



HOUSE OF ASSEMBLY
SESSION OF 2022 - 2023
(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 50

WEDNESDAY, 16 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 were asked.
- 5 **PAPERS.** - The Minister for Health laid upon the Table of the House the following Papers:-

(1) Land Acquisition Act 1993 (Notice of Acquisition pursuant to Section 18):

- (i) Dated 13 April 2023, land situate in the of Town of Prospect Vale, Municipal Area of Meander Valley, Lot 3 on SP8355 registered in the name of Meander Valley Council for road purposes;
- (ii) Dated 13 April 2023, land situate in the of Town of Prospect Vale, Municipal Area of Meander Valley, Lot 2 on Sealed Plan SP8355 registered in the name of Meander Valley Council for road purposes.

- 6 **BILL NO. 19.** - The Minister for Resources presented -

"A Bill for an Act to amend the Forest Practices Act 1985 and the Private Forests Act 1994."

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

- 7 **MATTER OF PUBLIC IMPORTANCE: BROKEN PROMISES.** - Ms *Dow* in accordance with Standing Orders, moved - That the House take note of the following matter:

Broken Promises.

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

- 8 **BILL NO. 2.** - 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 Police Offences Act 1935",

9 BILL NO. 17. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Tuesday, 15 August 2023 - That the Housing Land Supply Amendment Bill 2023 be now read the Second time;

And the Question being again proposed;
The House resumed the said adjourned Debate.

And Ms *Haddad* was addressing the Chair.

10 SELECT COMMITTEE ON THE OFFICE OF RACING INTEGRITY. – A Motion being made and the Question being proposed— That:—

- (1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon:—
 - (a) the effectiveness and appropriateness of the Office of Racing Integrity, including its:—
 - (i) powers and functions;
 - (ii) complaint processes and the conduct of investigations;
 - (iii) regulatory compliance matters;
 - (iv) communication and relationships with stakeholders including TasRacing, industry participants, and the Minister for Racing;
 - (b) the appropriateness and workability of the Monteith recommendations; and
 - (c) any other matters incidental thereto.
- (2) The Members to serve on the Committee shall be five, being:—
 - (a) the Mover;
 - (b) one from the Government, nominated by the Leader of the House;
 - (c) one from the Opposition, nominated by the Leader of the Opposition;
 - (d) one from the Tasmanian Greens, nominated by the Leader of the Tasmanian Greens; and
 - (e) one Independent Member, nominated by the Mover.
- (3) The Committee shall report by 28 February 2024. (Ms *Johnston*)

A Debate arose thereupon.

And the Question being put;

The House divided.

AYES 4

Mrs Alexander
Ms Johnston
Dr Woodruff
Mr Bayley (Teller)

NOES 19

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 Street
Mr Tucker
Ms White
Mr Winter
Mr Young
Mr Wood (Teller)

So it passed in in the Negative.

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

12 PRIVATE MEMBERS BUSINESS. – In accordance with Standing Order 42, the Deputy Premier indicated that the Government Members' Private Members' Business for this day's sitting would be waived.

13 BILL NO. 17. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Tuesday, 15 August 2023 - That the Housing Land Supply Amendment Bill 2023 be now read the Second time;

And the Question being again proposed;
The House resumed the said adjourned Debate.

And the Question being put;
Ordered, That the Bill be now read the Second time.

And the Bill was, accordingly, 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)

Mr Wood took the Chair.

Clauses 1 to 3 agreed to.

Clause 4 read.

Amendment proposed (Mr Bayley)

Page 4, proposed section 4, paragraph (a) (1A).

Leave out “2033”

Insert instead “2026”

A Debate arose thereupon.

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

The Committee divided.

AYES 3

Ms Johnston

Dr Woodruff

Mr Bayley (Teller)

NOES 19

Mrs Alexander

Ms Archer

Mr Barnett

Dr Broad

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Ms Haddad

Mr Jaensch

Mr O’Byrne

Ms O’Byrne

Ms Ogilvie

Mr Shelton

Mr Street

Mr Tucker

Ms White

Mr Young

Mr Winter (Teller)

So it passed in the Negative.

