



TASMANIA

HOUSE OF ASSEMBLY

SESSION OF 2022 - 2023

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 46

TUESDAY, 8 AUGUST 2023

- 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 RESIGNATION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

13 July 2023

The Honourable Mark Shelton MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Mr Speaker,

I have received a letter dated 13 July 2023 from Ms *Cassy O'Connor* MP tendering her resignation as a Member for Clark in the House of Assembly.

I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Yours sincerely,

BARBARA BAKER, *Governor*

- 5 ELECTION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania

1 August 2023

The Honourable Mark Shelton MP
Speaker of the House of Assembly,
Parliament House,
Hobart 7000

Dear Mr Speaker,

I send herewith a Certificate of the Electoral Commissioner stating that a recount has been held under the provisions of Part 9 of the Electoral Act 2004 to fill the vacancy in the Division of Clark caused by the resignation of Ms *Cassy O'Connor* MP.

Following the recount of the resigned member's ballot papers, *Vica Bayley* has been elected to fill the vacancy. The election takes effect from today.

Yours sincerely,

BARBARA BAKER, *Governor*

6 MEMBER AFFIRMS – *Vica Bayley*, Member for the Division of Clark subscribed to the Affirmation of Allegiance.

7 MEMBER SUBSCRIBES TO THE CODE OF CONDUCT. – *Vica Bayley*, Member for the Division of Clark subscribed to the Code of Conduct.

8 CLERK-ASSISTANT AND SERGEANT-AT-ARMS: APPOINTMENT OF. – Mr Speaker said, “I have to inform the House that on my recommendation, Her Excellency the Governor has appointed Benjamin Foxe as Clerk-Assistant and Sergeant-at-Arms effective from 2 August 2023.”

9 SPEAKER'S STATEMENT. – The Speaker made the following statement to the House:-

“I wish to advise Members that the division bells system has malfunctioned in some areas of the building. I can assure the House all resources have been directed to address this matter, but until this issue is rectified, I propose that the House adopt procedures previously used in similar circumstances which would require that in the event a division is called, or a quorum call made, I would leave the Chair until the Clerk has reported to me that all Members are present in the case of a division (excepting Pair arrangements), or that a quorum is present.

I have requested the Leader of the House to move the relevant motions to establish this during other formal business.

I will advise the House when the division bells are restored.”

10 MINISTERIAL APPOINTMENTS. – The Premier made the following statement to the House:-

“On 23 July I made the following appointments to Ministers of the Crown:

In addition to Premier, I hold the responsibilities as Minister for State Development, Trade and the Antarctic; Minister for Tourism and Hospitality; and Minister for Mental Health and Wellbeing.

Hon. *Michael Ferguson* MP is Deputy Premier; Treasurer; Minister for Infrastructure and Transport; and Minister for Planning.

Hon. *Elise Archer* MP is Attorney-General; Minister for Justice; Minister for Corrections and Rehabilitation; Minister for Workplace Safety and Consumer Affairs; and Minister for the Arts.

Hon. *Guy Barnett* MP is Minister for Health; Minister for Energy and Renewables; and Minister for Veterans' Affairs.

Hon. *Felix Ellis* MP is Minister for Police, Fire and Emergency Management; Minister for Skills, Training and Workforce Growth; Minister for Resources; and Minister for Racing.

Hon. *Roger Jaensch* MP is Minister for Education, Children and Youth; Minister for Environment and Climate Change; Minister for Parks; and Minister for Aboriginal Affairs.

Hon. *Madeleine Ogilvie* MP is Minister for Small Business; Minister for Advanced Manufacturing and Defence Industries; Minister for Science and Technology; Minister for Heritage; and Minister for Women and the Prevention of Family Violence.

Hon. *Jo Palmer* MLC is Minister for Primary Industries and Water; Minister for Community Services and Development; and Minister for Disability Services.

Hon. *Nic Street* MP is Minister for Housing and Construction; Minister for Local Government; Minister for Sport and Recreation; and Minister for Stadia and Events. Mr *Street* also remains Leader of the House.

11 TASMANIAN GREENS APPOINTMENTS. – Dr *Woodruff* made the following statement to the House.

“Following Ms O'Connor's resignation as the member for Clark and the election of Vica Bayley as the new member for Clark, I advise the House that I am the Leader of the Tasmanian Greens.”

