



HOUSE OF ASSEMBLY

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 17

WEDNESDAY, 26 OCTOBER 2022

- 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 PETITION. – Ms *Butler* presented a Petition from approximately 85 residents of Tasmania, requesting that the House to call upon the Minister for Infrastructure and Transport to take the following action in respect of Birralea Road:
 - (1) Impose a night-time freight curfew between 9am and 6am; and
 - (2) Impose a reduced speed limit where houses are close to the road corridor. (HA17/2022).

Which Petition was read and received.

- 6 PETITION. – Dr *Woodruff* presented an E-Petition from approximately 1,782 residents of Tasmania, requesting that the House call on the Tasmanian Government to declare *Digitalis purpurea* a declared weed under the Weed Management Act 1999 due to its adverse impact on the Tasmanian landscape, flora and fauna, as described in Section 9(1) of the Act. (HA18/2022).

Which Petition was read and received.

- 7 PAPERS. – The Premier laid upon the Table of the House the following Papers:-
 - (1) Brand Tasmania: Annual Report 2021-22.
 - (2) Report of the Tasmanian Industrial Commission: Review of Actions 2021-22.
- 8 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-
 - (1) Tasmanian Economic Regulator: Annual Report 2021-22.
 - (2) Marine and Safety Tasmania (MAST): Annual Report 2021-22.
 - (3) Metro: Annual Report 2021-22.
 - (4) Office of the National Rail Safety Regulator (ONRSR): Annual Report 2021-2022.
 - (5) Tasmanian Planning Commission: Annual Report 2021-22.
 - (6) Inland Fisheries Service: Annual Report 2021-2022.

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

- (1) Aurora Energy: Annual Report 2021-2022.
- (2) Department of State Growth: Annual Report 2021-22.
- (3) Tasmania Development and Resources: Annual Report 2021-22.
- (4) TasNetworks: Annual Report 2021-22.

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

- (1) Teachers Registration Board Tasmania: Annual Report 2021.
- (2) Response to Petition: No. 6 of 2022.
- (3) Nature Conservation Act 2002:
 - (a) Proclamation Under Section 11(2) (Borradaile Regional Reserve; Central Plateau Conservation Area; Dove River Regional Reserve; February Plains Regional Reserve; Mole Creek Karst National Park; Mersey River Conservation Area) (Statutory Rules 2022, No.).
 - (b) Proclamation Under Section 11(2) (Dogs Head Hill Regional Reserve; Great Western Tiers Conservation Area; Liffey Conservation Area; Southwest Conservation Area; Stringybark Conservation Area) (Statutory Rules 2022, No.).

11 PAPERS. – The Minister for Police, Fire and Emergency Management laid upon the Table of the House the following Papers:-

- (1) Department of Police, Fire and Emergency Management: Annual Report 2021-22.
- (2) State Fire Commission: Annual Report 2021-22.

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

Port Arthur Historic Site Management Authority: Annual Report 2021-22.

13 PAPERS. – The Clerk of the House laid upon the Table of the House the following Paper:-

House of Assembly: Thirty Third Annual Report 2021-2022.

14 BILL NO. 48. – The Minister for Workplace Safety and Consumer Affairs presented -

“A Bill for an Act to amend the Workers Rehabilitation and Compensation Act 1988”.

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

15 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Deputy Premier have leave to make a Motion without Notice. (The Deputy Premier)

16 SITTING TIMES. - *Ordered*, That for this day's sitting the House not stand adjourned at Six o'clock and that the House continue to sit past Six o'clock. (The Deputy Premier)

17 MATTER OF PUBLIC IMPORTANCE: COST OF LIVING. – Mr *Winter* in accordance with Standing Orders, moved - That the House take note of the following matter:

Cost of Living.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

18 CONDITION OF PUBLIC HOUSING. – A Motion being made and the Question being proposed—That the House:—

- (1) Notes:-
 - (a) the findings of the latest Report On Government Services that:—
 - (i) 20.3% of all state-managed public housing properties in Tasmania have more than two major structural issues or less than four working facilities; and
 - (ii) 16.3% of all community housing properties in Tasmania have more than two major structural issues or less than four working facilities; and
 - (b) there was a 42% reduction in the number of work orders completed across all social housing properties in July 2022 compared to July 2021.
- (2) Acknowledges that many social housing properties are in a general state of disrepair, with some tenants encountering issues such as mould, faulty plumbing or broken appliances;
- (3) Recognises the obligations of Housing Tasmania and Community Housing Providers to ensure all properties are adequately maintained with urgent work completed in a reasonable timeframe;
- (4) Calls on the Minister for State Development, Construction and Housing, Hon. *Guy Barnett* MP, to immediately update the House on what actions, if any, the Government is taking to ensure all social housing properties meet minimum living standards.
- (5) Calls on the Government to commit to publishing a social housing condition report each quarter that includes the total maintenance liability of the social housing portfolio and a detailed breakdown of all required and completed maintenance work. (Mr *O'Byrne*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Tucker
Mr Young (Teller)

PAIRS

Dr Broad

Mr Street

DEPUTY SPEAKER GIVES CASTING VOTE. – The Deputy 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.

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

20 BILL NO. 31. - The Order of the Day being read for the Second reading of the Waste and Resource Recovery Amendment (Single-Use Plastics) Bill 2022.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time.
(*Dr Woodruff*)

A Debate arose thereupon.