To report progress and ask leave to sit again.

The House being resumed, Mr *Wood* 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.

14 ENERGY PROJECTS. – A Motion being made and the Question being proposed—That the House:—

(1) Notes:—

(a) the letter sent by the Deputy Premier, Hon. *Michael Ferguson* MP and the Minister for Energy and Renewables, Hon. *Guy Barnett* MP, to the Prime Minister, Hon. Anthony Albanese MP on 12 July 2023, in which they state the cost of Marinus link has “increased materially”, and that Marinus Link Pty Ltd has indicated “further increases are likely”;

- (b) the letter outlines the North West Transmission Developments and the Battery of the Nation projects “are also subject to cost escalation”; and
 - (c) the letter outlines the Tasmanian Government’s concern that these projects are currently “not able to be effectively managed within the fiscal capacity of the Tasmanian Budget”.
- (2) Orders the Minister for Energy and Renewables, Hon. *Guy Barnett* MP to outline to the House, before 6pm on 16 August 2023, the latest cost estimates for:—
- (a) Marinus Link;
 - (b) North West Transmission Developments; and
 - (c) Battery of the Nation projects. (*Mr Winter*)

A Debate arose thereupon.

Amendment proposed (The Minister for Energy and Renewables)

Leave out paragraph (2) and insert instead:

- (2) Notes the Tasmanian Government, recognising probity, commits to table the cost estimates for each of the below projects following the completion of all relevant procurement processes:—
- (a) Marinus Link;
 - (b) North West Transmission Developments; and
 - (c) Battery of the Nation projects.

A Debate arose thereupon.

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

The House divided.

AYES 9

NOES 13

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

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

PAIRS

Mr Rockliff

Ms Butler

So it passed in the Negative.

And the Main Question being put;

The House divided.

AYES 13

NOES 9

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

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

PAIR

Ms Butler

Mr Rockliff

It was resolved in the Affirmative.

15 BILL NO. 22 of 2021. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Public Interest Disclosures (Members of Parliament) Bill 2021.

(In the Committee)

Amendments

Clause 4

Page 4, paragraph (a), proposed new subsection (4).

Leave out the proposed new subsection.

Insert instead the following proposed new subsection:

- (4) A disclosure that relates to a member of Parliament –
 - (a) who is a member of the Legislative Council is to be made to the President of the Legislative Council, the Ombudsman or the Integrity Commission;
or
 - (b) who is a member of the House of Assembly is to be made to the Speaker of the House of Assembly, the Ombudsman or the Integrity Commission.

Clause 5

Page 4.

Leave out the clause.

Clause 6

Page 4

Leave out the clause.

Clause 8

Page 5.

Leave out the clause.

Clause 9

Page 5.

Leave out the clause.

Clause 10

Page 5.

Leave out the clause.

New Clause A

To follow clause 4.

A. Section 29CA inserted

After section 29C of the Principal Act, the following section is inserted:

29CA. Action by Integrity Commission if disclosure relates to member of Parliament

- (1) Subject to subsection (2), if a disclosure is made to the Integrity Commission in accordance with Part 2 or if referred to the Integrity Commission under section 29B, the Integrity Commission may, if the disclosure relates to a member of Parliament who –
 - (a) is a member of the Legislative Council – refer the disclosure to the President of the Legislative Council to be dealt with as if it were a disclosure made to the President of the Legislative Council in accordance with Part 2; or
 - (b) is a member of the House of Assembly – refer the disclosure to the Speaker of the House of Assembly to be dealt with as if it were a disclosure made to the Speaker of the House of Assembly in accordance with Part 2.
- (2) The Integrity Commission may only refer under subsection (1) a disclosure with the consent of the person who made the disclosure, unless the person did not provide with the disclosure information that enables the person to be contacted.
- (3) The Integrity Commission is not required to take any further action in relation to a disclosure made by a person to the Integrity Commission in accordance with Part 2 or referred to the Integrity Commission under section 29B, if –
 - (a) the disclosure relates to a member of Parliament; and
 - (b) the Integrity Commission is satisfied that it is not appropriate for the Integrity Commission –

