



HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 20

WEDNESDAY, 31 JULY 2019

- 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 Bass, Ms *O'Byrne*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 7 BILLS. – The Attorney-General presented -

“A Bill for an Act to establish a criminal and general division of the Magistrates Court, to provide for the conduct of proceedings in that division and to provide for related matters” (Bill No. 27)

“A Bill for an Act to consequentially amend certain Acts on the enactment of the Magistrates Court (Criminal and General Division) Act 2019” (Bill No. 28)

“A Bill for an Act to provide for the issue and enforcement of restraint orders and for related matters” (Bill No. 29)

And Ms *Archer* having presented the said Bills, the same were read the First time and made Orders of the Day for tomorrow.
- 8 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That Mrs *Petrusma* have leave to make a Motion without Notice. (Mrs *Petrusma*)
- 9 FIREARMS LEGISLATION AND POLICY, SELECT COMMITTEE ON: TIME FOR BRINGING UP REPORT. – *Ordered*, That the time for bringing up the report of the Select Committee on Firearms Legislation and Policy be extended until 12 November next. (Mrs *Petrusma*)
- 10 PAPERS. – Dr *Woodruff*, *by leave*, laid upon the Table of the House three photographs of the Tasman Island Wetlands.
- 11 MATTER OF PUBLIC IMPORTANCE: COMBUSTIBLE CLADDING. - Ms *Butler*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Combustible Cladding.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

12 BILL NO. 14. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Tuesday, 30 July 2019 - That the Right to Information Amendment (Applications for Review) Bill 2019 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)

Mrs *Rylah* took the Chair.

Clauses 1 to 3 agreed to.

New Clause A and New Clause B were brought up by Dr *Woodruff* and read a First Time as follows:-

New Clause A

A. Section 5 amended (Interpretation)

Section 5 of the Principal Act is amended by inserting before the definition of *officer*, the following definition:

Journalist means a person who –

- (a) is engaged in the profession or practice of reporting, photographing, editing or recording for a media report of a news, current affairs, information or documentary nature; and
- (b) is paid to perform that profession or practice by a person, or body, that –
 - (i) is subject to a code of ethics and a procedure for the Australian Press Council, or for another person or body that is prescribed, to deal with complaints about persons engaging in such a profession or practice; or
 - (ii) is the holder of a licence under the Broadcasting Services Act 1992 of the Commonwealth;

B. Section 16 amended (Charges for information)

Section 16 of the Principal Act is amended by inserting the following paragraph after paragraph (b) in subsection (2):

(ba) the applicant is a journalist acting in connection with their professional duties; or

New Clause A and New Clause B read a Second time and made a part of the Bill to follow Clause 3.

Clause 4 and 5 agreed to.

Title agreed to
Bill to be reported with Amendment.

The House being resumed, Mrs *Rylah* reported that the Committee had gone through the Bill, and made Amendments thereto.

Ordered, That so much of the Standing Orders be suspended as prevents the Bill being now read the Third time. (The Attorney-General)

Ordered, That the Bill, as amended in Committee, be now taken into consideration.
And the Amendments were, accordingly, read and agreed to.

Ordered, That the Bill be now read the Third time.
And the Bill was, accordingly, read the Third time.

13 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 Right to Information Act 2009",

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

House of Assembly, 31 July 2019.

SUE HICKEY, *Speaker*.

14 REFERRAL TO THE HOUSE COMMITTEE. – A Motion being made and the Question being proposed:—

That the _____ the House of Assembly refers to the House Committee the matter of 'Parliamentary Counsel' and that the matters pertaining to the location within Parliament House and access arrangements to the Parliamentary Counsel be a matter to be determined by the Committee and reported to both houses. (The Minister for Infrastructure and Transport).

A debate arose thereupon.

Amendment proposed (The Minister for Infrastructure and Transport) by inserting before the words 'Parliamentary Counsel' the following words:

'non-Government Members' access to'.

