



TASMANIA

LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 64

WEDNESDAY, 26 AUGUST 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 E-PETITION.**— Ms *Webb* brought up an E-Petition from 680 citizens of Tasmania concerned with the transfer of driver licence photos to the National Driver Licence Facial Recognition Solution.
Ordered, That the Petition be received. (Ms *Webb*)
- 5 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
 - (1) Australian Children’s Education and Care Quality Authority: Annual Report 2018-2019.
 - (2) Tasmanian Economic Regulator: 2018-2019 Report on the State of the Tasmanian Water and Sewerage Industry.
 - (3) National Education and Care Services Freedom of Information Commissioner, Privacy Commissioner and Ombudsman: Annual Report 1 July 2018 to 30 June 2019.
 - (4) Water Management Act 1999: Statutory Rules 2020, No. 38, containing Water Management Amendment Regulations 2020.
 - (5) Rail Safety National Law (South Australia) Act 2012: Rail Safety National Law (South Australia) (Rail Safety Work) Amendment Act 2020.
 - (6) Education and Care Services National Law: Education and Care Services National Amendment Regulations 2019.
 - (7) Marine and Safety Authority Act 1997: Marine and Safety (Fees) Amendment By-Laws 2020
 - (8) Marine and Safety Authority Act 1997: Marine and Safety (Prescribed Offences) Amendment By-Laws 2020.
 - (9) Marine and Safety Authority Act 1997: Marine and Safety (Moorings) By-Laws 2020.
 - (10) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 59m2 situate in Midland Highway Safety Upgrade – Mangalore to Bagdad – Stage 2 (Mangalore), Municipal area of Southern Midlands.

- (11) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 120m² situate in Midland Highway Safety Upgrade – Mangalore to Bagdad – Stage 2 (Mangalore), Municipal area of Southern Midlands.
- (12) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 1141m², 595m² and 3104m² situate in Railton Main Road Shoulder Sealing, Municipal area of Kentish.
- (13) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 4244m², 48.2m² and 2852m² situate in Railton Main Road Shoulder Sealing, Municipal area of Kentish.
- (14) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 413m² and 7881m² situate in Railton Main Road Shoulder Sealing, Municipal area of Kentish.
- (15) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 279m² situate in Tasman Highway Great Eastern Drive – Entrance to Pondering Frog Café, Municipal Area of Glamorgan-Spring Bay.
- (16) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 539m² situate in Tasman Highway Great Eastern Drive – Entrance to Pondering Frog Café, Municipal Area of Glamorgan-Spring Bay.

6 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 11.05 o'clock a.m. and resumed at 11.47 o'clock a.m.

7 BILL NO. 29.— The Order of the Day was read for the Second reading of the COVID-19 Disease Emergency (Miscellaneous Provisions) Amendment (Quarantine Debt Recovery) 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.

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 3 agreed to.

Clause 4 read.

8 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.

9 QUESTION TIME.— The President called for Questions without Notice. There were ten Questions asked.

10 BILL NO. 29.— The Council again resolved itself into a Committee on the COVID-19 Disease Emergency (Miscellaneous Provisions) Amendment (Quarantine Debt Recovery) Bill 2020.

(In the Committee)

Ms *Forrest* in the Chair.

Clause 4 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*)

11 CONSUMER LAW CODE OF PRACTICE.— The Order of the Day was read for taking into consideration the following Message from the House of Assembly: —

MR PRESIDENT

The House of Assembly having agreed to the following Resolution, begs now to transmit the same to the Legislative Council, and to request its concurrence therein – That pursuant to Section 37 of the Australian Consumer Law (Tasmania) Act 2010, the House of Assembly endorse the draft code of practice prepared in accordance with Section 37 (3) of the Australian Consumer Law (Tasmania) Act 2010.

House of Assembly, 20 August 2020.

SUE HICKEY, *Speaker*.

A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the said Resolution be agreed to and the blank be filled up with the words “Legislative Council and the”

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

Ordered, That a Message be transmitted to the House of Assembly acquainting that House accordingly.

12 CONSUMER LAW CODE OF PRACTICE. — A Message to the House of Assembly. —

MADAM SPEAKER

The Legislative Council has this day agreed to the following Resolution communicated to it by the House of Assembly on 20 August 2020 —

Resolved, That pursuant to Section 37 of the Australian Consumer Law (Tasmania) Act 2010, the Legislative Council and the House of Assembly endorse the draft code of practice prepared in accordance with Section 37 (3) of the Australian Consumer Law (Tasmania) Act 2010.

And has filled up the blank with the words “Legislative Council and the”.

Legislative Council, 26 August 2020.

C.M. FARRELL, *President*.

13 PREMIER'S ADDRESS.— The Order of the Day was read for resuming the Debate on the Question, That the Premier's Address be noted.

The Question was again proposed and the Council resumed the debate.

And the Question being put,

It was resolved in the Affirmative.

14 BILL NO. 49 OF 2019.— The Order of the Day was read for the Second reading of the Police Offences Amendment (Repeal of Begging) 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. (Mrs *Hiscutt*)

15 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 4.11 o'clock p.m. and resumed at 5.20 o'clock p.m.

16 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 Thursday, 27 August 2020.

It was resolved in the Affirmative.

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

The Council adjourned at 5.22 o'clock p.m.

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

Briefings:

- *End of Life Choices (Voluntary Assisted Dying) Bill 2020*
- *Covid-19 (Miscellaneous Provisions) Amendment (Quarantine Debt Recovery) Bill 2020*
- Notice of Motion 9 – Major Infrastructure Development Approvals (North West Upgrades Project) Order 2020
- *Police Offences Amendment (Repeal of Begging) Bill 2019*