12 PAPERS. – Dr *Woodruff*, *by leave*, tabled a document advising of the Tasmanian Parliamentary Greens Shadow Portfolios.

13 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice were asked.

14 PAPERS. – The Premier laid upon the Table of the House the following Papers:-

- (1) Letter dated 8 August 2023 to the Premier from the Secretary of the Department of Premier and Cabinet listing documents regarding the proposed Stadium that have Cabinet-in-Confidence privilege held by the Department of State Growth, the Department of Treasury and Finance and the Department of Premier and Cabinet.
- (2) Production of Cabinet Documents: Report to Parliament, Department of Premier and Cabinet.
- (3) Letter dated 12 July 2023 to the Prime Minister and Minister for Climate Change and Energy from the Treasurer and Minister for Energy and Renewables regarding the Marinus Link Project.

15 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-

- (1) Information in support of decision to approve a Request for Additional Funds in accordance with Section 21 (3) of the Financial Management Act 2016 – Mallee Resources Ltd.
- (2) Response to Petition No. 3 of 2023.

16 PAPERS. – The Minister for Local Government laid upon the Table of the House the following Papers:-

- (1) Land Acquisition Act 1993 (Notice of Acquisition pursuant to Section 18):
 - (i) Dated 10 May 2023, land situate in the of Parish of Kingborough, Municipal Area of Kingborough, Lot 3 on Title Volume 176460 Folio 1 registered in the name of Challenger Life Nominees Pty Ltd for road purposes;
 - (ii) Dated 1 June 2023, land situate in the of Parish of Kingborough, Municipal Area of Kingborough, Lot 4, Title Volume 58618 Folio 0 registered in the name of Owners of No. 32-34 Channel Highway Kingston for road purposes;
- (2) Land Acquisition Act 1993 (Section 22) Revocation of Notice of Acquisition:

- (i) Dated 26 June 2023, land situate in Rokeby, Municipal Arm of Clarence, Lot 1 on Register Volume 24992 registered in the names Timothy John Williams and Sally Louise Williams for road purposes – Revocation.

17 PAPERS. – The Minister for Health laid upon the Table of the House the following Paper:-

Tasmanian Health Service: Annual Service Plan 2023-24.

18 PUBLIC WORKS COMMITTEE: REPORTS BROUGHT UP. – Mr *Tucker* brought up the following Report of the Parliamentary Standing Committee of Public Accounts:-

- (1) West Tamar Highway Duplication (Paper No. 10).
- (2) Royal Hobart Hospital Pharmacy Expansion Project (Paper No. 11).
- (3) Launceston General Hospital Elevated Helicopter Landing (Paper No. 12).
- (4) Major Redevelopment of Cambridge Primary School (Paper No. 13).

Ordered, That the said Reports be received. (Mr *Tucker*)

19 MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor :-

MESSAGE.

B. BAKER, *Governor*.

A Bill for an Act to amend the Coroners Act 1995 and the Legal Profession Act 2007 (Bill No. 3 (*Act No. 8 of 2023*))

having been presented to the Governor for the Royal Assent, she has, in the name of His Majesty the King, assented to the said Bill.

Government House, Hobart, 23 June 2023.

20 MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor :-

MESSAGE.

B. BAKER, *Governor*.

A Bill for an Act for the appropriation of \$7 398 397 000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2024 (Bill No. 9 (*Act No. 11 of 2023*))

A Bill for an Act for the appropriation of \$47 225 000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2024 (Bill No. 10 (*Act No. 12 of 2023*))

having been presented to the Governor for the Royal Assent, she has, in the name of His Majesty the King, assented to the said Bills.

Government House, Hobart, 7 July 2023.

21 MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor :-

MESSAGE.

B. BAKER, *Governor.*

A Bill for an Act to amend the Building Act 2016, the Building Regulations 2016, the Occupational Licensing Act 2005, the Occupational Licensing (Building Services Work) Regulations 2016, the Residential Building Work Contracts and Dispute Resolution Act 2016 and the Tasmanian Civil and the Administrative Tribunal Act 2020 (Bill No. 44 of 2022 (*Act No. 9 of 2023*))

A Bill for an Act to amend the Corrections Act 1997 (Bill No. 51 of 2022 (*Act No. 10 of 2023*))

A Bill for an Act to amend the Duties Act 2001 and the First Home Owner Grant Act 2000 (Bill No. 11(*Act No. 13 of 2023*))

having been presented to the Governor for the Royal Assent, she has, in the name of His Majesty the King, assented to the said Bills.