And the Question being put;

It was resolved in the Affirmative.

And the Main Question, as amended, being put;

It was resolved in the Affirmative.

Resolved,

That the _____ the House of Assembly refers to the House Committee the matter of non-Government Members' access to 'Parliamentary Counsel' and that the matters pertaining to the location within Parliament House and

15 REFERRAL TO HOUSE COMMITTEE. - A Message to the Legislative Council. -

SUE HICKEY, *Speaker*.

A debate arose thereupon.

19 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Franklin, Mr *O'Byrne*, to withdraw from the House for 30 minutes owing to repeated interjections.

20 BATTERY OF THE NATION. – And the Question being again proposed;

The House resumed debate.

Amendment proposed (Dr *Woodruff*) by leaving out all words after the word “House” and inserting instead the following words:

- (1) Notes that the Liberals repeatedly talk about the Marinus project and use it as a political wedge, particularly during election periods, despite the fact that they have not put forward a financing proposal or a position on who should finance the multi-billion project.
- (2) Agrees that the project could cost in excess of current total Public Non-Financial Corporations Sector debt, and feasibility studies and prominent economists such as Saul Eslake have raised serious concerns about the viability of the project, which have not been addressed by the State Government.
- (3) Notes that the Liberals passed legislation to set wholesale electricity prices at a rate higher than projected, leading to energy bills decreasing by less than they would otherwise would have.
- (4) Notes with alarm that the Liberal Government continues to allow Entura to engage in profiteering from immoral projects overseas such as the Karuma hydro power project Uganda, which has been linked to killings and other human rights violations.
- (5) Condemns the Liberal Government for their lack of honesty, ethics or plan in their handling of the Energy portfolio.

Question proposed – That the Amendment be agreed to;

And the Minister for Energy was addressing the Chair.

21 HEALTH SERVICE BUDGET CUTS. – A Motion being made and the Question being proposed—That the House:—

- (1) Notes the extreme pressure on Tasmania’s health system which has seen unprecedented ambulance ramping and unreasonably long wait times for patients in emergency departments across the State.
- (2) Further notes that there are long wait times for services outside the hospital, including mental health services, as well as outpatient services.
- (3) Recognises the strain this is placing on staff working in the health system and the patients and family members who are trying to access health care.
- (4) Supports our health work force and thanks them for their dedication and service to our State.
- (5) Acknowledges the Tasmanian Health Service cannot withstand budget cuts when they are already operating with insufficient funds.
- (6) Does not support any cuts to the Tasmanian Health Service budget.
- (7) Asks that the Government quarantine health from any budget cuts. (*Ms White*)

A debate arose thereupon.

Amendment proposed (The Minister for Health) by leaving out all words after the word “House” and inserting instead the following words:

- “(1) Recognises the significant increase in demand for health care in Tasmania, with the Royal Hobart Hospital seeing sustained growth in demand, with a 21% rise in admissions over the past three years.
- (2) Notes that the Government is taking action to address this demand including by opening the new K Block at the Royal Hobart Hospital.
- (3) Acknowledges that these patients are sicker, with more complex needs.

- (4) Recognises the strain this is placing on staff working in the health system and the patients and family members who are trying to access health care.
- (5) Supports our health work force and thanks them for their dedication and service to our state.
- (6) Acknowledges that the 2019-20 Tasmanian Budget includes operational health expenditure of \$1.96 billion
- (7) Further notes this is \$155 million more than the 2018-19 Budget.
- (8) Notes that the Government has committed to quarantining frontline services, with efficiencies to be achieved with a focus on vacancy control, natural attrition and the reduction of discretionary spending.”

A debate arose thereupon.

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

The House divided.

AYES 12

Ms Archer
Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Tucker
Mrs Rylah (Teller)

NOES 12

Mr Bacon
Dr Broad
Ms Butler
Ms Haddad
Ms Houston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff
Ms Dow (Teller)

SPEAKER GIVES CASTING VOTE. – The Speaker said: “The result of the division is 12 Ayes and 12 Noes, which means I have to use a casting vote. In accordance with standing order 167, I will now cast my vote. Before I do so, as is my tradition, I will make a statement as to my reasoning.