- (i) to deal with the disclosure under the Integrity Commission Act 2009;
or
- (ii) to refer the disclosure to the Ombudsman or a public body under section 29A(b) or 29C(b); and
- (c) the consent of the person to a referral of the disclosure under subsection (2) has not been obtained –
 - (i) within a reasonable period after the Integrity Commission requested consent from the person; or
 - (ii) because the person did not provide with the disclosure information that enables the person to be contacted.
- (4) Nothing in this section is to be taken to limit the application of section 29A(b), or section 29C(b), to a disclosure that is made in relation to a member of Parliament.

New Clause B

To follow clause 4.

B. Section 29D amended (Notice of referral)

Section 29D(2) of the Principal Act is amended by inserting “or section 29CA” after “section 29C”.

New Clause C

To follow clause 4.

C. Section 36 inserted

After section 35 of the Principal Act, the following section is inserted:

36. Referral to Ombudsman of disclosures in relation to members of Parliament

If a person makes a disclosure to the President of the Legislative Council or the Speaker of the House of Assembly in accordance with Part 2, the President or the Speaker may refer the disclosure to the Ombudsman.

New Clause D

To follow clause 4.

D. Section 37 amended (Determination by Ombudsman)

Section 37 of the Principal Act is amended –

- (a) by omitting “under this Division” from subsection (1) and substituting “under section 36”;
- (b) by omitting “the public body that referred the disclosure under this Division” from subsection (2) and substituting “the person who referred the disclosure under section 36”.

New Clause E

To follow clause 4.

E. Section 42A inserted

After section 42 of the Principal Act, the following section is inserted:

42A. Referral of public interest disclosures in relation to members of Parliament

- (1) The Ombudsman may, if a disclosed matter relates to a member of Parliament who –
- (a) is a member of the Legislative Council – refer the disclosed matter to the President of the Legislative Council to investigate; or
 - (b) is a member of the House of Assembly – refer the disclosed matter to the Speaker of the House of Assembly to investigate –

if the Ombudsman considers it appropriate to do so and the person who made the disclosure to which the disclosed matter relates consents to the referral, unless the person did not provide with the disclosure information that enables the person to be contacted.

- (2) The Ombudsman is not required to investigate a disclosed matter if –
- (a) the disclosed matter relates to a member of Parliament; and
 - (b) the Ombudsman is satisfied that the disclosed matter cannot be appropriately dealt with under this Act; and
 - (c) the consent of the person to a referral of the disclosed matter under subsection (1) has not been obtained –
 - (i) within a reasonable period after the Ombudsman requested consent from the person; or
 - (ii) because the person did not provide with the disclosure, to which the disclosed matter relates, information that enables the person to be contacted.

New Clause F

To follow clause 4.

F. Section 46 amended (Notice of investigation)

Section 46(2) of the Principal Act is amended –

- (a) by inserting “(other than a member of Parliament)” after “public officer” in paragraph (a); and
- (b) by inserting after paragraph (a) the following paragraph:
 - (ba) if the disclosed matter relates to –
 - (i) a member of the House of Assembly, the Speaker of the House; or
 - (ii) a member of the Legislative Council, the President of the Council;
or

New Clause G

To follow clause 4.

G. Section 53 amended (Consultation and comment)

Section 53 of the Principal Act is amended –

(a) by inserting “(other than a member of Parliament)” after “public officer” in paragraph (a); and

(b) by inserting after paragraph (a) the following paragraph:

(ba) in the case of a public officer who is –

(iii) a member of the House of Assembly, the Speaker of the House; and

(iv) a member of the Legislative Council, the President of the Council;
or

New Clause H

To follow clause 4.