Government House, Hobart, 12 July 2023.

22 BILL NO. 51 of 2022. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment to a Bill, intituled - "A Bill for an Act to amend the Corrections Act 1997".

Legislative Council, 27 June 2023.

C.M. FARRELL, *President.*

23 BILL NO. 9. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council having this day agreed, without Request and without Amendment, to a Bill, intituled - "A Bill for an Act for the appropriation of \$7 398 397 000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2024",

now returns the same to the House of Assembly.

Legislative Council, 28 June 2023.

C.M. FARRELL, *President.*

24 BILL NO. 10. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has this day agreed, without Request to a Bill, intituled - "A Bill for an Act for the appropriation of \$47 225 000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2024".

Legislative Council, 28 June 2023.

C.M. FARRELL, *President.*

25 BILL NO. 11. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council having this day agreed, without Amendment, to a Bill intituled - "A Bill for an Act to amend the Duties Act 2001 and the First Home Owner Grant Act 2000".

Legislative Council, 28 June 2023.

C.M. FARRELL, *President.*

26 BILL NO. 15. – The Minister for Justice presented -

“A Bill for an Act to amend the Victims of Crime Assistance Act 1976.”

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

27 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Housing and Construction have leave to make a Motion without Notice. (The Minister for Housing and Construction)

28 SUSPENSION OF STANDING ORDERS. - *Ordered* - That so much of Standing Orders be suspended concerning the ringing of the Division Bells in relation to divisions, quorum calls and the resumption of proceedings following a suspension and that until the bells system is restored the following temporary arrangements be made:-

- (a) having made the call that a division or that a quorum is required, the Speaker leave the Chair (unless all Members are present); and
- (b) once the Clerk of the House has reported to the Speaker that all Members are present in the case of a division (excepting any Pair arrangements) or that a quorum is present, the Speaker would resume the Chair and proceed in the usual way, that is, by locking the doors in the case of a division, and resuming proceedings once a quorum is present. (The Minister for Housing and Construction)

29 LEAVE TO MAKE MOTIONS WITHOUT NOTICE. - *Ordered*, That the Minister for Housing and Construction have leave to make a Motion without Notice. (The Minister for Housing and Construction)

30 SUSPENSION OF STANDING ORDERS. - *Ordered* - That so much of Standing Orders be suspended to permit a debate on the adoption of sessional orders forthwith (The Minister for Housing and Construction)

31 SESSIONAL ORDERS. – A Motion being made and the Question being proposed – That the following Sessional Orders be adopted for the remainder of this Session:-

- (1) In Standing Order 42, leave out all the words after “Unless otherwise ordered,” and insert instead:-

- (a) *Private Members’ Business will have priority from 12 noon till 6.00 p.m. on Wednesdays.*
- (b) *Private Members’ Business which has been on the Notice Paper for the period required by the Standing Orders may be called on by the Member or a Member of the group which has been allocated time pursuant to the following weekly rotations:—*

WEEK ONE

*12.00 noon to 1.00 p.m. The Independent Member for Lyons
2.30 p.m. to 3.30 p.m. Greens Members
3.30 p.m. to 5.00 p.m. Opposition Members
5.00 p.m. to 6.00 p.m. Government Private Members*

WEEK TWO

*12.00 noon to 1.00 p.m. The Independent Member for Clark
2.30 p.m. to 3.30 p.m. Government Private Members
3.30 p.m. to 5.00 p.m. Opposition Members
5.00 p.m. to 6.00 p.m. Greens Members*

WEEK THREE

12.00 noon to 1.00 p.m. The Independent Member for Franklin
2.30 p.m. to 3.30 p.m. Greens Members
3.30 p.m. to 5.00 p.m. Opposition Members
5.00 p.m. to 6.00 p.m. Government Private Members

