



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

**VOTES AND PROCEEDINGS**

No. 29

THURSDAY, 27 SEPTEMBER 2018

**1 COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon and the President read Prayers.

**2 BOARD MEMBERSHIP.**— Ms *Armitage* asked the Honourable the Leader of the Government —

With regard to Board Membership:

- (1) For each Government Business Enterprise what is the breakdown of board membership by region in Tasmania?
- (2) For each State owned company, what is the breakdown of board membership by region in Tasmania?
- (3) For each additional Government board, what is the breakdown of board membership by region in Tasmania?
- (4) With regard to interstate members of Government Business Enterprises and state owned company boards what was the total cost of travel, meals and other expenses for board members for the last financial year?
- (5) It was noted from answers provided during the Estimates Committee process that 5 individuals sit across multiple boards—
  - (a) Who are the 5 individuals; and
  - (b) What boards do they sit on?

**3 LEAVE TO TABLE ANSWER TO QUESTION AND INCORPORATE ANSWER INTO HANSARD.**—*Ordered*, That Mrs *Hiscutt* have leave to Table answer to Question No. 5 and have the answer incorporated into the Hansard record.

- (1) Breakdown of board membership by region in Tasmania for each Government Business Enterprise as at 30 June 2018:

Business	South	North	North West	Interstate
STT	3			2
Hydro	2	1		2
MAIB	2		1	2
PAHSMA	5			2
Public Trustee	2	1	1	1
Tascorp	1			3

- (2) Breakdown of board membership by region in Tasmania for each State-owned company as at 30 June 2018:

<b>Business</b>	<b>South</b>	<b>North</b>	<b>North West</b>	<b>Interstate</b>
Aurora	1		1	2
Metro	4			1
Tas Irrigation	2	2		1
Tas Networks	4			1
Tasports	3	1		1
Tasrail	1	2		2
Tasracing	5	2		
TT-Line	4			3

- (3) Breakdown of board membership by region in Tasmania for each additional Government board as at 30 June 2018\*:

<b>Business</b>	<b>South</b>	<b>North</b>	<b>North West</b>	<b>Interstate</b>
Board of Architects of Tasmania	5			
Board of Legal Education	6			
Criminal Injuries Compensation Commission	6	1	2	
Environment Protection Authority	6	1		
Fruit and Nut Industry (Research and Development and Extension) Trust Fund Board				
Guardianship and Administration Board	12	11	6	
Health Council of Tasmania	9	3	1	
ICT Policy Board	Under review.			
Inland Fisheries Advisory Council	7	2	1	
Legal Aid Commission of Tasmania	3	2		
Legal Profession Board	3	1	2	
Local Government Board	1	1	1	1
National Trust Board	6	1		
Non-Government Schools Registration Board	7	1		
Parole Board	5			
Police Review Board	4	1		
Poppy Advisory and Control Board	5	1		
Property Agents Board	5			
Screen Tasmania	Abolished.			
State Fire Commission	4	2	1	
Tasmanian Arts Advisory Board	Abolished.			

<b>Business</b>	<b>South</b>	<b>North</b>	<b>North West</b>	<b>Interstate</b>
Tasmanian Building and Construction Industry Training Board	5	2	1	
Tasmanian Community Fund Board	2	2	1	
Tasmanian Development and Resources Board	5		1	1
Tasmanian Early Years Foundation	Abolished.			
Tasmanian Electoral Commission	2	1		
Tasmanian Library Advisory Board	8	2	3	
Tasmanian Liquor and Gaming Commission	2		1	
Tasmanian Museum and Art Gallery Board of Trustees	6			1
Tasmanian Timber Promotion Board	4		1	1
Teachers Registration Board	8	1	2	
Veterinary Board of Tasmania	4		1	
Wellington Park Management Trust	15			
WorkCover Tasmania	5			1

\*Information provided consistent with previous request, does not include data from the 75 other current Government boards.

- (4) The total travel costs including flights, other transport costs, meals and other expenses for interstate members of Government business boards for the last financial year were:

<b>Business</b>	<b>Total Travel Costs for Interstate Members</b>
Aurora	\$32 859
Metro	\$6 300
Tas Irrigation	\$6 486
Tas Networks	\$11 652
Tasports	\$12 621
Tasrail	\$13 237
Tasracing	n/a
TT-Line	\$24 216
STT	\$19 499
Hydro	\$50 416
MAIB	\$26 470
PAHSMA	\$24 171
Public Trustee	\$4 356
Tascorp	\$71 392

(5) Five individuals on multiple Boards:

Michael Dontschuk	Public Trustee and MAIB
Evelyn Horton	Tascorp and MAIB
Samantha Hogg	Hydro Tasmania, Tasmanian Irrigation and Tasrail
Tracy Matthews	Public Trustee and Tasports
Helen Galloway	TT-Line and Tasracing

**4 BILL NO. 37.**— The Order of the Day was read for the consideration of the Police Offences Amendment (Consorting) 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.

