



HOUSE OF ASSEMBLY

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 18

THURSDAY, 27 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 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 the conclusion of the debate on the Matter of Public Importance owing to repeated interjections.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 7 PAPERS. – The Premier laid upon the Table of the House the following Papers:-
 - (1) Department of Communities Tasmania: Annual Report 2021-2022.
 - (2) Department of Health: Annual Report 2021-22.
 - (3) Chief Civil Psychiatrist Chief Forensic Psychiatrist: Annual Report 2021-2022.
 - (4) Council of Obstetric and Paediatric Mortality and Morbidity: Annual Report 2020.
 - (5) Response to Petition HA No. 9 of 2022.
 - (6) Response to Petition HA No. 3 of 2022.
 - (7) Tasmanian State Service: Annual Report 2021-22.
 - (8) Department of Premier and Cabinet: Annual Report 2021-22.
 - (9) Office of the Governor of Tasmania: Annual Report 1 July 2021-30 June 2022.
- 8 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-
 - (1) Tasmanian Public Finance Corporation: Annual Report 2021-2022.
 - (2) Treasurer's Annual Financial Report 2021-22.
 - (3) Department of Treasury and Finance: Annual Report 2021-22.

- (4) Vehicle and Traffic Act 1999: Vehicle and Traffic (Heavy Vehicle Charges) Amendment Regulations 2022 (Statutory Rules 2022, No. 69)
- (5) TT-Line: Annual Report 2021-22.
- (6) Tasmanian Irrigation: Annual Report 2021-22.

9 PAPERS. – The Attorney-General laid upon the Table of the House the following Papers:-

- (1) Legal Profession Board of Tasmania: Independent Regulator - Annual Report 2021-2022.
- (2) Tasmanian Civil & Administrative Tribunal (TASCAT): Annual Report 2021-2022.
- (3) Public Trustee: Annual Report 2021-2022.
- (4) Department of Justice: Annual Report 2021-2022.

10 PAPERS. – The Minister for State Development, Construction and Housing laid upon the Table of the House the following Papers:-

- (1) Macquarie Point: Annual Report 2021-2022.
- (2) Response to Petition HA No. 13 of 2022.
- (3) Hydro Tasmania: Annual Report 2022.

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

- (1) Department of Education: Annual Report 2021-22.
- (2) Waste and Resource Recovery Act 2022: Ministerial Order.
- (3) Department of National Resources and Environment Tasmania: Annual Report 2021-2022.
- (4) Wellington Park Management Trust: Annual Report 2021-2022.

12 PAPERS. – The Minister for Skills, Training and Workforce Growth laid upon the Table of the House the following Papers:-

- (1) TasTAFE: Annual Report 2021-2022.
- (2) Private Forests Tasmania: Annual Report 2021-22.
- (3) Sustainable Timber Tasmania: Annual Report 2022.

13 PAPERS. – The Minister Racing laid upon the Table of the House the following Paper:-
Tasracing: Annual Report 2022.

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

- (1) Integrity Commission: Annual Report 2021-22.

- (2) Custodial Inspector Tasmania: Annual Report 2021-22.
- (3) Legislative Council, Parliament of Tasmania: Annual Report 2021-2022.

15 BILL NO. 47. – The Premier presented -

“A Bill for an Act to amend the Constitution Act 1934 and the Electoral Act 2004”.

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

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

17 SUSPENSION OF STANDING ORDERS. - *Ordered*, That in respect of the proceedings of the House on Tuesday, 8 November next, so much of Standing Orders be suspended as would prevent:

- (1) The Question before the House at Noon from standing adjourned until 2.30 o'clock p.m.
- (2) A Motion of Apology to Victim Survivors of Child Sexual Abuse in Institutional Settings from then being moved by the Premier forthwith.
- (3) The Mover, Leader of the Opposition and Leader of the Greens not exceeding ten minutes in speaking to such motion, and the Independent Members for Clark and Franklin not exceeding five minutes each in speaking to such motion.
- (4) The sitting of the House from being suspended until 2.30 o'clock p.m. immediately following the resolution of such Motion. (The Premier)

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

19 ADJOURNMENT. - *Ordered*, That the House, at its rising, adjourn till Tuesday, 8 November next. (The Deputy Premier)

20 MATTER OF PUBLIC IMPORTANCE: SWIFT PARROT HABITAT. – Dr *Woodruff* in accordance with Standing Orders, moved - That the House take note of the following matter:

Swift Parrot Habitat.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

21 BILL NO. 42. - The House, according to Order, again resolved itself into a Committee on the Animal Welfare Amendment Bill 2022.

(In the Committee)

Clause 6 and 7 agreed to.

New Clause B was brought up by Ms *O'Connor* and read a First Time as follows:-

“B. Section 12 amended (Traps)

Section 12, subsection 2 of the Principal Act is amended inserting “soft” before “leghold”.”

Question put – that New Clause B be read a Second time and made a part of the Bill to follow Clause 7;

It passed in the Negative.

Clauses 8 to 14 agreed to.