WEEK FOUR

12.00 noon to 1.00 p.m. The Independent Member for Bass
2.30 p.m. to 3.30 p.m. Government Private Members
3.30 p.m. to 5.00 p.m. Opposition Members
5.00 p.m. to 6.00 p.m. Greens Members

- (d) *the Member calling on an item in Private Members' Business may, in doing so, state that at the conclusion of that time for the debate on that day, the matter be voted upon.*
- (e) *at the commencement of the time allocated for a Member or a group's Private Members' Business, the Whip, the Member, or any other Member of that group, may indicate to the Speaker that its time be waived, in which case, the House shall immediately proceed with Government Business for that allocation of time.*
- (2) In Standing Order 76, leave out paragraph (4), and insert instead the following paragraph:

- (4) *On Tuesdays and Wednesdays priority shall be given to the Opposition to raise a Matter of Public Importance and on Thursdays priority shall be given pursuant to the following rotation:*

WEEK A	Independent Members
WEEK B	Greens Members
WEEK C	Greens Members
WEEK D	Government Members
WEEK E	Greens Members
WEEK F	Greens Members

- (3) After Sessional Order 48A, insert the following Sessional Order:

48B Maximum time for Questions and answers

- 1. Notwithstanding the provisions of Standing Order 48, the Speaker shall ensure the time taken to ask a Question does not exceed one minute, and the time taken to answer a Question does not exceed four minutes.*
 - 2. If a Point of Order is taken during a Question or during an answer, the Speaker has discretion to order that the timing on the clock be paused.*
- (4) In Standing Order 324, leave out "three" and insert instead "five".

Amendment proposed (Dr *Woodruff*)

To insert the following after paragraph (4):

(5) In Standing Order 115, omit subparagraph (v) of paragraph (1), and insert instead:

“(v) the Leader of a Party other than the Government or the Opposition, or if absent or waive the right under this proviso, another Member of that Party nominated by the Leader to the Speaker for the purpose in respect of the bill, Motion, Question or Matter being then considered by the House; and

(vi) an independent Member.”

A Debate arose thereupon.

And the Question being put – That the Amendment be agreed to;

The House divided.

AYES 3

Ms Johnston

Dr Woodruff

Mr Bayley (Teller)

NOES 21

Mrs Alexander

Ms Archer

Mr Barnett

Dr Broad

Ms Butler

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mr Rockliff

Mr Street

Mr Tucker

Ms White

Mr Winter

Mr Young

Mr Wood (Teller)

So it passed in in the Negative.

Amendments proposed (Mr *Tucker*)

(1) In paragraph (1), following “Week 2”, by leaving out the words “12.00 noon to 1.00 p.m. The Independent Member for Clark”.

(2) In paragraph (1), in the section titled “Week 2”, by leaving out the words “Greens Members” and inserting instead “the Independent Member for Clark”.

(3) In paragraph (1), following “Week 4”, by leaving out the words “12.00 noon to 1.00 p.m. The Independent Member for Bass”

(4) In paragraph (1), in the section titled ‘Week 4’, by leaving out the words ‘Greens Members’ and inserting instead ‘the Independent Member for Bass’

(5) In paragraph (4) by leaving out the Table and inserting instead:

<i>WEEK A</i>	Independent Member for Bass
<i>WEEK B</i>	Greens Members
<i>WEEK C</i>	Independent Member for Franklin
<i>WEEK D</i>	Government Members
<i>WEEK E</i>	Greens Members
<i>WEEK F</i>	Independent Member for Lyons
<i>WEEK G</i>	Independent Member for Clark

And the Question being put – That the Amendment be agreed to;

It passed in the Negative.

And the Main Question being again proposed, the House resumed the Debate.

Amendment proposed (Ms *Johnston*)

In paragraph (2) by leaving out the table and inserting instead:

<i>WEEK A</i>	Independent Member for Bass
<i>WEEK B</i>	Greens Members
<i>WEEK C</i>	Independent Member for Franklin
<i>WEEK D</i>	Government Members
<i>WEEK E</i>	Greens Members
<i>WEEK F</i>	Independent Member for Lyons
<i>WEEK G</i>	Independent Member for Clark

And the Question being put – That the Amendment be agreed to;

The House divided.

