



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 2

WEDNESDAY, 20 MARCH 2019

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

2 PAPERS.— The Clerk of the Council laid upon the Table the following Papers:—

- (1) Department of Health: Laboratory Guidelines for Notifiable Water Contaminants
- (2) Report of the Integrity Commission – No. 1 of 2019: Summary report of an assessment of allegations of misconduct by the Hon Sarah Courtney MP (when Minister for DPIPWE and Minister for Racing) and the Secretary of DPIPWE, Dr John Whittington.
- (3) Return Under Section 19 of the Public Account Act 1986: September Quarter 2018
- (4) Boundary Fences Act 1908: Statutory Rules 2018, No. 67, containing Boundary Fences Regulations 2018.
- (5) Poisons Act 1971: Statutory Rules 2018, No. 79, containing Poisons Regulations 2018.
- (6) Electricity Supply Industry Act 1995: Statutory Rules 2018, No. 80, containing Electricity Supply Industry Regulations 2018.
- (7) Poisons Act 1971: Statutory Rules 2018, No. 90, containing Poisons (Application of Uniform Standard) Order 2018.
- (8) Vehicle and Traffic Act 1999: Statutory Rules 2018, No. 93, containing Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment Regulations (No. 2) 2018.
- (9) Water Management Act 1999: Statutory Rules 2019, No. 1, containing Water Management (Electoral and Polling) Regulations 2019.

3 LEAVE TO TABLE GOVERNMENT RESPONSES TO COMMITTEE REPORTS.— *Ordered*, That Mrs *Hiscutt* have leave to Table Government Responses to Committee Reports.

4 GOVERNMENT RESPONSE: SELECT COMMITTEE INQUIRY INTO FUTURE MANAGEMENT OF WATER RIGHTS AND ASSOCIATED ASSETS ADMINISTERED BY TASMANIAN IRRIGATION.— Mrs *Hiscutt* laid upon the Table of the Council the Government's Response to the Select Committee Inquiry into the Future Management of Water Rights and Associated Assets Administered by Tasmanian Irrigation Pty Ltd.

5 GOVERNMENT RESPONSE: GOVERNMENT ADMINISTRATION SUB-COMMITTEE 'B' REPORT ON BLUEBERRY RUST IN TASMANIA.— Mrs *Hiscutt* laid upon the Table of the Council the Government's Response to Government Administration Sub-Committee 'B' Report on Blueberry Rust in Tasmania.

6 STATEMENT BY PRESIDENT: JOINT SITTING TO CHOOSE A SENATOR FOR TASMANIA.— The President said: —

“For completeness of the official record I wish to advise the Council that following the Joint Sitting of the Parliament at 9.30am this day Wendy Anne Askew has been duly chosen to hold a place in the Senate of the Parliament of the Commonwealth of Australia rendered vacant by the resignation of David Bushby.

A copy of the Minutes of the Proceedings of the Joint Sitting will be tabled by the Clerk of the Council when printed.”

7 BILL NO. 40 of 2018.— The Order of the Day was read for the Second reading of the Gas Industry Bill 2018.

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 43 agreed to.

Clause 44 postponed.

Clauses 45 to 72 agreed to.

Clause 73 postponed.

Clauses 74 to 104 agreed to.

Ms *Ratray* in the Chair.

Postponed Clause 44 as read further considered.

Amendment made. (Mr *Dean*)

Page 67, subclause (2), after "may".

Insert ", in writing,".

Clause as amended agreed to.

Postponed Clause 73 as read further considered.

To report progress and seek leave to sit again.

The Council being resumed Ms *Ratray* reported that the Committee had made progress in the Bill, and that she was directed to move that the Committee may have leave to sit again.

Resolved, That the Council will, at a later hour, again resolve itself into the said Committee.

8 BILL NO. 41 of 2018.— The Order of the Day was read for the Second reading of the Gas Safety Bill 2018.

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 105 agreed to.

