



HOUSE OF ASSEMBLY

SESSION OF 2019 - 2021

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 90

WEDNESDAY, 24 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 PAPERS. - The Minister for Primary Industries and Water laid upon the Table of the House the following Papers:-

Land Acquisition Act 1993 (Notice of Acquisition pursuant to Section 18):

- (i) Dated 18 January 2021, land situate in Town of Sorell, Municipal Area Sorell, Lot 8 on Plan of Survey P179851, registered in the name of Jason Robert Cassidy for road purposes;
- (ii) Dated 10 February 2021, land situate in the Parish of St Michaels, Land District of Devon, Municipal Area of West Tamar, Lot 101 on Plan of Survey P180517, registered in the name of Dale Andrew Collings for road purposes;
- (iii) Dated 10 February 2021, land situate in the Town of Exeter, Municipal Area of West Tamar, Lot 105 on Plan of Survey P180517, registered in the name of Damon Melvin Greenhalf for road purposes;
- (iv) Dated 10 February 2021, land situate in the Town of Exeter, Municipal Area of West Tamar, shown as 'Drainage Easement 'B'', on Plan of Survey P180517, registered in the name of Robert Martin Miles for road purposes;
- (v) Dated 10 February 2021, land situate in the Town of Exeter, Municipal Area of West Tamar, Lot 104 on Plan of Survey P180517, registered in the names of Helene Maree Parry and Brian Richard Parry for road purposes;
- (vi) Dated 10 February 2021, land situate in the Town of Exeter, Municipal Area of West Tamar, Lot 2 on Plan of Survey P180517, registered in the name of Lynette Marie Cavallaro for road purposes;
- (vii) Dated 10 February 2021, land situate in the Town of Exeter, Municipal Area of West Tamar, Lots 101, 102, and 103 on Plan of Survey P180517, registered in the names of Richard William Freeman and Lesley Anne Freeman for road purposes;

- (viii) Dated 10 February 2021, land situate in the Town of Exeter, Municipal Area of West Tamar, Lot 102 on Plan of Survey P180517, registered in the names of Paul Anthony Ayres and Tina Anne Ayres for road purposes; and
- (ix) Dated 10 February 2021, land situate in the Town of Exeter, Municipal Area of West Tamar, Lot 103 on Plan of Survey P180517, registered in the names of Wayne Donald Lockhart and Dianne Ellen Lockhart for road purposes.

6 BILL NO. 30 of 2020. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed to Amendments made by the House of Assembly, to a Bill intituled “A Bill for an Act to provide for, and regulate access to, voluntary assisted dying, to establish the Voluntary Assisted Dying Commission, and for related purposes”.

Legislative Council, 23 March 2021.

C.M. FARRELL, President.

7 MATTER OF PUBLIC IMPORTANCE: WOMEN’S RIGHTS. – Ms *White*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Women’s Rights.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

8 BILL NO. 42 of 2020. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Tuesday, 23 March 2021 - That the Land (Miscellaneous Amendments) Bill 2020 be now read the Second time;

And the Question being again proposed;

The House resumed the said adjourned Debate.

And the Question being put;

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

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.

9 BILL NO. 42 of 2020. - 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 Abandoned Land Act 1973, the Associations Incorporation Act 1964, the Conveyancing and Law of Property Act 1884, the Conveyancing and Law of Property (Building Title Plans) Regulations 2012, the Homes Act 1935, the Land Acquisition Act 1993, the Land Titles Act 1980, the Land Titles Regulations 2012, the Local Government (Building and Miscellaneous Provisions) Act 1993, the Local Government (Highways) Act

1982, the Neighbourhood Disputes About Plants Act 2017, the War Service Land Settlement Act 1950 and the Wellington Park Act 1993”,

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

House of Assembly, 24 March 2021.

SUE HICKEY, *Speaker.*

10 BILL NO. 15 of 2020. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Brickmakers Point Landslip Bill 2020.

(In the Committee)

Mr *Street* took the Chair.

Amendments.

Clause 7

First amendment

Page 8, subclause (2), paragraph (a).

Leave out the paragraph.

Insert instead the following paragraph:

(a) that the purchase price is to be the amount determined under subsection (2A); and

Second amendment

Page 8, after subclause (2).