A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That so much of Standing Order no. 284 be suspended in respect of this Bill so as to allow the amended clause reference only to be called without a need for the amendments to be read again in full.

A Debate arose thereupon.

The Motion was, by leave, withdrawn. (Mrs *Hiscutt*)

The Amendments were read the First time.

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

A Debate arose thereupon.

And the Question being put, It was resolved in the Affirmative

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.

**5 BILL NO. 37.**— 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 *Police Offences Act 1935* in relation to consorting and for related purposes’, returns the same to the House of Assembly, and requests its concurrence therein.

*Legislative Council, 27 September 2018*

J.S. WILKINSON, *President*

**6 BILL NO. 32.**— The Order of the Day was read for the Second reading of the Residential Tenancy Amendment Bill 2018 (No. 32).

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.

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(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 10 agreed to.

Clause 11 disagreed to.

Clause 12 agreed to.

**New Clause A [Section 17 amended Issue of replacement residential tenancy agreement]** brought up (Mr *Gaffney*) and read the First time as follows:—

Section 17 of the Principal Act is amendment as follows:

(a) by omitting subsection (1) and substituting the following subsections:

(1) In this section –

**"original agreement"** means a residential tenancy agreement in relation to residential premises referred to in subsection (2);

**"replacement agreement"** means a residential tenancy agreement established under subsection (1A)(b) or (c).

(1A) If the person against whom an FVO is to be made is a tenant of residential premises occupied by an affected person, a court may make an order under section 16 to –

- (a) terminate the original agreement; or
- (b) terminate the original agreement and establish a new residential tenancy agreement for the benefit of the affected person and any other party who was a party to the terminated agreement, other than the person against whom the FVO is to be made; or
- (c) terminate the original agreement and establish a new residential tenancy agreement for the benefit of the person against whom the FVO is to be made and any other party who was a party to the terminated agreement, other than the affected person.

Read the Second time and made part of the Bill (to follow Clause 10 in Part 3).

Title agreed to.

Bill to be reported with Amendments.

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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 with Amendments.

*Ordered*, That the consideration of the Bill as amended in Committee be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**7 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice in relation to Orders of the Day.

*Ordered*, That intervening business be postponed until after consideration of Notices of Motion Nos. 3 and 4 and Order of the Day No. 6. (Mrs *Hiscutt*)

**8 SECTION 19 RETURN JUNE QUARTER 2018.**— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council approve, in accordance with subsection 11(7) and 12(4) of the Public Account Act 1986, additional Recurrent Services and Works and Services expenditure in 2017-18 for the purposes detailed in the Section 19 Return for the June Quarter 2018.

A Debate arose thereupon.

**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 two Questions asked.

**11 SECTION 19 RETURN JUNEQUARTER 2018.**— The Council resumed the Debate on the Question, That the Council approve, in accordance with subsection 11(7) and 12(4) of the Public Account Act 1986, additional Recurrent Services and Works and Services expenditure in 2017 18 for the purposes detailed in the Section 19 Return for the June Quarter 2018.

And the Question being put,

It was resolved in the Affirmative.

**12 BILL NO. 45.**— Mr *Dean* brought up the *Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons) Bill 2018*.

And Mr *Dean* having presented the said Bill, the same was read the First time, and ordered to be printed.

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

**13 LEGISLATIVE COUNCIL SELECT COMMITTEE REPORT ON FIREARM LAW REFORMS.**— The Order of the Day was read for resuming the Debate on the Question, That the Report of the Legislative Council Select Committee on Firearm Law Reforms be considered and noted.

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

*Ordered*, That Mr *Dean* have leave to resume his reply to the Debate at the next Sitting.

**14 BILL NO. 23.**— 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 *Anzac Day Observance Act 1929*, and the *Shop Trading Hours Act 1984* and to revoke the *Shop Trading Hours Order 2012*’.

*House of Assembly, 27 September 2018*

S. HICKEY, *Speaker*

**15 BILL NO. 37.**— 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 *Police Offences Act 1935* in relation to consorting and for related purposes’

*House of Assembly, 27 September 2018*

S. HICKEY, *Speaker*

**16 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 *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*’,

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

*House of Assembly, 27 September 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*)

**17 ADJOURNMENT.**— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 9.30 o'clock am on Friday, 19 October 2018. (Mrs *Hiscutt*)

It was resolved in the Affirmative.

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

The Council adjourned at 4.28 o'clock pm.

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

*Briefing:*

- *Residential Tenancy Bill 2018*