Clause 106 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. 41 of 2018.— The Council again resolved itself into a Committee on the Gas Safety Bill 2018.

(In the Committee)

Ms Forrest in the Chair.

Clause 106 as read further considered and postponed.

Clauses 107 to 118 agreed to.

To report progress and seek leave to sit again.

The Council being resumed *Ms Forrest* reported that the Committee had made progress in the Bill, and that she was directed to move that the Committee may have leave to sit again.

Resolved, That the Council will, at a later hour, again resolve itself into the said Committee.

12 BILL NO. 42 of 2018.— The Order of the Day was read for the Second reading of the Gas Gas (Consequential Amendments) Bill 2018.

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 32 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*)

13 BILL NO. 57 of 2018.— The Order of the Day was read for the Second reading of the Energy Co-Ordination and Planning Bill 2018.

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.

Motion made (Mrs *Hiscutt*) and the Question put, That the Sitting of the Council be suspended for the purpose of a briefing.

It passed in the Negative.

The Bill was 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 8 agreed to.

Ordered, That Mrs *Hiscutt*, have leave to Table a document “Figure 1:1 Proposed Energy Security Risk Framework & Figure PSL & HRL profiles”.

Ordered, That Mrs *Hiscutt*, have leave to Table a document “Tasmanian Energy Security Monitor and Assessor Monthly Dashboard March 2019 Report”.

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*)

14 BILL NO. 40 of 2018.— The Council, according to Order, again resolved itself into a Committee on the Gas Industry Bill 2018.

(In the Committee)

Ms *Forrest* in the Chair.

Postponed Clause 73 as read further considered.

Amendment made. (Mr *Dean*)

Page 100, after subclause (3).

Insert the following subsection:

(3A) An authorised officer, or a gas officer, must be accompanied by a police officer when entering a place with the authority of a warrant.

Clause as amended agreed to.

Schedule 1 agreed to.

Title agreed to.

Bill to be reported with Amendments.

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 tomorrow. (Mrs *Hiscutt*)

15 BILL NO. 41 of 2018.— The Council, according to Order, again resolved itself into a Committee on the Gas Safety Bill 2018.

(In the Committee)

Ms *Forrest* in the Chair.

Postponed Clause 106 as read further considered.

Amendment made. (Mr *Dean*)

Page 114, after subclause (3).

Insert the following subclause:

(A) An authorised officer or gas safety officer must be accompanied by a police officer when entering a place with the authority of a warrant.

Title agreed to.

Bill to be reported with 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 with Amendment.

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

16 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

17 PREMIER’S ADDRESS.— *Ordered*, That Standing Order No. 10 (2) (a) be suspended to provide for the Premier’s Address to be Tabled without the requirement for the Address to be read again in the Council. (Mrs *Hiscutt*)

Ordered, That Mrs *Hiscutt*, have leave to Table a copy of the Premier’s Address and have the Premier’s Address incorporated into the Hansard record. (Mrs *Hiscutt*)

Ordered, That Mrs *Hiscutt* have leave to Table the documents entitled “Tasmanian Government Second Year Agenda – Building Your Future” and the “Royal Hobart Hospital Site Master Plan Review and Update 2020-2050 Clinical Planning Taskforce Recommendations and Advice”.

A Motion was made (Mrs *Hiscutt*) and the Question was proposed – That the Premier’s Address be noted.

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

18 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council will at its rising adjourn until 2.30 o’clock p.m. on Thursday, 21 March 2019.

A Debate arose thereupon.

The Motion was, by leave, withdrawn.

A Further Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council will at its rising adjourn until 11.00 o’clock a.m. on Thursday, 21 March 2019.

And the Question being put,

It was resolved in the Affirmative.

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

The Council adjourned at 4.29 o'clock p.m.

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

Briefings:

- *Gas Safety, Gas Industry and Gas (Consequential Amendments) Bills 2019* (Bills Nos. 40, 41 and 42)
- *Justice and related Legislation (Marriage Amendments) Bill 2018* (Bill No 47 of 2018)