AYES 12

Mrs *Alexander*
Dr *Broad*
Ms *Butler*
Ms *Dow*
Ms *Finlay*
Ms *Johnston*
Mr *O'Byrne*
Ms *O'Byrne*
Mr *Tucker*
Ms *White*
Mr *Winter*
Ms *Haddad* (Teller)

NOES 12

Ms *Archer*
Mr *Barnett*
Mr *Bayley*
Mr *Ellis*
Mr *Ferguson*
Mr *Jaensch*
Ms *Ogilvie*
Mr *Rockliff*
Mr *Street*
Dr *Woodruff*
Mr *Young*
Mr *Wood* (Teller)

SPEAKER GIVES CASTING VOTE. – The Speaker said: 'The numbers being equal, in accordance with Standing Order 167 I cast my vote with the Noes.'

So it passed in the Negative.

And the Main Question being put;

It was resolved in the Affirmative.

32 COMMITTEE MEMBERSHIP. - *Ordered*, That:

- (1) Mr *Wood* and Mr *Bayley* and be appointed to serve on the Standing Orders Committee in accordance with Standing Order 324.
- (2) Mr *Bayley* be appointed to serve on the Committee of Privileges and Conduct in accordance with Standing Order 325.
- (3) Dr *Woodruff* be appointed to serve on the Joint Sessional Committee on Workplace Culture Oversight. (The Minister for Housing and Construction)

33 COMMITTEE APPOINTMENTS. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly has appointed Dr *Woodruff* to serve on the Joint Sessional Committee on Workplace Culture Oversight.

House of Assembly, 8 August 2023.

MARK SHELTON, *Speaker*.

34 LEAVE TO MAKE MOTION WITHOUT NOTICE. - A Motion being made and the Question being proposed - That Ms *White* have leave to make a Motion without Notice. (Ms *White*)

A Debate arose thereupon.

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

36 LEAVE TO MAKE MOTION WITHOUT NOTICE. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

37 **SUSPENSION OF STANDING ORDERS.** – A Motion being made and the Question being proposed - That so much of Standing Orders be suspended as would prevent a Motion censuring the Minister for Energy and Renewables from being brought on for debate forthwith. (*Ms White*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 14

Mrs Alexander
Mr Bayley
Dr Broad
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Mr Tucker
Ms White
Mr Winter
Dr Woodruff
Ms Butler (Teller)

NOES 10

Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Street
Mr Young
Mr Wood (Teller)

The Speaker said – “This Motion requires a two-thirds majority to be agreed to, so the Question therefore passes in the Negative.”

38 **MATTER OF PUBLIC IMPORTANCE: TASMANIA’S HOUSING CRISIS.** – *Ms Haddad*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Tasmania’s Housing Crisis.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

39 **BILL NO. 14.** – The State Policies and Projects Bill 2023 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)

Clauses 1 to 3 agreed to.

Clause 4 read.

Amendment proposed (Dr Woodruff)

Page 4

Leave out all words after “following”

Insert instead –

“subsection:

(3A) An order under subsection (2) in respect of a project of State significance –

(a) may include the requirement that an order made under section 26 in respect of the project is of no effect until the order under section 26 has been approved, under that section, by resolution of each House of Parliament; and

(b) must include the requirement referred to in paragraph (a) if –

(i) one or more of the persons proposing the project of State significance is –

(A) the Crown in right of Tasmania including, but not limited to, an Agency within the meaning of the *Financial Management Act 2016*; or

(B) an entity within the meaning of the *Financial Management Act 2016*;

or;

(ii) the project involves a proposed use or development on –

(A) public land, within the meaning of the *Public Land (Administration and Forests) Act 1991*; or

(B) land in the State vested in a council, within the meaning of the *Local Government Act 1993*.”

To report progress and ask leave to sit again.

The House being resumed, Mr *Tucker* reported that the Committee had made progress in the Bill, and had directed him to ask leave to sit again.

Resolved, That this House will, on tomorrow, again resolve itself into the said Committee.

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

The House adjourned at forty-six minutes past Six o'clock.

LAURA ROSS, *Clerk of the House*.

MEMBERS. – All present during the day.

The Minister for Primary Industries and Water, Minister for Community Services and Development, and Minister for Disability Services attended Question Time.