



TASMANIA

# HOUSE OF ASSEMBLY

SESSION OF 2022 - 2023

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 48

THURSDAY, 10 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 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice commenced.
- 5 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Lyons, Ms *Butler*, to withdraw from the House until Twelve noon, owing to repeated interjections
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued.
- 7 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Braddon, Dr *Broad*, to withdraw from the House until Twelve noon, owing to repeated interjections.
- 8 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 9 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-
  - (1) Animal Welfare Act 1993:
    - (a) Animal Welfare (General) Regulations (No. 2) 2023 (Statutory Rules 2023, No. 52);
    - (b) Animal Welfare (Pigs) Regulations (No. 2) 2023 (Statutory Rules 2023, No. 51);
    - (c) Animal Welfare (Domestic Poultry) Regulations (No. 2) 2023 (Statutory Rules 2023, No. 53); and
    - (d) Animal Welfare (Transport of Livestock) Regulations (No. 2) 2023 (Statutory Rules 2023, No. 50).
- 10 PAPERS. – The Deputy Premier laid upon the Table of the House the following Paper:-

Tasmanian Economic Regulator: Report on the State of the Tasmanian Water and Sewerage Industry 2021-22.
- 11 PAPERS. – The Minister for Education, Children and Youth laid upon the Table of the House the following Papers:-

- (1) Child Care Act 2001: Child Care (Fees) Regulations 2023, (Statutory Rules 2023, No. 23).
- (2) Education and Care Services National Law: Education and Care Services National Amendment Regulations 2023.

**12** BILL NO. 16. – The Deputy Premier presented -

“A Bill for an Act to amend the Criminal Code Act 1924.”

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

**13** MATTER OF PUBLIC IMPORTANCE: COMMUNITY SERVICES. – Mrs *Alexander* in accordance with Standing Orders, moved - That the House take note of the following matter:

Community Services.

And the Question being put;

It was resolved in the Affirmative.

**14** MINISTERIAL STATEMENT: COMMISSION OF INQUIRY. – The Premier made a Statement to the House in relation to the Commission of Inquiry into the Tasmanian Government’s Response to Child Sexual Abuse in Institutional Settings.

**15** MINISTERIAL STATEMENT NOTED. – A Motion was made and the Question proposed – That the Ministerial Statement made by the Premier be noted. (Ms *White*)

A Debate arose thereupon.

And the Question being put.

It was resolved in the Affirmative.

**16** BILL NO. 14. - The House, according to Order, again resolved itself into a Committee on the State Policies and Projects Amendment Bill 2023.

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(In the Committee)

Mr *Wood* took the Chair.

Amendment to Clause 4 further considered;

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Leave out everything 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*.” (Dr Woodruff)

A Debate arose thereupon.

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

The Committee divided.

AYES 3

NOES 17

Ms Johnston

Mrs Alexander

Dr Woodruff

Mr Barnett

Mr Bayley (Teller)

Ms Butler

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms Ogilvie

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Young

Mr Winter (Teller)

So it passed in the Negative.

Clause 4, as read, agreed to.

Clause 5 agreed to.

New Clause A was brought up by Ms *White* and read a First Time as follows:-

New Clause A

A. Repeal of Act

The clauses of this Act will be repealed and cease to have effect three years from the date on which the Act receives Royal Assent.

A Debate arose thereupon.

SUSPENSION OF SITTING. – At One o'clock the Deputy Chair of Committees left the Chair. At half-past Two o'clock the Chair of Committees resumed the Chair.

The Committee resumed the Debate.

An Amendment to New Clause A was proposed (Dr *Woodruff*)

Leave out the words "The clauses of this Act will be repealed and cease to have effect three years from the date on which the Act receives Royal Assent."

And insert instead "This Act is repealed on the first anniversary of the day on which this Act received the Royal Assent"

A Debate arose thereupon.

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

The Committee divided.

AYES 10

Mr *Bayley*  
Ms *Butler*  
Ms *Finlay*  
Ms *Haddad*  
Ms *Johnston*  
Mr *O'Byrne*  
Ms *O'Byrne*  
Ms *White*  
Dr *Woodruff*  
Mr *Winter* (Teller)

NOES 10

Mrs *Alexander*  
Mr *Barnett*  
Mr *Ellis*  
Mr *Ferguson*  
Mr *Jaensch*  
Ms *Ogilvie*  
Mr *Rockliff*  
Mr *Shelton*  
Mr *Young*  
Mr *Wood* (Teller)

PAIRS

Dr *Broad*  
Ms *Dow*

Ms *Archer*  
Mr *Street*

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

And the Question being put;

That New Clause A be read a Second time and made a part of the Bill to follow Clause 5;

It passed in the Negative.

Title agreed to  
Bill to be reported without Amendment.

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The House being resumed, Mr *Tucker* reported that the Committee had gone through the Bill, and had directed him to report the same to the House without Amendment.

*Ordered*, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

**17** BILL NO. 14. - 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 State Policies and Projects Act 1993”,

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

*House of Assembly, 10 August 2023.*

MARK SHELTON, *Speaker*.

**18** BILL NO. 7. - The Vehicle and Traffic (Regulatory Reforms) Amendment Bill 2023 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.

**19** BILL NO. 7. - 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 Vehicle and Traffic Act 1999 and the Road Rules 2019”,

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

*House of Assembly, 10 August 2023.*

MARK SHELTON, *Speaker*.

**20** BILL NO. 5. - The Order of the Day being read for the Second reading of the Guardianship and Administration Amendment Bill 2023.

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

A debate arose thereupon.

*Ordered*, That the Debate be adjourned till tomorrow. (Mr *Wood*)

**21** ADJOURNMENT. – A Motion being made - That the House do now adjourn (The Minister for Small Business)

The Speaker proposed – That the House do now adjourn and called for issues to be raised.

The House adjourned at eight minutes past Six o'clock.

LAURA ROSS, *Clerk of the House*.

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MEMBERS. – All present during the day except Ms *Archer* and Mr *Street*.

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