOES 17

Ms *Badger*
 Mr *Bayley*
 Dr *Broad*
 Ms *Brown*
 Ms *Burnet*
 Ms *Butler*
 Ms *Dow*
 Mr *Garland*
 Ms *Haddad*
 Mr *O'Byrne*
 Ms *O'Byrne*
 Ms *Rosol*
 Ms *White*
 Mr *Willie*
 Mr *Winter*
 Dr *Woodruff*
 Ms *Johnston* (Teller)

So it passed in the Negative.

Clause 8 read.

And the Question being put - That Clause 8, as read, stand part of the Bill;

It passed in the Negative.

Clause 9 read.

And the Question being put - That Clause 9, as read, stand part of the Bill;

The House divided

AYES 27

Mr *Abetz*
 Mr *Barnett*
 Mr *Behrakis*
 Mrs *Beswick*
 Dr *Broad*
 Ms *Brown*
 Ms *Butler*
 Ms *Dow*
 Mr *Ellis*
 Mr *Ferguson*
 Mr *Garland*
 Ms *Haddad*
 Ms *Howlett*
 Mr *Jaensch*
 Mr *O'Byrne*
 Ms *O'Byrne*
 Ms *Ogilvie*
 Mrs *Pentland*
 Mrs *Petrusma*
 Mr *Rockliff*
 Mr *Shelton*
 Mr *Street*
 Ms *White*
 Mr *Willie*
 Mr *Winter*
 Mr *Wood*
 Mr *Fairs* (Teller)

NOES 6

Ms *Badger*
 Mr *Bayley*
 Ms *Johnston*
 Ms *Rosol*
 Dr *Woodruff*
 Ms *Burnet* (Teller)

It was resolved in the Affirmative.

Clauses 10 to 24 agreed to.

Title agreed to.

Bill to be reported with Amendments.

The House being resumed, Ms *Finlay* reported that the Committee had gone through the Bill, and made Amendments thereto.

Ordered, That so much of the Standing Orders be suspended as prevents the Bill being now read the Third time. (The Minister for the Arts)

Ordered, That the Bill, as amended in Committee, be now taken into consideration.
And the Amendments were, accordingly, read and agreed to

Ordered, That the Bill be now read the Third time.
And the Bill was, accordingly, read the Third time.

22 BILL NO. 32. - 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, 6 August 2024.

MICHELLE O’BYRNE, *Speaker*.

23 BILL NO. 35. - The Order of the Day being read for the Second reading of the Expungement of Historical Offences Amendment Bill 2024.

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

A Debate arose thereupon.

Ordered, That the Debate be adjourned until 10 September 2024. (Dr *Woodruff*)

24 ADJOURNMENT. – A Motion being made - That the House do now adjourn (The Minister for Justice)

The Deputy Speaker proposed – That the House do now adjourn and called for issues to be raised;

And the Question being put – That the House do now adjourn;

It was resolved in the Affirmative.

The House adjourned at thirty minutes past Seven o'clock.

LAURA ROSS, *Clerk of the House*.

MEMBERS. - All present during the day.

The Minister for Energy and Renewables, and Minister for Parks and Environment, and the Minister for Education, and Minister for Disability Services attended Question Time.