Insert the following subclause:

(2A) The purchase price of an affected property is to be determined in accordance with the following formula:

$$A = VA + (VA \times C)$$

where –

"A" means the purchase price of the affected property;

"VA" means the amount representing 75% of the amount of the valuation of the affected property made by the Valuer-General under section 6(2);

"C" means the sum of each percentage change in the CPI, in respect of all groups for Hobart in a quarter, that has been reported by the Australian Bureau of Statistics, in relation to a quarter, on or after 1 June 2016 and before the day on which the offer is made under this section.

Amendments agreed to.

Resolution to be reported.

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 Minister for Environment and Parks)

11 BILL NO. 15 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 make provision for the purchase by the Crown of certain land, and improvements, affected by earth movements at Brickmakers Point in Deviot in the West Tamar Council municipal area, and for related purposes.”

House of Assembly, 24 March 2021

SUE HICKEY, *Speaker*.

12 BILL NO. 41 of 2020. - The Food Amendment Bill 2020 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.

13 BILL NO. 41 of 2020. - 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 Food Act 2003”,
to which the House desires the concurrence of the Legislative Council.

House of Assembly, 24 March 2021.

SUE HICKEY, *Speaker*.

14 BILL NO. 40 of 2019. - The Order of the Day being read for the Second reading of the Alcohol and Drug Dependency Repeal Bill 2019.

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

A Debate arose thereupon.

And the Minister for Mental Health and Wellbeing was addressing the Chair.

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

16 BILL NO. 7. - The Order of the Day being read for the Second reading of the Residential Tenancy (Rent Control) Amendment Bill 2021.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (Ms O'Connor)

A Debate arose thereupon.

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 *Ellis*
Mr *Ferguson*
Mr *Gutwein*
Ms *Haddad*
Mr *Jaensch*
Mr *O'Byrne*
Ms *O'Byrne*
Ms *Ogilvie*
Mrs *Petrusma*
Mr *Rockliff*
Mr *Shelton*
Ms *Standen*
Mr *Tucker*
Ms *White*
Mr *Street* (Teller)

So it passed in the Negative.

17 **PROTESTER TRESPASS LAWS.** – A Motion being made and the Question being proposed—That the House:—

- (1) Notes that protest actions by the Bob Brown Foundation continue to hinder the legitimate activities of the Tasmanian timber and mining industries.
- (2) Further notes that protests that include standing on loose log piles for photos, locking on to moving machinery and tree sits in logging coupes are all incredibly dangerous and could easily lead to the serious injury or death of protestors.
- (3) Calls on the Government to work with Labor to draft Legislation that mirrors Part 7A of the Victorian Sustainable Forests (Timber) Act 2004 to enforce Timber Harvesting Safety zones on public and private land that include significant fines for unauthorised entry.
- (4) Further, calls on the Government to work with Labor to draft Legislation that creates an offence of aggravated trespass for protestors who enter resource processing, primary production or export facilities for the purpose of disrupting or obstructing a lawful activity. (Dr *Broad*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 8

NOES 14

Dr Broad
Ms Dow
Ms Haddad
Mr O'Byrne
Ms O'Byrne
Ms Standen
Ms White
Ms Butler (Teller)

Ms Archer
Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Ms Hickey
Mr Jaensch
Ms O'Connor
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Tucker
Dr Woodruff
Mr Ellis (Teller)

PAIRS

Ms Houston

Mrs Petrusma

So it passed in the Negative.

18 MINIMUM MANDATORY SENTENCES. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Wednesday, 7 August 2019 - That the House:—

- (1) Welcomes the Federal Labor party's recent sensible backflip on minimum mandatory sentences for crimes relating to child abuse.
- (2) Acknowledges the Tasmanian Labor Party is now out of step with its Federal Labor colleagues.
- (3) Supports the introduction of minimum mandatory sentences for serious sexual offences against children.

And the Question being again proposed;

The House resumed the said adjourned Debate.

And the Question being put;

It was resolved in the Affirmative.

19 ADJOURNMENT. - The time being Six o'clock, the Speaker proposed - That the House do now adjourn and called for issues to be raised;

20 PAPERS. – Mr *Ellis*, *by leave*, laid upon the Table of the House a document in relation to the Workplaces (Protection from Protestors) Act 2014.

The House adjourned at Seven o'clock.

SHANE DONNELLY, *Clerk of the House*.

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