H. Section 56 amended (Report on investigation)

Section 56(2) of the Principal Act is amended -

(c) by inserting “(other than a member of Parliament)” after “public officer” in paragraph (a); and

(d) by inserting after paragraph (a) the following paragraph:

(ba) in the case of a public officer who is –

(i) a member of the House of Assembly, the Speaker of the House; and

(ii) a member of the Legislative Council, the President of the Council;
or

Amendments agreed to.

Resolution to be reported.

The House being resumed, Mrs *Alexander* reported that the Committee had considered the Amendments to it referred, and had come to a certain Resolution which was read as follows:-

To agree to the Amendments of the Legislative Council.

Resolved, That the said Resolution be agreed to. (Dr *Woodruff*)

16 BILL NO. 22 of 2021. - A message to the Legislative Council:-

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 Public Interest Disclosures Act 2002 to require disclosures in relation to members of Parliament to be made to the Ombudsman or Integrity Commission, and to allow disclosures in relation to staff of members of Parliament to be made to the Integrity Commission”.

House of Assembly, 16 August 2023.

MARK SHELTON, *Speaker*.

17 NATIVE FORESTS. – A Motion being made and the Question being proposed —That the House:—

- (1) Notes Tasmania’s native forests are some of the most carbon-dense living ecosystems on Earth.
- (2) Understands clearfelling and burning of state-owned native forests releases 4.65 million tonnes of carbon a year, and is the biggest polluting sector in our economy.
- (3) Recognises we’re in a climate heating emergency, with fires, droughts and tornados imperilling life across the planet, and every tonne of carbon that stays in the ground is precious.
- (4) Condemns the Liberal Government for continuing to allow the destruction of ancient Tasmanian trees and their canopy of life that supports countless threatened species.
- (5) Acknowledges that 5,000 people attended forest rallies around Australia over the past weekend to call for an end to native forest logging.
- (6) Celebrates the more than 60 protestors who are standing in Wentworth Hills and the Florentine to prevent centuries’ old giants from being destroyed.
- (7) Understands these protests are but the start of the biggest forest protests in over a decade as people defy draconian laws in defence of beauty and nature, today and for future generations.
- (8) Agrees the overwhelming majority of people across Australia and Tasmania want native forest logging to end immediately.
- (9) Calls on the Liberals to end native forest logging, and transition the remaining workers into restoring the forest estate and protecting our carbon stores. (Dr Woodruff)

A Debate arose thereupon.

And the Question being put;

The House divided.

AYES 3

Ms Johnston
Dr Woodruff
Mr Bayley (Teller)

NOES 19

Mrs Alexander
Ms Archer
Mr Barnett
Dr Broad
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Young
Mr Wood (Teller)

So it passed in in the Negative.

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

19 PAPERS. – The Minister for Energy and Renewables laid upon the Table of the House the following Paper:-

Letter to the Hon. *Guy Barnett* MP, Minister for Energy and Renewables, from Mr Roger Gill, Chairman, Marinus Link Pty Ltd, dated 16 August 2023.

20 PAPERS. – The Minister Education Children and Youth for laid upon the Table of the House the following Papers:-

- (1) Letter to the Hon. *Guy Barnett* MP, Minister for Energy and Renewables, from Mr Anton Voss, Chief Executive Officer, Renewables, Climate and Future Industries Tasmania, dated 16 August 2023;
- (2) Letter to the Hon. *Guy Barnett* MP, Minister for Energy and Renewables, from Mr Roger Gill, Chair of the Board, Tasmanian Networks Pty Ltd, dated 16 August 2023;
- (3) Letter to Hon. *Michael Ferguson* MP, from Mr Ian Brooksbank, Chief Executive Officer, Hydro Tasmania, dated 16 August 2023.

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

LAURA ROSS, *Clerk of the House.*

MEMBERS. – All present during the day except Mr *Rockliff*.

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