New Clause C was brought up by Ms *O'Connor* and read a First Time as follows:-

“C. Section 43AAC inserted

Before section 43A of the Principle Act, the following section is inserted in Part 7:

43AAC. Use of CCTV systems in abattoirs

A person who opens, keeps or uses a place, or allows a place of which the person is the occupier to be opened, kept or used, as an abattoir, must ensure the abattoir has a closed-circuit television system installed and operating in accordance with any standards prescribed in the regulations.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 500 penalty units; or
- (b) a natural person, a fine not exceeding 100 penalty units or imprisonment for a term not exceeding 6 months, or both.”

Question put – that New Clause C be read a Second time and made a part of the Bill to follow Clause 14;

The Committee divided.

AYES 3

Ms *O'Connor*
Dr *Woodruff*
Ms *Johnston* (Teller)

NOES 19

Mrs *Alexander*
Ms *Archer*
Mr *Barnett*
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.

Clause 15 agreed to.

New Clause D was brought up by Ms *O'Connor* and read a First Time as follows:-

“D. Section 49A inserted

Before section 50 of the Principle Act, the following section is inserted in Part 8:

49A. Annual report

- (1) The Secretary must, as soon as practicable after the end of each financial year, prepare a report on the administration of this Act showing, in particular –
- (a) the number of charges made for each offence under this Act; and
 - (b) the number of infringement notices issued under section 43A; and
 - (c) the number of licences issued under section 29, and the number of licences granted under section 30; and
 - (d) an overview of any guidelines on animal welfare approved under section 44B; and
 - (e) details of any expenditure from the Animal Welfare Trust Account.

- (2) The Secretary must give the report prepared in accordance with subsection (1) to the Minister who must table it in both Houses of Parliament within 10 sitting-days of its receipt.”

Question put – that New Clause D be read a Second time and made a part of the Bill to follow Clause 15;

The Committee divided.

AYES 3

Ms O'Connor
Dr Woodruff
Ms Johnston (Teller)

NOES 19

Mrs Alexander
Ms Archer
Mr Barnett
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.

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

Clause 16 agreed to.

Title agreed to.
Bill to be reported without Amendment.

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.

22 BILL NO. 42. - 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 Animal Welfare Act 1993”,

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

House of Assembly, 27 October 2022.

MARK SHELTON, *Speaker*.

23 BILL NO. 45. – The Legal Profession Amendment Bill 2022 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.

24 BILL NO. 45. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to amend Legal Profession Act 1997”,

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

House of Assembly, 27 October 2022.

MARK SHELTON, *Speaker*.

25 DRAFT PROCLAMATIONS TO RESERVE FUTURE POTENTIAL PRODUCTION FOREST.
– A Motion being made and the Question being proposed —That the House:—

- (1) Approves pursuant to section 18 of the Nature Conservation Act 2002 (the Act) the draft proclamations tabled on 26 October 2022, made pursuant to section 11(2) of the Act, to reserve Future Potential Production Forest (FPPF) land in the Tasmanian Wilderness World Heritage Area (TWWHA), that is Crown land.
- (2) Recognises that these proclamations:—
 - (a) are being undertaken as a result of a process that began in 2011, where areas of Crown land adjacent to and outside of the then TWWHA boundary were identified for reservation and subsequently, as a result of a determination by the Australian Government in 2013, that the TWWHA boundary should be expanded to include these parcels of land;
 - (b) demonstrates through the reservation of these FPPF land parcels a delivery towards key recommendation 11, as outlined in the 2015 ‘International Union for Conservation of Nature (IUCN)/International Council on Monuments and Sites (ICOMOS) Reactive Monitoring Mission Report’;
 - (c) delivers on a commitment made by the State Party (being the Australian Government) to the World Heritage Committee (WHC) that this land will be reserved and importantly, once approved by both Houses, is reported to the WHC as complete; and
 - (d) ensures that the FPPF land once reserved under ‘The Nature Conservation Act 2002’ (NCA), will result in the NCA, NPRMA and TWWHA Management Plan 2016 having statutory effect over the land. (The Minister for Parks)

A debate arose thereupon.

Amendment proposed (Ms O’Connor) by adding the following paragraphs.

- (3) Recognises the Aboriginal Land Council of Tasmania’s (ALCT) March 2021 claim on kooparoona niara/Great Western Tiers inside the TWWHA; and
- (4) Supports the return of kooparoona niara to ALCT under a new reserve tenure of Aboriginal-owned national park or protected area.

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

The House divided.

AYES 3

Ms O'Connor
Dr Woodruff
Ms Johnston (Teller)

NOES 15

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

So it passed in in the Negative.

And the Main Question being put;

The House divided.

AYES 16

Mrs Alexander
Ms Archer
Ms Butler
Mr Ellis
Mr Ferguson
Ms Haddad
Mr Jaensch
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Shelton
Ms White
Mr Winter
Mr Young
Mr Wood (Teller)

NOES 2

Ms O'Connor
Dr Woodruff (Teller)

And it was resolved in the Affirmative.

26 BILL NO. 25.- The Order of the Day being read for the Second reading of the Electoral Disclosure and Funding Bill 2022.

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

A Debate arose thereupon.

And Ms *Haddad* was addressing the Chair.

27 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 Twenty minutes past Six 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.