And the Question being put;

The House divided.

AYES 3

Ms O'Connor
Dr Woodruff
Ms Johnston (Teller)

NOES 20

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 Shelton
Ms White
Mr Winter
Mr Wood
Mr Young (Teller)

So it passed in in the Negative.

21 REFERENCE ON NEW STADIUM AT MACQUARIE POINT. – A Motion being made and the Question being proposed— That the House calls on the Government to establish a Referendum in accordance with the Referendum Procedures Act 2004 on the question of whether a new stadium should be built at Macquarie Point. (*Ms White*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 8

Dr Broad
Ms Butler
Ms Dow
Ms Haddad
Mr O'Byrne
Ms White
Mr Winter
Ms Finlay (Teller)

NOES 14

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Johnston
Ms O'Connor
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Tucker
Dr Woodruff
Mr Young (Teller)

PAIRS

Ms O'Byrne

Mr Street

So it passed in the Negative.

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

23 BILL NO. 41. - 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 Guardianship and Administration Amendment (Advance Care Directives) Act 2021 and the Tasmanian Civil and Administrative Tribunal Act 2020".

Legislative Council, 25 October 2022.

C.M. FARRELL, President.

24 BILL NO. 42. - The Animal Welfare Amendment Bill 2022 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)

The Chair of Committees took the Chair.

Clauses 1 to 3 agreed to.

Clause 4 read.

Amendment proposed (*Ms O'Connor*)

Page 3, Leave out everything after "amended".

Insert instead as follows:

“(a) by inserting before the definition of *Advisory Committee* the following definition:

abandons, in relation to an animal, includes the relinquishing of the care or charge of the animal without ensuring that another person has, or will immediately take, care or charge of the animal;

- (b) by inserting after the definition of *animal welfare standards* the following definitions:

appropriate and sufficient means –

- (a) in relation to the provision of food to an animal, that food of sufficient quality is provided –

(i) in sufficient quantity to meet the nutritional requirements of maintaining the animal in reasonable body condition and, if appropriate, allowing for growth and reproduction; and

(ii) as often as appropriate for the digestive system and metabolism of the animal; or

- (b) in relation to the provision of drink, that fluids of sufficient quality are provided in sufficient quantity to keep the animal hydrated at all times; or

- (c) in relation to the provision of shelter, that shelter which affords protection for the animal from the adverse effects of weather conditions is provided;

- (c) by inserting after the definition of *Code of Practice* the following definition:

commercial purpose means any purpose that includes the intent to obtain financial reward from the use of an animal, the sale of an animal, or the sale of products or services derived from animals or animal labor.

- (d) by inserting after the definition of conveyance the following definitions:

dispose, in relation to an animal, includes, but is not limited to –

- (a) the sale or rehoming of the animal; and
(b) euthanising the animal;

dwelling means a structure or vehicle where a person normally resides, and excludes land, buildings and areas around and underneath that structure or vehicle;

- (e) by inserting after the definition of *Licensed Institution* the following definition:

management, in relation to an animal, includes an act or failure to act in relation to feeding, handling, transportation, routines or regiments, confinement, administration or application of substances, physical alterations to the animal, or any activity or practices which could reasonably be expected to have a material impact on the animal.

(f) by inserting after the definition of *officer* the following definitions:

pain or suffering includes physical or mental injury, suffering, or distress which can be observed or reasonably inferred;

pest animal means an animal of a kind or class which is entered in the pest register;

pest register means the pest register established and maintained under section 8A.”

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

The Committee divided.

AYES 3

Ms O'Connor

Dr Woodruff

Ms Johnston (Teller)

NOES 19

Mrs Alexander

Ms Archer

Mr Barnett

Dr Broad

Ms Butler

Mr Ellis

Mr Ferguson

Ms Finlay

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mr Rockliff

Mr Shelton

Ms White

Mr Winter

Mr Wood

Mr Young (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 O'Connor and read a First Time as follows:-

“A. Section 3B inserted

Before section 4 of the Principle Act, the following section is inserted in Part 1:

3B. Objects of Act

- (1) The main objects of this Act are to recognise that –
 - (a) animals are sentient beings that are able to subjectively feel and perceive the world around them; and
 - (b) animals have intrinsic value and deserve to be treated with compassion and have a quality of life that reflects their intrinsic value; and
 - (c) people have a duty to care for the physical and mental welfare of animals.
- (2) This is to be achieved particularly by –
 - (a) promoting and protecting the welfare of animals; and
 - (b) providing for the proper and humane care, management and treatment of animals; and
 - (c) deterring and preventing animal cruelty and the abuse and neglect of animals; and
 - (d) enforcing laws about the matters mentioned in paragraphs (a), (b) and (c).”

Question put – that New Clause A be read a Second time and made a part of the Bill to follow Clause 5;

The Committee divided.

AYES 3

Ms O'Connor
Dr Woodruff
Ms Johnston (Teller)

NOES 19

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

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.

25 ADJOURNMENT. – A Motion being made - That the House do now adjourn (The Minister for State Development, Construction and Housing)

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

The House adjourned at fifty-nine minutes past Seven o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day except Mr *Street*.

The Minister for Primary Industries and Water, Minister for Disability Services, Minister for Women and Minister for the Prevention of Family Violence attended Question Time.