As Members know, I am extremely passionate about our health system and I have regularly challenged the Government to do better. I want to see improvements to our health system and improved access to care for our citizens and families. Since my election I have talked to many doctors, nurses, cleaners and orderlies who are all working extremely hard in incredibly difficult conditions and I applaud all of these people.

But I do have a business background and I am a Master of Business Administration, so I know you just cannot keep throwing money at a problem. You must look for efficiencies and there is no better example of that than this document. I am proud to say the Government has accepted all 21 recommendations, but this document which details silos, inefficiencies and all sorts of problems, is going to be agreed to so that we can look for better efficiencies and serve more people. It is not about taking money out; we must make better use of the Health budget, which is almost \$2 billion a year, and we cannot afford for any waste.

On that basis I will be supporting this amended motion because the Government has promised to quarantine frontline services from efficiencies and it is beholden on all of us to look for efficiencies in every single government department so that we can free up money for essential services. I therefore cast my vote with the Ayes”

It was resolved in the Affirmative.

And the Question being put – That the Main Question, as amended, be agreed to;

It was resolved in the Affirmative.

Resolved, That the House: —

- (1) Recognises the significant increase in demand for health care in Tasmania, with the Royal Hobart Hospital seeing sustained growth in demand, with a 21% rise in admissions over the past three years.
- (2) Notes that the Government is taking action to address this demand including by opening the new K Block at the Royal Hobart Hospital.
- (3) Acknowledges that these patients are sicker, with more complex needs.
- (4) Recognises the strain this is placing on staff working in the health system and the patients and family members who are trying to access health care.
- (5) Supports our health work force and thanks them for their dedication and service to our state.
- (6) Acknowledges that the 2019-20 Tasmanian Budget includes operational health expenditure of \$1.96 billion
- (7) Further notes this is \$155 million more than the 2018-19 Budget.
- (8) Notes that the Government has committed to quarantining frontline services, with efficiencies to be achieved with a focus on vacancy control, natural attrition and the reduction of discretionary spending.

22 IMPACT OF REMOVING POKER MACHINES FROM PUBS AND CLUBS. – A Motion being made and the Question being proposed—That the House:—

- (1) Notes that during the 2018 State Election campaign, Liberal MPs and candidates, including the Premier, Hon. *Will Hodgman* MP and Treasurer, Hon. *Peter Gutwein* MP stood outside the Glenorchy RSL and falsely claimed that without poker machines the venue would close, threatening ANZAC Day celebrations.
- (2) Further notes with sadness the unexpected closure of the Glenorchy RSL on Sunday 21 July 2019, the loss of eleven local jobs and a service highly valued by Glenorchy veterans.
- (3) Agrees the Tasmanian Liberal Party, the Premier, Treasurer, and Liberal candidates perpetrated a lie on the Tasmanian people in the lead up to the State Election on behalf of their gambling industry donors.
- (4) Calls on the Premier, on behalf of the Liberal Party and its elected representatives to apologise to:—
 - (a) veterans and staff from the now closed Glenorchy RSL for shamelessly exploiting them for political gain; and
 - (b) Tasmanian voters for misleading them on the impact of removing poker machines from pubs and clubs.
- (5) Further agrees poker machines should be removed from pubs and clubs. (Ms *O'Connor*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 2

Dr Woodruff
Ms O'Connor (Teller)

NOES 22

Ms Archer
Mr Bacon
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ferguson
Mr Gutwein
Ms Haddad
Mr Hodgman
Ms Houston
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Mrs Petrusma
Mr Rockliff
Mr Shelton
Ms Standen
Mr Tucker
Ms White
Mrs Rylah (Teller)

So it passed in the Negative.

23 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 fifty-three minutes past six o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day.